

Mayor

Marni L. Sawicki

Council Members

District 1: James D. Burch

District 2: John M. Carioscia Sr.

District 3: Marilyn Stout

District 4: Richard Leon

District 5: Rana M. Erbrick

District 6: Richard Williams

District 7: Jessica Cosden



1015 Cultural Park Blvd.
Cape Coral, FL

City Manager

John Szerlag

City Attorney

Dolores Menendez

City Auditor

Andrea R. Butola

City Clerk

Rebecca van Deutekom

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

May 1, 2017

4:30 PM

Council Chambers

PLEDGE OF CIVILITY

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

1. MEETING CALLED TO ORDER

A. MAYOR SAWICKI

2. INVOCATION/MOMENT OF SILENCE

A. COUNCILMEMBER BURCH

3. PLEDGE OF ALLEGIANCE

A. CONSTANTINE BELIS - OASIS ELEMENTARY

4. ROLL CALL

A. MAYOR SAWICKI, COUNCIL MEMBERS BURCH,
CARIOSCIA, COSDEN, ERBRICK, LEON, STOUT, WILLIAMS

5. CHANGES TO AGENDA/ADOPTION OF AGENDA

6. RECOGNITIONS/ACHIEVEMENTS

A. NONE

7. APPROVAL OF MINUTES

A. Regular Meeting - April 3, 2017

8. BUSINESS

A. PUBLIC COMMENT - CONSENT AGENDA

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

B. CONSENT AGENDA

- (1) Resolution 59-17 Award ITB-UT17-01/KR North RO WTP Busway Replacement to Cogburn Brothers, Inc. of Jacksonville, Florida, the lowest responsive responsible bidder, to provide complete construction services, for modifications to the power distribution system at the North RO Water Treatment Plant, in the amount of \$898,500 plus an additional 10% City controlled contingency of \$89,850 for a total value of \$988,350 and authorize the City Manager or designee to execute the contract. Department: Utilities Dollar Value: \$988,350 (Water and Sewer Fund)
- (2) Resolution 63-17 Beyond Tribute Initiative (Advanced by Mayor Sawicki)
- (3) Resolution 64-17 Approve Hold Harmless Agreement between the City of Cape Coral and Gulf Care, Inc., d/b/a Gulf Coast Village; Department: Utilities; Dollar Value: N/A; (Fund: N/A)
- (4) Resolution 65-17 Approval of Purchase Contract for the purchase of Lot 13, Block 6056, Unit 96, Cape Coral Subdivision, 2029 SW 32nd Street, to provide a site for a Motor Operated Valve (MOV) for remote operation of a sewer force main related to providing additional capacity for North 2 UEP and others, for the purchase price of \$28,000 plus proration costs not to exceed \$1,500 and the remaining balance of the utility assessments of approximately \$10,000; Department: Financial Services / Real Estate Division; Dollar Value: \$39,500; (Water and Sewer Fund); Note: Trade offer rejected by Seller.
- (5) Resolution 66-17 Acceptance of Warranty Deed and Permanent Utility and Drainage Easement from LGI Homes-Florida, LLC for a portion of Lot 49, Block 6025, Cape Coral Unit 95 (2001 SW 12th Terrace) for road right of way and completion of the 6.00-foot wide perimeter utility and drainage easement around the site; Department: Financial Services / Real Estate Division; Dollar Value: \$100; (General Fund)
- (6) Resolution 68-17 Ratify the agreement with B.P Limited Liability Company ("B.P") for emergency water supply deliveries from B.P's reservoir (Southwest Aggregates). The memorandum of agreement is for a non-refundable sum of \$140,000, payable to Southwest Aggregates, to complete the necessary up front work required to pump water to the City's fresh water canals. Department: Utilities Dollar value: \$140,000 (Water & Sewer Fund)
- (7) Resolution 71-17 Speed Limit Change Request- S.E. 17th Place to reduce the posted speed limit on S.E. 17th Place from Four Mile Cove Parkway to Veterans Memorial Parkway

from 30 mph to 25 mph; Department: Public Works; Dollar Value: N/A; (Fund: N/A)

- (8) Waiver of Conflict of Interest for the Law Firm of Henderson Franklin; Department: City Attorney; Dollar Value: N/A; (Fund: N/A)

C. CITIZENS INPUT TIME

A maximum of 60 minutes is set for input of citizens on matters concerning the City Government to include Resolutions appearing in sections other than Consent Agenda or Public Hearing; 3 minutes per individual.

D. PERSONNEL ACTIONS

- (1) NONE

E. PETITIONS TO COUNCIL

- (1) NONE

F. APPOINTMENTS TO BOARDS / COMMITTEES / COMMISSIONS

- (1) Youth Council - 2 Rising Senior Vacancies
(2) Youth Council - 7 Rising Junior Vacancies

9. ORDINANCES/RESOLUTIONS

A. Public Hearings

- (1) Ordinance 12-17 (LU 16-0012) Public Hearing
WHAT THE ORDINANCE ACCOMPLISHES:
An ordinance amending the City of Cape Coral Future Land Use Map from Single Family and Multi-Family by PDP to Single Family Residential for properties located in Units 33, 34, 35, 36-1, 37, 38, 41, 48, 49, 50, 54, 58, and 59, Cape Coral Subdivision, for properties located in the Whispering Pines Subdivision, and for properties lying in Section 10, Township 44 South, Range 23 East, Lee County, Florida; from Single Family and Multi-Family by PDP to Multiple Family Residential for properties located in Units 33, 37 and 58, Cape Coral Subdivision, and lying in Sections 29 and 32, Township 43 South, Range 24 East, Lee County, Florida; from Commercial Activity Center to Single Family Residential for properties located in Unit 49, Cape Coral Subdivision; from Commercial Activity Center to Multiple Family Residential for properties located in Unit 49, Cape Coral Subdivision; and from Urban Services Reserve Area to Urban Services Transition Area for properties located in Units 59, 60, 76, and 81, Cape Coral Subdivision, and for properties located in the West Cape Estates Subdivision. This large scale future land use amendment is a follow-up to LU 15-0004 (Ordinance 59-

15) which brought over 4,000 acres in northern Cape Coral from the Urban Services Reserve Area into the Urban Services Transition Area.

P & Z Recommendation: the Planning and Zoning Commission/Local Planning Agency voted (5-0) to recommend approval of Ordinance 12-17.

City Management Recommendation: Recommends approval of the requested future land use map amendment.

(2) Ordinance 18-17 (ZA 16-0010*) Public Hearing

*Quasi-Judicial, All Persons Testifying Must be Sworn In

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the City of Cape Coral Official Zoning Map by rezoning property located at 9 Del Prado Boulevard North from Professional Office (P-1) to Pedestrian Commercial (C-1) zone.

Hearing Examiner Recommendation: Recommends approval of the application for rezoning.

City Management Recommendation: Recommends approval of the application for rezoning.

B. Introductions

(1) Ordinance 14-17 Set First Public Hearing Date for May 15, 2017

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the Cape Coral Land Use and Development Regulations, Article II, District Regulations, Section 2.5, Schedule of Land Use Classifications, by adding "Sports Academy" to the schedule of Land Use Classifications; amending Section 2.7, District Regulations, by providing that Private Parks shall be allowed as a permitted use in Single-Family Residential (R-1A and R-1B) and Multi-Family (R-3) districts; and providing that Cultural Facilities; Hotels/Motels-Resorts Only; Recreation, Commercial, Group II; and Schools, Commercial (Sports Academy Only) uses shall be allowed as special exception uses in the Single-Family Residential (R-1A and R-1B) and Multi-Family Residential (R-3) districts under certain identified conditions; amending Article XI, Definitions, by revising the definition of "Resort" and adding a definition for "Sports Academy."

P&Z recommendation: At the March 1, 2017 meeting, the Planning and Zoning Commission/Local Planning Agency voted (7-0) to recommend approval of Ordinance 14-17.

City Management Recommendation: Recommends approval of the requested amendment.

(2) Ordinance 19-17 Set First Public Hearing Date for May 15, 2017

WHAT THE ORDINANCE ACCOMPLISHES:

The ordinance amends Article II of the Land Use and

Development Regulations to include Vacation Rentals as a Permitted Use in certain zoning districts. It also amends Article III to create Section 3.30 which establishes regulations and procedures pertaining to vacation rentals. The ordinance also amends Chapter 11 of the Code of Ordinances to establish business tax requirements for vacation rentals.

- (3) Ordinance 20-17 Set Public Hearing Date for May 15, 2017

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending Ordinance 46-16, which adopted the City of Cape Coral Operating Budget, Revenues and Expenditures, and Capital Budget for Fiscal Year 2017, by increasing total Revenues and Expenditures by a total of \$58,387,603.

- (4) Ordinance 21-17 Set Public Hearing Date for May 15, 2017

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance approving the School Bus Lease Agreement between the Cape Coral Charter School Authority and the City of Cape Coral.

10. UNFINISHED BUSINESS

- A. Water Quality - Update
- B. Legislative Issues - Update

11. NEW BUSINESS

- A. Presentation of the FY2016 Comprehensive Annual Financial Report (CAFR)

12. REPORTS OF THE MAYOR AND COUNCIL MEMBERS

13. REPORTS OF THE CITY ATTORNEY AND CITY MANAGER

14. TIME AND PLACE OF FUTURE MEETINGS

- A. A Regular Meeting of the Cape Coral City Council is Scheduled for Monday, May 15, 2017 at 4:30 p.m. in Council Chambers

15. MOTION TO ADJOURN

**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) after 4:00 PM on the Thursday prior to the Council Meeting.

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

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

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

thorough consideration of the subject.

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

| | |
|----------------------|----------------------------|
| Item Number: | 7.A. |
| Meeting Date: | 5/1/2017 |
| Item Type: | APPROVAL OF MINUTES |

**AGENDA REQUEST
FORM**
CITY OF CAPE CORAL



TITLE:

Regular Meeting - April 3, 2017

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment? No
2. 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

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

SUMMARY EXPLANATION AND BACKGROUND:

LEGAL REVIEW:

EXHIBITS:

Regular Meeting - April 3, 2017

PREPARED BY:

Kimberly
Bruns Division- Managerial Department- City Clerk's
Department

SOURCE OF ADDITIONAL INFORMATION:

Kimberly Bruns
Assistant City Clerk
1-239-242-3243

ATTACHMENTS:

Description

▣ Regular Meeting - April 3, 2017

Type

Backup Material

**MINUTES FOR THE REGULAR MEETING OF THE
CAPE CORAL CITY COUNCIL**

April 3, 2017

Council Chambers

4:30 p.m.

Meeting called to order by Mayor Sawicki at 4:30 p.m.

Moment of Silence – Mayor Sawicki

Pledge of Allegiance

Roll Call: Mayor Sawicki, Council Members Burch, Carioscia, Cosden, Erbrick, Leon, Stout and Williams were present.

CHANGES TO AGENDA/ADOPTION OF AGENDA

Mayor Sawicki requested that Item 11A be moved up to right after Citizens' Input.

Councilmember Stout moved, seconded by Councilmember Williams to approve the agenda, as amended.

Council polled as follows: Sawicki, Stout, Williams, Burch, Carioscia, Cosden, Erbrick and Leon voted "aye." Eight "ayes." Motion carried 8-0.

RECOGNITIONS/ACHIEVEMENTS

**Bicycle Friendly Community Award for 2016 - Presented by Becky Afonso,
Executive Director of Florida Bicycle Association**

Public Works Planning Manager Zambrano introduced Becky Afonso, Executive Director of the Florida Bicycle Association, who presented the City of Cape Coral and Cape Coral Bike Ped with an award titled Bicycle Friendly Community Award for 2016.

Councilmember Burch requested a color copy of the certificate to bring with him to Tallahassee for display and discussion at the MPO Advisory Council on pre-platted cities.

Region V - FSAWWA Best Tasting Drinking Water 2017

Director Pearson discussed the City of Cape Coral with the Region V – FSAWWA Best Tasting Drinking Water for 2017, competed against Ava Maria Utilities, Collier County Utilities, Lee County Utilities, Bonita Springs Utilities, the Seminole Tribe Utilities, and Marco Island Utilities. He introduced Ron Cavalieri from the AWWA Region V Chairman who presented the award to the Utilities Department.

Utilities Director Pearson labeled our system as the oldest continuous reverse osmosis plant in the world located in the Southwest Plant which opened in 1977. He discussed the North RO Plant as a state-of-the-art facility.

APPROVAL OF MINUTES

Regular Meeting – March 6, 2017

Councilmember Carioscia moved, seconded by Councilmember Leon to approve the minutes for the March 6, 2017 regular meeting as presented. Voice Poll: All "ayes." Motion carried.

Regular Meeting – March 20, 2017

Councilmember Carioscia moved, seconded by Councilmember Williams to approve the minutes for the March 20, 2017 regular meeting as presented. Voice Poll: All “ayes.” Motion carried.

BUSINESS

PUBLIC COMMENT - CONSENT AGENDA

Wendy Blake discussed the Lake Meade item, requested an appraisal for properties in the future to determine how the value was established. She mentioned the trade notation, does the City have a process in place where it values the 1,100 pieces of property. Do you have a process where property owners can evaluate and trade their land? She received a list of properties that the City would like to acquire. This would be helpful for comparable value. She discussed the history of trades since the 491 parcel purchase. She would like the properties deemed surplus and sold or a more efficient process for the city to use that land as it was intended.

CONSENT AGENDA

Mayor Sawicki announced the City Manager's intention to pull item 8.

Councilmember Leon pulled item 2.

Councilmember Burch pulled item 5.

1. Resolution 45-17 Award ITB-UT17-29/KR Sanitary Sewer Collection System In-Flow Abatement Service, to USSI, LLC, to provide sanitary sewer collection system in-flow abatement services in previously lined lift station basins, as the lowest responsive, responsible bidder, in the amount of \$124,880 and authorize the City Manager or designee to execute the contract and any renewals; Department: Utilities; Dollar Value: \$124,880; (Water and Sewer Fund)
2. Resolution 47-17 Ratify the Emergency Purchase Order and Staff Cost Proposal (SCP) #WSA-1 to Water Science Associates, Inc. for professional engineering services necessary for emergency water supply deliveries from the Southwest Aggregates Mining Operation. This water supply source has the potential to become the City's proposed Northeast Irrigation Reservoir. The SCP is governed by the continuing Professional Miscellaneous Engineering services contract – CON-UT15-21/KR-Y approved on August 8, 2016 under Resolution 106-16. The Staff Cost Proposal (SCP) #WSA-1 is for a total of \$169,688 plus a request of 10% City controlled contingency, for additional professional engineering services, of \$16,969 for a grand total of \$186,657 Department: Utilities; Dollar value: \$186,657; (Water & Sewer Fund)
3. Resolution 48-17 Memorandum of Understanding (MOU) between FDOT and the City for the Purpose of Constructing a Traffic Signal and Associated Roadway Improvements at the Intersection of SR-78 and N.E. 24th Avenue/ Hancock Creek Boulevard; Department: Public Works; Dollar Value: N/A; (Fund: N/A)
4. Resolution 49-17 Agreement between the City of Cape Coral and Liberty Health Park, LLC for the construction of roadway improvements associated with the installation of a traffic signal at the intersection of SR-78 and NE 24th Avenue/Hancock Creek South Boulevard; Department: Public Works; Dollar Value:(Total Cost: \$500,000, estimated cost to the city \$274,450 Developers' contribution: \$225,550); (Traffic Control Devices Fund)
5. Resolution 50-17 Approval of Purchase Contract for the purchase of Lots 5 and 6, Block 2152, Unit 32, Cape Coral Subdivision, 2109 NE 12th Avenue, Cape Coral,

for the future expansion of the Lake Meade Park area for the purchase price of \$24,500 plus estimated closing costs not to exceed \$1,500; Department: Financial Services / Real Estate Division; Dollar Value: \$26,000; (Parks Capital Project Fund) Note: Trade offer rejected by Seller.

6. Resolution 51-17 Acceptance of Permanent Utility and Drainage Easement at 1615 Del Prado Boulevard South ~ Strap #29-44-24-C1-0020B.0000) as required as part of the Chase Bank Site Plan Review (SP16-0056); Department: Financial Services / Real Estate; Dollar Value: N/A (Fund: N/A)
7. Resolution 52-17 Adoption of the City of Cape Coral Bicycle and Pedestrian Master Plan, A Complete Streets Implementation Strategy- Public Works; Dollar Value: N/A (Fund: N/A)
8. Approval of the Design Concept for the Streetscape Improvement Project on SE 47th Terrace

Councilmember Leon moved, seconded by Councilmember Burch to approve Items 8(B)(1), 8(B)(3), 8(B)(4), 8(B)(6), and 8(B)(7), as presented.

Council polled as follows: Sawicki, Stout, Williams, Burch, Carioscia, Cosden, Erbrick and Leon voted "aye." Eight "ayes." Motion carried 8-0.

Councilmember Leon requested Director Pearson address Resolution 47-17.

Director Pearson discussed Resolution 47-17 - Item 2. He explained the importance of the proposed reservoir.

Councilmember Leon questioned do we pump the water into Gator Slough or is it a natural flow?

Director Pearson responded that it is a natural flow based on gravity.

Councilmember Leon discussed the North to South on Pine Island Road, he would like to see while the scale of the project is \$37 million to \$38 million versus \$100 million in Atlanta, what can we do to scale down the project even more? As we run the tests, can we measure the water going out and coming in to the Pine Island area in order to save costs in the pipeline?

Director Pearson stated that is an option we will be looking at with this test drive; there is work that must be done at the reservoir site which is the largest cost.

Councilmember Leon would like to avoid the pipeline.

Director Pearson stated gauges will be set up from our furthest weir up to the reservoir for measurements.

Councilmember Burch discussed assessing all options.

Councilmember Leon moved, seconded by Councilmember Burch to approve Items 8(B)(2), as presented.

Council polled as follows: Sawicki, Stout, Williams, Burch, Carioscia, Cosden, Erbrick and Leon voted "aye." Eight "ayes." Motion carried 8-0.

Councilmember Burch requested Property Broker Andrews to address the appraisals in the public domain; where do they compare to what everyone needs to know.

Property Broker Andrews responded they are electronically available in her office. The Charter requires an appraisal, like kind appraisals can be used to buy several properties. She inquired if Council would like the appraisals attached in the future.

Councilmember Burch responded in the affirmative.

Councilmember Burch moved, seconded by Councilmember Leon to approve Items 8(B)(5), as presented.

Councilmember Burch addressed the eminent domain processes. He would like the new auditor to review the process and try to determine where we are, where we were, and what we can do for the Bunch Family. On May 1, 2017, he requested that time be reserved with the new auditor to look at the whole process and identify what transpired with the Bunch property.

Council polled as follows: Sawicki, Stout, Williams, Burch, Carioscia, Cosden, Erbrick and Leon voted "aye." Eight "ayes." Motion carried 8-0.

City Manager Szerlag discussed the approval of a proposed streetscape project between Del Prado and Coronado on SE 47th Terrace. As CRA Commissioners today, they voted unanimously to approve this. The next process is to design the street and then construct it. This should spawn new development and be a genesis for economic development in the area. The Advisory Committee is working with staff on the street furniture; this will come back for a vote.

Councilmember Burch moved, seconded by Councilmember Leon to approve Items 8(B)(8), as presented.

Council polled as follows: Sawicki, Stout, Williams, Burch, Carioscia, Cosden, Erbrick and Leon voted "aye." Eight "ayes." Motion carried 8-0.

CITIZENS INPUT TIME

Jerry Tack discussed the Old Golf Course property and the need for open green space in this area of Cape Coral.

Steve Etoch discussed the history of the purchase of Cape Coral in 1957 by the Rosen Brothers, with a motivation of longer term profit. He mentioned the Old Golf Course property as a part of their vision. This property could be the economic draw for the 21st century. It has 5 miles of safe bike paths; it should be integrated with the Bimini Basin project. He requested that Council use your vision and far sightedness about long term maximum investment for Cape Coral. Invest in the parcel and make it an economic draw, stand with the people, preserve and enhance this greenspace.

Linda Prince discussed Cape Coral as a destination place; she mentioned North Fort Myers' success. She is in favor of Bimini Basin. We need to work together as a community to make our dreams come true.

Leonard Nelson relocated to Cape Coral from Asheville, North Carolina. Please listen to the citizens of Cape Coral regarding the need for green space. He discussed finding the land a month prior to the no trespassing signs being posted. He mentioned the peacefulness experienced in that area even though it is in the middle of the City. A park with green space will draw people.

Pam McClenathan, Representative from Save our Recreation, discussed a rally with 350 participants from all over the City of Cape Coral to keep the Old Golf Course property as a green space. She received terrific support from the Police Department who provided their services. Keep in mind the present and future residents' need for parks.

Ginny Bunch expressed her appreciation and respect for the Old Golf Course property. In reference to her eminent domain topic, she would have never imagined the City of Cape Coral pursuing her property as they are. She thinks it was an easy taking, not a true need. It was not for widening a road or putting in a bridge. This project was flexible; the City had properties that were on the market for sale, and hers was not for sale, she

felt the Acquisition Department saw them as easy taking, based on power. Be concerned about the City's motivations, as she was a target based on being regular people. It has been a year on 4/11/2017.

Wendy Blake appreciated the citizens fighting for the Old Golf Course property. Keep up our strength because she believes Four Freedoms park is next. The 877 properties was a list that the City of Cape Coral intends or would like to acquire. The 1100 parcels that she was speaking about are parcels that the City currently owns as vacant parcels. She discussed the potential land acquisition for the UEP expansion. At no time has staff or Council ever approached the Bunch Family with a tangible trade. She had requested a list of traded properties and when received was extremely short, basically a handful. The public hearing was not in the news paper or notified.

William Nelson discussed running in the community. He sees protesting signs, would like to have an open field for residents. They are not big enough for runners or tracks.

Sorana Wyant discussed the 7 candidates for the Charter School Governing Board, choose a candidate with a lot of knowledge and the best interest of our schools future.

Councilmember Burch reviewed the Old Golf Course property. He read a slogan off of a pamphlet handed out, "One generation plants the trees and another gets the shade." He thanked the residents for coming to speak on this topic. Regarding the Charter School, he recommended that people engage eye to eye and not rely on Facebook for resolutions. Our Charter System is the best in the State of Florida. Read Chapter 26 to learn all about the responsibilities. He addressed the Bunch family's comments; thanked them for you're their professional behavior. He mentioned their needs to be a set of rules to be exhausted before you step on that owner's land. He continued by inquiring about the Old golf course property options, questioning the referendum that council approved. He requested that the City Manager provide an update on what options he discovered and added a request for an update to the Bunch family.

City Manager Szerlag stated he has spoken to John Pentecost, President, DR Horton Company, and he asked him if he had an interest in an exchange property. He stated Mr. Horton stated yes. Manager Szerlag stated he is in the information gathering process; the parcel that we spoke about was 320 acres around Kismet and Burnt Store Road area. He authorized an appraisal, but the numbers are not back yet. He would then need a formal direction once the information is gathered. Does Council want to negotiate a trade or partial trade? There would be costs involved to make the property into a recreational facility, as well as operational and capital costs.

Councilmember Burch requested the time frame for the appraisal.

City Manager Szerlag responded that he had requested it as soon as possible and requested Property Broker Andrews to discuss. Property Broker Andrews mentioned that it is anticipated by the end of the week.

NEW BUSINESS

Audit Committee Memo of Recommendation Re: Charter Schools (Advanced by Mayor Sawicki)

Moved to after Citizens Input

Mayor Sawicki discussed the item for Council review.

Councilmember Leon had a handout distributed to Council.

Audit Committee Chair Wolfson discussed his history on the committee and determined this is the first time he has been compelled to come to Council with an issue presented to the committee. He referenced Ordinance 99-08. He was here to offer advice and present

concerns at the March 15, 2017 meeting. He read the motion that was included on his memo. He noted these recommendations were in three major areas: collection and receipt of internal funds, disbursement of internal funds, and governance and administration of internal funds. The total internal funds of the Charter School is approximately \$500,000. He stated he was available for questions about the audit and its findings. He continued that the audit report that was delivered to the Charter School Authority Board has raised concerns regarding the internal control environment. The audit has reported numerous significant findings and recommendations. The Audit Committee is concerned with the findings and the response from Charter School Management who has indicated that they will address the implementation of the correction actions, but there is no indication that they have or will include the resources or expertise within the City's Financial Services Department.

Chair Wolfson continued that based on the management practices that gave rise to the internal control weaknesses over the entire history of the Charter Schools and the weaknesses presented in the audit, we believe that it is unreasonable to put the implementation of corrective actions into the same hands and expertise that govern that environment where those weaknesses were created and proliferated. The City's Financial Director is required to sign the Charter School CAFR report each year and to sign a representation letter in which she attests that the numbers expressed on the report are correct and that she is not aware of any control weaknesses. Her personal certifications are at risk if she signs these documents, knowing that they may include false representations. It is unfair and unreasonable to ask her to perform this task without giving her the authority and the ability to govern and provide input to the internal control environment to which she is attesting. We assert that the knowledge regarding internal controls and best practices that exist within the City's Financial Services Department should be employed to implement the correction actions as required in the Charter School Authority's financial processes. It was also his understanding that there will be an outside audit by Larsen to work with the controls and also in the year 2018 there will be a financial type of audit to see if the controls have been effective.

Audit Committee Member Hiatt discussed the response. You cannot create resolutions without working with the Finance Department.

Audit Committee Member Stevens recommended the Charter School utilize the expertise and experience available in the Finance Department.

Mayor Sawicki requested the Finance Director explain why the internal funds are not in the budget.

Finance Director Bateman responded that these are the fundraising monies collected, not designated, and the staff determines what to do with the funds. She discussed the controls in place once the money is deposited. What is missing is the internal funds budget in place. This is the first internal control. This alerts management as to what is coming in to the schools. She signs off on the General Funds; she signs off now on the disbursement of the school's internal funds. When the money does get deposited to the schools, she signs off on the transactions. Often, there is no backup documentation or the Superintendent's signature.

Mayor Sawicki mentioned what started all of this series of events about a year and a half ago.

Director Bateman explained what started all this and how it took her two years until 2013 to get the school to agree and set up all of their internal funds transactions on our books. That is where the controls got in play. It got to the point where her staff came to her to take a \$10,000 check request from the school's internal funds and pay it to a charity which is against State Statute. Every Thursday she signs off on this. She did not see the signatures of the Superintendent, the Principals, or see invoices. She started monitoring where the money was being spent. She sat with the Current Chair of the Board and mentioned a lot of money was going towards food, gifts, and flowers. She got the data from 2014, 2015, and 2016 and mentioned this was not the way to use your funds. If the

internal funds budget is not on our books, she has no control in place before we send the money out the door. She mentioned what happened last February when she asked the Internal Auditor to do an audit of the internal funds.

Mayor Sawicki noted this is when the Audit Committee was briefed. She inquired about signing the CAFR.

Director Bateman stated her signature attests that all the internal controls are in place and these numbers are accurate.

Mayor Sawicki stated to Council the purpose of this is to know how are we going to put in the internal controls and to fix it. She stated this system was a \$500,000 system, and we have \$28 million now. Every funds that comes to the school have to be kept somewhere; it is recorded, and it goes through that budget for accountability.

Director Bateman stated she raised these issues last February; she received a lot of emails from people at the school; and she believes her spouse was let go as retaliation for raising the topics. She stated the emails are available for anyone who wants to read them. She stated as a Professional CPA/CGFM, this is not difficult to fix. We just need to know who we need to work with; the City Manager has already told us do your best practices; it means identifying the resources; the City Manager is ready to expend the resources; and we are ready to do so and save the school money and put those controls in place.

Mayor Sawicki expressed the need to be transparent and suggested that the public listen to the meetings where this had been discussed back in February 2017.

Councilmember Leon read a letter into the record that he had distributed at the dais from Superintendent Stephenson regarding the internal funds audit. He noted this was the first internal audit in 12 years; this is the starting point.

Discussion held in reference in getting the issues mitigated.

Mayor Sawicki inquired if the Governing Board had any questions. Director Bateman stated they have not been briefed on the report.

Mayor Sawicki inquired what the City would do to mitigate the risk. City Manager Szerlag stated that he and his staff would be happy to work with the Charter School to look at the deficiencies they have and indicate a solution that would meet the standards of the City of Cape Coral.

Councilmember Stout expressed a wish for this to have been expressed when Mr. Stephenson became the Superintendent. She has never seen an audit that had so many errors or so many concerns. She learned of Mr. Stephenson's desire not to extend his contract; the Governing Board will be hiring another Superintendent. She contacted Dr. Lee Bush. She suggested the Governing Board speak with Dr. Bush as an Interim Superintendent.

Councilmember Cosden requested Mr. Wolfson to present the audit to the Charter School Governing Board.

Mayor Sawicki stated that would not be appropriate since he did not perform the audit; it would be a staff topic.

Councilmember Cosden stated she did not dispute what was in the audit. There are serious issues that need to be addressed. She mentioned donations as the largest issue for her. It is parents' money and it needs to be carefully guarded; there were no findings of theft or fraud; she has not seen push back against the City. It will be an agenda item on the April meeting. The emergency meeting will be about hiring. She questioned if public schools have a budget for their internal funds. Is it common practice to have a

budget? She stated we could learn from the public schools or other municipal charter schools.

Mayor Sawicki stated that internal control breaches are grave concerns. There are no controls so there is no way to know about theft.

Councilmember Carioscia stated the internal funds audit used the term egregious. How long was Mr. Stephenson employed by the Charter School System?

Councilmember Cosden responded 2 ½ years.

Councilmember Carioscia expressed grave concern about the items: he questioned if we would be remiss not to give this to the Lee County's State Attorney for investigation. He questioned paying cash to individual teachers; violation of law; lack of training. He suggested sending it to the financial crimes for investigation; where is the accountability? How many statute violations did we uncover? Who is ultimately responsible for these violations?

Councilmember Burch discussed an incremental approach with the School Board,

City Manager Szerlag discussed the history of the topic. A resolution was advanced with a 7-1 vote to take a look at the best practices for the Charter School. Financial sustainability lead us to this. Step one is where we are. Step two is what will it take to maintain an economic sustainable plan. The report is due out in the next week or so from Burton and Associates to outline the what if's. He mentioned the recommendation from Councilmember Burch to have an analysis of school teacher pay so that the percentages would be adequate to not only retain but attract teachers in the future. He noted there was talk about modular units vis a vie brick and mortar units which was done as well. He stated he wrote to Mr. Stephenson and indicated that we plan on having our best practices presentation to the City Council. He questioned City Council if they wanted to include the school board for a joint meeting. There will not be enough time for the Charter School to take a look at the model and what if scenarios. He told the Charter School to fashion their budget on what they think they want to have for revenues and expenditures; and then he would look at best practices and extrapolate trends. There could be a budget amendment either up or down on what it would take to make the school sustainable. The final budget is approved by City Council. He also tasked our Budget Administrator Phillips to take a look at how other charter schools are managed. He referenced Charter Schools USA, what is the cost per student basis, approximately \$300 to \$500, and we charge \$55. You could have the best best practices, but you need personnel and resources to implement that. Who do you want to charge that cost to?

Councilmember Burch inquired why is the City involved and who is liable for the Charter School System.

City Manager Szerlag responded that the City of Cape Coral was responsible.

Discussion held in reference to whether or not Superintendent Nelson will be signing a new contract.

Councilmember Erbrick requested that we move forward and allow the Charter School Governing Board to do their job. There is blame on both sides; let's fix it, and move forward. She is looking forward to the organizational best practices and would like the best practices done jointly.

Mayor Sawicki mentioned the audit was started by a concern that Finance had in February 2016.

Discussion held in reference to concern for the Charter School System's need for controls and redirection.

City Manager Szerlag stated he will work in conjunction with the Superintendent and the staff of the Charter School in developing these best practices, so the presentation would essentially be a joint presentation.

Councilmember Williams moved, seconded by Councilmember Stout to accept the Audit Committee recommendation contained in the back-up material, as presented.

Council polled as follows: Sawicki, Stout, Williams, Burch, Cosden, and Erbrick voted "aye." Carioscia and Leon voted "nay." Six "ayes." Two "nays." Motion carried 6-2.

Meeting recessed at 6:56 p.m. and recovered at 7:11 p.m.

PERSONNEL ACTIONS

None.

PETITIONS TO COUNCIL

None.

APPOINTMENTS TO BOARDS/COMMITTEES/COMMISSIONS

Charter School Governing Board - 2 Vacancies

Interviews

Michael Nicholas Campbell – present
William Richard Johnson, Jr. – present
John Charles McNamara – not present
Vanessa Metzger - present
Christopher Anthony Tompkins – not present
Tamisen Traiger – present
John Wilson - present

City Clerk van Deutekom stated there was two vacancies on the board due to a resignation. The terms expired on 3/14/17 and 3/31/17. Seven applications were received from Michael Nicholas Campbell, William Richard Johnson, Jr., John Charles McNamara, Vanessa Metzger, Christopher Anthony Tompkins, Tamisen Traiger, and John Wilson. The vacancies were advertised in the Breeze on 2/22/17 and 3/1/17, and posted on the City's website and Facebook page. Amy Jackson withdrew her application on 4/3/2017 via email.

Mayor Sawicki inquired about the parent representation.

Councilmember Cosden responded that this occurs through the school principals and PTOs.

Councilmember Stout expressed the difficulty in the decision as all of the applicants are extremely qualified.

Mayor Sawicki stated each Councilmember should give their top two choices.

***Councilmember Cosden - Traiger and Johnson
Councilmember Burch – Campbell and Traiger
Councilmember Carioscia - Traiger and Wilson
Councilmember Williams – Traiger and Campbell
Mayor Sawicki – Campbell and Metzger
Councilmember Stout – Campbell and Traiger
Councilmember Leon – Traiger and Johnson
Councilmember Erbrick – Johnson and Campbell***

City Clerk van Deutekom stated the tallied votes were as follows: 5 for Campbell, 3 for Johnson, 1 for Metzger, 6 for Traiger, and 1 for Wilson. She stated the top vote totals were for Michael Campbell and Tami Traiger.

Councilmember Leon moved, seconded by Councilmember Burch to appoint Michael Campbell and Tamisen Traiger to the Charter School Governing Board.

Council polled as follows: Sawicki, Stout, Williams, Burch, Carioscia, Cosden, Erbrick and Leon voted "aye." Eight "ayes." Motion carried 8-0.

ORDINANCES/RESOLUTIONS

Public Hearings

Ordinance 10-17 (LU16-0014) Public Hearing

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the Future Land Use Map from Public Facilities (PF) to Commercial/Professional (CP) land use for property located at 1609 SE 26th Street.

P&Z recommendation: At the March 1, 2017 meeting, the Planning and Zoning Commission/Local Planning Agency voted (7-0) to recommend approval of Ordinance 10-17.

City Management Recommendation: Recommends approval of the requested amendment.

City Clerk van Deutekom read the title of the Ordinance.

Planning Team Coordinator Daltry stated the applicant, Church of the Epiphany, was requesting a small-scale future land use map amendment from Public Facilities (PF) to Commercial/Professional (CP) for a 10,000 square feet (0.22 acre) site. He reviewed a power point with titled Ordinance 10-17 with the following slides:

- Site Map
- Aerial Map
- Zoning Map
- Current Future Land Use Map
- Background
- Considerations – Comprehensive Plan
- Recommendation

He reviewed staff's analysis and stated staff recommended approval of the proposed small-scale future land use map amendment. No correspondence was received. At the March 1, 2017 the Planning and Zoning Commission/Local Planning agency voted 7-0 to recommend approval.

Public Hearing opened.

No speakers.

Public Hearing closed.

Reopened Public Hearing.

Bob Kuyoth stated he was a verger at the Church. The church has no objections and would like to continue with this project.

Mary Anne Jackson stated she was on the Church's vestry and discussed lives in Shamrock Lake. She noted she drives to church down Del Prado. When you get to her church, it is an eyesore; and we are hoping to get this closed to tear the houses down. All the parishoners are in favor and hopes that the Council will vote in favor.

Nancy Kuyoth, parliamentarian at the Church, recommended approval and stated that her entire congregation was in favor of this change.

Public Hearing closed.

Councilmember Burch moved, seconded by Councilmember Williams to adopt Ordinance 10-17, as presented.

Councilmember Burch inquired as to the two-step process.

Planning Team Coordinator Daltry stated after this case we have the next Ordinance to change from P-1 to C-1.

Mr. Kuyoth discussed tenant notification for month to month lease.

Council polled as follows: Sawicki, Stout, Williams, Burch, Carioscia, Cosden, Erbrick and Leon voted "aye." Eight "ayes." Motion carried 8-0.

Ordinance 11-17 (ZA 16-0009*) Public Hearing

*Quasi-Judicial, All Persons Testifying Must be Sworn in

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the Official Zoning Map by rezoning property located at 1603-1609 SE 26th Street from Professional Office (P-1) and Place of Worship (W) to Pedestrian Commercial (C-1) zone.

HEX Recommendation: Recommended approval of the rezoning request.

City Management Recommendation: Recommends approval of the rezoning request.

City Clerk van Deutekom read the title of the Ordinance and administered the oath.

Planning Team Coordinator Daltry presented a power point titled Ordinance 11-17 with the following slides:

- Ordinance 11-17
- Subject Parcel Map
- Current Zoning Map
- Proposed Zoning Map
- Background
- Considerations – Comprehensive plan
- Considerations
- Recommendation

He noted this is a companion rezoning case for the previous one just presented to you. Planning Division staff recommends approval. The Hearing Examiner recommended approval of the rezoning request. No correspondence was received.

Public Hearing opened.

Bob Kuyoth appeared in favor of the project.

Mary Anne Jackson appeared.

Nancy Kuyoth appeared in favor of the project. She discussed the need for a Sunday School project and the growing pains they are experiencing.

Linda Stewart, Senior Planner, Douglas & Associates, authorized representative, agreed with the recommendation of staff and the Hearing Examiner and requested approval.

Leslie Volmer inquired as to the plan for the property once it is rezoned.

Ms. Stewart stated it was being rezoned to commercial; the applicant has a commercial venture in mind and we are working on a concept plan. We have not submitted for any site plan approvals at this time.

Public Hearing closed.

Councilmember Burch moved, seconded by Councilmember Stout to adopt Ordinance 11-17.

Councilmember Williams inquired if the building was occupied.

Ms. Stewart responded in the affirmative and continued by explaining there are three properties, two with tenants and one was used for storage by the church.

Discussion held regarding the tenants having been notified.

Council polled as follows: Sawicki, Stout, Williams, Burch, Carioscia, Cosden, Erbrick, and Leon voted "aye." Eight "ayes." Motion carried 8-0.

Ordinance 15-17 Public Hearing

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the Land Use and Development Regulations, Article II, District Regulations, Section 2.7, District Regulations, by amending the regulations for Neighborhood Storage Facilities in the Pedestrian Commercial (C-1) and Corridor (CORR) districts.

P&Z recommendation: At the March 1, 2017 meeting, the Planning and Zoning Commission/Local Planning Agency voted (7-0) to recommend approval of Ordinance 15-17.

City Management Recommendation: Recommends approval of the requested amendment.

City Clerk van Deutekom read the title of the Ordinance.

Planning Team Coordinator Struve stated this was a request to amend sections 2.7.7, 2.7.13, and 11.1 of the City Land Use and Development Regulations (LUDRs) to revise regulations for Neighborhood Storage Facilities. He presented a power point and provided background as well as explained the summary of the proposed changes with the following slides:

- Overview: Purpose of the Amendment
- Background
- Definition: Neighborhood Storage Facility (Article XI)
- Proposed Changes (LUDR, Sections 2.7.7 and 2.7.13)
- Proposed Changes (continued)
- Recommendations

At the March 1, 2017 P&Z Commission voted 7-0 to recommend approval. One person spoke in favor of the Ordinance at that meeting. Staff received one phone call.

Public Hearing opened.

Joe Mazurkiewicz, President, BJM Consulting, stated he was present on behalf of two developers who had originally worked on the Ordinance in 2000. He reviewed the problems with the prior ordinance causing an inability to deal with the type of facility that the market demands in Cape Coral. He thanked staff for their willingness to move this change forward because it reflects the conditions that exist in today's marketplace. He noted there were three projects contemplated with a total value of \$20 million waiting for this ordinance change to happen, two are in the process right now. This is something that is common sense and market driven. He respectfully requested that Council adopt this Ordinance.

Public Hearing closed.

Councilmember Williams moved, seconded by Councilmember Burch to adopt Ordinance 15-17, as presented.

Councilmember Carioiscia requested the address of the development.

Mr. Mazurkiewicz responded one was on Chiquita and one on Skyline.

Councilmember Burch inquired as to affects on boat storage.

Planning Team Coordinator Struve responded that it could be classified as a different use, as a marina.

Council polled as follows: Sawicki, Stout, Williams, Burch, Carioscia, Cosden, Erbrick, and Leon voted "aye." Eight "ayes." Motion carried 8-0.

INTRODUCTIONS

Ordinance 16-17 Set Public Hearing Date for April 17, 2017

*Quasi-Judicial, All Persons Testifying Must be Sworn In

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the City of Cape Coral Zoning District Map by rezoning property located at 409-411 Hancock Bridge Parkway from Corridor (CORR) to Multi-Family Residential (R-3) zone.

Hearing Examiner Recommendation: Recommends approval of the application for rezoning of both parcels, with the caveat set forth in the recommendation order attached to agenda item.

City Management Recommendation: Recommends approval.

City Clerk van Deutekom read the title of the Ordinance.

The public hearing was scheduled for April 17, 2017 in Council Chambers.

Planning Team Coordinator Daltry stated he was available for questions.

Ordinance 17-17 (PDP 16-0011*) Set Public Hearing Date for April 17, 2017

*Quasi-Judicial, All Persons Testifying Must be Sworn In

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending Ordinance 6-98, which approved a Planned Development Project entitled "A-1 Shelters Self Storage, Hancock Creek Site," providing for PDP approval for certain property located at 2555 NE Pine Island Road and near the southeast corner of Diplomat Parkway East and NE 24th Avenue; expanding the project area by 6.1 acres; rezoning 8.3 acre from Corridor (CORR) to Corridor district with the Commerce Park Overlay (CORR/CPO); granting a deviation from the requirement that no more than 30% of the front surface of any exterior wall facing any public right-of-way except alleys shall be metal to allow a wall facing Diplomat Parkway to be composed entirely of metal; granting a deviation of 12 feet, 4 inches from the maximum wall height of 8 feet to allow a wall facing Diplomat Parkway 20 feet, 4 inches in height; granting a deviation from the requirement that building walls used for meeting the screening requirement within a CPO buffer be composed of stucco, brick, stone, textured concrete masonry units, or other concrete surfaces to allow the walls of four buildings near the western property line of the enclosed storage facility to be composed of metal; granting a deviation from the requirements of the Non-residential Design Standards to allow all buildings associated with the enclosed storage facility to be exempt from the Non-residential Design Standards.

Hearing Examiner Recommendation: Recommends approval of the Project, subject to the terms and conditions set forth in the recommendation order attached as back-up.

City Management Recommendation: Recommends approval with conditions.

City Clerk van Deutekom read the title of the Ordinance.

The public hearing was scheduled for April 17, 2017 in Council Chambers.

Planning Team Coordinator Struve stated he was available for questions.

UNFINISHED BUSINESS

Water Quality

None.

Legislative Issues – Update

Mayor Sawicki discussed the CRA bill; please write to your legislature as we oppose that bill.

Councilmember Burch agreed we have to stand shoulder to shoulder; he recommended standing with the Florida League of Cities. 400 cities stating they oppose it may make a difference.

Mayor Sawicki inquired if Councilmember Burch was putting in for the Second Vice President of the Florida League of Cities.

Councilmember Burch stated he might.

Mayor Sawicki stated we would need to do a resolution in support.

NEW BUSINESS

Audit Committee Memo of Recommendation Re: Charter Schools (Advanced by Mayor Sawicki)

Moved to after Citizens Input

REPORTS OF THE MAYOR AND COUNCIL MEMBERS

Councilmember Stout – Topics: Attended the Florida Commission on the Status of Women; Essay Contest presentation award based on 3 awards for Middle School Students and 3 for 8th and 9th Graders.

Councilmember Williams – Topics: Cape Coral Community Foundation Awards Ceremony; Placement of previous Council Pictures to be hung up; Youth Council May 1, 2017 senior turnover; announcement to the students, see your school administration; 1 at large seat.

Councilmember Burch – Topics: Congratulations to Councilmember Stout; upcoming meeting on April 20th in Punta Gorda will provide an explanation of workforce housing for elected officials; attending MPOAC in Cocoa Beach handcarrying the Bicycle Award received today.

Councilmember Carioscia – Topic: No report.

Councilmember Cosden – Topic: Next week Council Office meeting on April 10th, she will not be able to attend this non-voting meeting; she requested to call in.

Councilmember Erbrick – Topic: Congratulations to Sam's Club – achieved Club of the Year.

Councilmember Leon – Topic: Sunset Celebration on Wednesday, Final Bike Night this Saturday, he will be speaking at BUPAC for his district; Speed Politics for Chamber of Commerce, Monday, April 10th he will have a Town Hall meeting and he will do it on Facebook live.

Mayor Sawicki reminded all that there will be an upcoming compact resolution to support Lake O compact; Received a request for National Day of Prayer to hold the service in Chambers.

City Attorney Menendez discussed a memo with a recommendation that it not be done in Chambers, Mayor Sawicki requested a copy of the memo.

Mayor Sawicki requested that Mr. Zivkovic of the Charter School Governing Board to remove his logo off of his email that includes his real estate logo.

Councilmember Cosden responded in the affirmative.

Discussed concerns about the public retention.

Mayor Sawicki: Topics: Attended Florida League of Mayors Legislative Action Day, Board of Directors meeting in Tallahassee March 20-23; Not running for re-election, there will be two seats in November: Florida League of Mayors and Florida Municipal Insurance Trust as a trustee, both of those do not automatically go to the next person who is Mayor; term ends in November; reminded Director Bateman to make note of that. Panelist at the Lee County Association of Women Lawyers, 2017 Face Awards on March 24th; Jazz and Blues Fest March 25th; What Works City in New York City with ITS Director and Business Manager to Bloomberg Philanthropic; commended City Manager for excellent representation by our staff members; FMIT meeting; National Crime Victims Event; New Resident's Club.

REPORTS OF THE CITY ATTORNEY AND CITY MANAGER

City Manager – Topic: Public meeting on 4/12/17 for the Bimini Basin Project from 4:00 pm to 6:00 pm at the Yacht Club.

City Attorney – Topic: No report.

TIME AND PLACE OF FUTURE MEETINGS

A regular meeting of the Cape Coral City Council was scheduled for Monday, April 17, 2017 at 4:30 p.m. in Council Chambers.

MOTION TO ADJOURN

There being no further business, the meeting adjourned at 8:44 p.m.

Submitted by,

Rebecca van Deutekom, MMC
City Clerk

| | |
|----------------------|-----------------------|
| Item Number: | B.(1) |
| Meeting Date: | 5/1/2017 |
| Item Type: | CONSENT AGENDA |

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Resolution 59-17 Award ITB-UT17-01/KR North RO WTP Busway Replacement to Cogburn Brothers, Inc. of Jacksonville, Florida, the lowest responsive responsible bidder, to provide complete construction services, for modifications to the power distribution system at the North RO Water Treatment Plant, in the amount of \$898,500 plus an additional 10% City controlled contingency of \$89,850 for a total value of \$988,350 and authorize the City Manager or designee to execute the contract. Department: Utilities Dollar Value: \$988,350 (Water and Sewer Fund)

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment? Yes
2. Is this a Strategic Decision? Yes
If Yes, Priority Goals Supported are listed below.
If No, will it harm the intent or success of the Strategic Plan?

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

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

SUMMARY EXPLANATION AND BACKGROUND:

1. On October 5, 2016, ITB-UT17-01 /KR was issued for the North RO WTP Busway Replacement project. On October 18, 2016, a mandatory pre-bid meeting was held and four firms attended.
2. On November 29, 2016, one bid was received from Cogburn Brothers, Inc. for \$1,116,500, which exceeded the project budget. The bidder was deemed both responsible and responsive by meeting all requirements and specifications as outlined in the bid.
3. Following the Procurement Ordinance Article VII: Purchase and sale of real and personal property; Section 2-144 (a) (14) One bid or no bids received; authorizing the procurement manager to negotiate a lower price from the bidder if only one bid is received, a negotiated price was finalized with the vendor.
4. On March 20, 2017, the Department provided the negotiated proposal with deduction elements that removed (\$218,000) from the original bid price, for a total price for all work to be completed in the amount of \$898,500.
5. Staff recommends awarding the project to Cogburn Brothers, Inc. of Jacksonville, FL for the total price of \$898,500, plus a 10% City controlled contingency of \$89,850, for a grand total of \$988,350.

6. The Department Director is requesting 10% City Controlled Contingency. The Expenditure of Contingency, if any, will be subject to approval of specific change orders by the Utilities Department Director, if justified upon identified needs with an appropriate scope and cost to address the specific needs.
7. This Item is a budgeted item.
8. This project was Council approved for FY2017 on Resolution 189-16 on 10/24/16 for \$815,000. The balance will be from a carryover of the approved FY2016 Capital funds (Resolution 171-15) in the amount of \$300,000 (Initial project funding allocation) and will be part of Budget Amendment #1.
9. Funding: Account No:401023.664101 Water and Sewer

LEGAL REVIEW:

Contract reviewed by Legal

EXHIBITS:

Department Memo dated 4/12/2017
Resolution 59-17
Bid Tabulation

PREPARED BY:

Wanda Division- Finance Department- Procurement
Roop

SOURCE OF ADDITIONAL INFORMATION:



Jeff Pearson, Utilities Director

ATTACHMENTS:

| Description | Type |
|-----------------------------------|-----------------|
| ▣ Department Memo dated 4/12/2017 | Backup Material |
| ▣ Resolution 59-17 | Resolution |
| ▣ Bid Tabulation | Backup Material |

CITY OF CAPE CORAL
UTILITIES DEPARTMENT

TO: John Szerlag, City Manager
Victoria Bateman, Finance Director
Wanda Roop, Procurement Manager

FROM: Jeff Pearson, Utilities Director 
William H. (Bill) Sperry, PE, Utilities Principle Engineer - PE 

DATE: April 12, 2017

RE: Recommendation of Bid Award to Cogburn Bros., Inc. for the North Reverse Osmosis Water Treatment Plant Busway Replacement Project, ITB-UT17-01/KR

In October of 2014 one of four electrical busways that supply power to the process buildings at the North RO Plant experienced a catastrophic failure causing it to catch fire. Shortly after this incident we quickly made temporary repairs and we commissioned a study by CDM Smith to examine the condition of the other three busways. CDM's electrical engineer recommended that all four busways be replaced as soon as possible. Furthermore, CDM recommended that the overhead exterior busway be replaced with underground conduit and cable encased in concrete. The report explained that this would not only be a more robust/resilient installation than the overhead busway, but it would also be a less expensive way to proceed.

Additional confirmation of the need to replace the existing busway was provided by Jerrith Barnette, Lead Customer Service Engineer & Spectra Busway Specialist from General Electric (GE), who is a forensic expert in examining failed busway components. Mr. Barnette is also a subject matter expert in testing, maintenance, repairs, and installation of this GE manufactured busway. In October 2015, he examined both the failed busway and the remaining similar type busways still in operation. Mr. Barnette expressed serious concerns relative to the existing condition of the other three busways that remain in service. His concerns are due to the high potential for failure, especially during wet weather conditions.

On November 29, 2016, Procurement received bids for ITB-UT17-01/KR. Only one bid was received for the project. The bid was evaluated by Procurement and determined to be both responsive and responsible. The bid was submitted by Cogburn Bros., Inc. in the amount of \$1,116,500 which exceeded the approved budget amount. Due to the need to expedite the initiation of this project, the Procurement Division authorized the Utilities Department to negotiate with Cogburn Bros., Inc. to possibly reduce their bid, via additional value engineering cost adjustments. Staff did so to meet the preliminary estimated budget. After a review of all the proposed adjustments, consulting engineer CDM Smith and City staff agreed to several cost deductions offered by Cogburn Bros., Inc. that will allow the project to meet the original goals without materially changing the scope of the project as bid. A copy of the proposed Value Engineering Cost Deductions as presented by Cogburn Bros. Inc. and accepted by the City is attached for reference (Cogburn Bros., Inc. – February 21, 2017). In addition, see the attached letter from CDM Smith (February 23, 2017) supporting the agreed upon changes and the new base price. City staff, in conjunction with CDM Smith were able to work with Cogburn Bros., Inc. to significantly reduce the base cost of the project (without contingency) from \$1,116,500 down to \$898,500 for an approximate 19.5% reduction in project cost.

The revised total estimated cost of the project of \$988,350 including 10% City controlled contingency is presented as follows:

| | |
|---|--------------------|
| Original Project Cost as bid (11/29/2016) - | \$1,116,500 |
| Deduct Proposal 1 - | \$ (202,000) |
| Deduct Proposal 2 - | <u>\$ (16,000)</u> |
| Revised Project Base Cost - | \$ 898,500 |
| Plus 10% City Controlled Contingency - | <u>\$ 89,850</u> |
| Total Estimated Revised Project Cost - | \$ 988,350 |

The Utilities Department is requesting award of this project to Cogburn Bros., Inc. in the amount of \$988,350 (Revised Project Base Cost plus 10% City Controlled Contingency) for the North RO WTP Busway Replacement project (ITB-UT17-01/KR). The Council approved budget for this project was \$1,115,000.00 and the award amount with City controlled contingency represents a potential savings of \$126,650.00. Funding for the project was approved in both FY-2016 and FY-2017 Utilities Budgets and is outlined as follows:

- FY16 – Resolution 171-15 Council Approved 10/19/15 for \$300,000 *
- FY17 – Resolution 189-16 Council Approved 10/24/16 for \$815,000
- **Total Council Approved budget for this project is \$1,115,000.**
(A copy of both resolutions are attached for reference.)

Due to safety concerns and the possibility of another catastrophic failure of the current electrical busway at the North RO Plant, it is critical that we proceed with this project as soon as possible. Funding for this project is available in business unit 401023.664101 which has an unencumbered balance of \$754,306.93. Thank you for your timely consideration of this crucial project and our request to award the project to Cogburn Bros., Inc. so this work can begin in earnest. (*) The additional required FY2016 funds will be carried over to the current fiscal year budget (FY2017) as a part of Budget Amendment #1. Resolution 171-15 combined with Resolution 189-16 provides the funding for the project.

Attachments: City of Cape Coral Tabulation Form, ITB-UT17-01/KR, NRO WTP Busway Replacement Project
Cogburn Bros., Inc. – North RO Water Treatment Plant, Busway Replacement, Value Engineering Cost Adjustments, February 21, 2017 (Redacted to comply with Homeland Security Requirements)
CDM Smith – Quote Evaluation – Recommendation of Contract Award – February 23, 2017 (Redacted to comply with Homeland Security Requirements)
FY16 – Resolution 171-15 Council Approved 10/19/15
FY17 – Resolution 189-16 Council Approved 10/24/16

City of Cape Coral
Tabulation Form
ITB-UT17-01/KR
North RO Water Treatment Plant
Busway Replacement Project

**CITY OF CAPE CORAL
TABULATION FORM
ITB-UT17-01/KR**

**North RO Water Treatment Plant Busway Replacement
November 29, 2016- Bids Due 11:00AM Eastern - Opening 11:30AM Eastern
Conference Room 252**

| Bidder | Total Bid |
|---|--|
| COGBURN BROS INC 8300 FAYE RD JACKSONVILLE FL 32226 | \$1,115,000 SSP \$1,116,500.00 |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |
| | |

Procurement Representation
Print Name and Provide Signature

Wanda Roop
Print Name

Wanda Roop 11/29/16
Signature Date

Witness Name -
Print Name and Provide Signature

Travis Perez
Print Name

[Signature] 11/29/16
Signature Date

City of Cape Coral Clerk's Representation

Steve Perzynski
Print Name

[Signature] 11-29-16
Signature Date

Cogburn Bros., Inc.
North RO Water Treatment Plant
Busway Replacement
Value Engineering Cost Adjustments
February 21, 2017
(Redacted to Comply With Homeland Security
Requirements)



North RO Water Treatment Plant

Busway Replacement

Cape Coral, Florida

Value Engineering Cost Adjustments

February 21, 2017

ITB-UT17-01/KR

Original Bid Date November 29, 2016

North RO Water Treatment Plant

Busway Replacement

Cape Coral, Florida

Preliminary Value Engineering Cost Adjustments

| | |
|----------------------|---------------------|
| Original Bid: | 1,116,500.00 |
|----------------------|---------------------|

| | |
|------------------------------|-------------------|
| Deductive Proposal 1: | 202,000.00 |
|------------------------------|-------------------|

Delete conduit inside the buildings

Delete interior tap box and provide exterior tap box

Delete relocation of conduits and equipment on walls

Delete requirement for additional structural calculations

Existing interior busway supports will be reused

Conduit runs to be underground straight and direct from transformer

Bus joints will be made at existing locations

Bolted and gasketed cover on transformer penetrations (welding not recommended)

| | |
|------------------------------|------------------|
| Deductive Proposal 2: | 16,000.00 |
|------------------------------|------------------|

Eliminate steel elbows in ductbank

| | |
|------------------------------|------------|
| Deductive Proposal 3: | N/C |
|------------------------------|------------|

Provide XHHW Wire insulation in place of RHW/USE

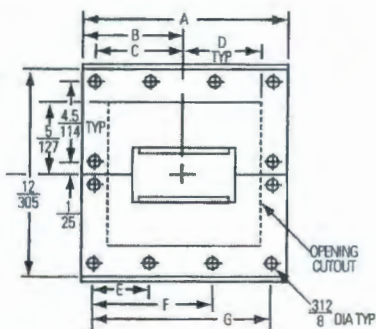
Physical Data

Flanged end stub

Provides a universal stub for field connections (customer connection only).

inches
millimeters

Fig. 23.1
Flanged End without Lugs,
1 Bar per Phase



Flanged end stub

Note: Special OEM stubs are available. Contact the factory for details.

Flanged end without lugs cutout and drilling pattern

Fig. 23.2
Flanged End without Lugs

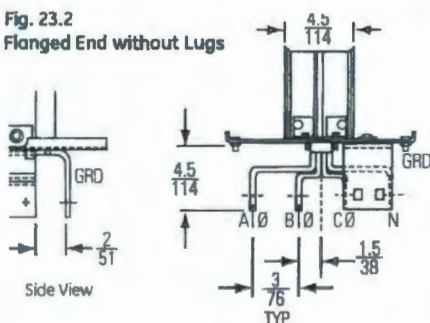
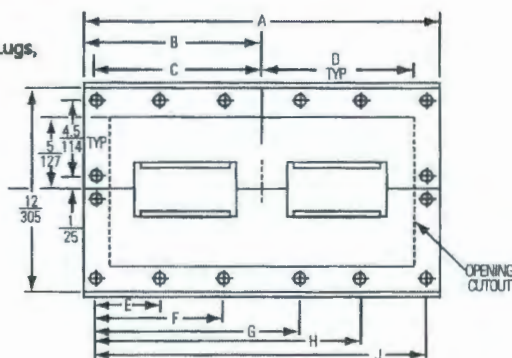


Fig. 23.3
Flanged End without Lugs,
2 Bars per Phase



Bar hole pattern

(1 Stack and 2 Stack are same. All holes are $\frac{3}{16} \times \frac{5}{16}$ rect.)

Fig. 23.4

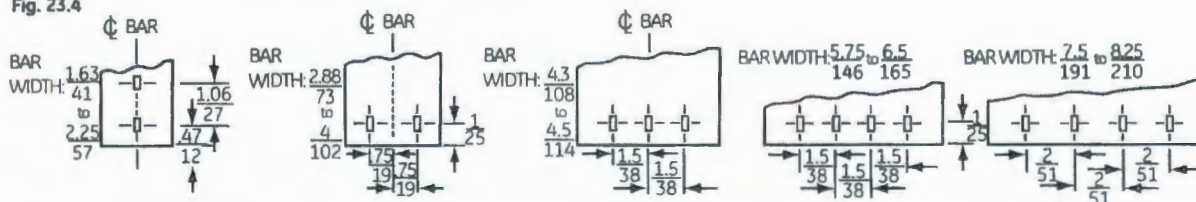


Table 23.1
Flanged End without Lugs

| | Amps | Figure | A | B | C | D | E | F | G | H | J |
|----------|-----------|--------|-------|-------|-------|-------|------|------|-------|-----|-------|
| Aluminum | 225-1200 | 23.2 | 11.5 | 5.75 | 5.25 | 4.75 | 5.25 | - | 10.5 | - | - |
| Copper | 225-1600 | | 292 | 146 | 133 | 121 | 133 | - | 267 | - | - |
| Aluminum | 1350-2000 | 23.2 | 15.25 | 7.62 | 7.12 | 6.62 | 4.75 | 9.5 | 14.25 | - | - |
| Copper | 2000-2500 | | 387 | 194 | 181 | 168 | 121 | 241 | 362 | - | - |
| Aluminum | 2500 | 23.3 | 19.75 | 9.88 | 9.37 | 8.88 | 4.69 | 9.37 | 14.06 | - | 18.75 |
| Copper | 3200 | | 502 | 251 | 238 | 225 | 119 | 238 | 357 | - | 476 |
| Aluminum | 3000-4000 | 23.3 | 27.25 | 13.62 | 13.12 | 12.62 | 5.25 | 10.5 | 15.75 | 21 | 26.25 |
| Copper | 4000-5000 | | 692 | 346 | 333 | 321 | 133 | 267 | 400 | 533 | 667 |

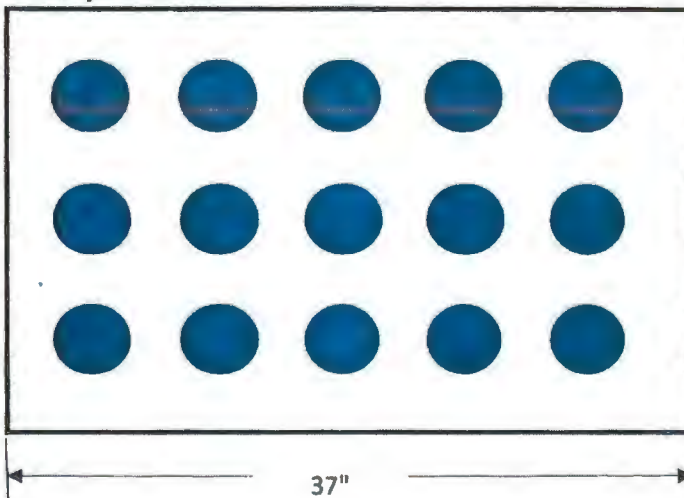
Conduit Spacing and Ductbank Layout

4" Conduit with 3" spacing

Dimensions are Approximate



With Spare Conduits:



CDM Smith
Quote Evaluation
Recommendation of Contract Award
February 23, 2017
(Redacted to comply with Homeland Security
Requirements)



2180 W. First Street
Suite 400
Fort Myers, Florida 33901
tel: 239 938-9600
fax: 239 339-6418

February 23, 2017

Mr. Jeff Pearson, Director
Utilities Department
City of Cape Coral
P.O. Box 150027
Cape Coral, FL 33915-0027

Subject: North RO Water Treatment Plant Busway Replacement
ITB-UT17-01/KR
Quote Evaluation – Recommendation for Contract Award

Dear Mr. Pearson:

The North RO Water Treatment Plant Busway Replacement project (ITB-UT17-01/KR) (Project) will replace four 5000 amperes, 480/277 volt copper busways that run between outdoor transformers UST-1A, UST-1B, UST-2A and UST-2B and indoor switchgear USS-1A, USS-1B, USS-2A and USS-2B, respectively. Because of the special requirements and technical demands associated with this project, a mandatory pre-bid conference and site visit for all potential bidders was held on October 18, 2016. Four potential contractors were in attendance. On November 29, 2016, the City of Cape Coral (City) received only one bid for the Project. The bid was made by Cogburn Bros., Inc. in the amount of \$1,116,500.00.

In a February 5, 2016 memorandum and prior to detailed design, CDM Smith estimated a construction cost range from \$643k to \$803k, depending upon the replacement alternative chosen. The City then proceeded with obtaining budget funding of approximately \$900k for this fast track project.

The Cogburn Bros., Inc. bid was reviewed and considered a responsive responsible bid by the City's Procurement Department. The Procurement Department then authorized the Utilities Department to begin negotiations with Cogburn Bros., Inc. to reduce their bid via Value Engineering Cost Adjustments to attempt to meet the City's available budget. After a review of all proposed Value Engineering Cost Adjustments there were three Value Engineering Cost Adjustment proposals that CDM Smith and City staff agree can be implemented and still meet the project goals without materially changing the original scope of the project. A summary of the Value Engineering Cost Adjustments proposed by Cogburn Bros., Inc. is attached.

The first Value Engineering Cost Adjustment (Deductive Proposal 1) proposes a deduct of \$202,000.00 by relocating the transition point between new work and the existing indoor busway. The new transition point will be on the exterior wall rather than inside the electrical rooms per the original bid documents. This keeps the intended design of removing the failure



Mr. Jeff Pearson
February 23, 2017
Page 2

prone exterior portions of busway. This change also eliminates the need to relocate indoor conduit and equipment that would have been in the way of the new construction and eliminates the requirement for indoor structural calculations as no new hanging loads will be required indoors. The full extent of Deductive Proposal 1 is shown in the aforementioned attachment.

The second Value Engineering Cost Adjustment (Deductive Proposal 2) proposes a deduction of \$16,000.00 to remove the standard specification requirement for underground metal elbows in the conduit ductbank to avoid burn-through when pulling wire through PVC conduit. As the underground conduit runs are relatively short in length, the possibility of damage to PVC elbows is remote, especially with a well-qualified contractor like Cogburn Bros., Inc.

The third Value Engineering Cost Adjustment (Deductive Proposal 3) is a no cost change that allows for a different wire type insulation (XHHW rather than RHW) to provide the Contractor an easier wire pulling installation. This option further reduces the risk of conduit burn-through at the proposed PVC elbows, and maintains an industrial quality of wire type.

Acceptance of the three proposed Value Engineering Cost Adjustments reduces the original bid amount by \$218,000.00 or approximately 19.5%. The revised bid amount will now be \$898,500.00

Cogburn Bros., Inc. is well known to CDM Smith as a quality industrial electrical contractor with a strong presence in southwest Florida. CDM Smith recommends that the City of Cape Coral contract with Cogburn Bros., Inc. for the base bid amount less the accepted Value Engineering Cost Adjustments for a revised bid amount of \$898,500.00. In addition, the City should add their own City controlled contingency in the amount of 10% of the revised bid amount for any unforeseen related construction costs.

Should you have any questions or wish to discuss the bid further, please do not hesitate to call us.

Respectfully,

A handwritten signature in blue ink that reads "Jason A. Sciandra".

Jason Sciandra, P.E.
Senior Project Manager
CDM Smith

Attachment



North RO Water Treatment Plant

Busway Replacement

Cape Coral, Florida

Value Engineering Cost Adjustments

February 21, 2017

ITB-UT17-01/KR

Original Bid Date November 29, 2016

North RO Water Treatment Plant

Busway Replacement

Cape Coral, Florida

Preliminary Value Engineering Cost Adjustments

Original Bid: 1,116,500.00

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Deductive Proposal 2: 16,000.00

Eliminate steel elbows in ductbank

Deductive Proposal 3: N/C

Provide XHHW Wire insulation in place of RHW/USE

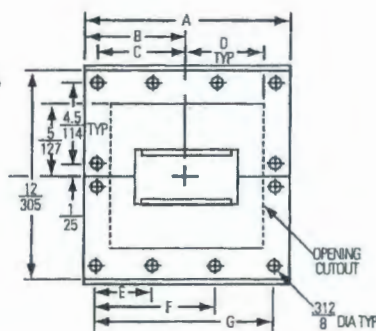
Physical Data

Flanged end stub

Provides a universal stub for field connections (customer connection only).

inches
millimeters

Fig. 23.1
Flanged End without Lugs,
1 Bar per Phase



Flanged end stub

Note: Special OEM stubs are available. Contact the factory for details.

Flanged end without lugs cutout and drilling pattern

Fig. 23.2
Flanged End without Lugs

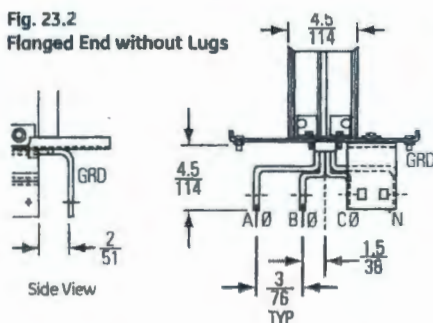
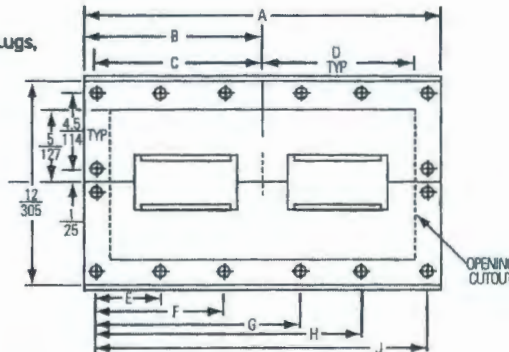


Fig. 23.3
Flanged End without Lugs,
2 Bars per Phase



Bar hole pattern

(1 Stack and 2 Stack are same. All holes are $\frac{3}{16} \times \frac{5}{16}$ rect.)

Fig. 23.4

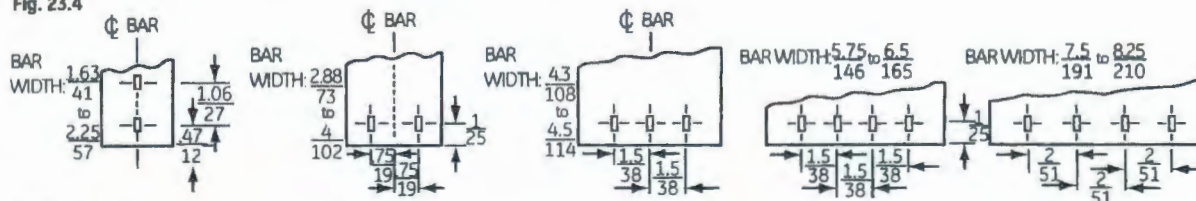


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| Copper | 2000-2500 | | 387 | 194 | 181 | 168 | 121 | 241 | 362 | - | - |
| Aluminum | 2500 | 23.3 | 19.75 | 9.88 | 9.37 | 8.88 | 4.69 | 9.37 | 14.06 | - | 18.75 |
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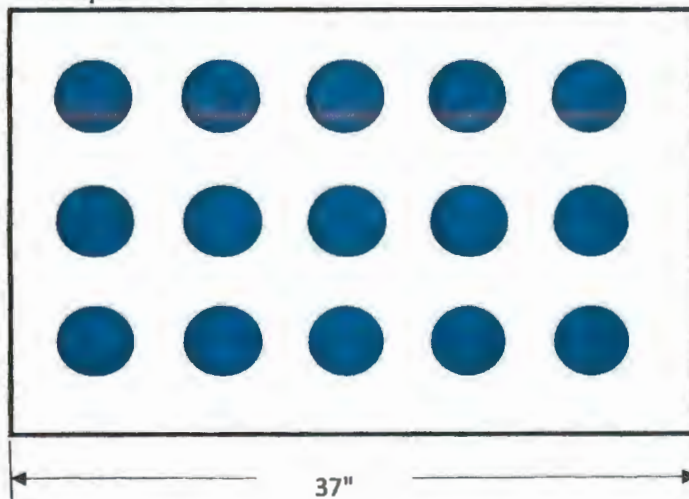
Conduit Spacing and Ductbank Layout

4" Conduit with 3" spacing

Dimensions are Approximate



With Spare Conduits:



FY16 – Resolution 171-15
Council Approved 10/19/15

RESOLUTION 171 - 15

A RESOLUTION OF THE CITY OF CAPE CORAL APPROVING THE PURCHASE BY THE CITY MANAGER OF BUDGETED FY 2016 CAPITAL EQUIPMENT, CAPITAL VEHICLE AND CAPITAL MAINTENANCE FUNDED BY THE YACHT BASIN FUND, WATERPARK FUND, WATER AND SEWER FUND, STORMWATER FUND, RISK FUND, PARKS AND RECREATION PROGRAMS FUND, INTERNAL SERVICES FACILITIES FUND, INTERNAL SERVICES FLEET FUND, GOLF COURSE FUND, GENERAL FUND AND ALL HAZARDS FUND IN ACCORDANCE WITH THE TERMS OF THIS RESOLUTION AND TO DISPOSE OF ANY CITY-OWNED SURPLUS TANGIBLE PERSONAL PROPERTY THAT IS NO LONGER NEEDED BY THE CITY AS THE RESULT OF THE PURCHASE OF SUCH CAPITAL ASSETS FROM THE AFOREMENTIONED PURCHASES IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 2-154 OF THE CITY CODE AND THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 21, 2015, the City Council approved the City's FY 2016 budget that includes, but is not limited to, an Asset Improvement Program (AIP) for FY 2016-21 containing a Capital Vehicle Program, a Capital Equipment Program and a Capital Maintenance Program; and

WHEREAS, the annual FY 2016 approved budget for the Yacht Basin Fund provides funding for \$25,000 in identified vehicle purchases; and

WHEREAS, the annual FY 2016 approved budget for the Waterpark Fund provides funding for \$115,000 in identified equipment purchases and \$41,500 in identified maintenance purchases; and

WHEREAS, the annual FY 2016 approved budget for the Water and Sewer Fund provides funding for \$2,082,168 in identified equipment purchases, \$620,511 in identified maintenance purchases and \$2,234,471 in identified vehicle purchases; and

WHEREAS, the annual FY 2016 approved budget for the Stormwater Fund provides funding for \$138,873 in identified equipment purchases and \$1,061,127 in identified vehicle purchases; and

WHEREAS, the annual FY 2016 approved budget for the Risk Fund provides funding for \$25,000 in identified vehicle purchases; and

WHEREAS, the annual FY 2016 approved budget for the Parks and Recreation Programs Fund provides funding for \$237,325 in identified equipment purchases, \$160,600 in identified maintenance purchases and \$97,000 in identified vehicle purchases; and

WHEREAS, the annual FY 2016 approved budget for the Internal Service Facilities Fund provides funding for \$168,000 in identified vehicle purchases and \$30,000 in identified maintenance purchases; and

WHEREAS, the annual FY 2016 approved budget for the Internal Service Fleet Fund provides funding for \$263,000 in identified equipment purchases and \$417,583 in identified vehicle purchases; and

WHEREAS, the annual FY 2016 approved budget for the Golf Course Fund provides funding for \$20,734 in identified equipment purchases and \$116,000 in identified maintenance purchases; and

WHEREAS, the annual FY 2016 approved budget for the General Fund provides funding for \$2,323,745 in identified equipment purchases, \$1,465,882 in identified maintenance purchases and \$3,603,597 in identified vehicle purchases; and

WHEREAS, the annual FY 2016 approved budget for the All Hazards Fund provides funding for \$33,500 in identified equipment purchases and \$39,126 in identified vehicle purchases; and

WHEREAS, pursuant to City Code of Ordinances Chapter 2, Article VII, Division 1, Section 2-142(e), the City Manager has the authority to execute all procurement-related purchase orders, contracts, contract amendments and contract renewals in excess of \$50,000 after City Council approval and in accordance with all applicable requirements of Article VII, Division 1, including but not limited to all applicable procurement procedures identified in Section 2-144 of the City Code of Ordinances; and

WHEREAS, pursuant to the Code of Ordinances, Section 2-141(c), the City Council may authorize the waiver of procurement procedures upon the recommendation of the City Manager that it is in the City's best interest to do so to obtain goods and services which cannot be acquired through the normal purchasing process due to insufficient time, the nature of the goods or services, or other factors; and

WHEREAS, the City Code of Ordinances Chapter 2, Article VII, Division 3, Section 2-154 identifies the procedures and requirements for the proper disposition of surplus City-owned tangible personal property; and

WHEREAS, the City Manager requests Council approval to purchase the Equipment, Vehicles and Maintenance identified in the adopted AIP and for which the annual FY 2016 approved budget for the Yacht Basin Fund, Waterpark Fund, Water and Sewer Fund, Stormwater Fund, Risk Fund, Parks and Recreation Programs Fund, Internal Service Facilities Fund, Internal Service Fleet Fund, Golf Course Fund, General Fund and All Hazards Fund provides funding; and

WHEREAS, the City Manager requests City Council to authorize the waiver of procurement procedures for the purchase of the items identified in Exhibit A if the City Manager finds that it is in the City's best interest to do so to obtain goods and services which cannot be acquired through the normal purchasing process due to insufficient time, the nature of the goods or services, or other factors; and

WHEREAS, the City Council finds that, in order to avoid unnecessary delays due to vehicle and equipment failures and to eliminate redundancy in the administrative process, it is in the best interest of the City to approve at this time the execution by the City Manager of all procurement-related purchase orders, contracts, contract amendments and contract renewals in excess of \$50,000 for the purchase of any and all of the new and replacement equipment and vehicles identified in the adopted AIP and for which the annual FY 2016 approved budget for the Yacht Basin Fund, Waterpark Fund, Water and Sewer Fund, Stormwater Fund, Risk Fund, Parks and Recreation Programs Fund, Internal Service Facilities Fund, Internal Service Fleet Fund, Golf Course Fund, General Fund and All Hazards Fund provides funding identified herein that have not yet been purchased.

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

Section 1. The City Council hereby approves the execution by the City Manager of all procurement related purchase orders, contracts, contract amendments and contract renewals in excess of \$50,000 pursuant to City Code of Ordinances Chapter 2, Article VII, Division 1, Section 2-142(e) for purchases of new and replacement equipment and vehicles identified in the adopted AIP, attached hereto as Exhibit A, and for which the annual FY 2016 approved budget for the Yacht Basin Fund, Waterpark Fund, Water and Sewer Fund, Stormwater Fund, Risk Fund, Parks and Recreation Programs Fund, Internal Service Facilities Fund, Internal Service Fleet Fund, Golf Course Fund, General Fund and All Hazards Fund provides funding. The City Manager and his staff shall, at all times, comply with all applicable procurement procedures identified in Section 2-144 of the City Code of Ordinances.

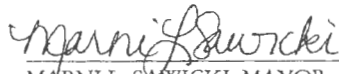
Section 2. The City Council hereby approves the waiver of procurement procedures in the event the City Manager believes that it would be in the City's best interest to obtain any equipment, vehicles or software identified in the attached Exhibit A outside of the normal procurement procedures identified in Section 2-144 of the City Code, pursuant to Section 2-141(c).

Section 3. The approval identified in Section 1 of this Resolution shall terminate on September 30, 2016.

Section 4. If, as the result of a purchase of a replacement capital asset identified in the AIP and for which the approved FY 2016 budget for the Yacht Basin Fund, Waterpark Fund, Water and Sewer Fund, Stormwater Fund, Risk Fund, Parks and Recreation Programs Fund, Internal Service Facilities Fund, Internal Service Fleet Fund, Golf Course Fund, General Fund and All Hazards Fund provides funding, the City Manager determines that any City-owned tangible personal property is surplus, the City Manager is hereby authorized to dispose of the surplus property as provided in Section 2-154(c) of the City Code of Ordinances. Pursuant to Section 2-154(c)(6), a periodic report shall be submitted for any items sold at auction.

Section 5. This Resolution shall take effect immediately upon its adoption.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR COUNCIL SESSION THIS 19th DAY OF October, 2015.


MARNI L. SAWICKI, MAYOR


VOTE OF MAYOR AND COUNCILMEMBERS:

| | |
|-----------|------------|
| SAWICKI | <u>aye</u> |
| BURCH | <u>aye</u> |
| CARIOSCIA | <u>aye</u> |
| NESTA | <u>aye</u> |
| LEON | <u>NAY</u> |
| ERBRICK | <u>aye</u> |
| WILLIAMS | <u>aye</u> |
| DONNELL | <u>aye</u> |

ATTESTED TO AND FILED IN MY OFFICE THIS 26th DAY OF October, 2015.


REBECCA VAN DEUTEKOM,
CITY CLERK

APPROVED AS TO FORM:


DOLORES D. MENENDEZ
CITY ATTORNEY
res/2016 Capital Purchases
10/02/15
10/06/15

DETAILED LISTING OF EQUIPMENT, VEHICLES, AND MAINTENANCE FY 2016 PROCUREMENT RESOLUTION

| Item | FY 2016 Budget | Item Description | Fund | Dept | Unit | Object | Category |
|------|----------------|---|--------------|---------------|--------|--------|-----------|
| 1 | \$ 30,000 | Legal Hold E-Discovery Software | General Fund | City Attorney | 112001 | 664101 | Equipment |
| 2 | \$ 5,000 | Provision for Hyland Onbase Customization | General Fund | ITS | 118201 | 664105 | Equipment |
| 3 | \$ 15,000 | CRM Enhancements | General Fund | ITS | 118201 | 664101 | Equipment |
| 4 | \$ 15,000 | Upgrade Kronos WFC from version 6.2 to 7.0 | General Fund | ITS | 118201 | 664101 | Equipment |
| 5 | \$ 30,000 | Kronos HR Upgrade | General Fund | ITS | 118201 | 664101 | Equipment |
| 6 | \$ 10,000 | Miscellaneous Equipment Replacement - Emer Basis | General Fund | ITS | 118201 | 664101 | Equipment |
| 7 | \$ 15,000 | VOIP Infrastructure | General Fund | ITS | 118201 | 664101 | Equipment |
| 8 | \$ 20,000 | Identity Management Systems - FASTPASS | General Fund | ITS | 118201 | 664101 | Equipment |
| 9 | \$ 20,000 | Cable Plant Infrastructure | General Fund | ITS | 118201 | 664101 | Equipment |
| 10 | \$ 35,000 | Inspection | General Fund | ITS | 118201 | 664101 | Equipment |
| 11 | \$ 60,000 | Upgrade Network Security Systems | General Fund | ITS | 118201 | 664101 | Equipment |
| 12 | \$ 50,000 | Router Upgrade | General Fund | ITS | 118201 | 664101 | Equipment |
| 13 | \$ 75,000 | Security Log Appliance - SPAM/Anti-Virus | General Fund | ITS | 118201 | 664101 | Equipment |
| 14 | \$ 100,000 | Switches & Routers Upgrade | General Fund | ITS | 118201 | 664101 | Equipment |
| 15 | \$ 100,000 | Strong Upgrade (DR Sites) | General Fund | ITS | 118201 | 664101 | Equipment |
| 16 | \$ 100,000 | Network Racks | General Fund | ITS | 118201 | 664101 | Equipment |
| 17 | \$ 150,000 | Server & Virtualization Upgrade | General Fund | ITS | 118201 | 664101 | Equipment |
| 18 | \$ 150,000 | SSD Server Upgrade | General Fund | ITS | 118201 | 664101 | Equipment |
| 19 | \$ 75,000 | Pine Toughbooks | General Fund | ITS | 118201 | 664101 | Equipment |
| 20 | \$ 100,000 | Police Toughbooks | General Fund | ITS | 118201 | 664101 | Equipment |
| 21 | \$ 200,000 | Server Upgrade | General Fund | ITS | 118201 | 664101 | Equipment |
| 22 | \$ 8,000 | WorkGroup Scanner(s) 26994-26933 | General Fund | City Clerk | 120201 | 664101 | Equipment |
| 23 | \$ 9,500 | Crimo Lite (New) | General Fund | Police | 121101 | 664101 | Equipment |
| 24 | \$ 9,000 | Police S-PX (Replacement) | General Fund | Police | 121201 | 664101 | Equipment |
| 25 | \$ 35,000 | In-Car Video Cameras (Replacement) | General Fund | Police | 121201 | 664101 | Equipment |
| 26 | \$ 110,000 | Machine Law Enforcement Rosts (Replacement) | General Fund | Police | 121201 | 664101 | Equipment |
| 27 | \$ 13,000 | Reel/Outboard motor M-2 (ID #22112) | General Fund | Fire | 122101 | 664101 | Equipment |
| 28 | \$ 20,000 | Reel/Outboard motor M-1 (ID #22110) | General Fund | Fire | 122101 | 664101 | Equipment |
| 29 | \$ 20,000 | Reel/Outboard motor M-2 (ID #22111) | General Fund | Fire | 122101 | 664101 | Equipment |
| 30 | \$ 180,000 | Physio Control (2-FY2014 & 4-FY2015) | General Fund | Fire | 122101 | 664101 | Equipment |
| 31 | \$ 4,500 | Replace 3 Ton Air Handler - Fire Station #3 | General Fund | Fire | 122301 | 664101 | Equipment |
| 32 | \$ 5,000 | Replace 4 Ton Air Handler - Fire Station #4 | General Fund | Fire | 122301 | 664101 | Equipment |
| 33 | \$ 5,500 | Replace 4 Ton Air Handler - Fire Station 10 | General Fund | Fire | 122301 | 664101 | Equipment |
| 34 | \$ 5,500 | Replace 4 Ton Air Handler - Fire Station 8 | General Fund | Fire | 122301 | 664101 | Equipment |
| 35 | \$ 8,271 | Gear Washer/Extractor | General Fund | Fire | 122301 | 664101 | Equipment |
| 36 | \$ 33,998 | Thermal Imaging camera - (5 yr. exp. life) | General Fund | Fire | 122301 | 664101 | Equipment |
| 37 | \$ 35,578 | Breathing Air Compressor for HP System | General Fund | Fire | 122301 | 664101 | Equipment |
| 38 | \$ 88,050 | Hydraulic Rescue | General Fund | Fire | 122301 | 664101 | Equipment |
| 39 | \$ 8,500 | HP D5160E T1300 Printer | General Fund | CCD | 127101 | 664101 | Equipment |
| 40 | \$ 7,200 | Replace scanner | General Fund | Public Works | 130121 | 664101 | Equipment |
| 41 | \$ 10,000 | Replace printer | General Fund | Public Works | 130121 | 664101 | Equipment |
| 42 | \$ 6,000 | Replace 2006 Panasonic Toughbook laptop field crew-duty | General Fund | Public Works | 130121 | 664101 | Equipment |
| 43 | \$ 7,725 | Replace 2006 hp color printer #22833 | General Fund | Public Works | 130121 | 664101 | Equipment |
| 44 | \$ 24,500 | New Unmanned Hydrographic/Bathymetric Boat | General Fund | Public Works | 130121 | 664101 | Equipment |
| 45 | \$ 5,063 | Replace Traffic Tech Laptop #23573 | General Fund | Public Works | 130121 | 664101 | Equipment |
| 46 | \$ 5,462 | Replace Traffic Tech Laptop #22500 | General Fund | Public Works | 130121 | 664101 | Equipment |
| 47 | \$ 5,462 | Replace Traffic Tech Laptop #22500 | General Fund | Public Works | 130121 | 664101 | Equipment |
| 48 | \$ 6,294 | Replace Traffic Tech Laptop #21255 | General Fund | Public Works | 130121 | 664101 | Equipment |
| 49 | \$ 6,000 | Replace 95 Laptop #21025 | General Fund | Public Works | 130121 | 664101 | Equipment |
| 50 | \$ 5,000 | Pelican Bussell 3.5 Ton Air Handler Replacement | General Fund | Parks & Rec | 172001 | 664101 | Equipment |
| 51 | \$ 5,340 | Pelican Bussell Ice Machine Replacement 600lb. | General Fund | Parks & Rec | 172001 | 664101 | Equipment |

Exhibit A

DETAILED LISTING OF EQUIPMENT, VEHICLES, AND MAINTENANCE FY 2016 PROCUREMENT RESOLUTION

| Item | FY 2016 Budget | Item Description | Fund | Dept | Business Unit | Object | Category |
|------|----------------|--|--------------------|-------------|---------------|--------|-----------|
| 32 | \$ 6,000 | LE Replace 4 Ton AH - Condenser | General Fund | Parks & Rec | 172001 | 664101 | Equipment |
| 33 | \$ 7,000 | Sod Cutter #23553 (2007) | General Fund | Parks & Rec | 172001 | 664101 | Equipment |
| 34 | \$ 6,000 | Misc. Small Equip. Replacements | General Fund | Parks & Rec | 172001 | 664101 | Equipment |
| 35 | \$ 15,000 | Yacht Club Boat Trailer Parking Device Replacement | General Fund | Parks & Rec | 172001 | 664101 | Equipment |
| 36 | \$ 25,000 | Security Cameras - New (Athletic Field) | General Fund | Parks & Rec | 172001 | 664101 | Equipment |
| 37 | \$ 30,000 | Playground Equipment Replace - Vardow | General Fund | Parks & Rec | 172001 | 664101 | Equipment |
| 38 | \$ 60,000 | Playground Equipment Replace - BMX | General Fund | Parks & Rec | 172001 | 664101 | Equipment |
| 39 | \$ 65,000 | Playground Equipment Replace - Four Freedoms | General Fund | Parks & Rec | 172001 | 664101 | Equipment |
| 40 | \$ 35,000 | Server Infrastructure | General Fund | ITS | 180601 | 664101 | Equipment |
| 41 | \$ 35,300 | NYC w/ 2 Lowvoltage Units | All Markets | Fire | 233010 | 664101 | Equipment |
| 42 | \$ 5,000 | Electrical Switching Panels | Waterpark Revenues | Parks & Rec | 271010 | 664101 | Equipment |
| 43 | \$ 5,000 | Hood for Kitchen | Waterpark Revenues | Parks & Rec | 271010 | 664101 | Equipment |
| 44 | \$ 5,000 | Air Conditioning Replacement | Waterpark Revenues | Parks & Rec | 271010 | 664101 | Equipment |
| 45 | \$ 6,000 | Transformer Replacement | Waterpark Revenues | Parks & Rec | 271010 | 664101 | Equipment |
| 46 | \$ 7,000 | A/C Replacement (Ice Cream Shop) Waterpark | Waterpark Revenues | Parks & Rec | 271010 | 664101 | Equipment |
| 47 | \$ 8,000 | Furniture | Waterpark Revenues | Parks & Rec | 271010 | 664101 | Equipment |
| 48 | \$ 8,000 | Kitchen Mats Grasses Restaurant | Waterpark Revenues | Parks & Rec | 271010 | 664101 | Equipment |
| 49 | \$ 15,000 | P Fuel Motor & Pump Replacement | Waterpark Revenues | Parks & Rec | 271010 | 664101 | Equipment |
| 50 | \$ 15,000 | Removal and Installation of new Hood System | Waterpark Revenues | Parks & Rec | 271010 | 664101 | Equipment |
| 51 | \$ 16,000 | Variable Frequency Drive | Waterpark Revenues | Parks & Rec | 271010 | 664101 | Equipment |
| 52 | \$ 25,000 | Plaza Oven Replacement | Waterpark Revenues | Parks & Rec | 271010 | 664101 | Equipment |
| 53 | \$ 6,000 | Replace Fresh Air Make Up Unit/3 Ton package unit Special Pops | P&R Programs | Parks & Rec | 272012 | 664101 | Equipment |
| 54 | \$ 7,000 | 5 Ton Air Handler & Condenser Special Pops | P&R Programs | Parks & Rec | 272012 | 664101 | Equipment |
| 55 | \$ 10,000 | 10 Ton Package Unit - Special Pops | P&R Programs | Parks & Rec | 272012 | 664101 | Equipment |
| 56 | \$ 6,000 | Upright Refrigerator (3 door) Replacement | P&R Programs | Parks & Rec | 272013 | 664101 | Equipment |
| 57 | \$ 6,325 | Connection Oven-double | P&R Programs | Parks & Rec | 272013 | 664101 | Equipment |
| 58 | \$ 5,000 | Decorative Cable Rung | P&R Programs | Parks & Rec | 272015 | 664101 | Equipment |
| 59 | \$ 7,000 | Floor Scrubber Replacement | P&R Programs | Parks & Rec | 272022 | 664101 | Equipment |
| 60 | \$ 12,000 | Replace 2-5 Ton AH & Condensing Units - Daycare Four Freedoms | P&R Programs | Parks & Rec | 272022 | 664101 | Equipment |
| 61 | \$ 30,000 | A/C Replacement- Main Building 10 TON - Four Freedoms | P&R Programs | Parks & Rec | 272022 | 664101 | Equipment |
| 62 | \$ 10,000 | Replace Mini Split - Yacht Club | P&R Programs | Parks & Rec | 272025 | 664101 | Equipment |
| 63 | \$ 5,000 | Audio Visual Equipment | P&R Programs | Parks & Rec | 272026 | 664101 | Equipment |
| 64 | \$ 5,000 | Electronics/Signage Equipment Replacement | P&R Programs | Parks & Rec | 272026 | 664101 | Equipment |
| 65 | \$ 15,000 | Replace one 12.5 Ton Package units - Youth Center | P&R Programs | Parks & Rec | 272028 | 664101 | Equipment |
| 66 | \$ 15,000 | Fullsize Playground (ages 3-5) | P&R Programs | Parks & Rec | 272028 | 664101 | Equipment |
| 67 | \$ 80,000 | Replace five - 10 Ton Package units - Youth Center | P&R Programs | Parks & Rec | 272028 | 664101 | Equipment |
| 68 | \$ 10,000 | Replacement/Repair of Equipment | P&R Programs | Parks & Rec | 272027 | 664101 | Equipment |
| 69 | \$ 10,000 | Replace 2 - 3 Ton Package units - Skate Park | P&R Programs | Parks & Rec | 272027 | 664101 | Equipment |
| 70 | \$ 15,000 | Skate Ramp Additions | P&R Programs | Parks & Rec | 272027 | 664101 | Equipment |
| 71 | \$ 15,000 | Skate Park Reconfiguration | P&R Programs | Parks & Rec | 272027 | 664101 | Equipment |
| 72 | \$ 20,000 | Project Planning Software | Water/Sewer Fees | Utilities | 401015 | 664101 | Equipment |
| 73 | \$ 5,000 | Replace Plant #1 8" Sonic Meter | Water/Sewer Fees | Utilities | 401022 | 664101 | Equipment |
| 74 | \$ 5,895 | Plant Transmitter for CHLORINE Analyzer | Water/Sewer Fees | Utilities | 401022 | 664101 | Equipment |
| 75 | \$ 12,000 | Flare* Tow behind Ampboard (2) | Water/Sewer Fees | Utilities | 401022 | 664101 | Equipment |
| 76 | \$ 23,100 | Replace Well Motors 50 HP w/motor leads (approx 5/yr) | Water/Sewer Fees | Utilities | 401022 | 664101 | Equipment |
| 77 | \$ 25,900 | Wellfield VFD's 50 HP | Water/Sewer Fees | Utilities | 401022 | 664101 | Equipment |
| 78 | \$ 28,835 | Replace Well Pumps and Accessories(2/yr) | Water/Sewer Fees | Utilities | 401022 | 664101 | Equipment |
| 79 | \$ 83,882 | Replace VFD's Plant 1 & 2 Prod. Train (2/yr) | Water/Sewer Fees | Utilities | 401023 | 664101 | Equipment |
| 80 | \$ 10,000 | Calibrator and Verification Equipment | Water/Sewer Fees | Utilities | 401023 | 664101 | Equipment |
| 81 | \$ 23,100 | Replace Well Motors 50 HP w/motor leads (approx 5/yr) | Water/Sewer Fees | Utilities | 401023 | 664101 | Equipment |
| 82 | \$ 25,900 | Wellfield VFD's 50 HP | Water/Sewer Fees | Utilities | 401023 | 664101 | Equipment |

DETAILED LISTING OF EQUIPMENT, VEHICLES, AND MAINTENANCE FY 2016 PROCUREMENT RESOLUTION

| Item | FY 2016 Budget | Item Description | Fund | Dept | Business Unit | Object | Category |
|------|----------------|---|----------------------|--------------|---------------|--------|-----------|
| 103 | \$ 28,625 | Replace Well Pumps and Accessories (3/yr) | Water/Sewer Fees | Utilities | 401023 | 664101 | Equipment |
| 104 | \$ 35,400 | New 55 Silent Check Valve on High Pressure Pump Distr. System | Water/Sewer Fees | Utilities | 401023 | 664101 | Equipment |
| 105 | \$ 55,584 | Replacement Components for Multiple VFD's | Water/Sewer Fees | Utilities | 401023 | 664101 | Equipment |
| 106 | \$ 110,000 | JLG Articulating Lift | Water/Sewer Fees | Utilities | 401023 | 664101 | Equipment |
| 107 | \$ 300,000 | Bus Duct Replacements | Water/Sewer Fees | Utilities | 401023 | 664101 | Equipment |
| 108 | \$ 145,378 | NEW* Endorsight flowvent SAT Pipeline Inspection System | Water/Sewer Fees | Utilities | 401024 | 664101 | Equipment |
| 109 | \$ 180,033 | NEW* Invertless Installation Equipment (Valves 4", 6", 8", 10, 12") | Water/Sewer Fees | Utilities | 401024 | 664101 | Equipment |
| 110 | \$ 25,000 | # New * NA * New 4" Ground Pump (Portable/Reliable) * NA * | Water/Sewer Fees | Utilities | 401025 | 664101 | Equipment |
| 111 | \$ 35,000 | # New * NA * New Portable Generators 100 kW * NA * | Water/Sewer Fees | Utilities | 401025 | 664101 | Equipment |
| 112 | \$ 300,000 | New SCADA System Up-Grades | Water/Sewer Fees | Utilities | 401025 | 664101 | Equipment |
| 113 | \$ 220,000 | Replacement Pumps | Water/Sewer Fees | Utilities | 401025 | 664101 | Equipment |
| 114 | \$ 8,000 | Replace Free Chlorine Analyzers | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 115 | \$ 8,000 | Replace wireless server room A/C-Acc964301 Water Rec | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 116 | \$ 10,000 | Replace Turbidity Meter | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 117 | \$ 10,000 | Replacement of Overhead Door & Opener | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 118 | \$ 15,000 | New Auger | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 119 | \$ 15,000 | Replace Valve Actuator Motor | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 120 | \$ 20,000 | Replace Flygt Pumps (Scum, AB Filter & Liftstations) | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 121 | \$ 22,500 | Purchase PLC Components | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 122 | \$ 25,000 | SCADA Upgrades | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 123 | \$ 30,000 | Replacement Mix Liquor Return pump | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 124 | \$ 30,000 | Replacement Floating Mixer Pump | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 125 | \$ 35,000 | Electric Pump for Basin Draining-4" or 6" | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 126 | \$ 60,000 | Replace SRT Inlet/Outlet | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 127 | \$ 10,000 | Replace C13 Recirculating Pump | Water/Sewer Fees | Utilities | 401027 | 664101 | Equipment |
| 128 | \$ 10,000 | Replace Turbidity Meter | Water/Sewer Fees | Utilities | 401027 | 664101 | Equipment |
| 129 | \$ 15,000 | Replace Valve Actuator Motor & Controller | Water/Sewer Fees | Utilities | 401027 | 664101 | Equipment |
| 130 | \$ 15,000 | Replace MUR 24" Checkvalve | Water/Sewer Fees | Utilities | 401027 | 664101 | Equipment |
| 131 | \$ 75,000 | # New * NA * New Substation * NA * | Water/Sewer Fees | Utilities | 401027 | 664101 | Equipment |
| 132 | \$ 21,000 | Replace VFD's (CPS) | Water/Sewer Fees | Utilities | 401029 | 664101 | Equipment |
| 133 | \$ 25,000 | New Solar RTU Water Telemetry (CPS) | Water/Sewer Fees | Utilities | 401029 | 664101 | Equipment |
| 134 | \$ 45,000 | RSIAB Adams Brainers all CPS | Water/Sewer Fees | Utilities | 401029 | 664101 | Equipment |
| 135 | \$ 80,000 | Replace Magnesian CPS | Water/Sewer Fees | Utilities | 401029 | 664101 | Equipment |
| 136 | \$ 8,345 | Replace 42" Printer Plotter #26338 | Stormwater Revenues | Public Works | 440012 | 664101 | Equipment |
| 137 | \$ 5,000 | Replace #21784 Muffle Furnace | Stormwater Revenues | Public Works | 440016 | 664101 | Equipment |
| 138 | \$ 10,000 | Replace BOD Incubators #17805 | Stormwater Revenues | Public Works | 440016 | 664101 | Equipment |
| 139 | \$ 10,000 | Replace #26343 BOD Incubator | Stormwater Revenues | Public Works | 440016 | 664101 | Equipment |
| 140 | \$ 20,000 | Replace BOD Assay Unit #24573 | Stormwater Revenues | Public Works | 440016 | 664101 | Equipment |
| 141 | \$ 27,500 | Replace Total Organic Carbon (TOC) #23947 | Stormwater Revenues | Public Works | 440018 | 664101 | Equipment |
| 142 | \$ 1,862 | Replace Thermistor #25335 | Stormwater Revenues | Public Works | 440018 | 664101 | Equipment |
| 143 | \$ 1,862 | Replace Thermistor #25336 | Stormwater Revenues | Public Works | 440018 | 664101 | Equipment |
| 144 | \$ 1,862 | Replace Thermistor #25337 | Stormwater Revenues | Public Works | 440018 | 664101 | Equipment |
| 145 | \$ 1,862 | Replace Thermistor #25338 | Stormwater Revenues | Public Works | 440018 | 664101 | Equipment |
| 146 | \$ 1,862 | Replace Thermistor #25339 | Stormwater Revenues | Public Works | 440018 | 664101 | Equipment |
| 147 | \$ 1,862 | Replace Thermistor #25340 | Stormwater Revenues | Public Works | 440018 | 664101 | Equipment |
| 148 | \$ 1,862 | Replace Thermistor #25341 | Stormwater Revenues | Public Works | 440018 | 664101 | Equipment |
| 149 | \$ 1,862 | Replace Thermistor #25342 | Stormwater Revenues | Public Works | 440018 | 664101 | Equipment |
| 150 | \$ 1,862 | Replace Thermistor #25343 | Stormwater Revenues | Public Works | 440018 | 664101 | Equipment |
| 151 | \$ 1,862 | Replace Thermistor #25344 | Stormwater Revenues | Public Works | 440018 | 664101 | Equipment |
| 152 | \$ 15,000 | Tow Behind Aerator / Feliney Rough Aerator ***NEW** | Golf Course Revenues | Parks & Rec | 460011 | 664101 | Equipment |
| 153 | \$ 7,000 | Replace Tig welder #21387 | IS Plant Fund | Public Works | 500041 | 664101 | Equipment |

DETAILED LISTING OF EQUIPMENT, VEHICLES, AND MAINTENANCE FY 2016 PROCUREMENT RESOLUTION

| Item | FY 2016 Budget | Item Description | Fund | Dept | Unit | Object | Category |
|------|----------------|--|---------------------|---------------|--------|--------|---------------|
| 154 | \$ 10,000 | Replace air compressor #18600 | S Fleet Fund | Public Works | 500241 | 664101 | Equipment |
| 155 | \$ 16,000 | Replace Lift Cr (Boff) #12481 | S Fleet Fund | Public Works | 500241 | 664101 | Equipment |
| 156 | \$ 80,000 | New Front End Alignment Rack & Machine | S Fleet Fund | Public Works | 500241 | 664101 | Equipment |
| 157 | \$ 150,000 | Replace CR Storage System | S Fleet Fund | Public Works | 500241 | 664101 | Equipment |
| 158 | \$ 3,803,597 | Replacement & Additional Fleet Capital | General Fund | Fleet | 184750 | 664101 | Rolling Stock |
| 159 | \$ 168,000 | Replacement & Additional Fleet Capital | S Facilities Fund | Fleet | 200225 | 664101 | Rolling Stock |
| 160 | \$ 417,593 | Replacement & Additional Fleet Capital | S Fleet Fund | Fleet | 200042 | 664101 | Rolling Stock |
| 161 | \$ 25,000 | Replacement & Additional Fleet Capital | Fleet Fund | Fleet | 260108 | 664101 | Rolling Stock |
| 162 | \$ 1,061,127 | Replacement & Additional Fleet Capital | Interim Revenue | Fleet | 138750 | 664101 | Rolling Stock |
| 163 | \$ 25,000 | Replacement & Additional Fleet Capital | Yacht Basin Revenue | Fleet | 450750 | 664101 | Rolling Stock |
| 164 | \$ 39,136 | Replacement & Additional Fleet Capital | All Hazards | Fleet | 232750 | 664101 | Rolling Stock |
| 165 | \$ 97,000 | Replacement & Additional Fleet Capital | P&R Programs | Fleet | 272750 | 664101 | Rolling Stock |
| 166 | \$ 2,234,471 | Replacement & Additional Fleet Capital | Water/Sewer Fees | Fleet | 401750 | 664101 | Rolling Stock |
| 167 | \$ 4,000 | Parking lot sealed and painted Sta 1 | General Fund | Pine | 122301 | 662301 | Maintenance |
| 168 | \$ 6,000 | Parking lot sealed and painted Sta 9 | General Fund | Pine | 122301 | 662301 | Maintenance |
| 169 | \$ 45,000 | Re-Road Flat 64 St. @ 5705 St. - Hwy/By Area Sta 2 | General Fund | Pine | 122301 | 662301 | Maintenance |
| 170 | \$ 2,000 | Lane & Window screens repaired/replaced Sta 6 | General Fund | Pine | 122301 | 662301 | Maintenance |
| 171 | \$ 3,000 | Replace existing downers with Semo Sta 7 | General Fund | Pine | 122301 | 662301 | Maintenance |
| 172 | \$ 3,800 | Replace 36 bay lights w/4' vapor proof FL Lights Sta 5 | General Fund | Pine | 122301 | 662301 | Maintenance |
| 173 | \$ 5,000 | Bay Floor Paint, Sealing & Striping Sta 3 | General Fund | Pine | 122301 | 662301 | Maintenance |
| 174 | \$ 6,000 | Paint Exterior Sta 7 | General Fund | Pine | 122301 | 662301 | Maintenance |
| 175 | \$ 6,000 | Purchase and install 300 Gal Fuel Tank for Generator Sta 3 | General Fund | Pine | 122301 | 662301 | Maintenance |
| 176 | \$ 6,000 | Purchase and install 300 Gal Fuel Tank for Generator Sta 4 | General Fund | Pine | 122301 | 662301 | Maintenance |
| 177 | \$ 6,000 | Purchase and install 300 Gal Fuel Tank for Generator Sta 8 | General Fund | Pine | 122301 | 662301 | Maintenance |
| 178 | \$ 6,000 | Replace fuel monitoring system for generator w/Inverter Rout | General Fund | Pine | 122001 | 662301 | Maintenance |
| 179 | \$ 13,000 | Replace Bay Doors Sta 5 | General Fund | Pine | 122301 | 662301 | Maintenance |
| 180 | \$ 15,000 | Remodel (Minor) Sta 8 | General Fund | Pine | 122301 | 662301 | Maintenance |
| 181 | \$ 50,322 | Remodel (Major) Sta 10 | General Fund | Pine | 122301 | 662301 | Maintenance |
| 182 | \$ 70,000 | Remodel - Maintenance & Improvements (Major) Sta 7 | General Fund | Pine | 122301 | 662301 | Maintenance |
| 183 | \$ 15,000 | City Hall parking lot re-seal | General Fund | Govt Services | 184006 | 662601 | Maintenance |
| 184 | \$ 10,000 | Replace Vactor Root Fuel system EOC Generator | General Fund | Govt Services | 184006 | 662601 | Maintenance |
| 185 | \$ 30,000 | Michelle Annex Exterior Improvements | General Fund | Govt Services | 184006 | 662601 | Maintenance |
| 186 | \$ 30,000 | Various Parks - Various Bench/Replacements | General Fund | Parks & Rec | 172001 | 662601 | Maintenance |
| 187 | \$ 4,000 | Yacht Club Shuffleboard Courts resurface | General Fund | Parks & Rec | 172001 | 662601 | Maintenance |
| 188 | \$ 6,000 | Resurface Shuffleboard Courts | P&R Programs | Parks & Rec | 272015 | 662601 | Maintenance |
| 189 | \$ 25,000 | Stonks Park Tennis Courts resurface | General Fund | Parks & Rec | 172001 | 662601 | Maintenance |
| 190 | \$ 25,000 | Caloosa Park Football Field electrical repairs | General Fund | Parks & Rec | 172001 | 662601 | Maintenance |
| 191 | \$ 30,000 | Park Electrical Repairs | General Fund | Parks & Rec | 172001 | 662601 | Maintenance |
| 192 | \$ 35,000 | Four Presidens Park fence repairs | General Fund | Parks & Rec | 172001 | 662601 | Maintenance |
| 193 | \$ 45,000 | Fence Backstop Replacements | General Fund | Parks & Rec | 172001 | 662601 | Maintenance |
| 194 | \$ 20,000 | Palcoson 3-ball replace perimeter fencing | General Fund | Parks & Rec | 172001 | 662601 | Maintenance |
| 195 | \$ 13,300 | Vineyard Fencing Around Park | Waterspark | Parks & Rec | 271010 | 662601 | Maintenance |
| 196 | \$ 70,000 | Kans/Dalton replace perimeter fencing | General Fund | Parks & Rec | 172001 | 662601 | Maintenance |
| 197 | \$ 20,000 | Multi Sport baseball replace perimeter fence | General Fund | Parks & Rec | 172001 | 662601 | Maintenance |
| 198 | \$ 20,000 | Multi Sport softball replace perimeter fence | General Fund | Parks & Rec | 172001 | 662601 | Maintenance |
| 199 | \$ 40,000 | Perimeter replace fencing/Damage for Major Park | General Fund | Parks & Rec | 172001 | 662601 | Maintenance |
| 200 | \$ 6,000 | Replace Playset, Mulch - Stonks | General Fund | Parks & Rec | 172001 | 662601 | Maintenance |
| 201 | \$ 7,000 | Replace Playset, Mulch - Jeffers | General Fund | Parks & Rec | 172001 | 662601 | Maintenance |
| 202 | \$ 10,000 | Santiago Park - Lighting - Improvements | General Fund | Parks & Rec | 172001 | 662601 | Maintenance |
| 203 | \$ 25,000 | Camelot Park - Lighting - Improvements | General Fund | Parks & Rec | 172001 | 662601 | Maintenance |
| 204 | \$ 10,000 | Joe Jeffers Sandcast and paint metal structures | General Fund | Parks & Rec | 172001 | 662601 | Maintenance |

| Item | FY 2026 | Budget | Item Description | Fund | Dept | Unk | Object | Category |
|------|---------|------------|---|------------------|--------------|---------|------------|-------------|
| 205 | \$ | 10,000 | Sandblast and paint metal structures | General Fund | Parls & Rec | 172001 | 662601 | Maintenance |
| 206 | \$ | 10,000 | Jim Jeffers-Restall and strip parking lot | General Fund | Parls & Rec | 172001 | 662603 | Maintenance |
| 207 | \$ | 20,000 | Stonks Park - repave parking lot and pathway | General Fund | Parls & Rec | 172001 | 662601 | Maintenance |
| 208 | \$ | 25,000 | NW Softball Complex - repave parking lot | General Fund | Parls & Rec | 172001 | 662603 | Maintenance |
| 209 | \$ | 35,000 | Honary Park- repave parking lot and roadway | General Fund | Parls & Rec | 172001 | 662603 | Maintenance |
| 210 | \$ | 25,000 | Repave parking lot and roadway | General Fund | Parls & Rec | 172001 | 662603 | Maintenance |
| 211 | \$ | 35,000 | Barton Parking lot repave | General Fund | Parls & Rec | 172001 | 662603 | Maintenance |
| 212 | \$ | 60,000 | Multi Sport Complex parking lot - repave | General Fund | Parls & Rec | 172001 | 662603 | Maintenance |
| 213 | \$ | 10,000 | Ego Preserve Invasive Removal | General Fund | Parls & Rec | 172001 | 662602 | Maintenance |
| 214 | \$ | 100,000 | Planned repair parts | General Fund | Parls & Rec | 172001 | 662603 | Maintenance |
| 215 | \$ | 9,775 | BMX Park Repair/ Shingle w/ Peel & Stick 23 sq @ 425 SQ-Entrance Pavilion | General Fund | Parls & Rec | 172001 | 662601 | Maintenance |
| 216 | \$ | 20,150 | Flat Roof replacement E half/both Section31sq@850/sq | P&R Programs | Parls & Rec | 172005 | 662301 | Maintenance |
| 217 | \$ | 25,000 | Replace roof in East hall & bathrms | P&R Programs | Parls & Rec | 172025 | 662602 | Maintenance |
| 218 | \$ | 43,867 | New Roof Shingles on Dorman Addition & Main | P&R Programs | Parls & Rec | 172025 | 662301 | Maintenance |
| 219 | \$ | 35,000 | Re-Soil Turf - Storm Athletic Fields | General Fund | Parls & Rec | 172001 | 662603 | Maintenance |
| 220 | \$ | 40,000 | Re-Soil Turf - Storm Athletic Fields | General Fund | Parls & Rec | 172001 | 662603 | Maintenance |
| 221 | \$ | 70,000 | Re-Soil Turf - Palcan Baseball Athletic Fields | General Fund | Parls & Rec | 172001 | 662603 | Maintenance |
| 222 | \$ | 279,085 | Multi Sport - Lighting - Athletic Fields (14) Replacements | General Fund | Parls & Rec | 172001 | 662603 | Maintenance |
| 223 | \$ | 5,000 | Caloosa Track Conditions | General Fund | Parls & Rec | 172001 | 662603 | Maintenance |
| 224 | \$ | 5,000 | JK Park Shoreline Maintenance | General Fund | Parls & Rec | 172001 | 662603 | Maintenance |
| 225 | \$ | 5,000 | Brimley Park Invasive Removal | General Fund | Parls & Rec | 172001 | 662603 | Maintenance |
| 226 | \$ | 5,000 | Greenway Deck Replacements | Waterpark | Parls & Rec | 172010 | 662603 | Maintenance |
| 227 | \$ | 5,000 | Paint exterior-Environmental Bldg | P&R Programs | Parls & Rec | 172016 | 662301 | Maintenance |
| 228 | \$ | 5,000 | Purchase/Install Handicap accessible door | P&R Programs | Parls & Rec | 172019 | 662302 | Maintenance |
| 229 | \$ | 6,000 | Pump Station Repair - Athletic Complexes | General Fund | Parls & Rec | 172001 | 662603 | Maintenance |
| 230 | \$ | 6,000 | Replace Panel Enclosure | Golf Course | Parls & Rec | 460011 | 662601 | Maintenance |
| 231 | \$ | 7,315 | Add card reader access point | P&R Programs | Parls & Rec | 172021 | 662303 | Maintenance |
| 232 | \$ | 10,000 | Carpet for clubhouse and Proshop | Golf Course | Parls & Rec | 460011 | 662303 | Maintenance |
| 233 | \$ | 30,000 | Carpet for clubhouse and Proshop | Golf Course | Parls & Rec | 460011 | 662303 | Maintenance |
| 234 | \$ | 10,000 | Genotone Park - Photo Shelter (new) | General Fund | Parls & Rec | 172001 | 662603 | Maintenance |
| 235 | \$ | 18,000 | River Section resurfaced | Waterpark | Parls & Rec | 172010 | 662603 | Maintenance |
| 236 | \$ | 27,500 | Replace baby pool filter, pump, controller & pak | P&R Programs | Parls & Rec | 172023 | 662603 | Maintenance |
| 237 | \$ | 40,000 | Ceiling and insulation Replacement | Golf Course | Parls & Rec | 460001 | 662303 | Maintenance |
| 238 | \$ | 50,000 | Various Parls - ADA Handicap Access at Various Parls | General Fund | Parls & Rec | 172001 | 662601 | Maintenance |
| 239 | \$ | 50,000 | Replace Well System | Golf Course | Parls & Rec | 460012 | 662603 | Maintenance |
| 240 | \$ | 30,000 | Replace Electrical Wiring - Main Bldg | S Facilities | Public Works | 540224 | 662603 | Maintenance |
| 241 | \$ | 285,075 | Equipment/Utility/Other Maintenance | Water/Sewer/Fees | Utilities | 4001022 | 646102-108 | Maintenance |
| 242 | \$ | 334,535 | Equipment/Utility/Other Maintenance | Water/Sewer/Fees | Utilities | 4001023 | 646102-108 | Maintenance |
| | \$ | 15,378,742 | TOTAL ALL | | | | | |

\$ 15,318,742 TOTAL ALL

FY17 – Resolution 189-16
Council Approved 10/24/16

FY17 – Resolution 189-16
Council Approved 10/24/16

RESOLUTION 189 - 16

A RESOLUTION OF THE CITY OF CAPE CORAL APPROVING THE PURCHASE BY THE CITY MANAGER OF BUDGETED FY 2017 CAPITAL EQUIPMENT, CAPITAL MAINTENANCE, CAPITAL SOFTWARE AND CAPITAL VEHICLES FUNDED BY THE BUILDING DIVISION FUND, GENERAL FUND, GOLF COURSE FUND, FACILITIES INTERNAL SERVICE FUND, FLEET INTERNAL SERVICE FUND, LOT MOWING FUND, PARKS AND RECREATION PROGRAMS FUND, STORMWATER UTILITY FUND, TRANSPORTATION FUND, WATER AND SEWER UTILITY FUND, AND SUN SPLASH WATERPARK FUND IN ACCORDANCE WITH THE TERMS OF THIS RESOLUTION; APPROVING THE PURCHASE BY THE CITY MANAGER OF CAPITAL EQUIPMENT, CAPITAL MAINTENANCE AND CAPITAL EQUIPMENT FUNDED BY THE GENERAL FUND, FLEET INTERNAL SERVICE FUND, STORMWATER UTILITY FUND, ALL HAZARDS FUND, AND WATER & SEWER UTILITY FUND CARRIED OVER FROM THE FY 2016 APPROVED BUDGET IN ACCORDANCE WITH THE TERMS OF THIS RESOLUTION; APPROVING THE DISPOSAL OF ANY CITY-OWNED SURPLUS TANGIBLE PERSONAL PROPERTY THAT IS NO LONGER NEEDED BY THE CITY AS THE RESULT OF THE PURCHASE OF SUCH CAPITAL ASSETS FROM THE AFOREFMENTIONED PURCHASES IN ACCORDANCE WITH THE REQUIREMENTS OF SECTION 2-154 OF THE CITY CODE AND THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on September 22, 2016, the City Council approved the City's FY 2017 budget that includes, but is not limited to, an Asset Improvement Program (AIP) for FY 2017-22 containing a Capital Vehicle Program, a Capital Equipment Program, a Capital Software Program, and a Capital Maintenance Program; and

WHEREAS, the annual FY 2017 approved budget for the Building Division Fund provides funding for \$87,000 in identified equipment purchases and \$58,344 in identified vehicle purchases; and

WHEREAS, the annual FY 2017 approved budget for the General Fund provides funding for \$2,509,736 in identified equipment purchases, \$710,920 in identified maintenance purchases, \$566,505 in identified software purchases and \$3,549,428 in identified vehicle purchases; and

WHEREAS, the annual FY 2017 approved budget for the Golf Course Fund provides funding for \$5,734 in identified equipment purchases; and

WHEREAS, the annual FY 2017 approved budget for the Facilities Internal Service Fund provides funding for \$333,000 in identified vehicle purchases; and

WHEREAS, the annual FY 2017 approved budget for the Fleet Internal Service Fund provides funding for \$157,000 in identified equipment purchases and \$135,000 in identified vehicle purchases; and

WHEREAS, the annual FY 2017 approved budget for the Lot Mowing Fund provides funding for \$15,000 in identified equipment purchases and \$15,000 in identified vehicle purchases; and

WHEREAS, the annual FY 2017 approved budget for the Parks and Recreation Programs Fund provides funding for \$88,000 in identified equipment purchases, \$285,250 in identified maintenance purchases and \$30,000 in identified vehicle purchases; and

WHEREAS, the annual FY 2017 approved budget for the Stormwater Utility Fund provides funding for \$723,641 in identified equipment purchases and \$476,359 in identified vehicle purchases; and

WHEREAS, the annual FY 2017 approved budget for the Transportation Fund provides funding for \$45,031 in identified vehicle purchases; and

WHEREAS, the annual FY 2017 approved budget for the Water and Sewer Utility Fund provides funding for \$2,804,381 in identified equipment purchases and \$1,369,026 in identified vehicle purchases; and

WHEREAS, the annual FY 2017 approved budget for the Sun Splash Waterpark Fund provides funding for \$81,000 in identified equipment purchases, \$35,000 in identified maintenance purchases and \$30,000 in identified vehicle purchases; and

WHEREAS, on September 21, 2015, the City Council approved the City's FY 2016 budget that includes, but is not limited to, an Asset Improvement Program (AIP) for FY 2016-21 containing a Capital Vehicle Program, a Capital Equipment Program, and a Capital Maintenance Program; the City Charter, Article VII, Financial Procedures, Section 7.10, Lapse of Appropriations, provides that an appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned; and

WHEREAS, the FY 2016 capital expenditure appropriation for the General Fund to be carried over provides funding for \$130,651 in identified equipment purchases, \$2,056,920 in identified maintenance purchases and \$36,719 in identified vehicle purchases; and

WHEREAS, the FY 2016 capital expenditure appropriation for the Fleet Internal Service Fund to be carried over provides funding for \$263,000 in identified equipment purchases; and

WHEREAS, the FY 2016 capital expenditure appropriation for the Stormwater Utility Fund to be carried over provides funding for \$89,519 in identified equipment purchases; and

WHEREAS, the FY 2016 capital expenditure appropriation for the All Hazards Fund to be carried over provides funding for \$33,500 in identified equipment purchases; and

WHEREAS, the FY 2016 capital expenditure appropriation for the Water & Sewer Utility Fund to be carried over provides funding for \$426,653 in identified equipment purchases and \$620,511 in identified maintenance purchases; and

WHEREAS, pursuant to City Code of Ordinances Chapter 2, Article VII, Division 1, Section 2-142(e), the City Manager has the authority to execute all procurement-related purchase orders, contracts, contract amendments and contract renewals in excess of \$50,000 after City Council approval and in accordance with all applicable requirements of Article VII, Division 1, including but not limited to all applicable procurement procedures identified in Section 2-144 of the City Code of Ordinances; and

WHEREAS, pursuant to the Code of Ordinances, Section 2-141(c), the City Council may authorize the waiver of procurement procedures upon the recommendation of the City Manager that it is in the City's best interest to do so to obtain goods and services which cannot be acquired through the normal purchasing process due to insufficient time, the nature of the goods or services, or other factors; and

WHEREAS, because the equipment, vehicles, software and maintenance identified for procurement cover a wide range of assets, equivalents are used where applicable, and the purchases may be reviewed and re-prioritized based on use and resource needs; and

WHEREAS, the City Code of Ordinances Chapter 2, Article VII, Division 3, Section 2-154 identifies the procedures and requirements for the proper disposition of surplus City-owned tangible personal property; and

WHEREAS, the City Manager requests Council approval to purchase the Equipment, Vehicles, Software and Maintenance identified in the adopted AIP and for which the annual FY 2017 approved budget for the Building Division Fund, General Fund, Golf Course Fund, Facilities Internal Service Fund, Fleet Internal Service Fund, Lot Mowing Fund, Parks And Recreation Programs Fund, Stormwater Utility Fund, Transportation Fund, Water And Sewer Utility Fund, And Sun Splash Waterpark Fund provides funding; and

WHEREAS, the City Manager requests Council approval to purchase the Equipment, Vehicles and Maintenance identified in the adopted AIP and for which the annual FY 2016 approved budget for the General Fund, Fleet Internal Service Fund, Stormwater Utility Fund, All Hazards Fund and Water & Sewer Utility Fund provides carryover funding; and

WHEREAS, the City Manager requests City Council to authorize the waiver of procurement procedures for the purchase of the items identified in Exhibit A and Exhibit B if the City Manager finds that it is in the City's best interest to do so to obtain goods and services which cannot be acquired through the normal purchasing process due to insufficient time, the nature of the goods or services, or other factors; and

WHEREAS, the City Council finds that, in order to avoid unnecessary delays due to vehicle and equipment failures and to eliminate redundancy in the administrative process, it is in the best interest of the City to approve at this time the execution by the City Manager or his designee of all procurement-related purchase orders, contracts, contract amendments and contract renewals in excess of \$50,000 for the purchase of any and all of the new and replacement equipment and vehicles identified in the adopted AIP and for which the annual FY 2017 approved budget for the Building Division Fund, General Fund, Golf Course Fund, Facilities Internal Service Fund, Fleet Internal Service Fund, Lot Mowing Fund, Parks And Recreation Programs Fund, Stormwater Utility Fund, Transportation Fund, Water & Sewer Utility Fund, and Sun Splash Waterpark Fund and the carryover FY 2016 budget for the General Fund, Fleet Internal Service Fund, Stormwater Utility Fund, All Hazards Fund and Water & Sewer Utility Fund provides funding identified herein that have not yet been purchased.

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

Section 1. The City Council hereby approves the execution by the City Manager or his designee of all procurement related purchase orders, contracts, contract amendments and contract renewals in excess of \$50,000 pursuant to City Code of Ordinances Chapter 2, Article VII, Division 1, Section 2-142(e) for purchases of new and replacement equipment, maintenance, software and vehicles identified in the adopted AIP, for which the annual FY 2017 approved budget for the Building Division Fund, General Fund, Golf Course Fund, Facilities Internal Service Fund, Fleet Internal Service Fund, Lot Mowing Fund, Parks And Recreation Programs Fund, Stormwater Utility Fund, Transportation Fund, Water & Sewer Utility Fund, and Sun Splash Waterpark Fund provides funding, attached hereto as Exhibit A; and for purchases of new and replacement equipment, maintenance and vehicles identified in the adopted AIP for which the FY 2106 carryover budget for the General Fund, Fleet Internal Service Fund, Stormwater Utility Fund, All Hazards Fund and Water & Sewer Utility Fund provides funding, attached hereto as Exhibit B. The City Manager and his staff shall, at all times, comply with all applicable procurement procedures identified in Section 2-144 of the City Code of Ordinances.

Section 2. The City Council hereby approves the waiver of procurement procedures in the event the City Manager believes that it would be in the City's best interest to obtain any equipment, vehicles or software identified in the attached Exhibit A and Exhibit B outside of the normal procurement procedures identified in Section 2-144 of the City Code, pursuant to Section 2-141(c).

Section 3. The City Council hereby approves the reprioritization of equipment and vehicles identified in Exhibits A and B based upon review of current needs.

Section 4. If, as the result of a purchase of a replacement capital asset identified in the AIP and for which the approved FY 2017 budget for the Building Division Fund, General Fund, Golf Course Fund, Facilities Internal Service Fund, Fleet Internal Service Fund, Lot Mowing Fund, Parks And Recreation Programs Fund, Stormwater Utility Fund, Transportation Fund, Water & Sewer Utility Fund, and Sun Splash Waterpark Fund and the FY 2016 carryover budget for the General Fund, Fleet Internal Service Fund, Stormwater Utility Fund, All Hazards Fund, and Water & Sewer Utility Fund provides funding, the City Manager determines that any City-owned tangible personal property is surplus, the City Manager is hereby authorized to dispose of the surplus property as provided in Section 2-154(c) of the City Code of Ordinances. Pursuant to Section 2-154(c)(6), a periodic report shall be submitted for any items sold at auction.

Section 5. This Resolution shall take effect immediately upon its adoption.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF CAPE CORAL AT ITS
REGULAR COUNCIL SESSION THIS 24th DAY OF October, 2016.

Marni L. Sawicki
MARNI L. SAWICKI, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

SAWICKI
BURCH
CARIOSCIA
STOUT

aye
aye
aye
aye

LEON
ERBRICK
WILLIAMS
COSDEN

aye
excused
aye
aye

ATTESTED TO AND FILED IN MY OFFICE THIS 1st DAY OF November,
2016.

Rebecca Van Deutekom
REBECCA VAN DEUTEKOM,
CITY CLERK

APPROVED AS TO FORM:

Dolores D. Menendez
DOLORES D. MENENDEZ
CITY ATTORNEY
res/FY2017 Capital Purchases

City of Cape Coral
SUMMARY OF APPROVED FY2017 CAPITAL EQUIPMENT, MAINTENANCE, SOFTWARE AND VEHICLES
Resolution 189-16

| Category | Amount |
|--------------|----------------------|
| Equipment | \$ 8,471,492 |
| Maintenance | \$ 1,031,170 |
| Software | \$ 566,505 |
| Vehicle | \$ 6,041,188 |
| Total | \$ 16,070,355 |

| Category | Amount |
|----------------------|----------------------|
| Building Fees | \$ 145,344 |
| General Fund | \$ 7,336,589 |
| Golf Course Revenues | \$ 5,734 |
| IS Facilities Fund | \$ 333,000 |
| IS Fleet Fund | \$ 292,000 |
| Lot Mowing Fees | \$ 30,000 |
| P&R Programs | \$ 403,250 |
| Stormwater Revenues | \$ 1,200,000 |
| Transportation | \$ 45,031 |
| Water/Sewer Fees | \$ 4,173,407 |
| Waterpark Revenues | \$ 146,000 |
| Total | \$ 14,910,355 |

| Category | Amount |
|----------------------|----------------------|
| City Clerk | \$ 25,000 |
| City Manager | \$ 30,000 |
| DCD | \$ 242,584 |
| Fire | \$ 2,809,218 |
| Governmental Service | \$ 23,423 |
| ITS | \$ 1,271,505 |
| Parks & Recreation | \$ 1,702,159 |
| Police | \$ 1,367,397 |
| Public Works | \$ 2,495,664 |
| Utilities | \$ 4,143,407 |
| Total | \$ 14,910,355 |

| Category | Amount |
|----------------------|----------------------|
| Equipment | \$ 8,471,492 |
| Building Fees | \$ 87,000 |
| General Fund | \$ 2,509,736 |
| Golf Course Revenues | \$ 5,734 |
| IS Fleet Fund | \$ 157,000 |
| Lot Mowing Fees | \$ 15,000 |
| P&R Programs | \$ 88,000 |
| Stormwater Revenues | \$ 723,641 |
| Water/Sewer Fees | \$ 2,804,381 |
| Waterpark Revenues | \$ 81,000 |
| Maintenance | \$ 1,031,170 |
| General Fund | \$ 710,920 |
| P&R Programs | \$ 285,250 |
| Waterpark Revenues | \$ 35,000 |
| Software | \$ 566,505 |
| General Fund | \$ 566,505 |
| Vehicle | \$ 6,041,188 |
| Building Fees | \$ 58,344 |
| General Fund | \$ 3,549,428 |
| IS Facilities Fund | \$ 333,000 |
| IS Fleet Fund | \$ 135,000 |
| Lot Mowing Fees | \$ 15,000 |
| P&R Programs | \$ 30,000 |
| Stormwater Revenues | \$ 476,359 |
| Transportation | \$ 45,031 |
| Water/Sewer Fees | \$ 1,369,026 |
| Waterpark Revenues | \$ 30,000 |
| Total | \$ 16,070,355 |

| Category | Amount |
|-----------------------------|----------------------|
| Building Fees | \$ 145,344 |
| Equipment | \$ 87,000 |
| Vehicle | \$ 58,344 |
| General Fund | \$ 7,336,589 |
| Equipment | \$ 2,509,736 |
| Maintenance | \$ 710,920 |
| Software | \$ 566,505 |
| Vehicle | \$ 3,549,428 |
| Golf Course Revenues | \$ 5,734 |
| Equipment | \$ 5,734 |
| IS Facilities Fund | \$ 333,000 |
| Vehicle | \$ 333,000 |
| IS Fleet Fund | \$ 292,000 |
| Equipment | \$ 157,000 |
| Vehicle | \$ 135,000 |
| Lot Mowing Fees | \$ 30,000 |
| Equipment | \$ 15,000 |
| Vehicle | \$ 15,000 |
| P&R Programs | \$ 403,250 |
| Equipment | \$ 88,000 |
| Maintenance | \$ 285,250 |
| Vehicle | \$ 30,000 |
| Stormwater Revenues | \$ 1,200,000 |
| Equipment | \$ 723,641 |
| Vehicle | \$ 476,359 |
| Transportation | \$ 45,031 |
| Vehicle | \$ 45,031 |
| Water/Sewer Fees | \$ 4,173,407 |
| Equipment | \$ 2,804,381 |
| Vehicle | \$ 1,369,026 |
| Waterpark Revenues | \$ 146,000 |
| Equipment | \$ 81,000 |
| Maintenance | \$ 35,000 |
| Vehicle | \$ 30,000 |
| Total | \$ 16,070,355 |

| Category | Amount |
|-------------------------------|----------------------|
| City Clerk | \$ 25,000 |
| General Fund | \$ 25,000 |
| City Manager | \$ 30,000 |
| Water/Sewer Fees | \$ 30,000 |
| DCD | \$ 242,584 |
| Building Fees | \$ 145,344 |
| General Fund | \$ 97,240 |
| Fire | \$ 2,809,218 |
| General Fund | \$ 2,809,218 |
| Governmental Services | \$ 23,423 |
| General Fund | \$ 23,423 |
| ITS | \$ 1,271,505 |
| General Fund | \$ 1,271,505 |
| Parks & Recreation | \$ 1,702,159 |
| General Fund | \$ 1,147,175 |
| Golf Course Revenues | \$ 5,734 |
| P&R Programs | \$ 403,250 |
| Waterpark Revenues | \$ 146,000 |
| Police | \$ 1,367,397 |
| General Fund | \$ 1,367,397 |
| Public Works | \$ 2,495,664 |
| General Fund | \$ 585,633 |
| IS Facilities Fund | \$ 333,000 |
| IS Fleet Fund | \$ 292,000 |
| Lot Mowing Fees | \$ 30,000 |
| Stormwater Revenues | \$ 1,200,000 |
| Transportation | \$ 45,031 |
| Utilities | \$ 4,143,407 |
| Water/Sewer Fees | \$ 4,143,407 |
| Total | \$ 16,070,355 |

Exhibit A

City of Cape Coral
FY2017 CAPITAL EQUIPMENT, MAINTENANCE, SOFTWARE AND VEHICLES
Resolution 189-16

| Item | FY17 Budget | Item Description | Fund | Dept | Business Unit | Object | Category |
|------|-------------|--|---------------|--------------------|---------------|--------|-----------|
| 1 | 87,000 | In Wall Filing System | Building Fees | DCD | 235010 | 664101 | Equipment |
| 2 | 40,000 | Repl/Outboard motors M-7 #24612 | General Fund | Fire | 122102 | 664101 | Equipment |
| 3 | 4,080 | Replace 3 Ton Air Handler - Fire Station | General Fund | Fire | 122301 | 664101 | Equipment |
| 4 | 5,100 | Replace 3 Ton Air Handler | General Fund | Fire | 122301 | 664101 | Equipment |
| 5 | 5,100 | Replace 4 Ton Air Handler | General Fund | Fire | 122301 | 664101 | Equipment |
| 6 | 6,120 | Replace 5 Ton Pkg Unit | General Fund | Fire | 122301 | 664101 | Equipment |
| 7 | 6,120 | Replace 5 Ton Air Handler | General Fund | Fire | 122301 | 664101 | Equipment |
| 8 | 6,630 | Replace 2 - 2.5 Ton Air Handlers - Bathrooms/Offices off of Training Room | General Fund | Fire | 122301 | 664101 | Equipment |
| 9 | 7,650 | Replace 7.5 Ton Air Handler - Training | General Fund | Fire | 122301 | 664101 | Equipment |
| 10 | 9,503 | Gear Washer/Extractor | General Fund | Fire | 122301 | 664101 | Equipment |
| 11 | 36,468 | Breathing Air Compressor for HP System | General Fund | Fire | 122301 | 664101 | Equipment |
| 12 | 34,848 | Thermal imaging camera - (5 yr. exp. Life) | General Fund | Fire | 122301 | 664101 | Equipment |
| 13 | 61,491 | Hydraulic Rescue | General Fund | Fire | 122301 | 664101 | Equipment |
| 14 | 600,000 | Air Packs(119) Air Bottles (220), Masks | General Fund | Fire | 122301 | 664101 | Equipment |
| 15 | 150,000 | Server & Virtualization Upgrade | General Fund | ITS | 118301 | 664101 | Equipment |
| 16 | 100,000 | Switches & Routers Upgrade | General Fund | ITS | 118301 | 664101 | Equipment |
| 17 | 45,000 | Data Recovery & Backup | General Fund | ITS | 118301 | 664101 | Equipment |
| 18 | 100,000 | Access & Monitoring Systems Upgrade - Cameras; Video Storage | General Fund | ITS | 118301 | 664101 | Equipment |
| 19 | 25,000 | UPS Upgrade - City Hall (Data Center) | General Fund | ITS | 118301 | 664101 | Equipment |
| 20 | 50,000 | WiFi Systems Upgrade | General Fund | ITS | 118301 | 664101 | Equipment |
| 21 | 25,000 | Miscellaneous Equipment Replacement - Emer Basis | General Fund | ITS | 118301 | 664101 | Equipment |
| 22 | 45,000 | Server Upgrade | General Fund | ITS | 118302 | 664101 | Equipment |
| 23 | 95,000 | UPS Upgrade-Data Center | General Fund | ITS | 118302 | 664101 | Equipment |
| 24 | 50,000 | Cooling System Upgrade | General Fund | ITS | 118302 | 664101 | Equipment |
| 25 | 20,000 | Fire Suppression Systems-EOC | General Fund | ITS | 118302 | 664101 | Equipment |
| 26 | 540,000 | JDE Upgrades 9.0 to 9.1 ** | General Fund | ITS | 118201 | 664501 | Software |
| 27 | 26,505 | Kronos Records Retention Manager ***** | General Fund | ITS | 118201 | 664501 | Software |
| 28 | 95,000 | Playground Equipment Replace - Veterans | General Fund | Parks & Recreation | 172001 | 664101 | Equipment |
| 29 | 50,000 | Playground Equipment Replace - Saratoga | General Fund | Parks & Recreation | 172001 | 664101 | Equipment |
| 30 | 50,000 | Playground Equipment Replacement - Yacht Club Pool | General Fund | Parks & Recreation | 172001 | 664101 | Equipment |
| 31 | 10,000 | Misc. Small Equip. Replacements | General Fund | Parks & Recreation | 172001 | 664101 | Equipment |
| 32 | 12,500 | Playground Equipment Replace - Lake Kennedy | General Fund | Parks & Recreation | 172001 | 664101 | Equipment |
| 33 | 10,000 | Ice Machine Replacements (Multi) | General Fund | Parks & Recreation | 172001 | 664101 | Equipment |

City of Cape Coral
FY2017 CAPITAL EQUIPMENT, MAINTENANCE, SOFTWARE AND VEHICLES
Resolution 189-16

| Item | FY17 Budget | Item Description | Fund | Dept | Business Unit | Object | Category |
|------|-------------|--|----------------------|--------------------|---------------|--------|-----------|
| 34 | 15,000 | * Pool Motor & Pump Replacement | Waterpark Revenues | Parks & Recreation | 271010 | 664101 | Equipment |
| 35 | 27,000 | Tot Spot Floatables | Waterpark Revenues | Parks & Recreation | 271010 | 664101 | Equipment |
| 36 | 15,000 | Filter Media Replacement | Waterpark Revenues | Parks & Recreation | 271010 | 664101 | Equipment |
| 37 | 6,000 | Oven Replacement | Waterpark Revenues | Parks & Recreation | 271010 | 664101 | Equipment |
| 38 | 6,000 | Pool Filter Replacement (speed slide) | Waterpark Revenues | Parks & Recreation | 271010 | 664101 | Equipment |
| 39 | 6,000 | Pool Pump Impellers | Waterpark Revenues | Parks & Recreation | 271010 | 664101 | Equipment |
| 40 | 6,000 | Utility Car Replacement | Waterpark Revenues | Parks & Recreation | 271010 | 664101 | Equipment |
| 41 | 7,000 | 5 Ton Air Handler & Conditioner | P&R Programs | Parks & Recreation | 272012 | 664101 | Equipment |
| 42 | 9,000 | All Purpose Deck for City stage | P&R Programs | Parks & Recreation | 272015 | 664101 | Equipment |
| 43 | 5,000 | Box Trussing | P&R Programs | Parks & Recreation | 272015 | 664101 | Equipment |
| 44 | 3,000 | Lake Kennedy ADD Sensor to Automatic Front Doors | P&R Programs | Parks & Recreation | 272019 | 664101 | Equipment |
| 45 | 14,000 | Replace Funbrella, Canvas & Pole, #128948 (1 of 2) ORIG Line | P&R Programs | Parks & Recreation | 272023 | 664101 | Equipment |
| 46 | 5,000 | Audio Visual Equipment | P&R Programs | Parks & Recreation | 272026 | 664101 | Equipment |
| 47 | 5,000 | Electronic/Game Equipment Replacement | P&R Programs | Parks & Recreation | 272026 | 664101 | Equipment |
| 48 | 20,000 | Skate Ramp Additions | P&R Programs | Parks & Recreation | 272027 | 664101 | Equipment |
| 49 | 20,000 | Replacement/Repair of Equipment | P&R Programs | Parks & Recreation | 272027 | 664101 | Equipment |
| 50 | 5,734 | Versa Vac - NEW EQPT | Golf Course Revenues | Parks & Recreation | 460010 | 664101 | Equipment |
| 51 | 7,000 | Up-Flow Air Chamber - Forensics Lab (Replacement) | General Fund | Police | 121103 | 664101 | Equipment |
| 52 | 10,000 | Police K-9 (Replacement) | General Fund | Police | 121203 | 664101 | Equipment |
| 53 | 60,000 | Marine Law Enforcement Boats (Replacement) | General Fund | Police | 121203 | 664101 | Equipment |
| 54 | 22,000 | License Plate Readers (Replacement) | General Fund | Police | 121203 | 664101 | Equipment |
| 55 | 6,000 | Event Data Recorder (New) | General Fund | Police | 121203 | 664101 | Equipment |
| 56 | 5,000 | New Computer for future FTE | General Fund | Public Works | 130123 | 664101 | Equipment |
| 57 | 5,000 | New Computer for future FTE | General Fund | Public Works | 130123 | 664101 | Equipment |
| 58 | 5,000 | Repair 2012 GPS Base Station | General Fund | Public Works | 130123 | 664101 | Equipment |
| 59 | 5,000 | Repair 2012 Total Stations | General Fund | Public Works | 130123 | 664101 | Equipment |
| 60 | 5,000 | Repair 2012 GPS Rovers | General Fund | Public Works | 130123 | 664101 | Equipment |
| 61 | 6,468 | Replace Walk Behind Paint Sprayer | General Fund | Public Works | 130125 | 664101 | Equipment |
| 62 | 29,003 | # 24422 * 2007 * FW * MANUAL AUGER * | General Fund | Public Works | 130125 | 664101 | Equipment |
| 63 | 35,481 | Replace Thermo Applicator #24494 | General Fund | Public Works | 130125 | 664101 | Equipment |
| 64 | 5,074 | Replace Panasonic laptop #22910 | Stormwater Revenues | Public Works | 440012 | 664101 | Equipment |
| 65 | 12,000 | Replace HydroLab MS5 & Survey #26437 | Stormwater Revenues | Public Works | 440015 | 664101 | Equipment |
| 66 | 5,000 | Replace Easy Block Digestor #21203 | Stormwater Revenues | Public Works | 440016 | 664101 | Equipment |
| 67 | 5,000 | Replace Easy Block Digestor #25434 | Stormwater Revenues | Public Works | 440016 | 664101 | Equipment |

City of Cape Coral

FY2017 CAPITAL EQUIPMENT, MAINTENANCE, SOFTWARE AND VEHICLES
Resolution 189-16

| Item | FY17 Budget | Item Description | Fund | Dept | Business Unit | Object | Category |
|------|-------------|--|---------------------|--------------|---------------|--------|-----------|
| 68 | 10,000 | Replace #26349 Sterilizer/Autoclave | Stormwater Revenues | Public Works | 440016 | 664101 | Equipment |
| 69 | 10,000 | Replace #26481 Fluorometer | Stormwater Revenues | Public Works | 440016 | 664101 | Equipment |
| 70 | 38,000 | Replace Ion Chromatograph ISC #25936 | Stormwater Revenues | Public Works | 440016 | 664101 | Equipment |
| 71 | 15,690 | Replace 07 Portable Air compressor | Stormwater Revenues | Public Works | 440018 | 664101 | Equipment |
| 72 | 5,074 | Replace Panasonic laptop #22907 | Stormwater Revenues | Public Works | 440022 | 664101 | Equipment |
| 73 | 5,074 | Replace Panasonic laptop #22908 | Stormwater Revenues | Public Works | 440022 | 664101 | Equipment |
| 74 | 5,074 | Replace Panasonic laptop #22909 | Stormwater Revenues | Public Works | 440022 | 664101 | Equipment |
| 75 | 15,690 | Replace 06 Air Compressor #23570 | Stormwater Revenues | Public Works | 440024 | 664101 | Equipment |
| 76 | 7,000 | Replace Lift SE (1of2) #17821 | IS Fleet Fund | Public Works | 500241 | 664101 | Equipment |
| 77 | 150,000 | New portable 20 ton lift (6) | IS Fleet Fund | Public Works | 500241 | 664101 | Equipment |
| 78 | 5,000 | Plant Flowmeter for Scale Inhibitor | Water/Sewer Fees | Utilities | 401022 | 664101 | Equipment |
| 79 | 8,803 | Replace Worchester 6" Ball Valve (1/yr) | Water/Sewer Fees | Utilities | 401022 | 664101 | Equipment |
| 80 | 6,000 | Plant Transmitter for FLOW-Ultrasonic | Water/Sewer Fees | Utilities | 401022 | 664101 | Equipment |
| 81 | 27,204 | Wellfield VFD's 50 HP | Water/Sewer Fees | Utilities | 401022 | 664101 | Equipment |
| 82 | 23,800 | Replace Well Motors 50 HP w/motor leads (approx 5/yr) | Water/Sewer Fees | Utilities | 401022 | 664101 | Equipment |
| 83 | 54,921 | Replace VFD's Plant 1 & 2 Prod. Train | Water/Sewer Fees | Utilities | 401022 | 664101 | Equipment |
| 84 | 17,600 | Replace Ball Valves | Water/Sewer Fees | Utilities | 401023 | 664101 | Equipment |
| 85 | 27,204 | Wellfield VFD's 50 HP | Water/Sewer Fees | Utilities | 401023 | 664101 | Equipment |
| 86 | 29,475 | Replace Well Pumps and Accessories | Water/Sewer Fees | Utilities | 401023 | 664101 | Equipment |
| 87 | 23,800 | Replace Well Motors 50 HP w/motor leads (approx 5/yr) | Water/Sewer Fees | Utilities | 401023 | 664101 | Equipment |
| 88 | 54,921 | Replacement Components for Multiple | Water/Sewer Fees | Utilities | 401023 | 664101 | Equipment |
| 89 | 815,000 | Buss Duct Replacements | Water/Sewer Fees | Utilities | 401023 | 664101 | Equipment |
| 90 | 180,653 | "NEW" Insert Valve Installation Equipment (Valves 4", 6", 8", 10, 12") | Water/Sewer Fees | Utilities | 401024 | 664101 | Equipment |
| 91 | 311,000 | Replacement LIFT STATIONS Pumps | Water/Sewer Fees | Utilities | 401025 | 664101 | Equipment |
| 92 | 8,000 | Replace Composite Sampler | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 93 | 10,000 | Replace Service Water Motor | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 94 | 10,000 | SECURITY & CCTV | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 95 | 13,000 | Replace Odor Control Recirculating Pump | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 96 | 20,000 | Replace Chemical Feed Pumps | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 97 | 75,000 | Replace Transfer Pump & Motor | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 98 | 120,000 | Replace Reuse Pump / Motor | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 99 | 50,000 | Replace VFD | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 100 | 60,000 | Replacement R.A.S. Pumps (Pumps & Motors) | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 101 | 215,000 | Replacement Bar screen Equipment | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |

City of Cape Coral
FY2017 CAPITAL EQUIPMENT, MAINTENANCE, SOFTWARE AND VEHICLES
Resolution 189-16

| Item | FY17 Budget | Item Description | Fund | Dept | Business Unit | Object | Category |
|------|-------------|---|------------------|--------------|---------------|------------|-----------|
| 102 | 25,000 | SCADA SERVER PLC COMPONENTS- NEW LINE | Water/Sewer Fees | Utilities | 401026 | 664101 | Equipment |
| 103 | 6,000 | Replace Reuse Pump Check Valve | Water/Sewer Fees | Utilities | 401027 | 664101 | Equipment |
| 104 | 7,500 | Replace Composite Sampler | Water/Sewer Fees | Utilities | 401027 | 664101 | Equipment |
| 105 | 10,000 | Replace Overhead Door & Opener | Water/Sewer Fees | Utilities | 401027 | 664101 | Equipment |
| 106 | 15,000 | Replace Chemical Feed Pumps | Water/Sewer Fees | Utilities | 401027 | 664101 | Equipment |
| 107 | 12,500 | Replace VFD's | Water/Sewer Fees | Utilities | 401027 | 664101 | Equipment |
| 108 | 35,000 | Replacement Mix Liquor Return pump | Water/Sewer Fees | Utilities | 401027 | 664101 | Equipment |
| 109 | 50,000 | SECURITY & CCTV -NEW LINE ITEM | Water/Sewer Fees | Utilities | 401027 | 664101 | Equipment |
| 110 | 25,000 | Replace Jockey Pump/ Motor Description Change | Water/Sewer Fees | Utilities | 401027 | 664101 | Equipment |
| 111 | 25,000 | Replace Flygt Pumps (Scum, AB Filter & Liftstations) | Water/Sewer Fees | Utilities | 401027 | 664101 | Equipment |
| 112 | 60,000 | Replacement R.A.S. Pumps | Water/Sewer Fees | Utilities | 401027 | 664101 | Equipment |
| 113 | 45,000 | Replace Reuse Pump / Motor -Description Change | Water/Sewer Fees | Utilities | 401027 | 664101 | Equipment |
| 114 | 40,000 | Replace Transfer Pump /Motor - Description Change | Water/Sewer Fees | Utilities | 401027 | 664101 | Equipment |
| 115 | 25,000 | Centrifuge Motor VFD | Water/Sewer Fees | Utilities | 401028 | 664101 | Equipment |
| 116 | 35,000 | Replace Magmeters CPS | Water/Sewer Fees | Utilities | 401029 | 664101 | Equipment |
| 117 | 12,000 | Replace Bleach Tanks (5 Double Wall Tanks) (CPS) | Water/Sewer Fees | Utilities | 401029 | 664101 | Equipment |
| 118 | 22,000 | Replace VFD's (CPS) | Water/Sewer Fees | Utilities | 401029 | 664101 | Equipment |
| 119 | 70,000 | Canal Transfer Pumps | Water/Sewer Fees | Utilities | 401029 | 664101 | Equipment |
| 120 | 25,000 | *20848*2005*DODGE*CARAVAN | General Fund | City Clerk | 120750 | 664102.RPL | Vehicle |
| 121 | 30,000 | # New Pickup UEP Engineering Inspector II ACM Approved | Water/Sewer Fees | City Manager | 401750 | 664102.ADD | Vehicle |
| 122 | 19,448 | *21664*2005*CHEVROLET*IMPALA | General Fund | DCD | 127750 | 664102.RPL | Vehicle |
| 123 | 19,448 | *21496*2005*FORD*F150 | General Fund | DCD | 127750 | 664102.RPL | Vehicle |
| 124 | 19,448 | *21570*2005*FORD*TAURUS | General Fund | DCD | 127750 | 664102.RPL | Vehicle |
| 125 | 19,448 | *21571*2005*FORD*TAURUS | General Fund | DCD | 127750 | 664102.RPL | Vehicle |
| 126 | 19,448 | *21658*2005*FORD*TAURUS | General Fund | DCD | 127750 | 664102.RPL | Vehicle |
| 127 | 19,448 | *21695*2005*FORD*F150 | Building Fees | DCD | 235750 | 664102.RPL | Vehicle |
| 128 | 19,448 | *21702*2005*FORD*F150 | Building Fees | DCD | 235750 | 664102.RPL | Vehicle |
| 129 | 19,448 | *22255*2006*FORD*F150 | Building Fees | DCD | 235750 | 664102.RPL | Vehicle |
| 130 | 21,392 | *21642*2005*FORD*F150 | General Fund | Fire | 122750 | 664102.RPL | Vehicle |
| 131 | 21,392 | *21698*2005*FORD*F150 | General Fund | Fire | 122750 | 664102.RPL | Vehicle |
| 132 | 27,000 | *20665*2004*FORD*F150 | General Fund | Fire | 122750 | 664102.RPL | Vehicle |

City of Cape Coral
FY2017 CAPITAL EQUIPMENT, MAINTENANCE, SOFTWARE AND VEHICLES
Resolution 189-16

| Item | FY17 Budget | Item Description | Fund | Dept | Business Unit | Object | Category |
|------|-------------|--|--------------------|--------------------|---------------|------------|-----------|
| 133 | 28,000 | *21643*2005*FORD*F150 # New * NA * NA * New Truck for New | General Fund | Fire | 122750 | 664102.RPL | Vehicle |
| 134 | 750,000 | Station #11 * for Operations | General Fund | Fire | 122750 | 664102.ADD | Vehicle |
| 135 | 28,000 | *21723*2005*FORD*F150 | General Fund | Fire | 122750 | 664102.RPL | Vehicle |
| 136 | 30,000 | *16640*1994*AERO* | General Fund | Fire | 122750 | 664101.RPL | Equipment |
| 137 | 50,000 | *21678*2005*FORD*F550 | General Fund | Fire | 122750 | 664102.RPL | Vehicle |
| 138 | 65,000 | *23823*2008*FORD*F250 Council Provided Discretionary | General Fund | Fire | 122750 | 664102.RPL | Vehicle |
| 139 | 750,000 | Replacement Funding to Fire Ops | General Fund | Fire | 122750 | 664102.RPL | Vehicle |
| 140 | 27,000 | *21724*2005*FORD*F150 | General Fund | Parks & Recreation | 171750 | 664102.RPL | Vehicle |
| 141 | 6,000 | *19237*2002*TORO*BOOM-ROTARY | General Fund | Parks & Recreation | 171750 | 664101.RPL | Equipment |
| 142 | 8,500 | *24674*2007*CLUB CAR*UTILITY CART | General Fund | Parks & Recreation | 171750 | 664101.RPL | Equipment |
| 143 | 12,000 | *20817*2004*TORO*TOP DRESSER | General Fund | Parks & Recreation | 171750 | 664101.RPL | Equipment |
| 144 | 18,000 | *21152*2004**SWEEPER | General Fund | Parks & Recreation | 171750 | 664101.RPL | Equipment |
| 145 | 18,000 | *24789*2005*TORO*SAND PRO 3020 | General Fund | Parks & Recreation | 171750 | 664101.RPL | Equipment |
| 146 | 30,000 | *24838*2007*TOR*TORO MOWER 3280D | General Fund | Parks & Recreation | 171750 | 664101.RPL | Equipment |
| 147 | 30,000 | *24839*2007*TOR*TORO MOWER 3280D | General Fund | Parks & Recreation | 171750 | 664101.RPL | Equipment |
| 148 | 30,000 | *20884*2004*CHEVROLET*SILVERADO 2500 | General Fund | Parks & Recreation | 171750 | 664102.RPL | Vehicle |
| 149 | 35,000 | *23466*2006*JOHN DEERE*TRACTOR/LOADER JOHN | General Fund | Parks & Recreation | 171750 | 664101.RPL | Equipment |
| 150 | 38,000 | *23295*2006*JOHN DEERE*TURF TRACTOR | General Fund | Parks & Recreation | 171750 | 664101.RPL | Equipment |
| 151 | 40,000 | *24087*2007*ASTEC*TRENCHER 360 ASTEC | General Fund | Parks & Recreation | 171750 | 664101.RPL | Equipment |
| 152 | 45,000 | *22937*2006*FORD*E-350 VAN | General Fund | Parks & Recreation | 171750 | 664102.RPL | Vehicle |
| 153 | 55,000 | *23513*2006*TOR*TORO MOWER 4500D | General Fund | Parks & Recreation | 171750 | 664101.RPL | Equipment |
| 154 | 55,000 | *23514*2006*TOR*TORO MOWER 4500D | General Fund | Parks & Recreation | 171750 | 664101.RPL | Equipment |
| 155 | 30,000 | *20455*2004*DODGE*DAKOTA | Waterpark Revenues | Parks & Recreation | 271750 | 664102.RPL | Vehicle |
| 156 | 30,000 | *21725*2005*CHEVROLET*G3500 | P&R Programs | Parks & Recreation | 272750 | 664102.RPL | Vehicle |
| 157 | 1,139,397 | *Replace*Multi*ASSIGNED VEHICLES - REPLACEMENTS*Bulk Vehicle Purchase | General Fund | Police | 121750 | 664102.RPL | Vehicle |
| 158 | 41,000 | # New Vehicle - New Position (Patrol | General Fund | Police | 121750 | 664102.ADD | Vehicle |
| 159 | 41,000 | # New Vehicle - New Position (Patrol | General Fund | Police | 121750 | 664102.ADD | Vehicle |
| 160 | 41,000 | # New Vehicle - New Position (Patrol | General Fund | Police | 121750 | 664102.ADD | Vehicle |
| 161 | 5,357 | *23833*2007*WAN*WANCO ARROWBOARD | General Fund | Public Works | 131750 | 664101.RPL | Equipment |

City of Cape Coral
FY2017 CAPITAL EQUIPMENT, MAINTENANCE, SOFTWARE AND VEHICLES
Resolution 189-16

| Item | FY17 Budget | Item Description | Fund | Dept | Business Unit | Object | Category |
|------|-------------|--|---------------------|--------------|---------------|------------|-----------|
| 162 | 5,357 | *23834*2007*WAN*WANCO ARROWBOARD | General Fund | Public Works | 131750 | 664101.RPL | Equipment |
| 163 | 5,483 | *22081*2005*TOW*TOWMASTER | General Fund | Public Works | 131750 | 664101.RPL | Equipment |
| 164 | 30,359 | *24780*2008*FORD*F350 | General Fund | Public Works | 131750 | 664102.RPL | Vehicle |
| 165 | 91,767 | *21225*2005*INTERNATIONAL*7400 | General Fund | Public Works | 131750 | 664102.RPL | Vehicle |
| 166 | 105,028 | *24682*2007*INTERNATIONAL*7400 | General Fund | Public Works | 131750 | 664102.RPL | Vehicle |
| 167 | 132,474 | *23543*2007*LEEBOY*GRADER | General Fund | Public Works | 131750 | 664101.RPL | Equipment |
| 168 | 27,000 | *21278*2005*FORD*SPORT TRAC | General Fund | Public Works | 131750 | 664102.RPL | Vehicle |
| 169 | 29,003 | *24422*2007*FW*MANUAL AUGER | General Fund | Public Works | 131750 | 664101.RPL | Equipment |
| 170 | 49,853 | *24438*2008*FORD*F-450 STAKEBODY | General Fund | Public Works | 131750 | 664102.RPL | Vehicle |
| 171 | 18,000 | # NEW*NEW*Spare*SPARE | General Fund | Public Works | 131750 | 664102.ADD | Vehicle |
| 172 | 15,000 | # Equipment | Lot Mowing Fees | Public Works | 234750 | 664101.ADD | Equipment |
| 173 | 15,000 | # New Truck Chief Engineer Insp Lot Mow @ 50% & Solid Waste @ 50% | Lot Mowing Fees | Public Works | 234750 | 664102.ADD | Vehicle |
| 174 | 38,807 | *24325*2007*TPM*PUMP 6" | Stormwater Revenues | Public Works | 440750 | 664101.RPL | Equipment |
| 175 | 38,807 | * 24325 * 2007 * TPM * PUMP 6" * | Stormwater Revenues | Public Works | 440750 | 664101.RPL | Equipment |
| 176 | 44,638 | *23085*2007*FORD*F-350 PICKUP | Stormwater Revenues | Public Works | 440750 | 664102.RPL | Vehicle |
| 177 | 116,960 | *24679*2007*INTERNATIONAL*7600 | Stormwater Revenues | Public Works | 440750 | 664102.RPL | Vehicle |
| 178 | 131,344 | *23296*2006*JOHN DEERE*80C | Stormwater Revenues | Public Works | 440750 | 664101.RPL | Equipment |
| 179 | 383,007 | *23581*2007*CATERPILLAR*LONG REACH 325DL | Stormwater Revenues | Public Works | 440750 | 664101.RPL | Equipment |
| 180 | 314,761 | CDM Cost Recovery Study Placeholder Budget per SN/SRM | Stormwater Revenues | Public Works | 440750 | 664102.RPL | Vehicle |
| 181 | 18,000 | *21556*2005*FORD*F150 | IS Facilities Fund | Public Works | 500225 | 664102.RPL | Vehicle |
| 182 | 18,000 | *22272*2006*FORD*F150 | IS Facilities Fund | Public Works | 500225 | 664102.RPL | Vehicle |
| 183 | 27,000 | *21669*2005*FORD*EXPLORER | IS Facilities Fund | Public Works | 500225 | 664102.RPL | Vehicle |
| 184 | 24,000 | *21563*2005*FORD*E250 | IS Facilities Fund | Public Works | 500225 | 664102.RPL | Vehicle |
| 185 | 24,000 | *23511*2006*FORD*E250 | IS Facilities Fund | Public Works | 500225 | 664102.RPL | Vehicle |
| 186 | 24,000 | *23802*2007*FORD*E250 | IS Facilities Fund | Public Works | 500225 | 664102.RPL | Vehicle |
| 187 | 27,000 | *21331*2004*FORD*E-350 BOX VAN | IS Facilities Fund | Public Works | 500225 | 664102.RPL | Vehicle |
| 188 | 27,000 | # NEW FORD*E-350 BOX VAN New Electrical Specialist | IS Facilities Fund | Public Works | 500225 | 664102.ADD | Vehicle |
| 189 | 24,000 | *21960*2006*FORD*E250 | IS Facilities Fund | Public Works | 500225 | 664102.RPL | Vehicle |
| 190 | 24,000 | *22599*2006*FORD*E250 | IS Facilities Fund | Public Works | 500225 | 664102.RPL | Vehicle |
| 191 | 96,000 | *20431*2002*FORD*F-550 BUCKET TRUCK 37' | IS Facilities Fund | Public Works | 500225 | 664102.RPL | Vehicle |
| 192 | 30,000 | *17941*2001*DODGE*RAM 2500 | IS Fleet Fund | Public Works | 500242 | 664102.RPL | Vehicle |
| 193 | 40,000 | *23084*2006*FORD*F-350 PICKUP | IS Fleet Fund | Public Works | 500242 | 664102.RPL | Vehicle |

City of Cape Coral
FY2017 CAPITAL EQUIPMENT, MAINTENANCE, SOFTWARE AND VEHICLES
Resolution 189-16

| Item | FY17 Budget | Item Description | Fund | Dept | Business Unit | Object | Category |
|------|-------------|--|------------------|--------------|---------------|------------|-------------|
| 194 | 40,000 | *23426*2007*FORD*F-350 PICKUP | IS Fleet Fund | Public Works | 500242 | 664102.RPL | Vehicle |
| 195 | 25,000 | *21830*2005*FORD*RANGER | IS Fleet Fund | Public Works | 500242 | 664102.RPL | Vehicle |
| 196 | 24,694 | # New Truck for Project Manager I CM Approved | Water/Sewer Fees | Utilities | 401750 | 664102.ADD | Vehicle |
| 197 | 26,708 | *22249*2006*FORD*F150 | Water/Sewer Fees | Utilities | 401750 | 664102.RPL | Vehicle |
| 198 | 28,000 | *23556*2007*FORD*F150 | Water/Sewer Fees | Utilities | 401750 | 664102.RPL | Vehicle |
| 199 | 30,000 | # New Pickup WPro Instrumentation Supervisor CM Approved | Water/Sewer Fees | Utilities | 401750 | 664102.ADD | Vehicle |
| 200 | 34,500 | *24918*2008*FORD*F150 | Water/Sewer Fees | Utilities | 401750 | 664102.RPL | Vehicle |
| 201 | 26,708 | *22248*2006*FORD*F150 | Water/Sewer Fees | Utilities | 401750 | 664102.RPL | Vehicle |
| 202 | 26,708 | *22839*2006*FORD*F150 | Water/Sewer Fees | Utilities | 401750 | 664102.RPL | Vehicle |
| 203 | 26,708 | *23555*2007*FORD*F150 | Water/Sewer Fees | Utilities | 401750 | 664102.RPL | Vehicle |
| 204 | 24,000 | # New F150 4x2 Extended Cab Util Eng Insp I CM Approve Budget Review | Water/Sewer Fees | Utilities | 401750 | 664102.ADD | Vehicle |
| 205 | 24,000 | # New F150 4x2 Extended Cab Util Eng Insp I CM Approve Budget Review | Water/Sewer Fees | Utilities | 401750 | 664102.ADD | Vehicle |
| 206 | 48,000 | *24861*2008*BOBCAT*EXCAVATOR BOBCAT | Water/Sewer Fees | Utilities | 401750 | 664101.RPL | Equipment |
| 207 | 48,000 | *24862*2008*BOBCAT*430 | Water/Sewer Fees | Utilities | 401750 | 664101.RPL | Equipment |
| 208 | 65,000 | *25411*2008*FREIGHTLINER*VAN WALK | Water/Sewer Fees | Utilities | 401750 | 664102.RPL | Vehicle |
| 209 | 65,000 | *25412*2008*FREIGHTLINER*VAN WALK | Water/Sewer Fees | Utilities | 401750 | 664102.RPL | Vehicle |
| 210 | 275,000 | *24004*2007*INTERNATIONAL*7400 | Water/Sewer Fees | Utilities | 401750 | 664102.RPL | Vehicle |
| 211 | 30,000 | *22969*2007*FORD*FREESTAR | Water/Sewer Fees | Utilities | 401750 | 664102.RPL | Vehicle |
| 212 | 280,000 | *21863*2006*INTERNATIONAL*7400 | Water/Sewer Fees | Utilities | 401750 | 664102.RPL | Vehicle |
| 213 | 280,000 | # NEW VACTOR TRUCK | Water/Sewer Fees | Utilities | 401750 | 664102.ADD | Vehicle |
| 214 | 7,000 | *26057*2010*CLUB CAR*CART | Water/Sewer Fees | Utilities | 401750 | 664101.RPL | Equipment |
| 215 | 22,000 | # New Truck for Plant Electrician CM Approved | Water/Sewer Fees | Utilities | 401750 | 664102.ADD | Vehicle |
| 216 | 7,000 | *26070*2010*CLUB CAR*CART | Water/Sewer Fees | Utilities | 401750 | 664101.RPL | Equipment |
| 217 | 8,000 | *22647*2006*CLUB CAR*CART | Water/Sewer Fees | Utilities | 401750 | 664101.RPL | Equipment |
| 218 | 25,000 | *25063*2008*FORD*E250 | Water/Sewer Fees | Utilities | 401750 | 664102.RPL | Vehicle |
| 219 | 25,000 | # New * NA * NA * NEW Pick-Up * | Water/Sewer Fees | Utilities | 401750 | 664102.ADD | Vehicle |
| 220 | 45,031 | *24512*2008*FORD*F350 | Transportation | Public Works | 3011750 | 664102.RPL | Vehicle |
| 222 | 5,100 | Bay Floor Paint, Sealing & Striping | General Fund | Fire | 122301 | 662301 | Maintenance |
| 223 | 5,100 | Bay Floor Paint, Sealing & Striping | General Fund | Fire | 122301 | 662301 | Maintenance |
| 224 | 2,040 | Lanai & Window screens repaired/replaced | General Fund | Fire | 122301 | 662301 | Maintenance |
| 225 | 6,120 | Paint Exterior | General Fund | Fire | 122301 | 662301 | Maintenance |
| 226 | 6,120 | Paint Exterior | General Fund | Fire | 122301 | 662301 | Maintenance |

City of Cape Coral
FY2017 CAPITAL EQUIPMENT, MAINTENANCE, SOFTWARE AND VEHICLES
Resolution 189-16

| Item | FY17 Budget | Item Description | Fund | Dept | Business Unit | Object | Category |
|------|-------------|---|--------------|----------------------|---------------|--------|-------------|
| 227 | 6,120 | Paint Exterior | General Fund | Fire | 122301 | 662301 | Maintenance |
| 228 | 3,060 | Parking lot sealed and painted | General Fund | Fire | 122301 | 662301 | Maintenance |
| 229 | 6,120 | Parking lot sealed and painted | General Fund | Fire | 122301 | 662301 | Maintenance |
| 230 | 15,300 | Remodel Interior (Minor) | General Fund | Fire | 122301 | 662301 | Maintenance |
| 231 | 3,060 | Replace 38 2X4 Fl Lay In fixtures w/LED | General Fund | Fire | 122301 | 662301 | Maintenance |
| 232 | 13,260 | Replace Bay Doors | General Fund | Fire | 122301 | 662301 | Maintenance |
| 233 | 5,100 | Replace Bay lighting with LED | General Fund | Fire | 122301 | 662301 | Maintenance |
| 234 | 5,100 | Replace Bay lighting with LED | General Fund | Fire | 122301 | 662301 | Maintenance |
| 235 | 5,100 | Replace Bay lighting with LED | General Fund | Fire | 122301 | 662301 | Maintenance |
| 236 | 5,100 | Replace Bay lighting with LED | General Fund | Fire | 122301 | 662301 | Maintenance |
| 237 | 5,100 | Replace Bay lighting with LED | General Fund | Fire | 122301 | 662301 | Maintenance |
| 238 | 5,100 | Replace Bay lighting with LED | General Fund | Fire | 122301 | 662301 | Maintenance |
| 239 | 5,100 | Replace Bay lighting with LED | General Fund | Fire | 122301 | 662301 | Maintenance |
| 240 | 5,202 | Replace Bay lighting with LED | General Fund | Fire | 122301 | 662301 | Maintenance |
| 241 | 5,100 | Replace flooring with tile | General Fund | Fire | 122301 | 662301 | Maintenance |
| 242 | 4,080 | Replace Ice Machine | General Fund | Fire | 122301 | 662301 | Maintenance |
| 243 | 6,630 | Replace interior Lighting with LED | General Fund | Fire | 122301 | 662301 | Maintenance |
| 244 | 6,630 | Replace interior Lighting with LED | General Fund | Fire | 122301 | 662301 | Maintenance |
| 245 | 6,630 | Replace interior Lighting with LED | General Fund | Fire | 122301 | 662301 | Maintenance |
| 246 | 6,630 | Replace interior Lighting with LED | General Fund | Fire | 122301 | 662301 | Maintenance |
| 247 | 6,630 | Replace interior Lighting with LED | General Fund | Fire | 122301 | 662301 | Maintenance |
| 248 | 6,630 | Replace interior Lighting with LED | General Fund | Fire | 122301 | 662301 | Maintenance |
| 249 | 6,630 | Replace interior Lighting with LED | General Fund | Fire | 122301 | 662301 | Maintenance |
| 250 | 6,630 | Replace interior Lighting with LED | General Fund | Fire | 122301 | 662301 | Maintenance |
| 251 | 40,800 | Re-Roof with Peel & Stick Base 85 SQ | General Fund | Fire | 122301 | 662301 | Maintenance |
| 252 | 23,423 | Nicholas Annex Exterior Improvements | General Fund | Governmental Service | 184006 | 662601 | Maintenance |
| 253 | 50,000 | Burnt Store Boat Ramp Impact Fees - | General Fund | Parks & Recreation | 172001 | 662601 | Maintenance |
| 254 | 10,000 | Eco Preserve Invasive Removal | General Fund | Parks & Recreation | 172001 | 662601 | Maintenance |
| 255 | 25,000 | Irrigation Pump Replace | General Fund | Parks & Recreation | 172001 | 662601 | Maintenance |
| | | Jason Verdow Park - Roof- | | | | | |
| 256 | 15,300 | Concs/Rstrm/Maint./Shed | General Fund | Parks & Recreation | 172001 | 662301 | Maintenance |
| 257 | 5,000 | Nursery parking lot repave | General Fund | Parks & Recreation | 172001 | 662601 | Maintenance |
| 258 | 35,000 | Park Electrical Repairs | General Fund | Parks & Recreation | 172001 | 662601 | Maintenance |
| 259 | 10,875 | Pelican Baseball Concession bldg. re-roof | General Fund | Parks & Recreation | 172001 | 662601 | Maintenance |
| 260 | 79,000 | Playground repair parts | General Fund | Parks & Recreation | 172001 | 662601 | Maintenance |
| 261 | 6,000 | Replace Playgnd. Mulch - Camelot | General Fund | Parks & Recreation | 172001 | 662601 | Maintenance |
| 262 | 35,000 | Re-Sod Turf - BMX Athletic Fields | General Fund | Parks & Recreation | 172001 | 662601 | Maintenance |
| 263 | 26,000 | Re-Sod Turf - Verdow Athletic Fields | General Fund | Parks & Recreation | 172001 | 662601 | Maintenance |

City of Cape Coral

FY2017 CAPITAL EQUIPMENT, MAINTENANCE, SOFTWARE AND VEHICLES

Resolution 189-16

| Item | FY17 Budget | Item Description | Fund | Dept | Business Unit | Object | Category |
|------|-------------|--|--------------------|--------------------|---------------|--------|-------------|
| 264 | 20,000 | Rotary park dog paths, turf & fencing | General Fund | Parks & Recreation | 172001 | 662601 | Maintenance |
| 265 | 10,000 | Rotary Park Invasive Removal | General Fund | Parks & Recreation | 172001 | 662601 | Maintenance |
| 266 | 10,000 | Saratoga Park Repave Parking Lot and Walkpath | General Fund | Parks & Recreation | 172001 | 662601 | Maintenance |
| 267 | 15,000 | Seahawk Park Repave Runway | General Fund | Parks & Recreation | 172001 | 662601 | Maintenance |
| 268 | 50,000 | Various Parks - ADA Handicap Access at Various Parks | General Fund | Parks & Recreation | 172001 | 662601 | Maintenance |
| 269 | 40,000 | Various Parks - Irrigation System - Ball Parks replace | General Fund | Parks & Recreation | 172001 | 662601 | Maintenance |
| 270 | 30,000 | Various Parks - Various Bleacher Replacements | General Fund | Parks & Recreation | 172001 | 662601 | Maintenance |
| 271 | 27,500 | Pool Paint | Waterpark Revenues | Parks & Recreation | 271010 | 662301 | Maintenance |
| 272 | 7,500 | Water Park Roof Replacement | Waterpark Revenues | Parks & Recreation | 271010 | 662301 | Maintenance |
| 273 | 5,000 | Replace water heater/pump with commerical grade | P&R Programs | Parks & Recreation | 272012 | 662601 | Maintenance |
| 274 | 20,000 | Refurbish Stage | P&R Programs | Parks & Recreation | 272015 | 662601 | Maintenance |
| 275 | 25,000 | Repave parking lot | P&R Programs | Parks & Recreation | 272020 | 662601 | Maintenance |
| 276 | 76,500 | Replace roof 90 Sq.\$850 SQ Flat Tear Off | P&R Programs | Parks & Recreation | 272021 | 662301 | Maintenance |
| 277 | 125,000 | Remodel Shower Facility/pool gatehouse | P&R Programs | Parks & Recreation | 272023 | 662601 | Maintenance |
| 278 | 33,750 | Pavilion Roof, Shingle to Shingle | P&R Programs | Parks & Recreation | 272025 | 662601 | Maintenance |
| | | | | | | | |

City of Cape Coral
SUMMARY OF APPROVED FY2018 CARRYOVER FOR CAPITAL EQUIPMENT, VEHICLE AND MAINTENANCE
Resolution 189-16

| | Amount |
|--------------|---------------------|
| Equipment | \$ 943,323 |
| Maintenance | \$ 2,677,431 |
| Vehicle | \$ 36,719 |
| Total | \$ 3,657,473 |

| | Amount |
|---------------------|---------------------|
| General Fund | \$ 2,224,290 |
| IS Fleet Fund | \$ 263,000 |
| Stormwater Revenues | \$ 89,519 |
| All Hazards | \$ 33,500 |
| Water & Sewer Fees | \$ 1,047,164 |
| Total | \$ 3,657,473 |

| | Amount |
|---------------------|---------------------|
| Fire | \$ 138,949 |
| ITS | \$ 15,000 |
| Parks & Recreation | \$ 1,741,890 |
| Public Works | \$ 366,670 |
| Utilities | \$ 1,047,164 |
| Legal | \$ 30,000 |
| Government Services | \$ 317,800 |
| Total | \$ 3,657,473 |

| | Amount |
|---------------------|---------------------|
| Equipment | \$ 943,323 |
| General Fund | \$ 130,651 |
| IS Fleet Fund | \$ 263,000 |
| Stormwater Revenues | \$ 89,519 |
| All Hazards | \$ 33,500 |
| Water & Sewer Fees | \$ 426,653 |
| Maintenance | \$ 2,677,431 |
| General Fund | \$ 2,056,920 |
| Water & Sewer Fees | \$ 620,511 |
| Vehicle | \$ 36,719 |
| General Fund | \$ 36,719 |
| Total | \$ 3,657,473 |

| | Amount |
|-------------------------------|---------------------|
| General Fund | \$ 2,224,290 |
| Equipment | \$ 130,651 |
| Maintenance | \$ 2,056,920 |
| Vehicle | \$ 36,719 |
| IS Fleet Fund | \$ 263,000 |
| Equipment | \$ 263,000 |
| Stormwater Revenues | \$ 89,519 |
| Equipment | \$ 89,519 |
| All Hazards | \$ 33,500 |
| Equipment | \$ 33,500 |
| Water & Sewer Fees | \$ 1,047,164 |
| Equipment | \$ 426,653 |
| Maintenance | \$ 620,511 |
| Total | \$ 3,657,473 |

| | Amount |
|-------------------------------|---------------------|
| Fire | \$ 138,949 |
| General Fund | \$ 105,449 |
| All Hazards | \$ 33,500 |
| ITS | \$ 15,000 |
| General Fund | \$ 15,000 |
| Parks & Recreation | \$ 1,741,890 |
| General Fund | \$ 1,741,890 |
| Public Works | \$ 366,670 |
| General Fund | \$ 14,151 |
| IS Fleet Fund | \$ 263,000 |
| Stormwater Revenues | \$ 89,519 |
| Utilities | \$ 1,047,164 |
| Water & Sewer Fees | \$ 1,047,164 |
| Legal | \$ 30,000 |
| General Fund | \$ 30,000 |
| Government Services | \$ 317,800 |
| General Fund | \$ 317,800 |
| Total | \$ 3,657,473 |

City of Cape Coral
FY2016 CARRYOVER FOR CAPITAL EQUIPMENT, VEHICLE AND MAINTENANCE
Resolution 189-16

| Item | FY2016 | Item Description | Fund | Dept | Category |
|------|---------|---|--------------|--------------------|-------------|
| 300 | 30,000 | Legal E-Discovery Software | General Fund | Legal | Equipment |
| 301 | 5,974 | FY14/15 Maint: Condensers & Air Handlers | General Fund | Fire | Maintenance |
| 302 | 7,000 | FY14/15 Maint: Fire station aprons, bay floors & parking lots | General Fund | Fire | Maintenance |
| 303 | 4,256 | FY14/15 Maint: Remodel Station # 7, mainte & improvements (minor) | General Fund | Fire | Maintenance |
| 304 | 36,719 | FY14/15 Fire Capital Vehicle balance from Government Services | General Fund | Fire | Vehicle |
| 305 | 5,000 | Bay Floor Paint, Sealing & Striping Sta 3 | General Fund | Fire | Maintenance |
| 306 | 6,000 | Parking lot sealed and painted Sta 9 | General Fund | Fire | Maintenance |
| 307 | 20,000 | Repl/Outboard motors M-1 #22111 | General Fund | Fire | Equipment |
| 308 | 4,500 | Replace 3 Ton Air Handler - Fire Station #3 | General Fund | Fire | Equipment |
| 309 | 5,500 | Replace 4 Ton Air Handler - Fire Station 10 | General Fund | Fire | Equipment |
| 310 | 5,500 | Replace 4 Ton Air Handler - Fire Station 8 | General Fund | Fire | Equipment |
| 311 | 5,000 | Replace 4 Ton Air Handler Fire Station #4 | General Fund | Fire | Equipment |
| 312 | 11,500 | FY14/15 Maint: Chester Street 3 ton & 5 ton a/c unit replace | General Fund | Government Service | Maintenance |
| 313 | 1,300 | FY14/15 Maint: Chester Street REC Cntr. Replace 200amp panel | General Fund | Government Service | Maintenance |
| 314 | 80,000 | FY14/15 Maint:CC Pkwy. Street light led retrofits | General Fund | Government Service | Maintenance |
| 315 | 15,000 | FY14/15 Maint:City Hall parking lot re-seal | General Fund | Government Service | Maintenance |
| 316 | 155,000 | FY14/15 Maint:Nicholas Annex Exterior | General Fund | Government Service | Maintenance |
| 317 | 15,000 | City Hall parking lot re-seal | General Fund | Government Service | Maintenance |
| 318 | 30,000 | Nicholas Annex Exterior Improvements | General Fund | Government Service | Maintenance |
| 319 | 10,000 | Replace Veder Root fuel system EOC Generator | General Fund | Government Service | Maintenance |
| 320 | 15,000 | CRW Enhancements | General Fund | ITS | Equipment |
| 321 | 9,775 | FY14/15 Maint: BMX Starter Pavilion Reroof | General Fund | Parks & Recreation | Maintenance |
| 322 | 20,000 | FY14/15 Maint: Camelot Park- 2 Pavilions | General Fund | Parks & Recreation | Maintenance |
| 323 | 30,000 | FY14/15 Maint: CC Sports Complex- 2 pavilions | General Fund | Parks & Recreation | Maintenance |
| 324 | 50,000 | FY14/15 Maint: Fences Repairs misc contract out | General Fund | Parks & Recreation | Maintenance |
| 325 | 25,000 | FY14/15 Maint: Horton Park parking lot repave | General Fund | Parks & Recreation | Maintenance |
| 326 | 60,000 | FY14/15 Maint: Joe Stonis- Replace pavilions | General Fund | Parks & Recreation | Maintenance |
| 327 | 50,000 | FY14/15 Maint: Koza Dugouts | General Fund | Parks & Recreation | Maintenance |
| 328 | 25,000 | FY14/15 Maint: Koza/ Saladino park parking lot | General Fund | Parks & Recreation | Maintenance |
| 329 | 25,000 | FY14/15 Maint: Multi Sport Parking entrance | General Fund | Parks & Recreation | Maintenance |
| 330 | 10,000 | FY14/15 Maint: Storm-replace/repair pavilion | General Fund | Parks & Recreation | Maintenance |

City of Cape Coral
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Resolution 189-16

| Item | FY2016 | Item Description | Fund | Dept | Category |
|------|---------|--|--------------|--------------------|-------------|
| 331 | 100,000 | FY14/15 Maint: Various Parks- ADA Handicap Access at Various Parks | General Fund | Parks & Recreation | Maintenance |
| 332 | 50,000 | FY14/15 Maint: Various Parks- irrigation system- Ball Parks replace | General Fund | Parks & Recreation | Maintenance |
| 333 | 10,000 | FY14/15 Maint: Verdow Park perimeter fence replacements | General Fund | Parks & Recreation | Maintenance |
| 334 | 170,000 | Grant Match FY14/15 projects | General Fund | Parks & Recreation | Maintenance |
| 339 | 9,775 | BMX Park Reroof Shingle w/ Peel & Stick 23 sq @ 425 SQ-Entrance Pavilion | General Fund | Parks & Recreation | Maintenance |
| 340 | 35,000 | Burton parking lot repave | General Fund | Parks & Recreation | Maintenance |
| 341 | 5,000 | Caloosa Track Conditions | General Fund | Parks & Recreation | Maintenance |
| 342 | 25,000 | Camelot Park - Lighting - Improvements | General Fund | Parks & Recreation | Maintenance |
| 343 | 45,000 | Fence Backstops Replacements | General Fund | Parks & Recreation | Maintenance |
| 344 | 10,000 | Jim Jeffers Sandblast and paint metal structures | General Fund | Parks & Recreation | Maintenance |
| 345 | 10,000 | Jim Jeffers-Reseal and strip parking lot | General Fund | Parks & Recreation | Maintenance |
| 346 | 20,000 | Koza/Saladino replace perimeter fencing | General Fund | Parks & Recreation | Maintenance |
| 347 | 6,000 | LK-Replace 4 Ton AH + Condenser | General Fund | Parks & Recreation | Equipment |
| 348 | 20,000 | Multi Sport baseball replace perimeter fence | General Fund | Parks & Recreation | Maintenance |
| 349 | 60,000 | Multi Sport Complex parking lot - repave | General Fund | Parks & Recreation | Maintenance |
| 350 | 20,000 | Multi Sport softball replace perimeter fence | General Fund | Parks & Recreation | Maintenance |
| 351 | 5,340 | Pelican Baseball Ice Machine Replacement 600lb. | General Fund | Parks & Recreation | Maintenance |
| 352 | 10,000 | Pelican b-ball replace perimeter fencing | General Fund | Parks & Recreation | Maintenance |
| 353 | 6,000 | Pump Station Repair - Athletic Complexes | General Fund | Parks & Recreation | Maintenance |
| 354 | 25,000 | Rotary Park- repave parking lot and roadway | General Fund | Parks & Recreation | Maintenance |
| 355 | 10,000 | Sandblast and paint metal structures | General Fund | Parks & Recreation | Maintenance |
| 356 | 10,000 | Saratoga Park - Lighting - Improvements | General Fund | Parks & Recreation | Maintenance |
| 357 | 25,000 | Security Cameras - New (Athletic fields) | General Fund | Parks & Recreation | Equipment |
| 358 | 20,000 | Stonis Park - repave parking lot and pathway | General Fund | Parks & Recreation | Maintenance |
| 359 | 25,000 | Stonis Park Tennis Courts resurface | General Fund | Parks & Recreation | Maintenance |
| 360 | 50,000 | Various Parks - ADA Handicap Access at Various | General Fund | Parks & Recreation | Maintenance |
| 361 | 15,000 | Yacht Club Boat Trailer Parking Device Replacement | General Fund | Parks & Recreation | Maintenance |
| 362 | 6,000 | Yacht Club Shuffleboard Courts resurface | General Fund | Parks & Recreation | Maintenance |
| 363 | 473,000 | Grant Match FY2016 Projects | General Fund | Parks & Recreation | Maintenance |
| 369 | 44,000 | BMX Track repair | General Fund | Parks & Recreation | Maintenance |
| 370 | 117,000 | Cultural Theater | General Fund | Parks & Recreation | Maintenance |
| 371 | 3,114 | FY14/15 Equip: New Earth Hydraulic Auger #25443 | General Fund | Public Works | Equipment |
| 372 | 1,533 | FY14/15 Equip: Replace 1996 Gas Post Cutter | General Fund | Public Works | Equipment |

City of Cape Coral
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Resolution 189-16

| Item | FY2016 | Item Description | Fund | Dept | Category |
|------|-----------|--|---------------------|--------------|-------------|
| 373 | 3,713 | FY14/15 Equip: Replace Grinder/Planner #24080 | General Fund | Public Works | Equipment |
| 374 | 5,791 | FY14/15 Equip: Replace Bitminus Machine #25432 | General Fund | Public Works | Equipment |
| 375 | 33,500 | VTC w/ 2 Icon600 Units | All Hazards | Fire | Equipment |
| 376 | 80,000 | New Front End Alignment Rack & Machine | IS Fleet Fund | Public Works | Equipment |
| 377 | 10,000 | Replace air compressor #18600 | IS Fleet Fund | Public Works | Equipment |
| 378 | 16,000 | Replace Lift CB (3of4) #17491 | IS Fleet Fund | Public Works | Equipment |
| 379 | 150,000 | Replace Oil Storage System | IS Fleet Fund | Public Works | Equipment |
| 380 | 7,000 | Replace Tig welder #21367 | IS Fleet Fund | Public Works | Equipment |
| 381 | 8,676 | Replace Attachment #21182 | Stormwater Revenues | Public Works | Equipment |
| 382 | 10,000 | Replace BOD incubators #17806 | Stormwater Revenues | Public Works | Equipment |
| 383 | 6,109 | Replace Laptop #22279 | Stormwater Revenues | Public Works | Equipment |
| 384 | 6,523 | Replace Mig welder #24324 | Stormwater Revenues | Public Works | Equipment |
| 385 | 6,483 | Replace Panasonic laptop #21266 | Stormwater Revenues | Public Works | Equipment |
| 386 | 6,582 | Replace Pipe Threading Machine #22181 | Stormwater Revenues | Public Works | Equipment |
| 387 | 5,882 | Replace Tamper #26337 | Stormwater Revenues | Public Works | Equipment |
| 388 | 5,882 | Replace Tamper #26338 | Stormwater Revenues | Public Works | Equipment |
| 389 | 5,882 | Replace Tamper #26339 | Stormwater Revenues | Public Works | Equipment |
| 390 | 27,500 | Replace Total Organic Carbon (TOC) #21947 | Stormwater Revenues | Public Works | Equipment |
| 391 | 180,653 | "NEW" Insert Valve Installation Equipment (Valves 4", 6", 8", 10, 12") | Water & Sewer Fees | Utilities | Equipment |
| 392 | 75,000 | # New * NA * New Skidsteer * NA * | Water & Sewer Fees | Utilities | Equipment |
| 393 | 620,511 | Equipment/Bldg/Other Maintenance | Water & Sewer Fees | Utilities | Maintenance |
| 394 | 110,000 | JLG Articulating Lift | Water & Sewer Fees | Utilities | Equipment |
| 395 | 8,000 | New ventless server room A/C -Acct#662301 Water | Water & Sewer Fees | Utilities | Equipment |
| 396 | 20,000 | Project Planning Software | Water & Sewer Fees | Utilities | Equipment |
| 397 | 8,000 | Replace Free Chlorine Analyzers | Water & Sewer Fees | Utilities | Equipment |
| 398 | 15,000 | Replace MLR 24" Checkvalve | Water & Sewer Fees | Utilities | Equipment |
| 399 | 10,000 | Replacement of Overhead Door & Opener | Water & Sewer Fees | Utilities | Equipment |
| | 1,174,746 | Totals | | | |

RESOLUTION 59 – 17

A RESOLUTION OF THE CITY OF CAPE CORAL AWARDING A BID FOR THE NORTH REVERSE OSMOSIS WATER TREATMENT PLANT BUSWAY REPLACEMENT PROJECT TO COGBURN BROTHERS, INC.; PROVIDING FOR SUBSEQUENT EXECUTION OF THE CONTRACT DOCUMENTS BY THE CITY MANAGER OR HIS DESIGNEE; PROVIDING FOR APPROVAL OF A CONTINGENCY AMOUNT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on October 5, 2016, INVITATION TO BID (ITB) #UT17-01/KR was issued for the North RO Water Treatment Plant Busway Replacement project; and

WHEREAS, on November 29, 2016, one (1) bid was received from Cogburn Brothers, Inc., for \$1,116,500, which exceeded the project budget; and

WHEREAS, the bidder was deemed both responsible and responsive by meeting all requirements and specifications as outlined in the bid; and

WHEREAS, Section 2-144(a)(14) of the Code of Ordinances provides that in the event only one bid is received by the city, the Procurement Manager is authorized to negotiate a lower price from the bidder; and

WHEREAS, a negotiated price of \$898,500, subject to a ten (10) percent City-controlled contingency was finalized with Cogburn Brothers, Inc.; and

WHEREAS, the City Manager recommends the award of the bid to Cogburn Brothers, Inc., as the lowest qualified responsible and responsive bidder meeting the requirements and criteria set forth in the invitation to bid, in the amount of \$898,500, subject to a City-controlled contingency amount not to exceed ten (10) percent of the total amount of the contract.

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

Section 1. The City Council hereby awards the bid for the North RO Water Treatment Plant Busway Replacement project to Cogburn Brothers, Inc., in the total amount of \$898,500, subject to a City-controlled contingency amount not to exceed ten (10) percent of the total amount of the contract.

Section 2. The City Council hereby approves the contract between the City of Cape Coral and Cogburn Brothers, Inc., for the North RO Water Treatment Plant Busway Replacement project, and authorizes the City Manager or his designee to execute the Contract. A copy of the Contract is attached hereto as Exhibit A.

Section 3. The City Council hereby authorizes the City Manager or the City Manager's designee to enter into change orders for work required other than as contemplated in the contract documents with an appropriate scope and cost to address those needs, subject to payment of a City-controlled contingency amount not to exceed ten (10) percent of the total amount of the contract.

Section 4. This Resolution shall take effect immediately upon its adoption.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR COUNCIL SESSION THIS _____ DAY OF _____, 2017.

MARNI L. SAWICKI, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:


SAWICKI _____
BURCH _____
CARIOSCIA _____
STOUT _____

LEON _____
ERBRICK _____
WILLIAMS _____
COSDEN _____

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____,
2017.

REBECCA VAN DEUTEKOM,
CITY CLERK

APPROVED AS TO FORM:



DOLORES D. MENENDEZ
CITY ATTORNEY
res/Bid Award-Cogburn Brothers

SECTION 00500
AGREEMENT
CON-UT17-01/KR
BETWEEN OWNER AND CONTRACTOR
FOR CONSTRUCTION CONTRACT (STIPULATED PRICE)

THIS AGREEMENT is by and between City of Cape Coral, Florida ("Owner") and
Cogburn Brothers, Inc.
3300 Faye Road
Jacksonville, FL 32226 ("Contractor").

Owner and Contractor hereby agree as follows:

ARTICLE 1 – WORK

- 1.01 Contractor shall complete all Work as specified or indicated in the Contract Documents. The Work is generally described as follows:

ARTICLE 2 – THE PROJECT

- 2.01 The Project, of which the Work under the Contract Documents is a part, is generally described as follows:

The Contractor shall furnish all labor, materials, coordination of services, supervision of staff, permits, bonds, insurance, equipment, power, water, tools, supplies, goods, freight and incidentals that are required for the Contractor to provide OWNER with complete Construction Services which include modifications to the power distribution system at the North RO Water Treatment Plant located at 1200 Kismet Parkway West, Cape Coral, Florida. The work includes, but is not limited to replacement of four 5000 ampere, 480/277 volt copper busways that run between outdoor transformers UST-1A, UST-1B, UST-2A, and UST-2B and indoor switchgear USS-1A, USS-1B, USS-2A and USS-2B, respectively. The busway shall be replaced with underground concrete encased ductbanks for the outdoor busway sections and wire for the indoor sections. To avoid buswork modifications to the indoor switchgear, four 5000 ampere busway cable tap boxes shall be provided to preserve the existing busway connections to the switchgear.

ARTICLE 3 – ENGINEER

- 3.01 The Contract Documents; Division 00 – Bidding and Contract Requirements and Division 01 General Requirements have been prepared by the City of Cape Coral, Florida. The Technical Specifications Divisions 2 through 17 and the Contract Drawings have been prepared by CDM Smith Inc.

The Owner has retained CDM Smith Inc. ("Engineer") to assist the Owner and act in limited capacity as the Owner's representative, assume all duties and responsibilities, and have the rights and authority assigned to Engineer in the Contract Documents in connection with the completion of the Work in accordance with the Contract Documents.

ARTICLE 4 – CONTRACT TIMES

4.01 *Time of the Essence*

- A. All time limits for Milestones, Substantial Completion, and completion and readiness for final payment as stated in the Contract Documents are of the essence of the Contract.

4.02 *Contract Times: Days*

- A. The Work will be substantially completed within 270 calendar days after the date when the Contract Times commence to run as provided in Paragraph 4.01 of the General Conditions, and completed and ready for final payment in accordance with Paragraph 15.06 of the General Conditions within 300 days after the date when the Contract Times commence to run.

4.03 *Liquidated Damages*

- A. Contractor and Owner recognize that time is of the essence as stated in Paragraph 4.01 above and that Owner will suffer financial and other losses if the Work is not completed and Milestones not achieved within the times specified in Paragraph 4.02.A above, plus any extensions thereof allowed in accordance with the Contract. The parties also recognize the delays, expense, and difficulties involved in proving in a legal or arbitration proceeding the actual loss suffered by Owner if the Work is not completed on time. Accordingly, instead of requiring any such proof, Owner and Contractor agree that as liquidated damages for delay (but not as a penalty):
 1. Substantial Completion: Contractor shall pay Owner \$350.00 for each day that expires after the time (as duly adjusted pursuant to the Contract) specified in Paragraph 4.02.A above for Substantial Completion until the Work is substantially complete.
 2. Completion of Remaining Work: After Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Time (as duly adjusted pursuant to the Contract) for completion and readiness for final payment, Contractor shall pay Owner \$350.00 for each day that expires after such time until the Work is completed and ready for final payment.
 3. Liquidated damages for failing to timely attain Substantial Completion and final completion are not additive and will not be imposed concurrently.

4.04 *Special Damages*

In addition to the amount provided for liquidated damages, Contractor shall reimburse Owner (1) for any fines or penalties imposed on Owner as a direct result of the Contractor's failure to attain Substantial Completion according to the Contract Times, and (2) for the actual costs reasonably incurred by Owner for engineering, construction observation, inspection, and administrative services needed after the time specified in Paragraph 4.02.A for Substantial Completion (as duly adjusted pursuant to the Contract), until the Work is substantially complete.

- A. After Contractor achieves Substantial Completion, if Contractor shall neglect, refuse, or fail to complete the remaining Work within the Contract Times, Contractor shall reimburse Owner for the actual costs reasonably incurred by Owner for engineering, construction observation, inspection, and administrative services needed after the time specified in Paragraph 4.02.A for Work to be completed and ready for final payment (as

duly adjusted pursuant to the Contract), until the Work is completed and ready for final payment.

ARTICLE 5 – CONTRACT PRICE

- 5.01 Owner shall pay Contractor for completion of the Work in accordance with the Contract Documents the amounts that follow, subject to adjustment under the Contract:
- A. For all Unit Price Work, a total base bid cost of: \$1,116,500.00 (less Value Engineering Cost Adjustments – Deductive Proposals 1 & 2 equals minus (\$218,000)), for a total price of \$898,500 - "Not to Exceed".
All specific cash allowances are included in the above price in accordance with Paragraph 13.02 of the General Conditions.
 - B. For all Work, at the prices stated in Contractor's Bid, attached hereto as an exhibit.

ARTICLE 6 – PAYMENT PROCEDURES

- 6.01 *Submittal and Processing of Payments*
- A. Contractor shall submit Applications for Payment in accordance with Article 15 of the General Conditions. Applications for Payment will be processed by Engineer as provided in the General Conditions.
- 6.02 *Progress Payments; Retainage*
- A. Owner shall make progress payments on account of the Contract Price on the basis of Contractor's Applications for Payment on or about 25 business days after the date on which the payment request or invoice is stamped as received by the Engineer. Payment for the Work shall be as provided in Paragraph 6.02.A.1 below, provided that such Applications for Payment have been submitted in a timely manner and otherwise meet the requirements of the Contract. All such payments will be measured by the Schedule of Values established as provided in the General Conditions (and in the case of Unit Price Work based on the number of units completed) or, in the event there is no Schedule of Values, as provided elsewhere in the Contract.
 - 1. Prior to Substantial Completion, progress payments will be made in an amount equal to the percentage indicated below but, in each case, less the aggregate of payments previously made and less such amounts as Owner may withhold, including but not limited to liquidated damages, in accordance with the Contract.
 - a. 90 percent of Work completed (with the balance being retainage). If the Work has been completed as determined by Engineer, and if the character and progress of the Work have been satisfactory to Owner and Engineer, then as long as the character and progress of the Work remain satisfactory to Owner and Engineer, there will be no additional retainage; and
 - b. 90 percent of cost of materials and equipment not incorporated in the Work (with the balance being retainage).
 - B. Upon 50 percent Completion, Owner shall pay an amount sufficient to increase total payments to Contractor to 95 percent of the Work completed, less such amounts set off by Owner pursuant to Paragraph 15.01.E of the General Conditions, and less 5 percent of Engineer's estimate of the value of Work to be completed or corrected as shown on the punch list of items to be completed or corrected prior to final payment.

6.03 *Final Payment*

- A. Upon final completion and acceptance of the Work in accordance with Paragraph 15.06 of the General Conditions, Owner shall pay the remainder of the Contract Price as recommended by Engineer as provided in said Paragraph 15.06.

ARTICLE 7 – INTEREST

- 7.01 All amounts not paid when due shall bear interest at the rate of one-percent (1.0%) per month.

ARTICLE 8 – CONTRACTOR'S REPRESENTATIONS

- 8.01 In order to induce Owner to enter into this Contract, Contractor makes the following representations:
 - A. Contractor has examined and carefully studied the Contract Documents, and any data and reference items identified in the Contract Documents.
 - B. Contractor has visited the Site, conducted a thorough, alert visual examination of the Site and adjacent areas, and become familiar with and is satisfied as to the general, local, and Site conditions that may affect cost, progress, and performance of the Work.
 - C. Contractor is familiar with and is satisfied as to all Laws and Regulations that may affect cost, progress, and performance of the Work.
 - D. Contractor has carefully studied all: (1) reports of explorations and tests of subsurface conditions at or adjacent to the Site and all drawings of physical conditions relating to existing surface or subsurface structures at the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings, and (2) reports and drawings relating to Hazardous Environmental Conditions, if any, at or adjacent to the Site that have been identified in the Supplementary Conditions, especially with respect to Technical Data in such reports and drawings.
 - E. Contractor has considered the information known to Contractor itself; information commonly known to contractors doing business in the locality of the Site; information and observations obtained from visits to the Site; the Contract Documents; and the Site-related reports and drawings identified in the Contract Documents, with respect to the effect of such information, observations, and documents on (1) the cost, progress, and performance of the Work; (2) the means, methods, techniques, sequences, and procedures of construction to be employed by Contractor; and (3) Contractor's safety precautions and programs.
 - F. Based on the information and observations referred to in the preceding paragraph, Contractor agrees that no further examinations, investigations, explorations, tests, studies, or data are necessary for the performance of the Work at the Contract Price, within the Contract Times, and in accordance with the other terms and conditions of the Contract.
 - G. Contractor is aware of the general nature of work to be performed by Owner and others at the Site that relates to the Work as indicated in the Contract Documents.
 - H. Contractor has given Engineer written notice of all conflicts, errors, ambiguities, or discrepancies that Contractor has discovered in the Contract Documents, and the written resolution thereof by Engineer is acceptable to Contractor.

- I. The Contract Documents are generally sufficient to indicate and convey understanding of all terms and conditions for performance and furnishing of the Work.
- J. Contractor's entry into this Contract constitutes an incontrovertible representation by Contractor that without exception all prices in the Agreement are premised upon performing and furnishing the Work required by the Contract Documents.

ARTICLE 9 – CONTRACT DOCUMENTS

9.01 Contents

- A. The Contract Documents consist of the following:

- 1. This Agreement (pages 1 to 9, inclusive):

**Must Be Completed and Signed - City requires 3 signed SETS
Please attach Corporate Resolution (Section 00420) with the agreement.**

- 2. Performance Bond (pages 1 to 3, inclusive) (Section 00610):

**Original Bond - Must Be Completed, Contractor will Record BOND at
Lee County Clerk's Office and return original with recording receipt.
Recording follows firm receiving fully executed agreement.**

**Provide Certificate of Authority that shows that the Surety Firm is
authorized to transact in the State of Florida.**

- 3. Payment Bond (pages 1 to 3, inclusive) (Section 00620):

**Original Bond - Must Be Completed, Contractor will Record BOND at
Lee County Clerk's Office and return original with recording receipt.
Recording follows firm receiving fully executed agreement.**

- 4. Warranty and Bonds (Section 1740):

Post Contract Assemblage of Warranty, Service and Maintenance Bonds

- 5. Insurance Requirements:

Insurance: Unless otherwise specified, Contractor shall, at its own expense, carry and maintain the coverages as outlined in the Supplementary Conditions (Section 800), as well as any insurance coverage required by law:

**As Shown in ITB-UT17-01-/KR – Specification Section 800 -
Supplementary Conditions Provide Certificate of Insurance including all
required insurance coverage(s) with The City of Cape Coral named as an
additional insured.**

- 6. General Conditions (pages 1 to 65, inclusive) (Section 00700):

**As Shown in ITB-UT17-01/KR - Reference Only (October 2016)
Supplementary Conditions (pages 1 to 26, inclusive) (Section 00800)**

Including Exhibit A – Pricing of Construction Contract Change Orders
Including Exhibit B – Right of Audit – Examination of Records
Including Exhibit C – Record Keeping

7. Specifications as listed in the table of contents of the Project Manual [Division 00, Division 01 and Divisions 02 through 17 as prepared by the City of Cape Coral].

As Shown in ITB-UT17-01/KR - Reference Only (October 2016)

8. Drawings with each sheet bearing the following general title: The City of Cape Coral, North RO Water Treatment Plant, Busway Replacement as prepared by CDM Smith Inc.:

As Shown in ITB-UT17-01/KR - Reference Only (October 2016)

9. Addenda (numbers 1 to 3 , inclusive):

**Signed Acceptance of Addendum - Attachment Included
with Submitted Bid Form 300**

10. Exhibits to this Agreement (enumerated as follows):

- a. Contractor's Bid (Division 0, Section 00300).

Completed Signed Bid Form 300 - Original Submitted Form Attached

- b. Business Ethics Requirements (Division 0, Section 00481).

**Signed Acceptance of Form 00481 - Attachment Included
with Submitted Bid Form 300**

11. The following which may be delivered or issued on or after the Effective Date of the Fully Executed Contract and are not attached hereto:

- a. Notice to Proceed.
- b. Work Change Directives.
- c. Change Orders.
- d. Field Orders.

The documents listed in Paragraph 9.01.A are attached to this Agreement (except as expressly noted otherwise above). There are no Contract Documents other than those listed above in this Article 9. The Contract Documents may only be amended, modified, or supplemented as provided in the General Conditions.

ARTICLE 10 – MISCELLANEOUS

10.01 Terms

- A. Terms used in this Agreement will have the meanings stated in the General Conditions and the Supplementary Conditions.

10.02 Assignment of Contract

- A. Unless expressly agreed to elsewhere in the Contract, no assignment by a party hereto of any rights under or interests in the Contract will be binding on another party hereto without the written consent of the party sought to be bound; and, specifically but without limitation, money that may become due and money that is due may not be assigned without such consent (except to the extent that the effect of this restriction may be limited by law), and unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under the Contract Documents.

10.03 *Successors and Assigns*

- A. Owner and Contractor each binds itself, its successors, assigns, and legal representatives to the other party hereto, its successors, assigns, and legal representatives in respect to all covenants, agreements, and obligations contained in the Contract Documents.

10.04 *Severability*

Any provision or part of the Contract Documents held to be void or unenforceable under any Law or Regulation shall be deemed stricken, and all remaining provisions shall continue to be valid and binding upon Owner and Contractor, who agree that the Contract Documents shall be reformed to replace such stricken provision or part thereof with a valid and enforceable provision that comes as close as possible to expressing the intention of the stricken provision.

10.05 *Contractor's Certifications*

- A. Contractor certifies that it has not engaged in corrupt, fraudulent, collusive, or coercive practices in competing for or in executing the Contract. For the purposes of this Paragraph 10.05:
 - 1. "corrupt practice" means the offering, giving, receiving, or soliciting of any thing of value likely to influence the action of a public official in the bidding process or in the Contract execution;
 - 2. "fraudulent practice" means an intentional misrepresentation of facts made (a) to influence the bidding process or the execution of the Contract to the detriment of Owner, (b) to establish Bid or Contract prices at artificial non-competitive levels, or (c) to deprive Owner of the benefits of free and open competition;
 - 3. "collusive practice" means a scheme or arrangement between two or more Bidders, with or without the knowledge of Owner, a purpose of which is to establish Bid prices at artificial, non-competitive levels; and
 - 4. "coercive practice" means harming or threatening to harm, directly or indirectly, persons or their property to influence their participation in the bidding process or affect the execution of the Contract.

10.06 *Other Provisions*

- A. Owner stipulates that if the General Conditions that are made a part of this Contract are based on EJCDC® C-700, Standard General Conditions for the Construction Contract, published by the Engineers Joint Contract Documents Committee®, and if Owner is the party that has furnished said General Conditions, then Owner has plainly shown all modifications to the standard wording of such published document to the Contractor, through a process such as highlighting or "track changes" (redline/strikeout), or in the Supplementary Conditions.

IN WITNESS WHEREOF, OWNER AND CONTRACTOR HAVE SIGNED THIS AGREEMENT. THIS AGREEMENT WILL BE EFFECTIVE ON _____ (WHICH IS THE EFFECTIVE DATE OF THE CONTRACT).

OWNER:

City of Cape Coral, Florida

Signature: _____

Typed Name: A. John Szerlag

Title: City Manager

Date: _____

Signature
Attest: _____

Title: City Clerk

Typed

Name: Rebecca van Deutekom, MMC

Date: _____

Address for giving notices:

City of Cape Coral (Attn: Procurement)

1015 Cultural Park Blvd.

2nd Floor

Cape Coral, FL 33990

CONTRACTOR:

Signature: _____

Typed

Name: Raymond H. Smith

Title: Vice President

Date: March 28th, 2017

(If Contractor is a corporation, a partnership, or a joint venture, attach evidence of authority to sign with corporate resolution.)

Signature

Attest: _____

Title: Secretary

Typed

Name: Kathy M. Wise

Date: March 28th, 2017

Address for giving notices:

Cogburn Bros., Inc.

3300 Faye Road

Jacksonville, FL 32226

State of Florida CGC1520255

Contractor License No.: EC0001120

(as applicable)

LEGAL REVIEW:

Signature: _____

Typed Name: Dolores Menendez, ESQ.

Title: City Attorney

Date: 3/27/17


SECTION 00420

CORPORATE RESOLUTION

I, Kathy M. Wise, Secretary of Cogburn Bros., Inc., a corporation organized and existing under the laws of the State of Florida, hereby certify that at a meeting of the Board of Directors of the Corporation duly called and held on March 27th, 2017, at which a quorum was present and acting throughout, the following resolutions were adopted and are now in full force and effect:

RESOLVED that the following individuals of this corporation are authorized to execute on behalf of this corporation a Bid and Agreement to City of Cape Coral, Florida for the construction of the North RO WTP Busway Replacement ITB-UT17-01/KR.
(Project Name)

I further certify that the names of the officers of this corporation and any other persons authorized to act under this resolution and their official signatures are as follows:

| NAME | OFFICER | OFFICIAL SIGNATURE |
|-------------------------|-----------------------|---|
| <u>Raymond H. Smith</u> | <u>Vice President</u> |  |
| <u></u> | <u></u> | <u></u> |
| <u></u> | <u></u> | <u></u> |
| <u></u> | <u></u> | <u></u> |

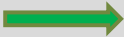


IN WITNESS WHEREOF, I have hereunto subscribed my name as Secretary and affixed the seal of the corporation this 27th day of March, 2017.

SECRETARY: Kathy M. Wise DATE: March 27th, 2017
(Signature)

END OF SECTION

SEAL

North RO WTP Busway Replacement ITB-UT17-01/KR

| Bid Tabulation Detail Line Items | | | | Cogburn Brothers, Inc. 3300 Faye Road Jacksonville, FL 32236 | |
|---|---|------------------------------|------|---|-----------------------------|
| ITEM | DESCRIPTION | ESTIMATED QUANTITY (A) | UNIT | UNIT PRICE (B) | TOTAL ITEM COST (AxB) |
| 1 | Mobilization/Demobilization | 1 | LS | \$55,000.00 | \$55,000.00 |
| 2 | Busway Replacement - UST-1A to USS-1A | 1 | LS | \$216,000.00 | \$216,000.00 |
| 3 | Busway Replacement - UST-1B to USS-1B | 1 | LS | \$197,000.00 | \$197,000.00 |
| 4 | Busway Replacement - UST-2A to USS-2A | 1 | LS | \$204,000.00 | \$204,000.00 |
| 5 | Busway Replacement - UST-2B to USS-2B | 1 | LS | \$191,000.00 | \$191,000.00 |
| 6 | Busway Cable Tap Box | 4 | EA | \$35,000.00 | \$140,000.00 |
| 7 | General Requirements | 1 | LS | \$112,000.00 | \$112,000.00 |
| Total Estimated Construction Cost - As Bid | | | |  | \$1,115,000 |
| 8 | Allowance for Local Government Permits & Fees | 1 | LS | \$1,500.00 | \$1,500.00 |
| Total Estimated Construction Cost Including Permits & Fee Allowances - As Bid | | | |  | \$1,116,500 |
| VALUE ENGINEERING COST ADJUSTMENTS: | | | | | |
| <u>Deductive Proposal 1:</u> Delete Conduit Inside the buildings Delete interior tap box and provide exterior tap box Delete relocation of conduits and equipment on walls Delete requirement for additional structural calculations Existing interior busway supports will be used Conduit runs to be underground straight runs Bus joints will be made at existing locations Bolted and gasketed transformer cover | | | | | (\$202,000.00) |
| <u>Deductive Proposal 2:</u> Eliminate steel elbows in ductbank | | | | | (\$16,000.00) |
| <u>Deductive Proposal 3:</u> Provide XHHW wire insulation in place of RHW/USE | | | | | N/C |
| Revised Total Estimated Construction Cost Including Value Engineering Cost Adjustments, Permits & Fee Allowances | | | |  | \$898,500 |

| | |
|---------------------|-----------------------|
| Item Number: | B.(2) |
| Meeting | 5/1/2017 |
| Date: | |
| Item Type: | CONSENT AGENDA |

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Resolution 63-17 Beyond Tribute Initiative (Advanced by Mayor Sawicki)

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment? No
2. 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?

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

SUMMARY EXPLANATION AND BACKGROUND:

A resolution supporting the Beyond Tribute Initiative in its effort to engage the American public in recasting Memorial Day and Veterans Day as days of service, to encourage businesses and consumers to contribute to charitable organizations whose purpose is to assist wounded veterans, and to begin to redefine how we celebrate our national holidays in a manner that truly honors and supports our service members.

LEGAL REVIEW:

Dolores D. Menendez, City Attorney

EXHIBITS:

Email from Florida League of Cities
Sample Resolution
Resolution 63-17
Beyond Tribute - about

PREPARED BY:

Division- Department-

SOURCE OF ADDITIONAL INFORMATION:

ATTACHMENTS:

| Description | Type |
|---------------------------------------|-----------------|
| ▣ Resolution 63-17 | Resolution |
| ▣ Email from Florida League of Cities | Backup Material |
| ▣ Sample Resolution | Backup Material |
| ▣ Beyond Tribute - about | Backup Material |

RESOLUTION 63 - 17

A RESOLUTION OF THE CITY OF CAPE CORAL SUPPORTING THE BEYOND TRIBUTE INITIATIVE IN ITS EFFORT TO ENGAGE THE AMERICAN PUBLIC IN RECASTING MEMORIAL DAY AND VETERANS DAY AS DAYS OF SERVICE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, most polls show that a majority of Americans support our troops; and

WHEREAS, the United States of America has a volunteer military that is composed of less than one percent of the population; and

WHEREAS, more than 1.6 million Americans have served in Operation Enduring Freedom and Operation Iraqi Freedom; and

WHEREAS, nearly 5,000 soldiers have lost their lives in Iraq and Afghanistan, 58,000 were killed in Vietnam, 54,000 in Korea, and 400,000 in WWII, as well as numerous others killed and wounded in conflicts and accidents while in service to their country; and

WHEREAS, nearly 300,000 veterans currently suffer from PTSD, Traumatic Brain Injury, and other mental health disorders; and

WHEREAS, the current population of homeless veterans fluctuates between 500,000-800,000 during the course of a year; and

WHEREAS, the survival rate for the severely wounded has increased, as has the long-term recovery period for our wounded veterans and their caregivers; and

WHEREAS, home caregivers and volunteers (mothers, fathers, wives, husbands, brothers, sisters, concerned citizens, etc.) providing support to military service members who have been either wounded in combat operations or as a result of line-of-duty activities are given no government assistance and are dependent on not-for-profit organizations for support; and

WHEREAS, those service members returning from numerous extended deployments in combat zones face difficult personal and family issues which have led to abnormally high rates of divorce and suicide; and

WHEREAS, while physical wounds of war are more detectable, PTSD and other psychological wounds are as debilitating and dangerous to the life of a returning veteran and their families; and

WHEREAS, Americans' attention to past generations of veterans has faded, and this will also likely happen with this generation of veterans after current conflicts are resolved; and

WHEREAS, Memorial Day and Veterans Day are mainly observed by the general public through participation in retail sales events or by enjoying a day off work; and

WHEREAS, military men and women and their families serve honorably on our behalf; and

WHEREAS, the citizens of the United States support and honor our military service members and their families; and

WHEREAS, the honor and soul of our country depends on how we treat those that defend our freedom; and

WHEREAS, on Memorial Day, we should remember those who made the ultimate sacrifice for our nation; and

WHEREAS, on Veterans Day, we should honor the service of those who have returned home; and

WHEREAS, the Beyond Tribute initiative aims to enhance the meaning of and change how we celebrate Memorial Day and Veterans Day; and

WHEREAS, Beyond Tribute is a not-for-profit organization that will gather donated funds and disburse grants to A-rated veteran service organizations that provide vitally needed services for our veterans and military families.

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

Section 1. That the City of Cape Coral supports the Beyond Tribute initiative in its effort to engage the American public in recasting Memorial Day and Veterans Day as days of service.

Section 2. That the City of Cape Coral supports the Beyond Tribute initiative in its effort to engage the American public on Memorial Day and Veterans Day by encouraging businesses and consumers to contribute to charitable organizations whose purpose is to assist wounded veterans, including those suffering from post-traumatic stress disorder, traumatic brain injury and other "invisible wounds of war."

Section 3. That the City of Cape Coral will encourage their local businesses, chambers of commerce and constituents to participate in the Beyond Tribute initiative and begin to redefine how we celebrate our national holidays in a manner that truly honors and supports our service members.

Section 4. This Resolution shall take effect immediately upon its adoption.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR COUNCIL SESSION THIS _____ DAY OF _____, 2017.

MARNI L. SAWICKI, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

| | | | |
|-----------|-------|----------|-------|
| SAWICKI | _____ | LEON | _____ |
| BURCH | _____ | ERBRICK | _____ |
| CARIOSCIA | _____ | WILLIAMS | _____ |
| STOUT | _____ | COSDEN | _____ |

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____, 2017.

REBECCA VAN DEUTEKOM,
CITY CLERK

APPROVED AS TO FORM:


DOLORES D. MENENDEZ
CITY ATTORNEY
res/Veterans-US Mayors Resolution

From: Jill Walker <jwalker@flcities.com>
Sent: Wednesday, March 22, 2017 4:25 PM
Subject: Beyond Tribute -- Salute to Veterans

Dear Mayor,

Per our discussion at the Board meeting today. Please have your city adopt the attached resolution and also, please encourage cities in your local/regional league to adopt the resolution as well.

C. Scott Dudley
Legislative Director
Florida League of Cities
Office: 850-701-3656
Cell: 850-570-7296
Fax: 850-222-3806
Web: www.floridaleagueofcities.com

REDEFINING VETERANS DAY AND MEMORIAL DAY

WHEREAS, most polls show that a majority of Americans support our troops; and

WHEREAS, the United States of America has a volunteer military that is composed of less than one percent of the population; and

WHEREAS, more than 1.6 million Americans have served in Operation Enduring Freedom and Operation Iraqi Freedom; and

WHEREAS, nearly 5,000 soldiers have lost their lives in Iraq and Afghanistan, 58,000 were killed in Vietnam, 54,000 in Korea, and 400,000 in WWII, as well as numerous others killed and wounded in conflicts and accidents while in service to their country; and

WHEREAS, nearly 300,000 veterans currently suffer from PTSD, Traumatic Brain Injury, and other mental health disorders; and

WHEREAS, the current population of homeless veterans fluctuates between 500,000–800,000 during the course of a year; and

WHEREAS, the survival rate for the severely wounded has increased, as has the long-term recovery period for our wounded veterans and their caregivers; and

WHEREAS, home caregivers and volunteers (mothers, fathers, wives, husbands, brothers, sisters, concerned citizens, etc.) providing support to military service members who have been either wounded in combat operations or as a result of line-of-duty activities are given no government assistance and are dependent on not-for-profit organizations for support; and

WHEREAS, those service members returning from numerous extended deployments in combat zones face difficult personal and family issues which have led to abnormally high rates of divorce and suicide; and

WHEREAS, while physical wounds of war are more detectable, PTSD and other psychological wounds are as debilitating and dangerous to the life of a returning veteran and their families; and

WHEREAS, Americans' attention to past generations of veterans has faded, and this will also likely happen with this generation of veterans after current conflicts are resolved; and

WHEREAS, Memorial Day and Veterans Day are mainly observed by the general public through participation in retail sales events or by enjoying a day off work; and

WHEREAS, military men and women and their families serve honorably on our behalf; and

WHEREAS, the citizens of the United States support and honor our military service members and their families; and

WHEREAS, the honor and soul of our country depends on how we treat those that defend our freedom; and

WHEREAS, on Memorial Day, we should remember those who made the ultimate sacrifice for our nation; and

WHEREAS, on Veterans Day, we should honor the service of those who have returned home; and

WHEREAS, the Beyond Tribute initiative aims to enhance the meaning of and change how we celebrate Memorial Day and Veterans Day; and

WHEREAS, Beyond Tribute is a not-for-profit organization that will gather donated funds and disburse grants to A-rated veteran service organizations that provide vitally needed services for our veterans and military families; and

NOW, THEREFORE, BE IT RESOLVED, that the U.S. Conference of Mayors supports the Beyond Tribute initiative in its effort to engage the American public in recasting Memorial Day and Veterans Day as days of service; and

NOW, THEREFORE, BE IT RESOLVED, that the U.S. Conference of Mayors supports the Beyond Tribute initiative in its effort to engage the American public on Memorial Day and Veterans Day by encouraging businesses and consumers to contribute to charitable organizations whose purpose is to assist wounded veterans, including those suffering from post-traumatic stress disorder, traumatic brain injury and other "invisible wounds of war"; and

BE IT FURTHER RESOLVED, that members of the U.S. Conference of Mayors will encourage their local businesses, chambers of commerce and constituents to participate in the Beyond Tribute initiative and begin to redefine how we celebrate our national holidays in a manner that truly honors and supports our service members.

Beyond Tribute



Beyond Tribute

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BUSINESS INFO

Founded in 2009

CONTACT INFO

@BeyondTribute

Send Message

kelly.mcneer@gmail.com

http://beyondtribute.org/

MORE INFO

About

Beyond Tribute's vision is "A Sustainable America, Sustaining Our Veterans". Help us promote "Green IS Patriotic"

Company Overview

Beyond Tribute is a nonprofit that has brought together leaders from business, the arts, veterans and civic groups, and just plain citizens to change how we celebrate Memorial Day and Veterans Day - to turn holiday sales promotions into fundraising engines that actually help our wounded veterans and their families.

Memorial Day is the solemn time when we honor those who gave their lives for our freedom, the families they left behind, and those who still serve.

And, over the years, it has also become an American business tradition to pay tribute on Memorial Day with holiday sales; "Memorial Day Sale - Save 25%!"

But today, hundreds of thousands of wounded veterans and military families suffer from a lack of essential support. So now we must go Beyond Tribute and actually help our wounded veterans.

The Beyond Tribute campaign is changing how we celebrate Memorial Day by making it possible for businesses to donate a portion of their holiday period sales to actually help our heroes in need. It is that simple.

General Information

Join Beyond Tribute's sustaining the natural resources of our great nation as well as our most precious human (individual) resource — our veterans. Through our actions on Memorial Day and Veterans Day, America will go "Beyond Tribute" and actually help those that serve our great nation.

Non-Profit Organization

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|---------------------|-----------------------|
| Item Number: | B.(3) |
| Meeting | 5/1/2017 |
| Date: | |
| Item Type: | CONSENT AGENDA |

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Resolution 64-17 Approve Hold Harmless Agreement between the City of Cape Coral and Gulf Care, Inc., d/b/a Gulf Coast Village; Department: Utilities; Dollar Value: N/A; (Fund: N/A)

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment? No
2. 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

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

SUMMARY EXPLANATION AND BACKGROUND:

A resolution approving the Hold Harmless Agreement between the City of Cape Coral and Gulf Care, Inc. d/b/a Gulf Coast Village pertaining to potable water mains located in Gulf Coast Village and authorizing the Utilities Director to execute the Agreement.

LEGAL REVIEW:

Brian R. Bartos, Assistant City Attorney

EXHIBITS:

Memo
Resolution 64-17

PREPARED BY:

Division- Department- City
Attorney

SOURCE OF ADDITIONAL INFORMATION:

Jeff Pearson, Utilities Director


ATTACHMENTS:

| Description | Type |
|--------------------|-----------------|
| ▣ Memo | Backup Material |
| ▣ Resolution 64-17 | Resolution |

MEMORANDUM

CITY OF CAPE CORAL
UTILITIES DEPARTMENT

TO: John Szerlag, City Manager

FROM: Jeff Pearson, Utilities Director 

DATE: April 14, 2017

SUBJECT: Gulf Coast Village – Hold Harmless Agreement Justification Memo

The Utilities Department is formally requesting Council approval for the Utilities Director to execute a Hold Harmless Agreement to abandon and transfer approximately fifteen hundred (1,500) total linear feet of six inch (6") potable water main. The Gulf Coast Village Assisted Living Facility recently expanded and constructed a new memory support facility and during the permitting process, they vacated an unimproved alley and the existing water main infrastructure is now located internal to their development and only serves the new "private" memory support facility. In addition, they re-located and re-connected all the existing potable water service laterals, at their expense, from this vacated alley to the existing 6" potable water main along SE 1st Place. Therefore, the Utilities Department recommends transferring ownership of this main to Gulf Coast Village for future ownership and maintenance since the subject potable water main no longer serves a public benefit to the surrounding neighborhood. Lastly, transferring ownership of this main will indemnify the City of Cape Coral of all future liability for maintenance and repairs to keep this main in service. The agenda item will be tentatively placed on the May 1, 2017 City Council Regular Meeting Agenda for consideration and accompanying administrative resolution adoption.

RESOLUTION 64 – 17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPE CORAL APPROVING THE HOLD HARMLESS AGREEMENT BETWEEN THE CITY OF CAPE CORAL AND GULF CARE, INC., D/B/A GULF COAST VILLAGE; AUTHORIZING THE UTILITIES DIRECTOR TO EXECUTE THE AGREEMENT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, due to the vacation of an unimproved alley and the relocation of the existing potable water main service laterals during the expansion of the Gulf Coast Village Assisted Living Facility, the existing water main infrastructure is now located internally to the development and serves only Gulf Coast Village; and

WHEREAS, because the subject potable water mains no longer provide any public benefit to the surrounding neighborhood, the Utilities Department recommends transferring ownership of the mains to Gulf Care, Inc., d/b/a Gulf Coast Village; and

WHEREAS, under the terms of the Hold Harmless Agreement attached hereto as Exhibit 1, the City will abandon and transfer to Gulf Care, Inc., d/b/a Gulf Coast Village certain potable water mains as described in the Agreement, and Gulf Care, Inc., d/b/a Gulf Coast Village agrees to indemnify and hold the City harmless from future liability for maintenance and repairs; and

WHEREAS, the City Council desires to approve the Hold Harmless Agreement between the City of Cape Coral and Gulf Care Inc., d/b/a Gulf Coast Village.

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

Section 1. The City Council hereby approves the Hold Harmless Agreement between the City of Cape Coral and Gulf Care Inc., d/b/a Gulf Coast Village, and authorizes the Utilities Director to execute the Agreement, attached hereto as Exhibit 1.

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 COUNCIL SESSION THIS _____ DAY OF _____, 2017.

MARNI L. SAWICKI, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:


SAWICKI _____
BURCH _____
CARIOSCIA _____
STOUT _____

LEON _____
ERBRICK _____
WILLIAMS _____
COSDEN _____

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____, 2017.

REBECCA VAN DEUTEKOM,
CITY CLERK

APPROVED AS TO FORM:



DOLORES D. MENENDEZ
CITY ATTORNEY

res\Hold Harmless Agreement-Gulf Coast Village

**CITY OF CAPE CORAL
HOLD HARMLESS AGREEMENT**

THIS AGREEMENT, made and entered into this 14 day of March, 2017 by and between GULF CARE, INC., a Florida Not-for Profit Corporation, d/b/a GULF COAST VILLAGE (hereinafter referred to as "OWNER") and the CITY OF CAPE CORAL, FLORIDA (hereinafter referred to as "CITY").

WHEREAS, OWNER desires to locate certain improvements in the public utility and/or drainage easement(s) on OWNER's property; and

WHEREAS, Section 3.14 of the City of Cape Coral Land Use and Development Regulations permit such location, subject OWNER providing CITY with an agreement to indemnify and hold the CITY harmless from any and all costs or expenses incurred as a result of such location.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties agree as follows:

1. CITY will abandon certain improvements, as described below, over or in Public Utility and/or Drainage easement(s) located on the following-described property: 1319-1435 Santa Barbara Boulevard, having a Parcel ID #: 24-44-23-C4-00016.0000, aka a portion of the S ½, NW ¼, SW ¼, Section 24, Township 44 South, Range 23 East, together with Block 1069, Lots 1-27, Block 1042, Lots 27- 29, Block 1056, Lots 1-19, Block 1056A and 1056B Lots 1-22, all of Block 1056C, Cape Coral Unit 24, as recorded in Plat Book 14, Pages 63 through 77, plus vacated ROW per Instrument# 2011000198243 recorded in the Public Records of Lee County, Florida..

2. The improvements the OWNER intends to take-over consist of those items permitted to be installed in Public Utility and/or Drainage easement pursuant to the provisions of Section 3.14 of the City of Cape Coral Land Use and Development Regulations.

3. OWNER further acknowledges and understands that said Public Utility/Drainage easement(s) may contain public utility and/or storm sewer lines either now or in the future, and that the placement of improvements by OWNER over or in said Public Utility/Drainage easement(s), as indicated in City of Cape Coral Site Plan, may cause said improvements to suffer damage or be removed as the result of installation, repairs or maintenance of public utilities and/or storm sewer lines by CITY or other utilities within the utility and/or drainage easement.

4. In consideration of the CITY abandoning and transferring said improvements within Public Utility and/or Drainage easement(s), OWNER agrees that it will indemnify and hold CITY, its officers, employees and agents, harmless from any and all claims for injuries and damages to persons and property, both real and personal, arising from OWNER'S improvements in the utility and/or drainage easement(s), or arising from CITY's repair, installation or maintenance to utilities or storm sewers located within the utility easement(s).

5. OWNER further agrees that CITY may remove such improvements within the Public Utility/Drainage easement(s) by any method required at any time and for any reason, including, but not limited to, utility repairs, utility expansion, and storm sewer installation or repairs. OWNER agrees to be responsible for all costs involved in replacing any improvements removed or damaged by CITY, its agents and/or employees, from the CITY's existing Public Utility/Drainage easement(s), however created.

6. The CITY shall abandon and transfer to the OWNER approximately fifteen hundred (1,500) total linear feet of six inch (6") potable water main internal and adjacent to the development, as follows: The CITY shall abandon and transfer approximately 840 linear feet of six inch (6") potable water main, located within the vacated unimproved alley running north from SE 15th Terrace along the easterly project boundary line to the north property line of Parcel B as shown on Exhibit "A". The CITY shall also abandon and transfer approximately 660 liner feet of six inch (6") potable water

main that then runs west terminating at Santa Barbara Boulevard and the westerly property line of Parcel B as shown on Exhibit "A". The approximate location of the potable water mains being abandoned are depicted in the attached Exhibit "A" incorporated herein by reference.

7. This agreement shall be binding on OWNER and his/her/its representative, heirs, assigns, and/or successors in interest with respect to the subject property and shall be recorded in the public records of Lee County, Florida.

IN WITNESS WHEREOF the parties have hereunto set their hands and seals this 14 day of March, 2017.

GULF CARE INC d/b/a GULF COAST VILLAGE

By: [Signature]

(signature)

Kevin Ahmadi

(typed name)

Executive Dir.

(title)

CITY OF CAPE CORAL

By: _____

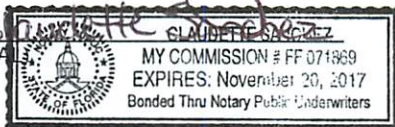
Jeff Pearson, Utilities Director

Sworn to and subscribed before me this 14th day of March, 2017, personally appeared Kevin Ahmadi, who is personally known to me or who has produced _____ as identification, who being duly sworn, did depose and say that he/she executed the above Hold Harmless Agreement, and that all of the statements contained herein are true, correct and complete.

Notary Signature: [Signature]

Notary Print Name: C. [Signature]

(SEAL)



Sworn to and subscribed before me this _____ day of _____, 20____, personally appeared _____, who is personally known to me or who has produced _____ as identification, who being duly sworn, did depose and say that he/she executed the above Hold Harmless Agreement, and that all of the statements contained herein are true, correct and complete.

Notary Signature: _____

Notary Print Name: _____

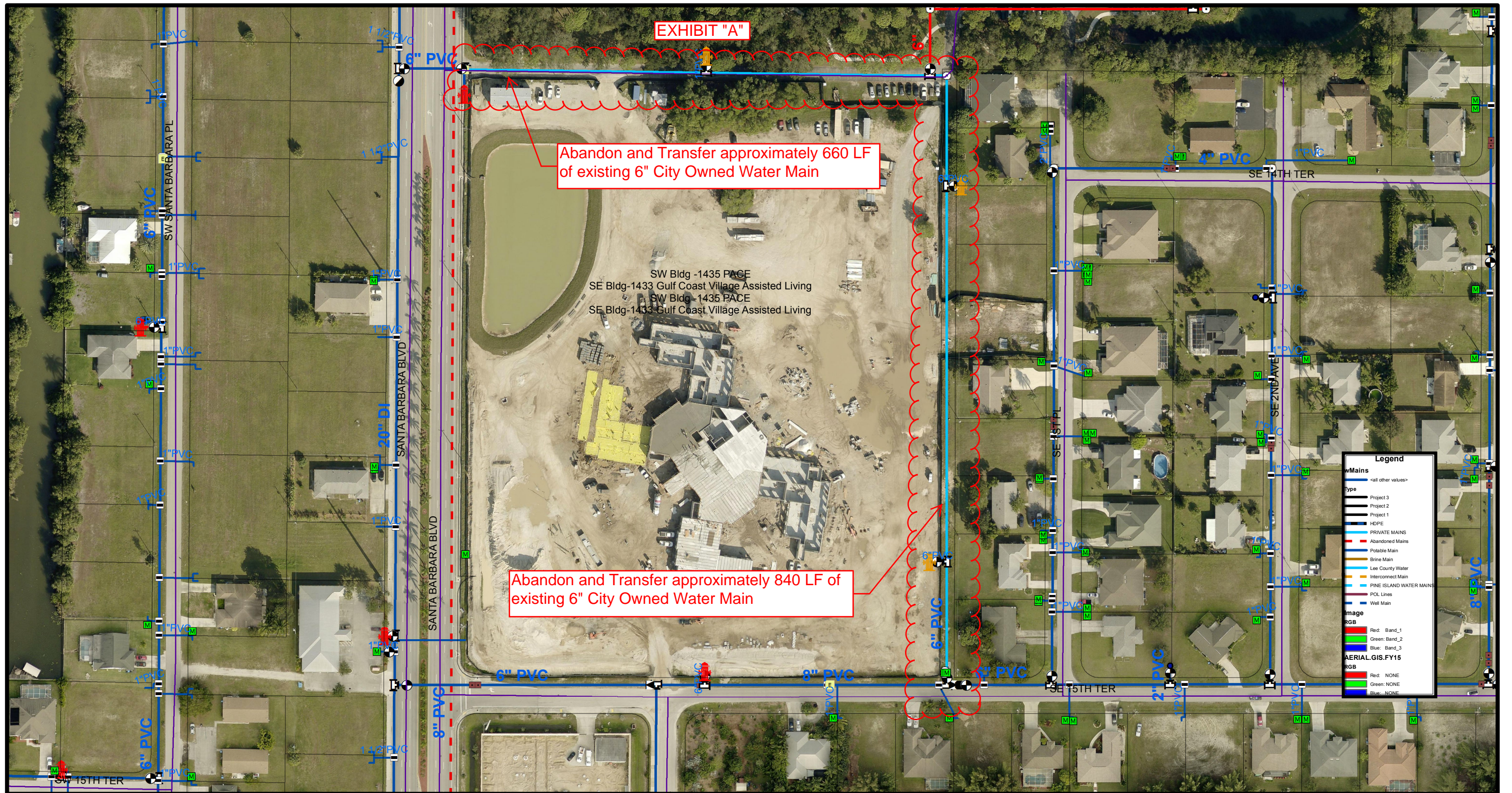
(SEAL)

LEGAL REVIEW:

[Signature]

Brian R. Bartos, Assistant City Attorney

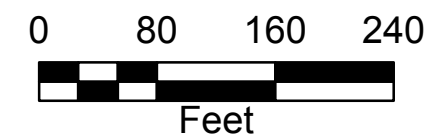
Date 3/23/17



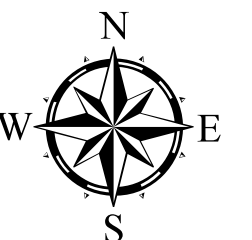
Date: 4/20/2017

Map and GIS Data Disclaimer:
GIS data produced by the City of Cape Coral,
Utility Department is for the sole purpose of aiding
regional decisions and is not warranted for any other use.
We are not warranted for small area studies or determinations.

Utilities Administration Department
City of Cape Coral
P.O. Box 150027
Cape Coral, Florida 33915-0027
Ph: (239) 573-3039 Fax: (239) 574-0731



1 inch = 130 feet



| | |
|---------------------|-----------------------|
| Item Number: | B.(4) |
| Meeting | 5/1/2017 |
| Date: | |
| Item Type: | CONSENT AGENDA |

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Resolution 65-17 Approval of Purchase Contract for the purchase of Lot 13, Block 6056, Unit 96, Cape Coral Subdivision, 2029 SW 32nd Street, to provide a site for a Motor Operated Valve (MOV) for remote operation of a sewer force main related to providing additional capacity for North 2 UEP and others, for the purchase price of \$28,000 plus proration costs not to exceed \$1,500 and the remaining balance of the utility assessments of approximately \$10,000; Department: Financial Services / Real Estate Division; Dollar Value: \$39,500; (Water and Sewer Fund); Note: Trade offer rejected by Seller.

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment? No
2. Is this a Strategic Decision? Yes
If Yes, Priority Goals Supported are listed below.
If No, will it harm the intent or success of the Strategic Plan?

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

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

SUMMARY EXPLANATION AND BACKGROUND:

1. In 2007, a standard 288-turn force main valve was installed along with a 30-inch force main within the road right of way adjacent to the subject property. During recent review of the collection systems wastewater transmission mains, which transfers wastewater flows between the treatment facilities, City staff determined the existing force main valve requires replacement and is being upgraded with a Motor Operated Valve to meet increased system operational demands.
2. Due to limited space within the right of way, together with constructability constraints, access and future maintenance issues, City staff determined the new valve should be located in the adjoining subject lot.
3. The proposed Motor Operated Valve (MOV) will serve as one of the primary transmission

valves to convey wastewater to the Southwest Water Reclamation Facility. The new MOV will work in tandem with another new MOV being placed on a soon to be relocated 36-inch force main. This new MOV will provide better operational flexibility and control for the City's wastewater collection system. The subject new MOV will reduce operating pressures and allow remote control of wastewater flow diversions to other existing pipelines that have excess capacity.

4. With continued utility extension projects for North 2 and future areas, City staff and its engineering consultants determined that installing MOV's at strategic locations within the system is required to properly convey wastewater flows from the collection system to either the Southwest Water Reclamation Facility (WRF) or the Everest WRF.

5. The subject property is currently listed at \$30,000. Staff submitted a contract offer to purchase the site based on a recent appraisal, by an independent State Certified Appraiser, reflecting a market value of \$28,000. The contract requires the Seller to pay the closing costs incurred by the closing agent and the real estate commission. The City will assume the balance of the utility assessments of approximately \$10,000.

6. Staff recommends approval of the purchase contract to purchase Lot 13, Block 6056, Unit 96, Cape Coral Subdivision, for a contract price of \$28,000 plus proration costs not to exceed \$1,500 and the parcel's outstanding balance of utility assessments in the approximate amount of \$10,000.

LEGAL REVIEW:

EXHIBITS:

Resolution 65-17
Property Appraiser Sheet
Location Map
Appraisal

PREPARED BY:

Dawn Y. Andrews, Property
Broker

Division- Real
Estate

Department- Financial
Services

SOURCE OF ADDITIONAL INFORMATION:

Jeff Pearson, Utilities Director
239-574-0709

ATTACHMENTS:

| Description | Type |
|---|-----------------|
| ▣ Resolution 65-17 | Backup Material |
| ▣ Property Appraiser Sheet - Block 6056, Lot 13 | Backup Material |
| ▣ Location Map - Block 6056, Lot 13 | Backup Material |
| ▣ Appraisal - Block 6056, Lot 13 | Backup Material |

RESOLUTION 65 - 17

A RESOLUTION OF THE CITY OF CAPE CORAL AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR SALE AND PURCHASE BETWEEN VOLKER SCHAEFFNER AND THE CITY OF CAPE CORAL FOR THE PURCHASE OF LOT 13, BLOCK 6056, UNIT 96, CAPE CORAL SUBDIVISION, FOR THE INSTALLATION OF A MOTOR OPERATED VALVE; PROPERTY LOCATED AT 2029 SW 32ND STREET; PROVIDING AN EFFECTIVE DATE.

WHEREAS, due to the future expansion of the City's utilities into the North 2 Utility Extension Project (UEP) area and future areas, City staff and its engineering consultants have determined that installing Motor Operated Valves at strategic locations within the system is required to properly convey wastewater flows from the collection system to both the Southwest and Everest Water Reclamation Facilities; and

WHEREAS, a standard force main valve located in the right-of-way adjacent to the subject property requires replacement and will be upgraded with a Motor Operated Valve to meet the increased system operational demands; and

WHEREAS, due to limited space within the right-of-way, constructability constraints, access and future maintenance issues, City staff determined that the new valve should be relocated to the adjacent subject lot; and

WHEREAS, the City has obtained a recent appraisal pursuant to Section 2-152 of the City of Cape Coral Code of Ordinances; and

WHEREAS, City staff recommends that the City purchase the subject property pursuant to the terms and price set forth in the contract; and

WHEREAS, the City Manager requests approval to enter into the Contract for Sale and Purchase.

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

Section 1. The City Council hereby authorizes the City Manager or his designee to execute a Contract for Sale and Purchase between Volker Schaeffner and the City of Cape Coral in the amount of \$28,000, plus proration costs not to exceed \$1,500, and approximately \$10,000 to pay the remaining balance of utility assessments, for the purchase of property described as Lot 13, Block 6056, Unit 96, Cape Coral Subdivision, as more fully described in the Contract. The property is located at 2029 SW 32nd Street. A copy of the Contract for Sale and Purchase is attached hereto as Exhibit A.

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 COUNCIL SESSION THIS _____ DAY OF _____, 2017.

MARNI L. SAWICKI, MAYOR


VOTE OF MAYOR AND COUNCILMEMBERS:

| | | | |
|-----------|-------|----------|-------|
| SAWICKI | _____ | LEON | _____ |
| BURCH | _____ | ERBRICK | _____ |
| CARIOSCIA | _____ | WILLIAMS | _____ |
| STOUT | _____ | CODSEN | _____ |

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____, 2017.

REBECCA VAN DEUTEKOM
CITY CLERK

APPROVED AS TO FORM:



DOLORES D. MENENDEZ
CITY ATTORNEY

CONTRACT FOR SALE AND PURCHASE

THIS IS A LEGALLY BINDING CONTRACT WHEN PROPERLY COMPLETED AND EXECUTED. IF NOT FULLY UNDERSTOOD, SEEK LEGAL ADVICE BEFORE SIGNING.

PARTIES: Volker Schaeffner, Riedeselstrabe 38, Starnberg, Germany, 82319 as "**SELLER**", and City of Cape Coral, a Florida Municipal Corporation, P.O. Box 150027, Cape Coral, Florida 33915-0027, successors or assigns, as "**BUYER**", hereby agree that the **SELLER** shall sell and **BUYER** shall buy the following described property (hereinafter referred to as "**PROPERTY**") upon the following terms and conditions:

1. **LEGAL DESCRIPTION** of real estate located in Lee County, Florida:
Lot 13, Block 6056, Unit 96, Cape Coral Subdivision, as recorded in Plat Book 25, Pages 47, inclusive of the Public Records of Lee County, Florida.
2. **PURCHASE PRICE** \$28,000.00
3. **CONDITIONAL CONTRACT.** This contract for sale and purchase is a binding contract once it is executed by the **SELLER** and by the City Manager on behalf of the **BUYER**. However, this contract is expressly subject to approval by the Cape Coral City Council. If the Cape Coral City Council fails or refuses to approve the purchase within 30 calendar days of the date when the City Manager has signed this contract, then this contract shall be null and void. This contract is subject to applicable Florida probate proceedings, if required. **BUYER** and **SELLER** understand and agree that in the event probate proceedings are necessary, **SELLER** shall be solely responsible for any and all expenses necessary to complete said probate proceedings.
4. **EFFECTIVE DATE & CLOSING DATE.** The Effective Date of this contract shall be the date of Council authorization. This contract shall be closed and the deed shall be

delivered within 30 business days after Council authorization unless extended by other provisions of this contract. Such other provisions shall include, but not be limited to, paragraph 7. Possession shall be granted on the day of closing unless otherwise agreed in writing.

5. **CONVEYANCE.** **SELLER** shall convey title to the property to **BUYER** by Warranty Deed subject only to matters contained in this contract and taxes for the year of closing.

6. **RESTRICTIONS AND EASEMENTS.** **BUYER** shall take title subject to:

- (a) Zoning and restrictions and prohibitions imposed by governmental authority;
- (b) Restrictive covenants of record;
- (c) Public utility easements of record, provided however said easements are located along the perimeter of the property and are not more than six feet (6') in width;
- (d) Taxes for the year of closing and subsequent years;

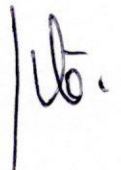
Provided, however, that none of the foregoing shall prevent use of the entire property for the purpose of right-of-way or any other governmental purpose.

7. **EVIDENCE OF TITLE.** Within fifteen (15) days from the date of this contract, **SELLER** shall at **SELLER'S** expense, obtain a title insurance binder issued by a qualified title insurer of its choice, agreeing to issue to **BUYER**, upon the recording of the deed hereafter mentioned, a title insurance policy in the amount of the purchase price insuring the title to that real property. **BUYER** shall have fifteen (15) days from the date of receiving the evidence of title to examine same. If title is found to be defective, **BUYER** or closing agent shall, within said period of time, notify **SELLER** in writing specifying defects that need to be cured. For purposes of this contract, a requirement by the title insurer that the **SELLER** institute and complete a quiet title action shall be deemed to be a title defect that shall be cured by **SELLER**. If said defects render the title unmarketable or uninsurable **SELLER** shall have ninety (90) days from the receipt of such notice to cure the defects, and if after said period **SELLER** shall not have cured the defects, then **BUYER** shall have the option

- of (1) accepting the title as it then is; (2) affording **SELLER** additional time to cure the defect(s); or (3) terminate the contract by providing written notice to the **SELLER**.
8. **EXISTING MORTGAGES.** **SELLER** shall furnish estoppel letters from mortgagee(s) setting forth the principal balance, escrow balance, method of payment, and whether the mortgage is in good standing. It shall be **SELLER'S** obligation to obtain any satisfactions of mortgage required for closing.
 9. **SURVEY.** If **BUYER** desires a survey, **BUYER** shall have the property surveyed at its expense prior to closing date. If the survey shows an encroachment, the same shall be treated as a title defect.
 10. **OTHER AGREEMENTS.** No agreements or representations, unless incorporated in this contract, shall be binding upon any of the parties, unless they be in writing and agreed to by all parties.
 11. **MECHANIC'S LIENS.** **SELLER** shall execute an affidavit that there have been no improvements to the subject property and that **SELLER** has not entered any contracts for the provision of goods or services that could give rise to a mechanic's lien for the ninety (90) days immediately preceding the date of closing.
 12. **TIME IS OF THE ESSENCE** in the performance of this contract.
 13. **DOCUMENTS FOR CLOSING.** **SELLER** shall execute a Warranty Deed, Seller's Affidavit and other necessary closing documents provided by closing agent.
 14. **EXPENSES.** State surtax, documentary stamps on the deed of conveyance, title insurance, title search, title exam and settlement fee shall be paid by **SELLER**.
 15. **PRORATION OF TAXES (REAL AND PERSONAL).** Taxes shall be prorated based upon the current year's tax without regard to discount. If the closing takes place and the current year's taxes are not fixed, and the current year's assessment is available, taxes will be prorated based upon such assessment and the prior year's millage. If the current year's

assessment is not available, then taxes will be prorated on the prior year's tax, provided, however, if there is a completed improvement of the subject premises by January 1 of the year of closing, then the taxes shall be prorated to the date of closing based upon the prior year's millage. It is further agreed that should, upon receipt of current tax statement, the taxes be different by more than Ten Dollars (\$10.00) than those estimated, the proration shall be adjusted.

16. The parties acknowledge the Property is subject to a special assessment for utilities. The total amount of the special assessment is billed in annual installments on the tax bill. The parties agree the annual assessment amount for the taxable year 2017 will be prorated between the parties based on the date of closing. All future annual assessment installments will be assumed by **BUYER** and **SELLER** shall not be responsible for same.
17. **ATTORNEY'S FEES AND COSTS.** In connection with any litigation arising out of the contract, the prevailing party shall be entitled to recover all costs incurred, including reasonable attorney's fees. The parties agree to venue in Lee County, Florida for any action arising out of this Contract.
18. **DEFAULT BY SELLER.** If **SELLER** fails to perform any of the covenants of this contract other than the failure of **SELLER** to render his title marketable after diligent effort **BUYER** may proceed at law or in equity to enforce its legal rights under this contract, including, but not limited to, the right to bring suit for specific performance.
19. All covenants and agreements herein contained shall extend to and be obligatory upon the heirs, executors, administrators, successors and assigns of the respective parties.
20. This agreement shall be interpreted, construed, and governed according to the Laws of the State of Florida.

A handwritten signature in black ink, appearing to be 'J. B.', is located in the bottom right corner of the page.

21. The invalidity or unenforceability of any particular provision of this agreement shall not affect the other provisions hereof, and the agreement shall be construed in all respects as if such invalid and unenforceable provisions were omitted.
22. **SELLER** and **BUYER** hereby agree that this contract to purchase the real property described above is for a proper municipal purpose and grants the **BUYER** the right to enter the real property described above for the purpose of surveying, soil borings, or any other work as deemed necessary by the **BUYER**. The parties herein further agree that the purchase of this property does not destroy or cause any damage whatsoever to **SELLER** or his successor or assigns with respect to any commercial or residential property owned by them whose lands are being so purchased or located upon adjoining lands.
23. The place of closing and delivery of the deed to **BUYER** shall be at any office designated by **BUYER**.
24. **ENVIRONMENTAL AUDIT.** **BUYER** may perform or have performed, at **BUYER'S** expense, an environmental audit of the property. If such an audit identifies environmental problems unacceptable to the **BUYER** then **BUYER** may elect to accept the property in its existing condition or **BUYER** may terminate this Contract without obligation.
25. **REAL ESTATE COMMISSIONS.** **BUYER** and **SELLER** understand and agree that in the event **BUYER** has knowledge of any listing agreement for the subject property, then **BUYER**, at its option, may elect to notify and provide a copy of this contract to the listing Broker. **SELLER** shall be solely responsible for any Broker compensation, Realtor notification or any other terms and conditions of any listing agreement. **SELLER** shall also be responsible for any Realtor transaction fee or administration fee.
26. **DISCLOSURE OF BENEFICIAL INTERESTS.** **SELLER** agrees to comply with the provisions of Section 286.23(1), Florida Statutes. Said section requires that, before property that is owned by a partnership, limited partnership, corporation, trust or any other form of

representative capacity whatsoever for others, is conveyed to a governmental unit, the representative of the owner/entity shall make a public disclosure in writing, under oath and subject to the penalties prescribed for perjury, which shall state the names and addresses of every person having a beneficial interest in the Real Property, however small or minimal.

IN WITNESS THEREOF, BUYER and SELLER have signed this contract on the date set forth below.

CITY OF CAPE CORAL, FLORIDA

Witness to A. John Szerlag

BY: _____
A. John Szerlag Date
City Manager

Witness to Rebecca van Deutekom

BY: _____
Rebecca van Deutekom Date
City Clerk

1 MR

Witness
Print Name: MARCO PLONISKY

Beatrix Plonisky

Witness
Print Name: BEATRIX PLONISKY

BY: _____
VOLKER SCHAEFFNER Date

APPROVED AS TO FORM:

Dolores D. Menendez, City Attorney



Lee County Property Appraiser

Tax Year
[Next Parcel Number](#)
[Previous Parcel Number](#)
[Tax Estimator](#)
[Cape Coral Fees](#)
[Tax Bills](#)
[Print](#)

Property Data

STRAP: 33-44-23-C4-06056.0130 Folio ID: 10575815

Owner Of Record

SCHAEFFNER VOLKER
RIEDELSELSTR 38
82319 STARNBERG GERMANY

Site Address

2029 SW 32ND ST
CAPE CORAL FL 33914

Property Description

Do not use for legal documents!



CAPE CORAL UNIT 96
BLK 6056 PB 25 PG 47
LOT 13

Classification / DOR Code

VACANT RESIDENTIAL / 00

[\[Tax Map Viewer \]](#)
[\[View Comparables \]](#)


[Pictometry Aerial Viewer]



Current Working Values



Just 24,000 As Of 10/07/2016

Attributes

| | |
|-------------------------------|------|
| Land Units Of Measure | UT |
| Units | 1.00 |
| Frontage | 0 |
| Depth | 0 |
| Total Number of Buildings | 0 |
| Total Bedrooms / Bathrooms | 0 |
| Total Living Area | 0 |
| 1st Year Building on Tax Roll | N/A |
| Historic District | No |

Image of Structure



Exemptions



Values (2016 Tax Roll)



Taxing Authorities



Sales / Transactions



Parcel Numbering History



Location Information



Solid Waste (Garbage) Roll Data

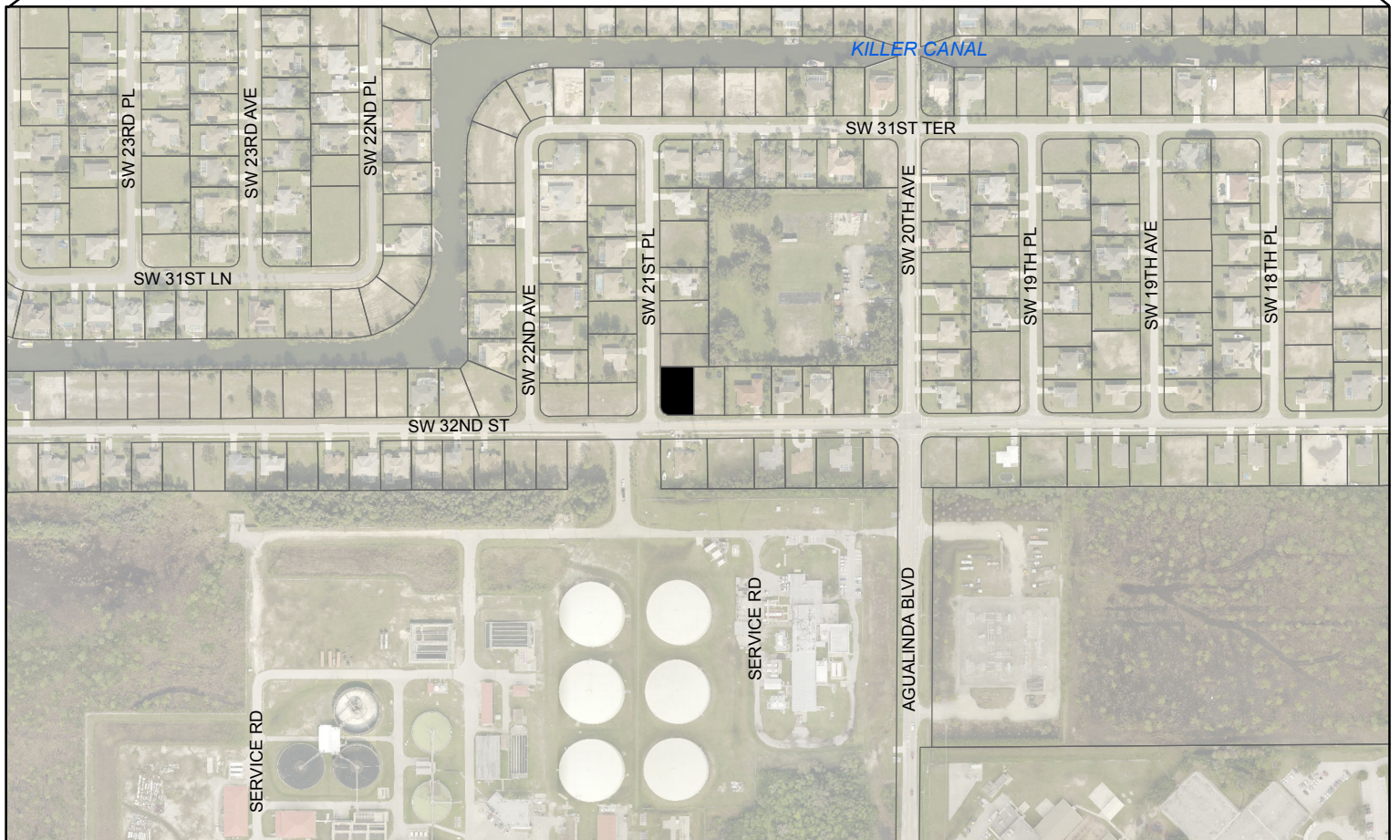
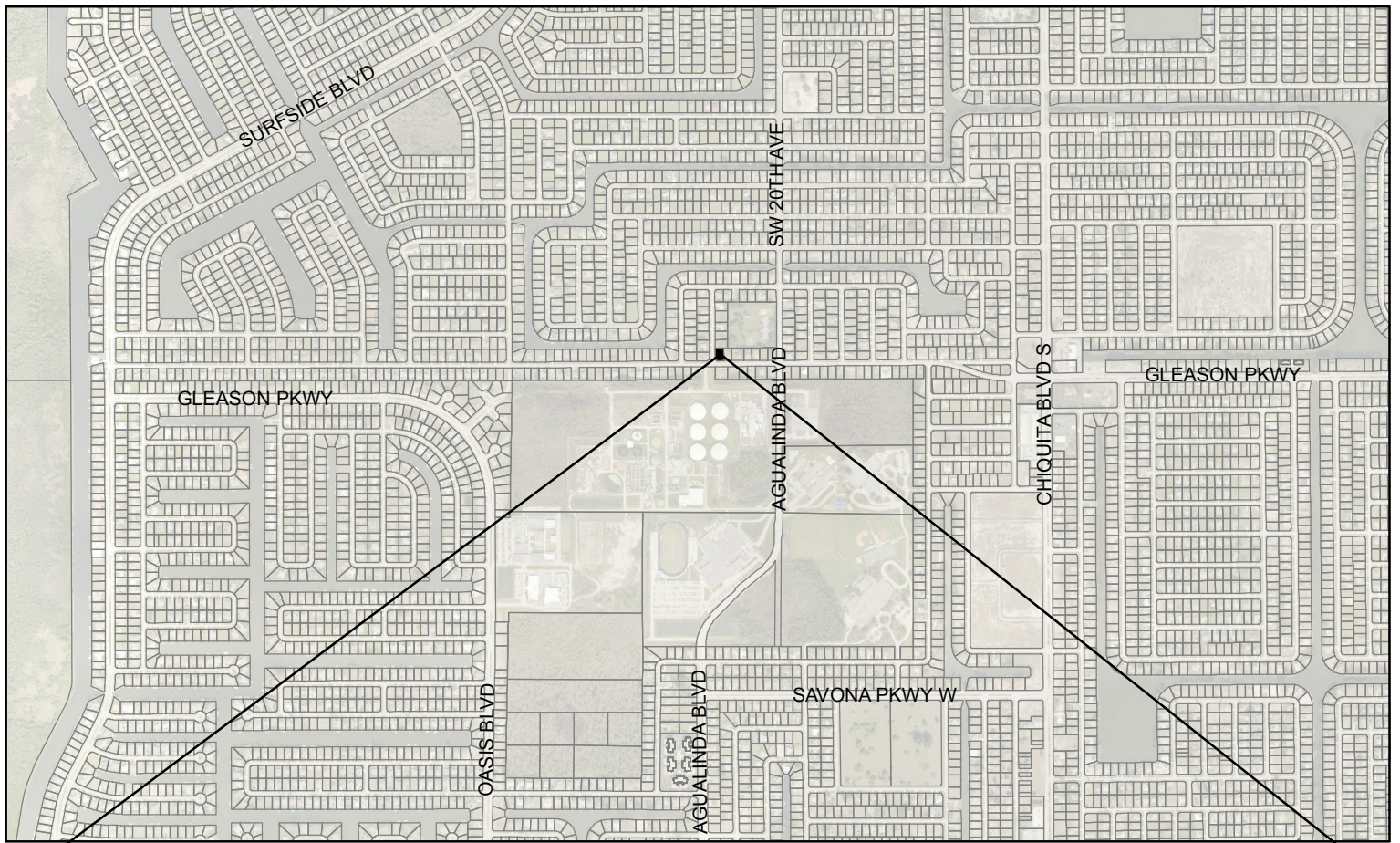


Flood and Storm Information

**Appraisal Details (2016 Tax Roll)**

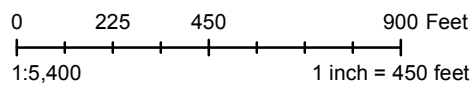
TRIM (proposed tax) Notices are available for the following tax years
[[2016](#)]

[Previous Parcel Number](#) [Next Parcel Number](#) [New Query](#) [Search Results](#) [Home](#)



Legend

 MOV site - agenda



MOV SITE LOCATION
 Block 6056 Lots 13 and 14
 2029 SW 32nd Street

Rechkemmer Appraisal Services

LAND APPRAISAL REPORT

File No. 20091208

| | | | | | | | | | | |
|--|---|---|---|--|--|--|---|---|--|--|
| SUBJECT | Borrower | N/A | | Census Tract | 0104.10 | | Map Reference | 15980 | | |
| | Property Address | 2029 SW 32nd St | | | | | | | | |
| | City | Cape Coral | | County | Lee | | State | FL Zip Code 33914 | | |
| | Legal Description | Lot 13, Blk.6056, Cape Coral Unit 96, PB 25 PG 47 Parcel ID# 33-44-23-C4-06056.0130 | | | | | | | | |
| | Sale Price \$ | N/A | | Date of Sale | N/A | | Loan Term | N/A yrs. Property Rights Appraised <input checked="" type="checkbox"/> Fee <input type="checkbox"/> Leasehold <input type="checkbox"/> De Minimis PUD | | |
| NEIGHBORHOOD | Actual Real Estate Taxes \$ | 1921.92 (2016) (yr) | | Loan charges to be paid by seller \$ | N/A | | Other sales concessions | N/A | | |
| | Lender/Client | City of Cape Coral | | | Address | P.O. Box 150027, Cape Coral, FL 33915 | | | | |
| | Occupant Vacant Site | | | | Appraiser | Rhonda Elaine Rechkemmer | | | | |
| | | | | Instructions to Appraiser | Provide current market value for land acquisition. | | | | | |
| | Location | <input type="checkbox"/> Urban | <input checked="" type="checkbox"/> Suburban | <input type="checkbox"/> Rural | | | | | | |
| | Built Up | <input checked="" type="checkbox"/> Over 75% | <input type="checkbox"/> 25% to 75% | <input type="checkbox"/> Under 25% | Employment Stability | <input type="checkbox"/> Good | <input checked="" type="checkbox"/> Avg. | <input type="checkbox"/> Fair | <input type="checkbox"/> Poor | |
| | Growth Rate | <input type="checkbox"/> Fully Dev. <input type="checkbox"/> Rapid | <input checked="" type="checkbox"/> Steady | <input type="checkbox"/> Slow | Convenience to Employment | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| | Property Values | <input type="checkbox"/> Increasing | <input checked="" type="checkbox"/> Stable | <input type="checkbox"/> Declining | Convenience to Shopping | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| | Demand/Supply | <input type="checkbox"/> Shortage | <input checked="" type="checkbox"/> In Balance | <input type="checkbox"/> Oversupply | Convenience to Schools | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| | Marketing Time | <input checked="" type="checkbox"/> Under 3 Mos. | <input type="checkbox"/> 4-6 Mos. | <input type="checkbox"/> Over 6 Mos. | Adequacy of Public Transportation | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| | Present | 60 % One-Unit | 5 % 2-4 Unit | 0 % Apts. | 5 % Condo | 10 % Commercial | Recreational Facilities | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| | Land Use | 0 % Industrial | 20 % Vacant | | | % | Adequacy of Utilities | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| | Change in Present Land Use | <input checked="" type="checkbox"/> Not Likely | | <input type="checkbox"/> Likely (*) | | <input type="checkbox"/> Taking Place (*) | Property Compatibility | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| | Predominant Occupancy | <input checked="" type="checkbox"/> Owner | <input type="checkbox"/> Tenant | 2 % Vacant | | | Protection from Detrimental Conditions | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| | One-Unit Price Range | \$ 127,000 to \$ 1,480,000 | | Predominant Value \$ 295,000 | | | Police and Fire Protection | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| | One-Unit Age Range | 0 yrs. to 28 yrs. | | Predominant Age 12 yrs. | | | General Appearance of Properties | <input type="checkbox"/> | <input checked="" type="checkbox"/> | |
| | Comments including those factors, favorable or unfavorable, affecting marketability (e.g. public parks, schools, view, noise) | | | | | | The subject's market is bordered by Pine Island Rd. to the north, Beach Pkwy. to the south, Surfside Blvd./Veterans Pkwy. to the west and Chiquita Blvd. to the east. Supporting services are within three miles including three schools. A city utility plant located to the south is partially visible from the subject site. The subject's market is stable with adequately priced properties selling within three months. Supply and demand are currently in balance. | | | |
| | Dimensions | 85.20' x 125' x 85' x 125' (per plat) | | | | = | 10,502 sf | <input checked="" type="checkbox"/> Corner Lot | | |
| | Zoning Classification | R-1B, Single Family Residential | | | | Present Improvements | <input checked="" type="checkbox"/> Do | <input type="checkbox"/> Do Not | Conform to Zoning Regulations | |
| | Highest and Best Use | <input type="checkbox"/> Present Use | <input checked="" type="checkbox"/> Other (specify) To improve with a single family home. | | | | | | | |
| SITE | Public | Other (Describe) | | | | Topo | Slightly above road grade | | | |
| | Elec. | <input checked="" type="checkbox"/> | LCEC | | | | Size | Typical for the market | | |
| | Gas | <input type="checkbox"/> | None | | | | Shape | Irregular corner site | | |
| | Water | <input checked="" type="checkbox"/> | Cape Coral | | | | View | Residential | | |
| | San. Sewer | <input checked="" type="checkbox"/> | Cape Coral | | | | Drainage | Appears to be adequate | | |
| MARKET DATA ANALYSIS | <input type="checkbox"/> Underground Elect. & Tel. | | OFF SITE IMPROVEMENTS | | Is the property located in a FEMA Special Flood Hazard Area? | | | | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| | Comments (favorable or unfavorable including any apparent adverse easements, encroachments, or other adverse conditions) | | | | | | | | No adverse easements or encroachments were noted. Site dimensions taken from the plat with site area taken from the City of Cape Coral's web site. A survey was not provided for review. The subject is in Flood Zone AE, Panel#12071C0385F dated 08/28/2008, per InterFlood. The subject is located within one block of a city utility plant and has a partial view of the facilities. Based on historical paired sales \$3,600 is indicated for external obsolescence. | |
| | The undersigned has recited the following recent sales of properties most similar and proximate to subject and has considered these in the market analysis. The description includes a dollar adjustment reflecting market reaction to those items of significant variation between the subject and comparable properties. If a significant item in the comparable property is superior to or more favorable than the subject property, a minus (-) adjustment is made, thus reducing the indicated value of subject; if a significant item in the comparable is inferior to or less favorable than the subject property, a plus (+) adjustment is made thus increasing the indicated value of the subject. | | | | | | | | | |
| | ITEM | SUBJECT PROPERTY | COMPARABLE NO. 1 | | COMPARABLE NO. 2 | | COMPARABLE NO. 3 | | | |
| | Address | 2029 SW 32nd St Cape Coral, FL 33914 | 2504 SW 31st St Cape Coral, FL 33914 | | 2516 SW 31st St Cape Coral, FL 33914 | | 3047 SW 23rd PI Cape Coral, FL 33914 | | | |
| | Proximity to Subject | | 0.45 miles W | | 0.50 miles W | | 0.26 miles W | | | |
| | Sales Price | \$ N/A | \$ 29,500 | | \$ 34,000 | | \$ 32,500 | | | |
| | Price \$/Sq. Ft. | \$ N/A | \$ 2.95/sf | | \$ 3.20/sf | | \$ 3.09/sf | | | |
| | Data Source(s) | Insp/MLS/LeePA | SWFLMLS#216023176/LeePA | | SWFLMLS#215046664/LeePA | | SWFLMLS#217008818/LeePA | | | |
| | ITEM | DESCRIPTION | DESCRIPTION | +(-)\$ Adjust. | DESCRIPTION | +(-)\$ Adjust. | DESCRIPTION | +(-)\$ Adjust. | | |
| Date of Sale/Time Adj. | N/A | s02/17; c01/17 | 0 | s12/16; c11/16 | 0 | s03/17; c02/17 | 0 | | | |
| Location | Near Utility Plant | Residential | -3,600 | Residential | -3,600 | Residential | -3,600 | | | |
| Site/View | 10,502sf/Resid. | 10,000sf/Resid. | 0 | 10,625sf/Resid. | 0 | 10,525sf/Resid. | 0 | | | |
| Utilities | City Water/Sewer | City Water/Sewer | | City Water/Sewer | | City Water/Sewer | | | | |
| Zoning | R-1B | R-1B | | R-1B | | R-1B | | | | |
| Prior Sale Date | ParcelSplit 6/8/2016 | 12/01/1980 | | 02/20/2004 | | 12/13/2007 | | | | |
| Prior Sale Price | None | \$5,300 | | \$37,000 | | \$18,000 | | | | |
| Sales or Financing Concessions | N/A | Cash 0 | | Cash 0 | | Cash 0 | | | | |
| Net Adj. (Total) | | <input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -3,600 | | <input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -3,600 | | <input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -3,600 | | | | |
| Indicated Value of Subject | | Net 12.2 % Gross 12.2 % \$ 25,900 | | Net 10.6 % Gross 10.6 % \$ 30,400 | | Net 11.1 % Gross 11.1 % \$ 28,900 | | | | |
| Comments on Market Data See attached addenda. | | | | | | | | | | |
| RECONCILIATION | Comments and Conditions of Appraisal See attached addenda. | | | | | | | | | |
| | Final Reconciliation The Sales Comparison Approach best represents the actions of typical buyers and sellers in the market and is relied on entirely for the value estimate. The Cost and Income Approaches are not applicable to vacant land. | | | | | | | | | |
| | I (WE) ESTIMATE THE MARKET VALUE AS DEFINED OF THE SUBJECT PROPERTY AS OF 03/16/2017 TO BE \$ 28,000 | | | | | | | | | |
| | Appraiser Rhonda Elaine Rechkemmer | | | Supervisory Appraiser (if applicable) | | | | | | |
| | Date of Signature and Report 03/28/2017 | | | Date of Signature | | | | | | |
| Title | | | Title | | | | | | | |
| State Certification # Cert.Res.RD2869 ST FL | | | State Certification # ST | | | | | | | |
| Or State License # ST | | | Or State License # ST | | | | | | | |
| Expiration Date of State Certification or License 11/30/2018 | | | Expiration Date of State Certification or License | | | | | | | |
| Date of Inspection (if applicable) 03/16/2017 | | | <input type="checkbox"/> Did <input type="checkbox"/> Did Not Inspect Property Date of Inspection | | | | | | | |

Form LAND — "WinTOTAL" appraisal software by a la mode, inc. — 1-800-ALAMODE

08/11

Supplemental Addendum

File No. 20091208

| | | | | |
|------------------|--------------------|--------|-----|-------------------------|
| Borrower | N/A | | | |
| Property Address | 2029 SW 32nd St | | | |
| City | Cape Coral | County | Lee | State FL Zip Code 33914 |
| Client | City of Cape Coral | | | |

Intended User and Use Clarification

The Intended User of this appraisal report is the Client, the City of Cape Coral. The Intended Use is to evaluate the property that is the subject of this appraisal for land acquisition. No additional Intended Users are identified by the appraiser. This report is not intended for lending nor insurance purposes.

Scope of the Work

The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal report including the attached definition of market value, statement of assumptions and limiting conditions and certifications. The appraiser has performed a visual inspection of the subject site, inspected and analyzed the neighborhood, inspected the comparable sales from the street, researched, verified and analyzed data from reliable public and/or private sources and reported my analysis, opinions and conclusions in this appraisal report.

Highest and Best Use as Vacant

Considering the physically and legally possible as well as the financially feasible tests of highest and best use, it is the appraiser's opinion that the highest and best use of the subject site is for development of a single family residence.

Additional Comments

I have no current or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.

I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

The opinion of market value as defined in this report is in terms of cash or of financing terms equivalent to cash.

Exposure time as defined in USPAP is the estimated length of time that a property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal. Exposure time is a retrospective opinion based on an analysis of past events assuming a competitive and open market.

Comments on Special Assessments

The subject has special assessments for utilities (water, sewer and irrigation water) with an estimated payoff balance of \$10,024.58, per the City of Cape Coral's web site. Owners have the option of paying all of the assessments/fees up front or financing over 20 years and are then included on the owner's annual tax bill until paid in full.

Comments on the City of Cape Coral

The subject is located in Cape Coral, an incorporated city on the southwest portion of Florida in Lee County. The city of Cape Coral has an indicated land area of 120 square miles and is known for its extensive fresh water and Gulf access canals and lakes. The estimated population of Cape Coral in 2013 was 165,831 persons, per the US Census Bureau. The Cape Coral market had substantial growth with extensive new construction during 2000-2006. This market was affected by the recession starting in 2006-2007 with new construction ending and extensive foreclosures throughout the area for several years. This market is now considered stable with housing inventory decreasing and new construction starts noted.

Land : General Comments/Appraisal Conditions

See attached Assumptions and Limiting Conditions. The subject was last listed on 8/3/16 for \$35,000 and reduced to \$30,000 on 2/6/17, per SWFL MLS#216049322. The subject was also listed on 7/29/16 for \$35,000 expiring on 8/4/16, per SWFL MLS#216048574. An additional listing within the past year was found to be listed on 2/9/16 for \$96,000 which included lots 11-15 before the lots were split; reduced to \$90,000 on 2/9/16 and expired on 4/1/16, per SWFL MLS#216010668. The subject had no prior sales indicated in the previous 36 months prior to the effective date of this appraisal. The subject was split from adjacent parcels on 6/8/16. The comparable sales had no previous transactions in the prior 12 months.

Land : Market Data

The sales are located within one mile of the subject and closed within the prior three months. No time adjustments are required in this stable market. There were no recent sales found near the city utility plant. Across the board adjustments for location are based on historical paired sales data. These adjustments also exceed the recommended line item guidelines, but does not adversely impact the value. All three sales are given similar emphasis as to the final value estimate.

| | | |
|------------------|--------------------|-------------------------|
| Borrower | N/A | File No. 20091208 |
| Property Address | 2029 SW 32nd St | |
| City | County Lee | State FL Zip Code 33914 |
| Client | City of Cape Coral | |

APPRAISAL AND REPORT IDENTIFICATION

This Report is one of the following types:

- ☒ **Appraisal Report** (A written report prepared under Standards Rule 2-2(a), pursuant to the Scope of Work, as disclosed elsewhere in this report.)
- ☐ **Restricted Appraisal Report** (A written report prepared under Standards Rule 2-2(b), pursuant to the Scope of Work, as disclosed elsewhere in this report, restricted to the stated intended use by the specified client or intended user.)

Comments on Standards Rule 2-3

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- I have made a personal inspection of the property that is the subject of this report.
- No one provided significant real property appraisal assistance to the person(s) signing this certification (if there are exceptions, the name of each individual providing significant real property appraisal assistance is stated elsewhere in this report).

Reasonable Exposure Time (USPAP defines Exposure Time as the estimated length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.)

My Opinion of Reasonable Exposure Time for the subject property at the market value stated in this report is: 75-120 days on the
market as indicated by similar sales.

Comments on Appraisal and Report Identification

Note any USPAP related issues requiring disclosure and any State mandated requirements:

An exterior inspection only is checked below as the subject is a vacant site.

APPRAISER:

Signature: Rhonda Elaine Rechkemmer
Name: Rhonda Elaine Rechkemmer

State Certification #: Cert.Res.RD2869
or State License #: _____
State: FL Expiration Date of Certification or License: 11/30/2018
Date of Signature and Report: 03/28/2017
Effective Date of Appraisal: 03/16/2017
Inspection of Subject: ☐ None ☐ Interior and Exterior ☒ Exterior-Only
Date of Inspection (if applicable): 03/16/2017

SUPERVISORY or CO-APPRAISER (if applicable):

Signature: _____
Name: _____

State Certification #: _____
or State License #: _____
State: _____ Expiration Date of Certification or License: _____
Date of Signature: _____
Inspection of Subject: ☐ None ☐ Interior and Exterior ☐ Exterior-Only
Date of Inspection (if applicable): _____

This appraisal report is subject to the following scope of work, intended use, intended user, definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser may expand the scope of work to include any additional research or analysis necessary based on the complexity of this appraisal assignment.

SCOPE OF WORK: The scope of work for this appraisal is defined by the complexity of this appraisal assignment and the reporting requirements of this appraisal assignment, including the following definition of market value, statement of assumptions and limiting conditions, and certifications. The appraiser must, at a minimum: (1) perform a complete visual inspection of the subject property, (2) inspect the neighborhood, (3) inspect each of the comparable sales from at least the street, (4) research, verify, and analyze data from reliable public and/or private sources, and (5) report his or her analysis, opinions, and conclusions in this appraisal report.

INTENDED USE: The intended use of this appraisal report is for the client to evaluate the property that is the subject of this appraisal for land acquisition purposes.

INTENDED USER: The intended user of this appraisal report is the client, the City of Cape Coral.

DEFINITION OF MARKET VALUE: The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby: (1) buyer and seller are typically motivated; (2) both parties are well informed or well advised, and each acting in what he or she considers his or her own best interest; (3) a reasonable time is allowed for exposure in the open market; (4) payment is made in terms of cash in U. S. dollars or in terms of financial arrangements comparable thereto; and (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions* granted by anyone associated with the sale.

*Adjustments to the comparables must be made for special or creative financing or sales concessions. No adjustments are necessary for those costs which are normally paid by sellers as a result of tradition or law in a market area; these costs are readily identifiable since the seller pays these costs in virtually all sales transactions. Special or creative financing adjustments can be made to the comparable property by comparisons to financing terms offered by a third party institutional lender that is not already involved in the property or transaction. Any adjustment should not be calculated on a mechanical dollar for dollar cost of the financing or concession but the dollar amount of any adjustment should approximate the market's reaction to the financing or concessions based on the appraiser's judgment.

STATEMENT OF ASSUMPTIONS AND LIMITING CONDITIONS: The appraiser's certification in this report is subject to the following assumptions and limiting conditions:

1. The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it, except for information that he or she became aware of during the research involved in performing this appraisal. The appraiser assumes that the title is good and marketable and will not render any opinions about the title.
2. The appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in this appraisal report whether any portion of the subject site is located in an identified Special Flood Hazard Area. Because the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.
3. The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand, or as otherwise required by law.
4. The appraiser has noted in this appraisal report any adverse conditions (such as the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property or that he or she became aware of during the research involved in performing this appraisal. Unless otherwise stated in this appraisal report, the appraiser has no knowledge of any hidden or unapparent deficiencies or adverse conditions of the property (such as, but not limited to, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) that would make the property less valuable, and has assumed that there are no such conditions and makes no guarantees or warranties, express or implied. The appraiser will not be responsible for any such conditions that do exist or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the field of environmental hazards, this appraisal report must not be considered as an environmental assessment of the property.
5. If the appraiser has based his or her appraisal report and valuation conclusion for an appraisal subject to certain conditions, it is assumed that the conditions will be met in a satisfactory manner.

APPRAISER'S CERTIFICATION: The Appraiser certifies and agrees that:

1. I have, at a minimum, developed and reported this appraisal in accordance with the scope of work requirements stated in this appraisal report.
2. I performed a complete visual inspection of the subject property. I reported the site characteristics in factual, specific terms.
3. I performed this appraisal in accordance with the requirements of the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
4. I developed my opinion of the market value of the real property that is the subject of this report based on the sales comparison approach to value. I have adequate comparable market data to develop a reliable sales comparison approach for this appraisal assignment.
5. I researched, verified, analyzed, and reported on any current agreement for sale for the subject property, any offering for sale of the subject property in the twelve months prior to the effective date of this appraisal, and the prior sales of the subject property for a minimum of three years prior to the effective date of this appraisal, unless otherwise indicated in this report.
6. I researched, verified, analyzed, and reported on the prior sales of the comparable sales for a minimum of one year prior to the date of sale of the comparable sale, unless otherwise indicated in this report.
7. I selected and used comparable sales that are locationally, physically, and functionally the most similar to the subject property.
8. I have reported adjustments to the comparable sales that reflect the market's reaction to the differences between the subject property and the comparable sales.
9. I verified, from a disinterested source, all information in this report that was provided by parties who have a financial interest in the sale or financing of the subject property.
10. I have knowledge and experience in appraising this type of property in this market area.
11. I am aware of, and have access to, the necessary and appropriate public and private data sources, such as multiple listing services, tax assessment records, public land records and other such data sources for the area in which the property is located.
12. I obtained the information, estimates, and opinions furnished by other parties and expressed in this appraisal report from reliable sources that I believe to be true and correct.
13. I have taken into consideration the factors that have an impact on value with respect to the subject neighborhood, subject property, and the proximity of the subject property to adverse influences in the development of my opinion of market value. I have noted in this appraisal report any adverse conditions (such as, but not limited to, the presence of hazardous wastes, toxic substances, adverse environmental conditions, etc.) observed during the inspection of the subject property or that I became aware of during the research involved in performing this appraisal. I have considered these adverse conditions in my analysis of the property value, and have reported on the effect of the conditions on the value and marketability of the subject property.
14. I have not knowingly withheld any significant information from this appraisal report and, to the best of my knowledge, all statements and information in this appraisal report are true and correct.
15. I stated in this appraisal report my own personal, unbiased, and professional analysis, opinions, and conclusions, which are subject only to the assumptions and limiting conditions in this appraisal report.
16. I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the participants in the transaction. I did not base, either partially or completely, my analysis and/or opinion of market value in this appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.
17. My employment and/or compensation for performing this appraisal or any future or anticipated appraisals was not conditioned on any agreement or understanding, written or otherwise, that I would report (or present analysis supporting) a predetermined specific value, a predetermined minimum value, a range or direction in value, a value that favors the cause of any party, or the attainment of a specific result or occurrence of a specific subsequent event (such as approval of a pending mortgage loan application).
18. I personally prepared all conclusions and opinions about the real estate that were set forth in this appraisal report. If I relied on significant real property appraisal assistance from any individual or individuals in the performance of this appraisal or the preparation of this appraisal report, I have named such individual(s) and disclosed the specific tasks performed in this appraisal report. I certify that any individual so named is qualified to perform the tasks. I have not authorized anyone to make a change to any item in this appraisal report; therefore, any change made to this appraisal is unauthorized and I will take no responsibility for it.
19. I identified the client in this appraisal report who is the individual, organization, or agent for the organization that ordered and will receive this appraisal report.

20. The client may disclose or distribute this appraisal report to: the borrower; another lender at the request of the borrower; the mortgagee or its successors and assigns; mortgage insurers; government sponsored enterprises; other secondary market participants; data collection or reporting services; professional appraisal organizations; any department agency, or instrumentality of the United States; and any state, the District of Columbia, or other jurisdictions; without having to obtain the appraiser's or supervisory appraiser's (if applicable) consent. Such consent must be obtained before this appraisal report may be disclosed or distributed to any other party (including, but not limited to, the public through advertising, public relations, news, sales, or other media).

21. I am aware that any disclosure or distribution of this appraisal report by me or the client may be subject to certain laws and regulations. Further, I am also subject to the provisions of the Uniform Standards of Professional Appraisal Practice that pertain to disclosure or distribution by me.

22. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature", as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

23. Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.

SUPERVISORY APPRAISER'S CERTIFICATION: The Supervisory Appraiser certifies and agrees that:

1. I directly supervised the appraiser for this appraisal assignment, have read the appraisal report, and agree with the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
2. I accept full responsibility for the contents of this appraisal report including, but not limited to, the appraiser's analysis, opinions, statements, conclusions, and the appraiser's certification.
3. The appraiser identified in this appraisal report is either a sub-contractor or an employee of the supervisory appraiser (or the appraisal firm), is qualified to perform this appraisal, and is acceptable to perform this appraisal under the applicable state law.
4. This appraisal report complies with the Uniform Standards of Professional Appraisal Practice that were adopted and promulgated by the Appraisal Standards Board of The Appraisal Foundation and that were in place at the time this appraisal report was prepared.
5. If this appraisal report was transmitted as an "electronic record" containing my "electronic signature", as those terms are defined in applicable federal and/or state laws (excluding audio and video recordings), or a facsimile transmission of this appraisal report containing a copy or representation of my signature, the appraisal report shall be as effective, enforceable and valid as if a paper version of this appraisal report were delivered containing my original hand written signature.

APPRAISER

Signature Rhonda Elaine Rechkemmer

Name Rhonda Elaine Rechkemmer

Company Name Rechkemmer Appraisal Services, Inc.

Company Address 1913 SW 54th Street
Cape Coral, FL 33914-6888

Telephone Number (239) 542-4152

Email Address R.Rechkemmer@att.net

Date of Signature and Report 03/28/2017

Effective Date of Appraisal 03/16/2017

State Certification # Cert.Res.RD2869

or State License # _____

or Other (describe) _____ State # _____

State FL

Expiration Date of Certification or License 11/30/2018

ADDRESS OF PROPERTY APPRAISED
2029 SW 32nd St
Cape Coral, FL 33914

APPRAISED VALUE OF SUBJECT PROPERTY \$ 28,000

LENDER/CLIENT
Name Greg Spivey
Company Name City of Cape Coral
Company Address P.O. Box 150027
Cape Coral, FL 33915
Email Address gspivey@capecoral.net

SUPERVISORY APPRAISER (ONLY IF REQUIRED)

Signature _____

Name _____

Company Name _____

Company Address _____

Telephone Number _____

Email Address _____

Date of Signature _____

State Certification # _____

or State License # _____

State _____

Expiration Date of Certification or License _____

SUBJECT PROPERTY

☐ Did not inspect subject property

☐ Did inspect exterior of subject property from street
Date of Inspection _____

☐ Did inspect interior and exterior of subject property
Date of Inspection _____

COMPARABLE SALES

☐ Did not inspect exterior of comparable sales from street

☐ Did inspect exterior of comparable sales from street
Date of Inspection _____

Subject Photo Page

| | | | | | |
|------------------|--------------------|--------|-----|-------|---------------------------|
| Borrower | N/A | | | | |
| Property Address | 2029 SW 32nd St | | | | |
| City | Cape Coral | County | Lee | State | FL Zip Code 33914 |
| Client | City of Cape Coral | | | | |



Subject Front

2029 SW 32nd St
Sales Price N/A
Gross Living Area
Total Rooms
Total Bedrooms
Total Bathrooms
Location Near Utility Plant
View 10,502sf/Resid.
Site
Quality
Age



View Across Street



Subject Street

Comparable Photo Page

| | | | | |
|------------------|--------------------|--------|-----|-------------------------|
| Borrower | N/A | | | |
| Property Address | 2029 SW 32nd St | | | |
| City | Cape Coral | County | Lee | State FL Zip Code 33914 |
| Client | City of Cape Coral | | | |



Comparable 1

2504 SW 31st St
Prox. to Subject 0.45 miles W
Sales Price 29,500
Gross Living Area
Total Rooms
Total Bedrooms
Total Bathrooms
Location Residential
View 10,000sf/Resid.
Site
Quality
Age



Comparable 2

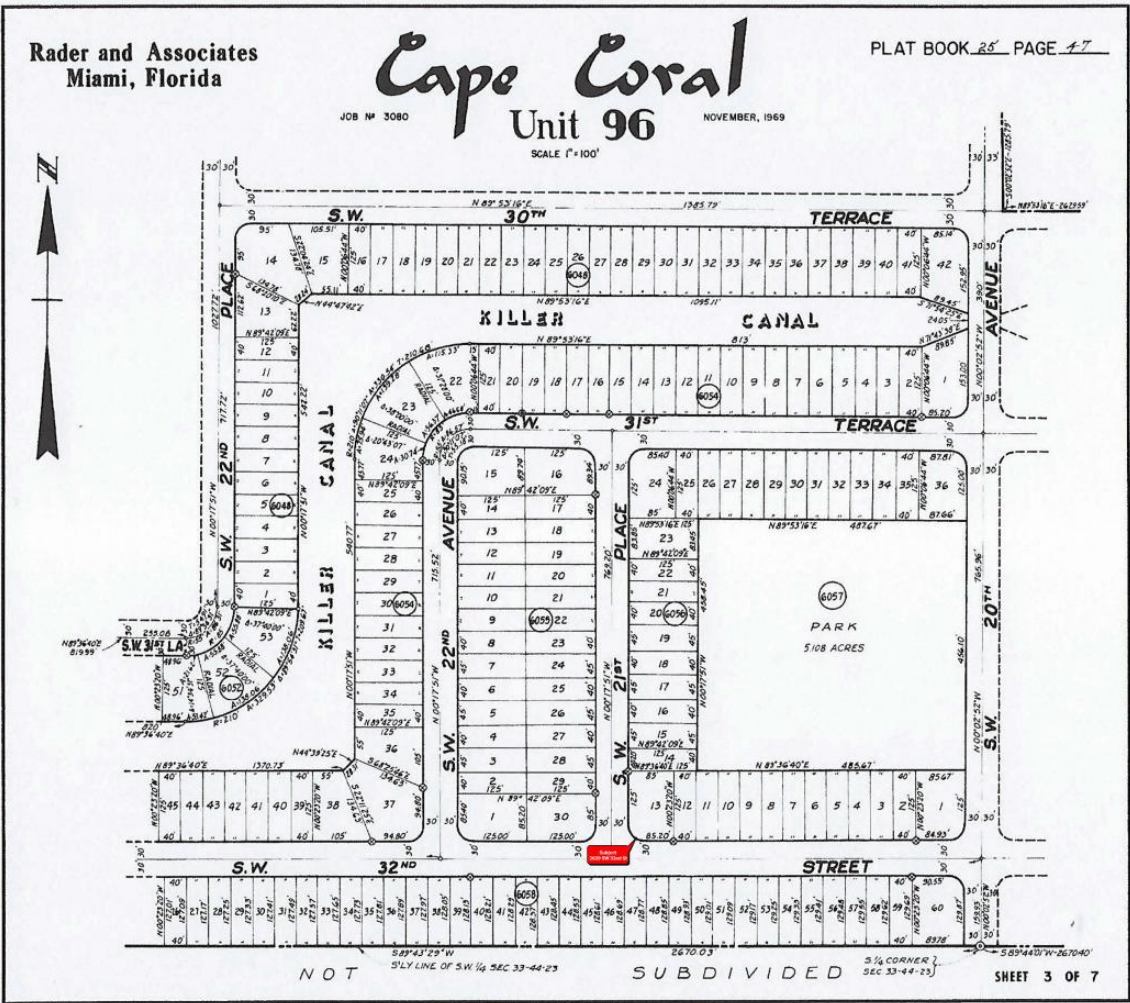
2516 SW 31st St
Prox. to Subject 0.50 miles W
Sales Price 34,000
Gross Living Area
Total Rooms
Total Bedrooms
Total Bathrooms
Location Residential
View 10,625sf/Resid.
Site
Quality
Age



Comparable 3

3047 SW 23rd Pl
Prox. to Subject 0.26 miles W
Sales Price 32,500
Gross Living Area
Total Rooms
Total Bedrooms
Total Bathrooms
Location Residential
View 10,525sf/Resid.
Site
Quality
Age

Plat

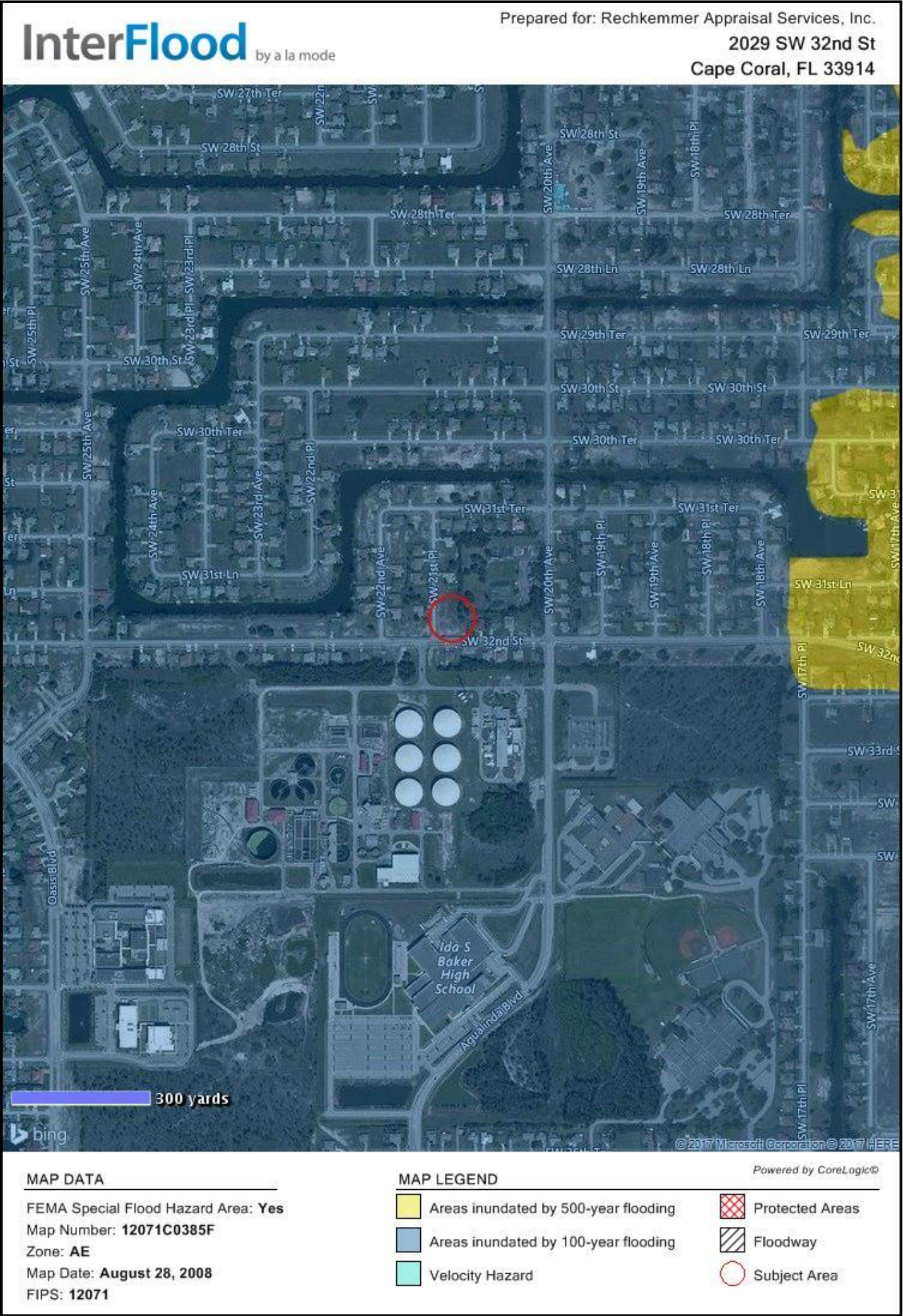


Aerial



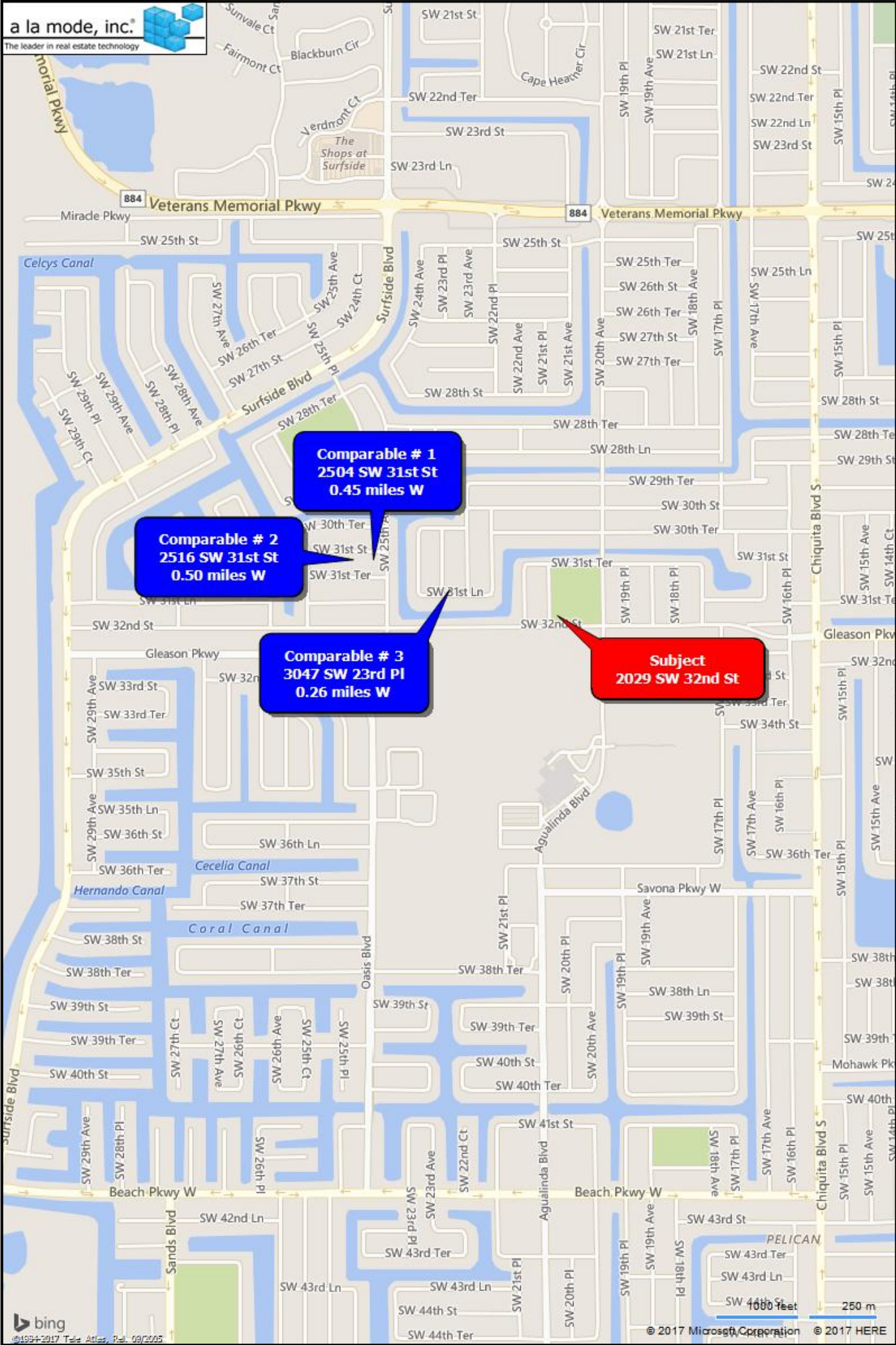
Flood Map

| | | | | |
|------------------|--------------------|--------|-----|-------------------------|
| Borrower | N/A | | | |
| Property Address | 2029 SW 32nd St | | | |
| City | Cape Coral | County | Lee | State FL Zip Code 33914 |
| Client | City of Cape Coral | | | |



Location Map

| | | | | |
|------------------|--------------------|--------|-----|-------------------------|
| Borrower | N/A | | | |
| Property Address | 2029 SW 32nd St | | | |
| City | Cape Coral | County | Lee | State FL Zip Code 33914 |
| Client | City of Cape Coral | | | |



Appraiser's License

RICK SCOTT, GOVERNOR

KEN LAWSON, SECRETARY

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
FLORIDA REAL ESTATE APPRAISAL BD

| LICENSE NUMBER | |
|----------------|--|
| RD2869 | |

The CERTIFIED RESIDENTIAL APPRAISER
Named below IS CERTIFIED
Under the provisions of Chapter 475 FS.
Expiration date: NOV 30, 2018

RECHKEMMER, RHONDA ELAINE
1913 SW 54 STREET
CAPE CORAL FL 33914



ISSUED: 11/13/2016 DISPLAY AS REQUIRED BY LAW SEQ # L1611130002148

Item Number: B.(5)

Meeting **5/1/2017**

Date:

Item Type: CONSENT AGENDA

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Resolution 66-17 Acceptance of Warranty Deed and Permanent Utility and Drainage Easement from LGI Homes-Florida, LLC for a portion of Lot 49, Block 6025, Cape Coral Unit 95 (2001 SW 12th Terrace) for road right of way and completion of the 6.00-foot wide perimeter utility and drainage easement around the site; Department: Financial Services / Real Estate Division; Dollar Value: \$100; (General Fund)

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

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

2. 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

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

SUMMARY EXPLANATION AND BACKGROUND:

1. Lot 49, Block 6025, Unit 95 is an oversized site located at the northwest corner of the intersection of SW 12th Terrace and SW 20th Avenue. In January 2017, the property owner, LGI Homes-Florida, notified the City its water main and a portion of SW 20th Avenue right of way were located on the eastern portion of Lot 49.

2. In 1969 Gulf American Corporation (GAC) platted the Cape Coral Unit 95 Subdivision plat with an eastwardly curve along the eastern parcel boundary for the right of way of SW 20th Avenue. However, SW 20th Avenue/Nott Road had been previously constructed, for many years, without any curves. When GAC constructed the right of ways for Unit 95, they did not alter the existing roadway to correspond with their platting of the lands.

3. Acceptance of the Warranty Deed provides the City of Cape Coral title to the 2,158 square feet of land the roadway and water main are located upon. Acceptance of the Easement will complete the 6.00-foot wide perimeter utility and drainage easement around the entire "new" homesite. Both conveyances provide the City of Cape Coral the right to access and maintain its facilities at this location.

4. LGI Homes-Florida are donating the property and the easement to the City. The City will be responsible to pay the Lee County Clerk of Court recording fees of approximately \$100.

5. Staff recommends acceptance of the Warranty Deed and Permanent Utility and Drainage Easement located in Block 6025, in a portion of Lot 49, Cape Coral Subdivision Unit 95.

LEGAL REVIEW:

EXHIBITS:

Resolution 66-17
Property Appraiser Printout
Location Map
Survey
Warranty Deed
Permanent Utility & Drainage Easement

PREPARED BY:

| | | |
|-------------------------------------|--------------------------|-----------------------------------|
| Dawn Y. Andrews, Property Broker | Division- Real Estate | Department- Financial Services |
|-------------------------------------|--------------------------|-----------------------------------|

SOURCE OF ADDITIONAL INFORMATION:

Dawn Y. Andrews, Property Broker
Financial Services / Real Estate Division
239-574-0735

Doug Sayers, Property Acquisition Agent
Financial Services / Real Estate Division
239-574-0714

ATTACHMENTS:

| Description | Type |
|--|-----------------|
| ▣ Resolution 66-17 | Resolution |
| ▣ Property Appraiser Sheet, Lot 49, Block 6025 | Backup Material |
| ▣ Location Map - Block 6025, Lot 49 | Backup Material |
| ▣ Survey - Lot 49, Block 6025 | Backup Material |
| ▣ Warranty Deed - Portion of Lot 49, Block 6025 | Backup Material |
| ▣ Utility & Drainage Easement - Lot 49, Block 6025 | Backup Material |

RESOLUTION 66 - 17

A RESOLUTION OF THE CITY OF CAPE CORAL ACCEPTING A WARRANTY DEED AND PERMANENT UTILITY AND DRAINAGE EASEMENT FOR A PORTION OF LOT 49, BLOCK 6025, CAPE CORAL UNIT 95, AS MORE PARTICULARLY DESCRIBED HEREIN; PROPERTY IS LOCATED AT 2001 SW 12TH TERRACE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the subject site is an oversized lot located at the northwest corner of the intersection of SW 12th Terrace and SW 20th Avenue; and

WHEREAS, in January 2017, the property owner, LGI Homes-Florida, LLC, notified the City that a water main and a portion of the SW 20th Avenue right-of-way were located on the eastern portion of Lot 49; and

WHEREAS, in 1969, Gulf American Corporation (GAC) platted the Cape Coral Unit 95 Subdivision with an easterly curve along the eastern boundary of the SW 20th Avenue right-of-way; and

WHEREAS, SW 20th Avenue/Nott Road had been constructed many years prior to the plat without any curves, and when GAC constructed the rights-of-way for Unit 95, it did not alter the existing roadway to correspond to the plat; and

WHEREAS, acceptance of the Warranty Deed attached hereto as Exhibit 1 provides the City title to the 2,158 square feet of land upon which the roadway and water main are located; and

WHEREAS, acceptance of the Permanent Utility and Drainage Easement attached hereto as Exhibit 2 will complete the 6-foot-wide perimeter utility and drainage easement around the entire remaining homesite; and

WHEREAS, the property and easement will be donated to the City; the City is to pay the Lee County recording fees of approximately \$100.

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

Section 1. The City Council hereby accepts the Warranty Deed attached hereto as Exhibit 1 and the Permanent Utility and Drainage Easement attached hereto as Exhibit 2.

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 COUNCIL SESSION THIS _____ DAY OF _____, 2017.

MARNI L. SAWICKI, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

| | | | |
|-----------|-------|----------|-------|
| SAWICKI | _____ | LEON | _____ |
| BURCH | _____ | ERBRICK | _____ |
| CARIOSCIA | _____ | WILLIAMS | _____ |
| STOUT | _____ | CODEN | _____ |

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____,
2017.

REBECCA VAN DEUTEKOM,
CITY CLERK

APPROVED AS TO FORM:



DOLORES D. MENENDEZ
CITY ATTORNEY
res/Accept Warranty Deed & Easement-LGI Homes

WARRANTY DEED

PREPARED BY:

Dawn Y. Andrews, Property Broker
City of Cape Coral
Post Office Box 150027
Cape Coral, Florida 33915-0027

Portion of STRAP NO: 21-44-23-C4-06025.0490

THIS INDENTURE, made this 11TH day of APRIL,
2017 A.D., BETWEEN

LGI HOMES – Florida, LLC, a Florida Limited Liability Company
GRANTOR, whose address is: 1450 Lake Robbins Drive, Suite 430,
The Woodlands, TX 77380

AND

City of Cape Coral, a Florida Municipal Corporation
GRANTEE, whose address is: c/o Real Estate Division, P.O. Box 150027,
Cape Coral, Florida 33915-0027

WITNESSETH, that said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate, lying and being in Lee County, Florida, to wit:

A Parcel of land lying in Section 21, Township 44 South, Range 23 East; also being a portion of Lot 49, Block 6025, as shown on the Plat of Cape Coral Unit 95, recorded in Plat Book 25 at Pages 40 through 44 of the Public Records of Lee County, Florida; and being more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

TOGETHER with all and singular the tenements, hereditament and appurtenances belong to or in anywise appertaining to that real property.

SUBJECT to easements, restrictions and reservations as of record in the Public Records of Lee County, Florida.

AND SAID GRANTOR(S) does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whatsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set Grantor hand and seal the day and year first above written.

Signed, sealed and delivered in presence of:

Patsy Keyer
Witness - Signature

Patsy Keyer
Witness - Print or Type Name

Lori Ladner
Witness - Signature

LORI Ladner
Witness - Print or Type Name

**LGI HOMES – Florida, LLC,
a Florida Limited Liability Company**

BY: *J. H. R.*
JEFFREY RIOPELLE, Authorized Agent
1450 Lake Robbins Drive, Suite 430
The Woodlands, Texas 77380

STATE OF: *Mississippi* §

COUNTY OF: *Harrison* §

The foregoing instrument was acknowledged before me, the undersigned notary public, this *1st* day of *April*, 2017, by Jeffrey Riopelle, Authorized Agent for LGI Homes – Florida, LLC, a Florida Limited Liability Company who is personally known by me or has produced _____ as identification and who did/did not take an oath. (Describe Identification)

My Commission Expires: *May 31, 2019*

Debra L. Shaw
Notary Public
Print Name: *Debra L. Shaw*

(seal)



EXHIBIT "A"

Parcel "A"
(CC-17-0011-A)

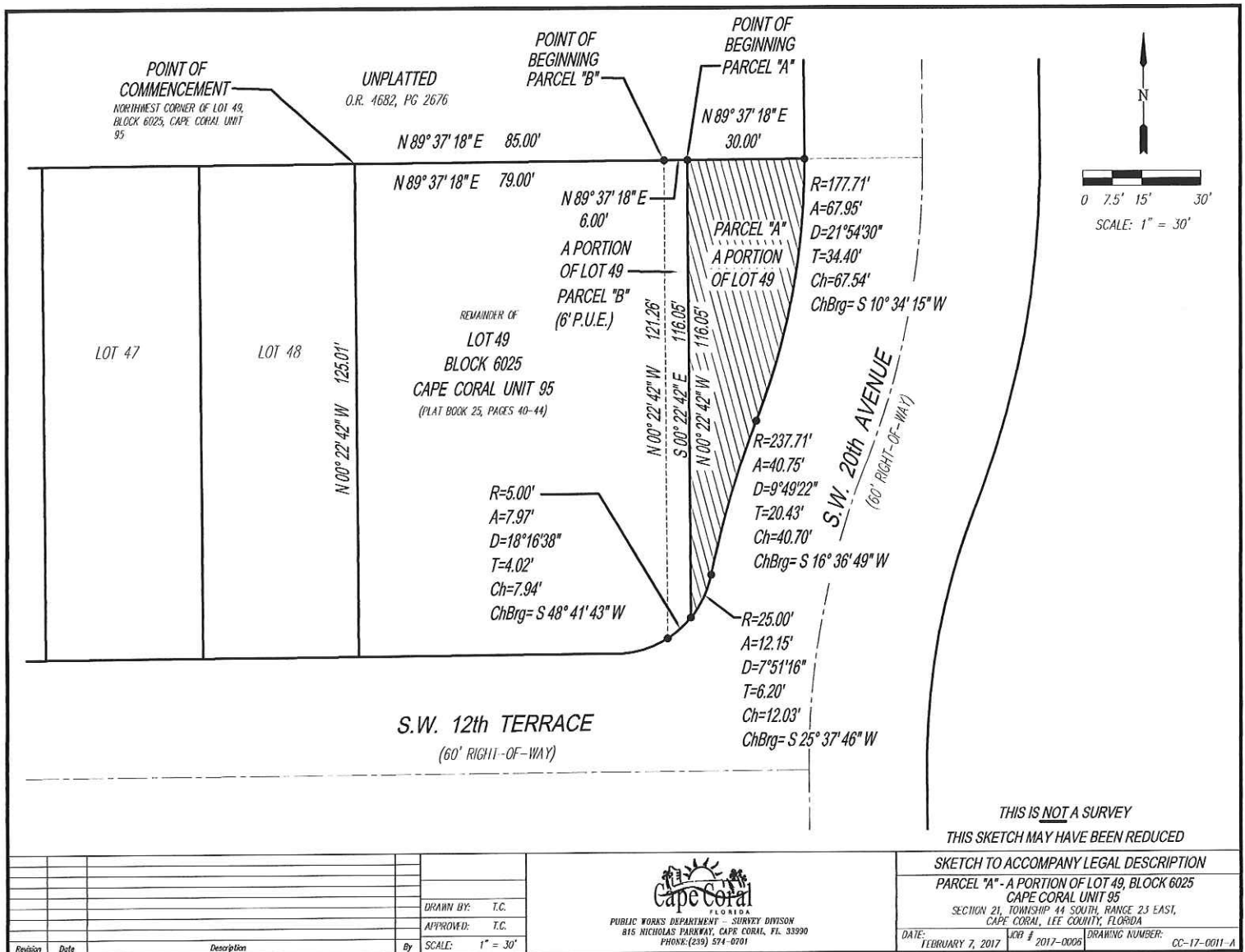
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**PERMANENT UTILITY & DRAINAGE
EASEMENT**

This Grant of Easement, made this 11TH day of April, 2017 by and between **LGI Homes-Florida, LLC**, a Florida Limited Liability Company, 1450 Lake Robbins Drive, Suite 430, The Woodlands, Texas 77380 as "Grantor(s)", and the **CITY OF CAPE CORAL**, a Florida municipal corporation, as "Grantee".

WITNESSETH that said Grantor, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted and conveyed to the said Grantee, and Grantee's successors and assigns forever, a perpetual non-exclusive easement to survey, construct, operate, maintain, remove, replace or abandon drainage and/or utility facilities, in, along, under, above and upon the following described land, situate, lying and being in Lee County, Florida, to wit:

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In Witness Whereof, Grantor(s) has hereunto set their hand(s) the day and year first above written.

Patsy Deyer
Witness - Signature

Patsy Deyer
Witness - Print or Type Name

Lori Ladner
Witness - Signature

Lori Ladner
Witness - Print or Type Name

LGI Homes – Florida, LLC,
a Florida limited liability company

Jeffrey Riopelle
Jeffrey Riopelle, Authorized Agent
1450 Lake Robbins Drive, Suite 430
The Woodlands, Texas 77380

STATE OF: Mississippi §

COUNTY OF: Harrison §

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by Jeffrey Riopelle, Authorized Agent for LGI Homes-Florida, LLC, a Florida limited liability company, who is/is
not personally known by me or has produced _____ as
identification. (DESCRIBE IDENTIFICATION)

Debra L. Shaw
Notary Signature

Print Name: Debra L. Shaw
(seal)



PREPARED BY:
Dawn Y. Andrews, Property Broker
City of Cape Coral
P.O. Box 150027
Cape Coral, FL 33915-0027
Portion of STRAP NO: 21-44-23-C4-06025.0490

EXHIBIT "A"

**Parcel "B" – 6.00' Public Utility Easement
(CC-17-0011-B)**

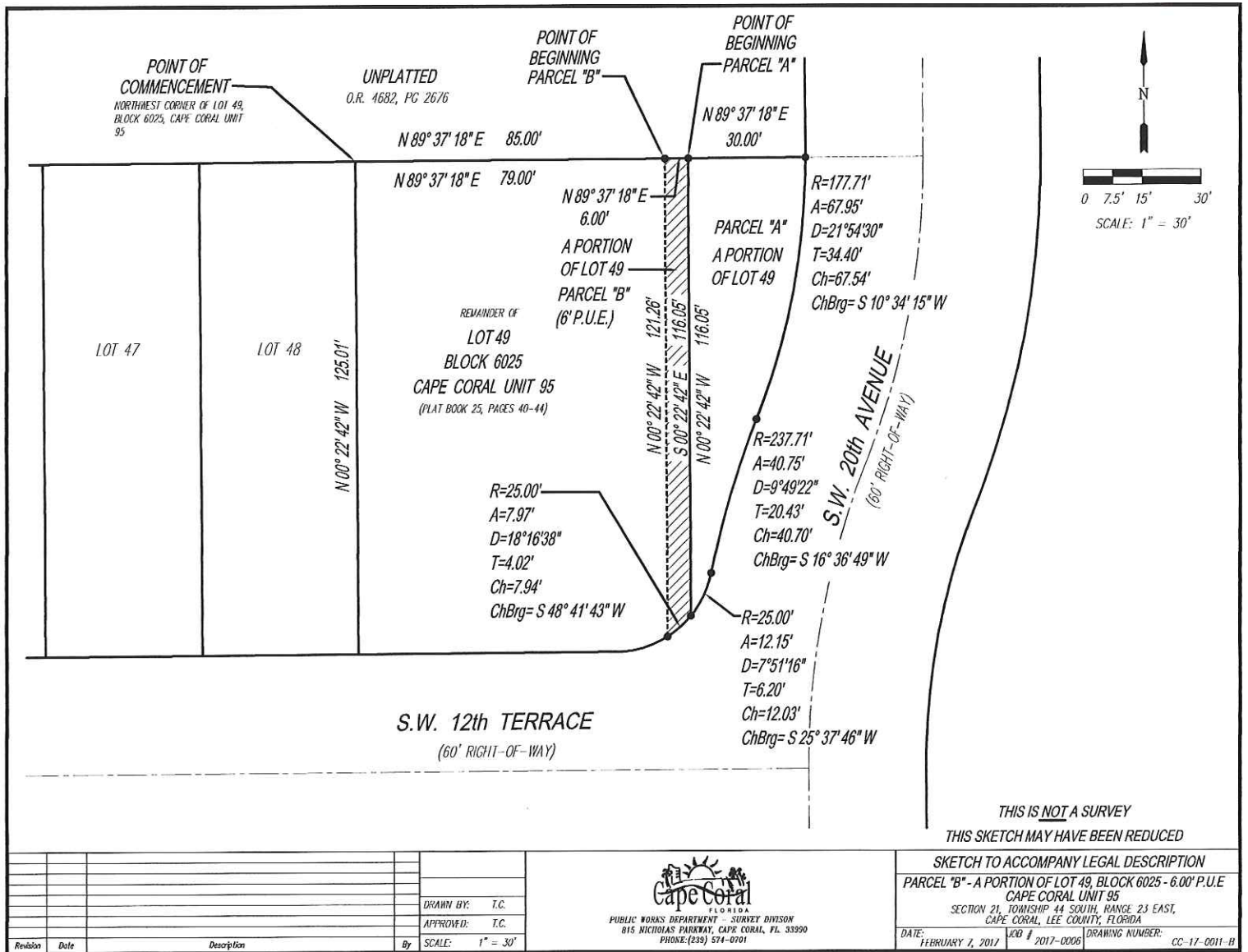
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Lee County Property Appraiser

Tax Year
[Next Parcel Number](#)
[Previous Parcel Number](#)
[Tax Estimator](#)
[Cape Coral Fees](#)
[Tax Bills](#)
[Print](#)

Property Data

STRAP: 21-44-23-C4-06025.0490 Folio ID: 10075436

Owner Of Record

LGI HOMES - FLORIDA LLC
1450 LAKE ROBBINS DR STE 430
THE WOODLANDS TX 77380

Site Address

2001 SW 12TH TER
CAPE CORAL FL 33991

Property Description

Do not use for legal documents!



CAPE CORAL UNIT 95
BLK 6025 PB 25 PG 42
LOT 49

Classification / DOR Code

VACANT RESIDENTIAL / 00

[\[Tax Map Viewer \]](#)
[\[View Comparables \]](#)


[Pictometry Aerial Viewer]



Current Working Values



Just 8,600 As Of 06/30/2016

Attributes

| | |
|-------------------------------|------|
| Land Units Of Measure | UT |
| Units | 1.00 |
| Frontage | 0 |
| Depth | 0 |
| Total Number of Buildings | 0 |
| Total Bedrooms / Bathrooms | 0 |
| Total Living Area | 0 |
| 1st Year Building on Tax Roll | N/A |
| Historic District | No |

Image of Structure



Exemptions



Values (2016 Tax Roll)



Taxing Authorities



Sales / Transactions



Building/Construction Permit Data



Parcel Numbering History



Location Information

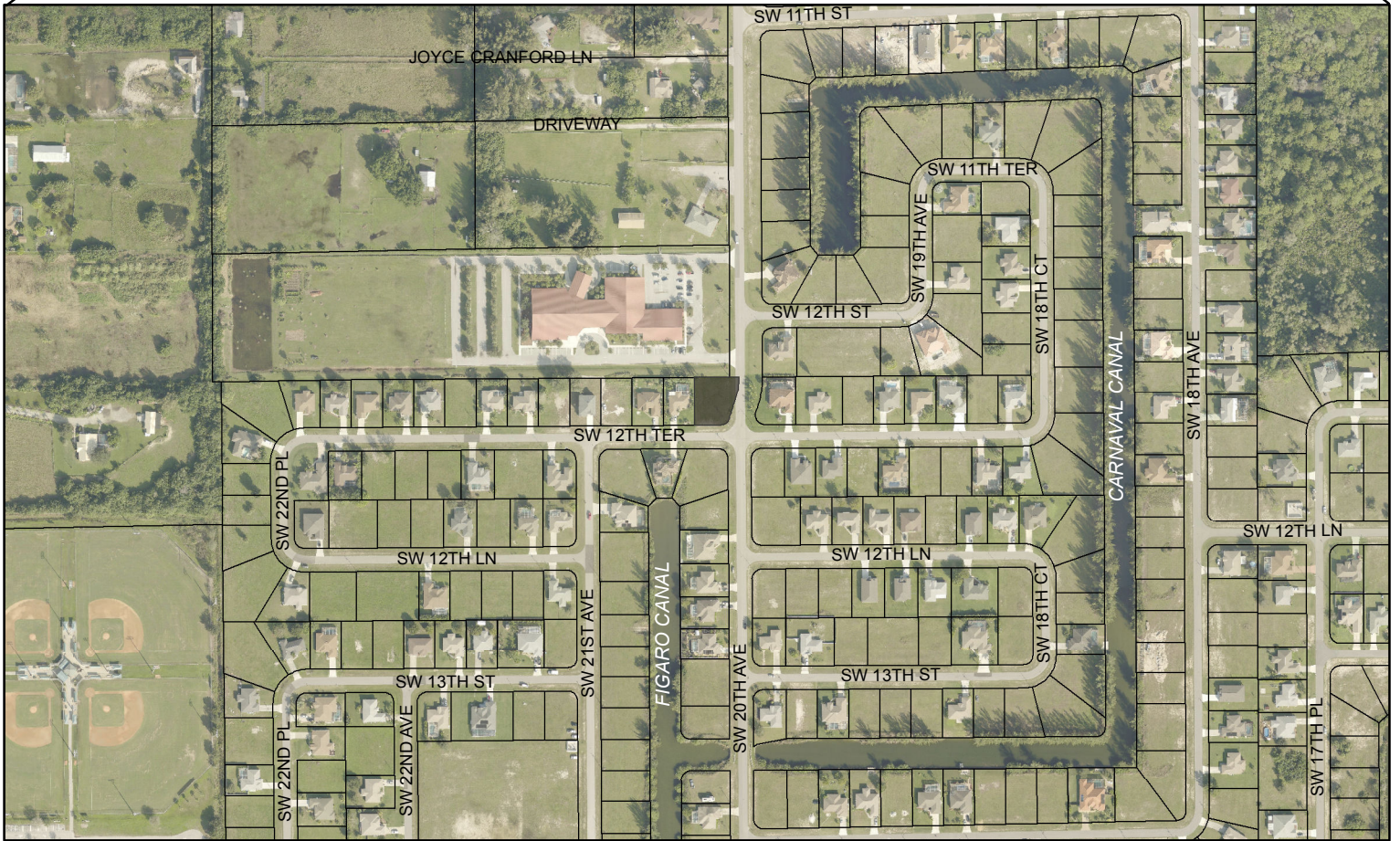
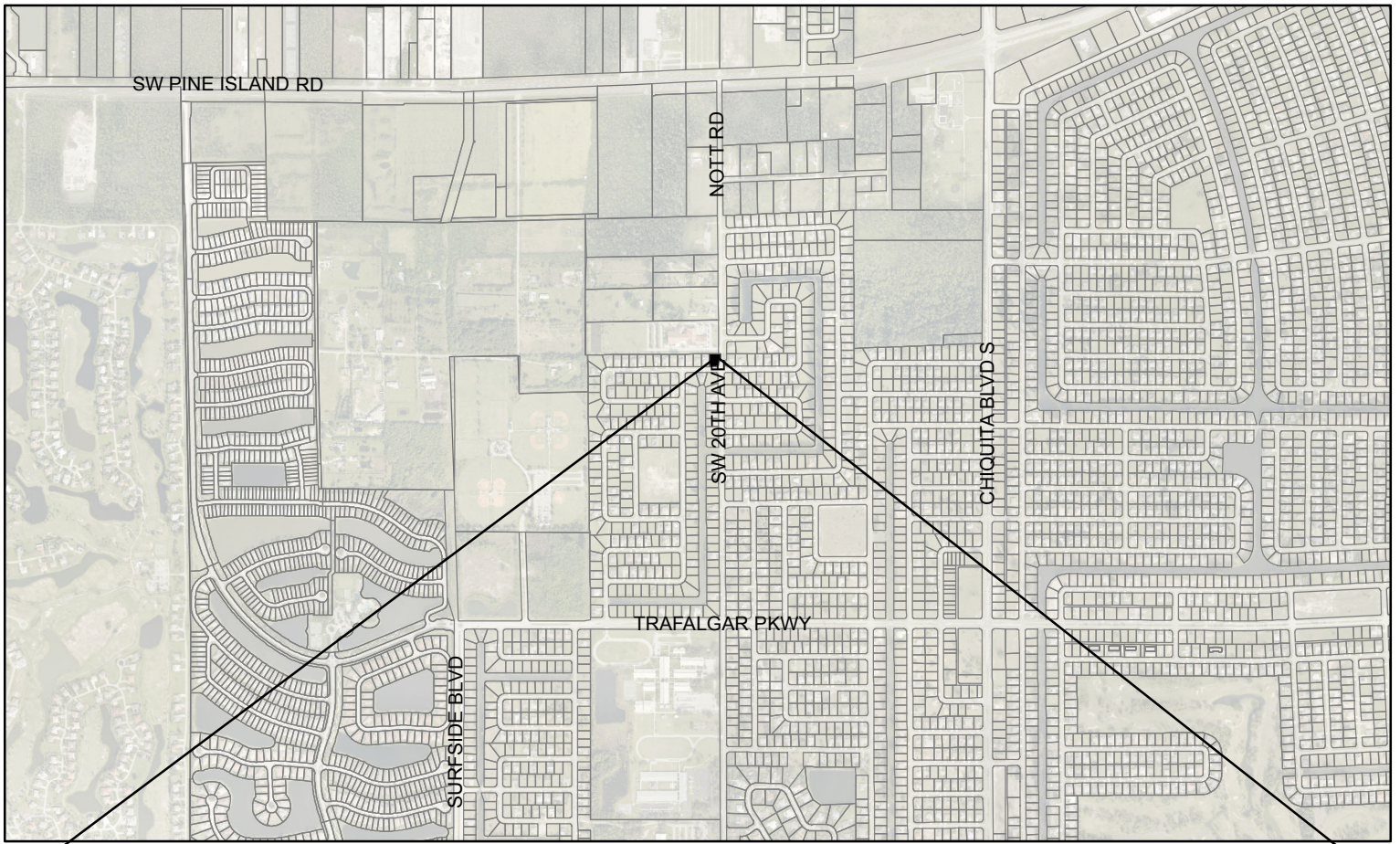


Solid Waste (Garbage) Roll Data

**Flood and Storm Information****Appraisal Details (2016 Tax Roll)**

TRIM (proposed tax) Notices are available for the following tax years
[[2007](#) [2008](#) [2009](#) [2010](#) [2011](#) [2012](#) [2013](#) [2014](#) [2015](#) [2016](#)]

[Previous Parcel Number](#) [Next Parcel Number](#) [New Query](#) [Search Results](#) [Home](#)



Legend

■ LGI parcel 6025 49

0 225 450 900 Feet
1:5,400 1 inch = 450 feet



LGI - PARCEL ON ROW
Block 6025 Lot 49
2001 SW 12th Terrace

LANDS OF CHRISTIAN LIFE FELLOWSHIP INSTRUMENT No. 6661222
S 330 FT OF SE 1/4 OF NW 1/4 LESS WLY 19 FT

BOUNDARY SURVEY OF
LOT 49, BLOCK 6025
CAPE CORAL
UNIT 95

SECTION 21, TOWNSHIP 44 SOUTH, RANGE 23 EAST
(PLAT BOOK 25, PAGES 40-44)
LEE COUNTY, FLORIDA

LEGEND:

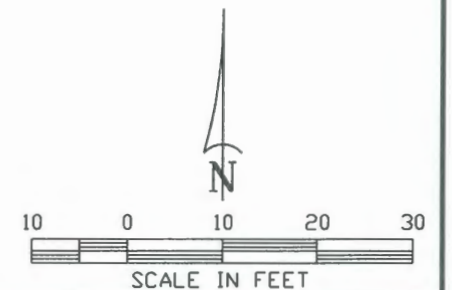
| | | | |
|--------|--------------------------------|---------|-----------------------|
| ● | SET #4 IRON ROD (CAP LB #6921) | R.W.B. | RECLAIM WATER BOX |
| ○ | FOUND IRON ROD (I.R.) | W.M. | WATER METER |
| □ | CONCRETE MONUMENT (C.M.) | W.V. | WATER VALVE |
| P.R.M. | PERMANENT REFERENCE MONUMENT | F.H. | FIRE HYDRANT |
| P.C.P. | PERMANENT CONTROL POINT | O/H | OVERHEAD POWER |
| P.U.E. | PUBLIC UTILITY EASEMENT | P.P. | POWER POLE |
| D.E. | DRAINAGE EASEMENT | G.A.&W. | GUY ANCHOR & WIRE |
| L.M.E. | LAKE MAINTENANCE EASEMENT | E.B. | ELECTRIC BOX |
| P.C. | POINT OF CURVATURE | C.T.B. | CABLE TELEVISION BOX |
| P.T. | POINT OF TANGENCY | T.S.B. | TELEPHONE SERVICE BOX |
| O.R. | OFFICIAL RECORDS BOOK | N/D | NAIL & DISK |
| (S) | AS PER SURVEY | N/T.T. | NAIL & TINTAB |
| (M) | AS MEASURED | ELEV. | ELEVATION |
| (P) | AS PER PLAT | B.M. | BENCHMARK |
| (D) | AS PER DEED | ⊙ | TYPICAL ELEVATION |
| (1) | CURVE NUMBER | A/C | AIR CONDITIONER |
| L1 | LINE NUMBER | W.S. | WATER SYSTEM |
| R/W | RIGHT-OF-WAY | P.E. | POOL EQUIPMENT |
| CL | CENTERLINE | | CONCRETE |

SURVEY NOTES:

1. BASIS OF BEARING SHOWN HEREON TAKEN FROM THE NORTH RIGHT-OF-WAY LINE OF S.W. 12TH TERRACE, AS BEING S.89°37'18"W.
2. FIELD NOTES IN CAPE CORAL, BLOCK 6025.
3. SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
4. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
5. THIS SURVEY DOES NOT CONSTITUTE A TITLE OR EASEMENT SEARCH AND WAS BASED ON DESCRIPTION FURNISHED BY CLIENT AND/OR FOUND MONUMENTATION IN THE FIELD.
6. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED.
7. THIS MAP/PLAT IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
8. ALL BEARINGS AND DISTANCES ARE PLAT AND MEASURED, UNLESS OTHERWISE SHOWN.
9. THIS SURVEY IS INTENDED TO BE VIEWED AS AN 11X17, 20 SCALE DRAWING.
10. BENCHMARK DERIVED FROM "ASSUMED" SITE BENCHMARK OF 100.00'.
11. ELEVATIONS ARE RESULT OF "ASSUMED" SITE BENCHMARK OF 100.00'.

FLOOD ZONE: "X" ELEVATION: N/A
COMMUNITY No.: 125095 PANEL No.: 0245
SUFFIX --- F REVISION DATE: 8/28/08
MAP NUMBER: 12071C0245F

THIS SURVEY IS CERTIFIED TO:
LGI HOMES-FLORIDA LLC



Curve number 1

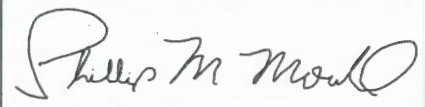
Radius= 177.71'
Delta= 21°54'33"
Arc= 67.95'
Chord= 67.54'
Chord Brg.= S.10°34'17"W.

Curve number 2

Radius= 237.71'
Delta= 09°49'18"
Arc= 40.75'
Chord= 40.70'
Chord Brg.= S.16°36'54"W.

Curve number 3

Radius= 25.00'
Delta= 77°55'03"
Arc= 34.00'
Chord= 31.44'
Chord Brg.= S.50°39'47"W.

| | | | |
|---|--------------|----------|---|
| REVISED: | DESCRIPTION: | BY: |  |
| | | | |
| | | | |
| | | | |
| DATE OF LAST FIELD WORK: 12/16/16 | | | PHILLIP M. MOULD PROFESSIONAL SURVEYOR AND MAPPER #6515 - STATE OF FLORIDA |
| DRAWN: | CHECK: | SCALE | PROJ. # |
| RLB | PMM | 1"=20' | CC-U95-6025-49 |
| SURVEY DATE | | FILE NO. | SHT.- 1 |
| 12/16/16 | | 44-23-21 | OF - 1 |
| FLORIDA CERTIFICATE OF AUTHORIZATION # LB6921 | | | |

WARRANTY DEED

PREPARED BY:

Dawn Y. Andrews, Property Broker
City of Cape Coral
Post Office Box 150027
Cape Coral, Florida 33915-0027

Portion of STRAP NO: 21-44-23-C4-06025.0490

THIS INDENTURE, made this 11TH day of APRIL,
2017 A.D., BETWEEN

LGI HOMES – Florida, LLC, a Florida Limited Liability Company

GRANTOR, whose address is: 1450 Lake Robbins Drive, Suite 430,
The Woodlands, TX 77380

AND

City of Cape Coral, a Florida Municipal Corporation

GRANTEE, whose address is: c/o Real Estate Division, P.O. Box 150027,
Cape Coral, Florida 33915-0027

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Witness - Signature

Patsy Keyer
Witness - Print or Type Name

Lori Ladner
Witness - Signature

LORI Ladner
Witness - Print or Type Name

**LGI HOMES – Florida, LLC,
a Florida Limited Liability Company**

BY: *J. H. R.*
JEFFREY RIOPELLE, Authorized Agent
1450 Lake Robbins Drive, Suite 430
The Woodlands, Texas 77380

STATE OF: *Mississippi* §

COUNTY OF: *Harrison* §

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Parcel "A"
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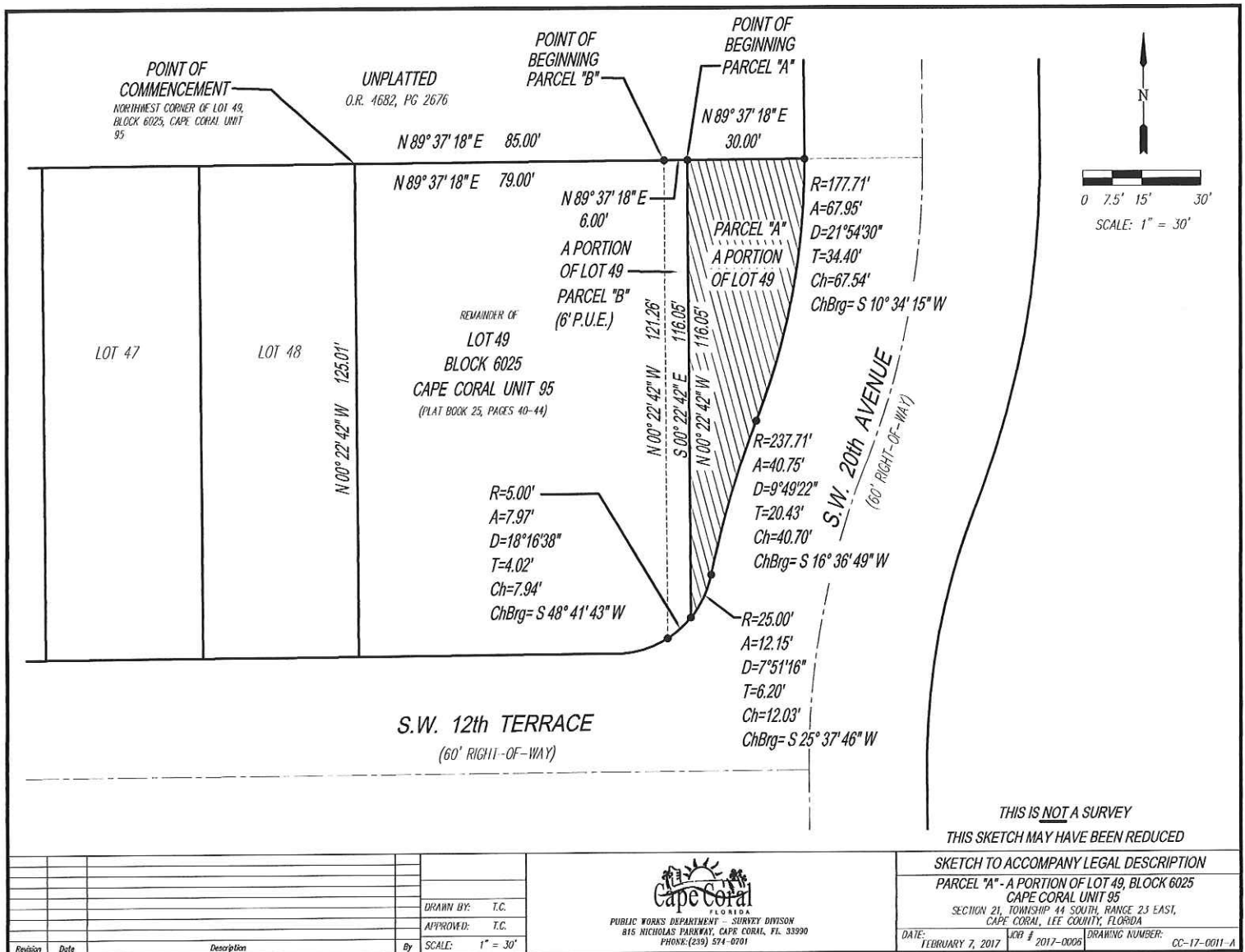
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Witness - Signature

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Witness - Signature

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Jeffrey Riopelle
Jeffrey Riopelle, Authorized Agent
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Debra L. Shaw
Notary Signature
Print Name: Debra L. Shaw
(seal)



PREPARED BY:
Dawn Y. Andrews, Property Broker
City of Cape Coral
P.O. Box 150027
Cape Coral, FL 33915-0027
Portion of STRAP NO: 21-44-23-C4-06025.0490

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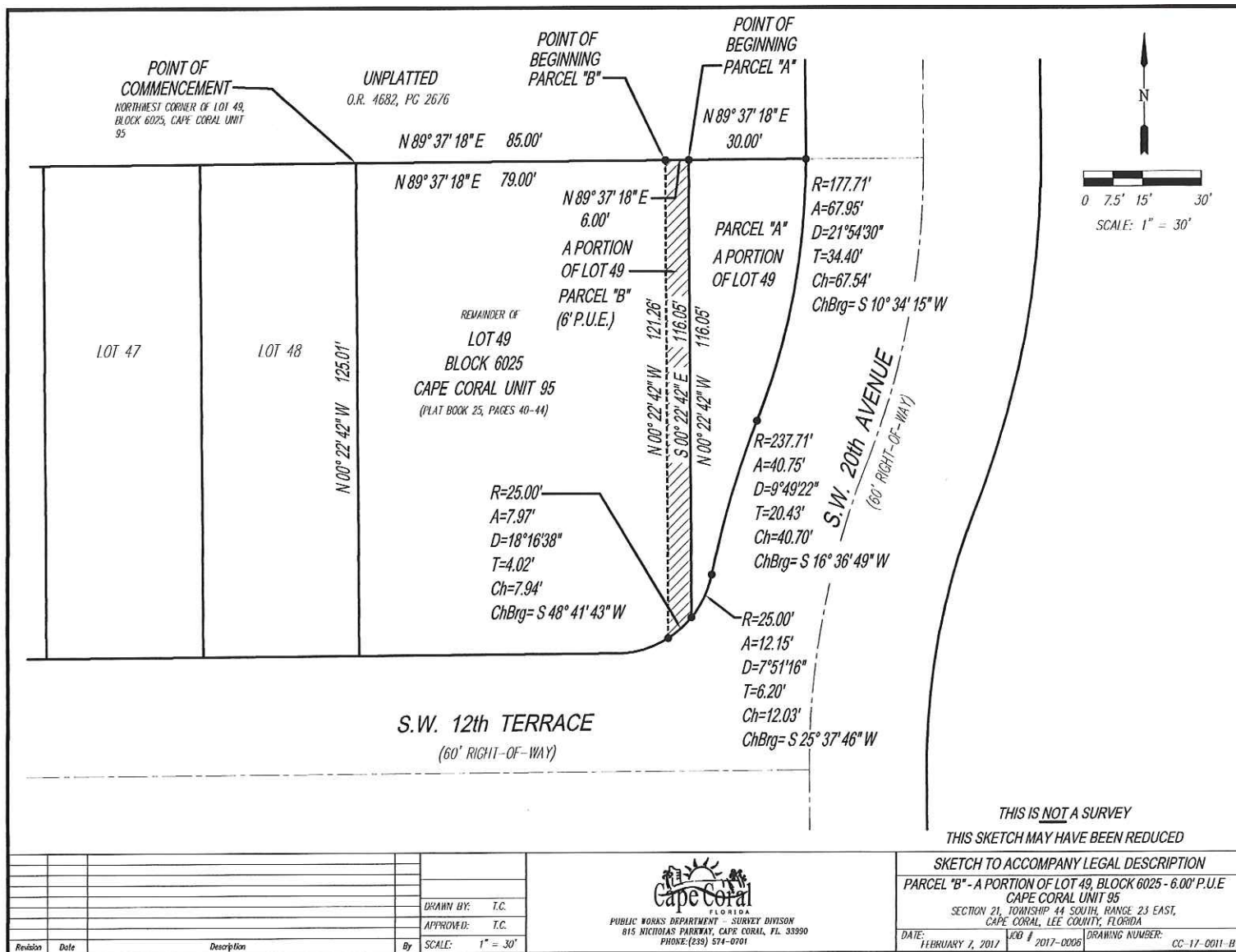
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Subject to Easements, Reservations and Restrictions of record.



| | |
|---------------------|-----------------------|
| Item Number: | B.(6) |
| Meeting | 5/1/2017 |
| Date: | |
| Item Type: | CONSENT AGENDA |

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Resolution 68-17 Ratify the agreement with B.P Limited Liability Company ("B.P") for emergency water supply deliveries from B.P's reservoir (Southwest Aggregates). The memorandum of agreement is for a non-refundable sum of \$140,000, payable to Southwest Aggregates, to complete the necessary up front work required to pump water to the City's fresh water canals. Department: Utilities Dollar value: \$140,000 (Water & Sewer Fund)

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment? No
2. 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

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

SUMMARY EXPLANATION AND BACKGROUND:

1. The purpose of this request is to ratify a memorandum of agreement with B. P Limited Liability Company ("B.P") for emergency water supply deliveries from B.P's reservoir (Southwest Aggregates). Their reservoir is located at 16450 Tamiami Trail, Punta Gorda, Florida 33955. The City needs clean fresh water to rehydrate its canals which are low due to severe drought.
2. The non-refundable sum of One Hundred Forty Thousand Dollars (\$140,000.00) is to reimburse Southwest Aggregates for the necessary work required to pump water to the City for a period of up to 90 days. This payment will cover the complete operation of the pumps including fuel and maintenance, installation of piping, installation of rip rap in the discharge ditch as may be necessary as determined by B.P, and other ancillary expenses to get water to the US-41 ditch in front of the Property.
3. The Agreement also provides for the City to pay Ten Cents (\$0.10) per 1,000 gallons of water passing through the meter in the form of a credit ("Water Credit") to B.P. This Water Credit will be used to purchase fill dirt from the City at the City's Wilmington Parkway site ("Fill Dirt Site") where the City's fill dirt is stored. B.P will pay the City One Dollar (\$1.00) per cubic yard of fill dirt, payable in Water Credits.
4. The City has obtained letters and permits from all required regulatory agencies, the agencies

are Florida Department of Environmental Protection (FDEP), Southwest Florida Water Management District (SWFWMD), South Florida Water Management District (SFWMD) and the Florida Department of Transportation (FDOT).

5. Funding: Water and Sewer Fund

LEGAL REVIEW:

Reviewed and approved by Legal

EXHIBITS:

Department Recommendation Memo
Resolution 68-17

PREPARED BY:

Wanda Division- Procurement Department- Finance
Roop

SOURCE OF ADDITIONAL INFORMATION:

Jeff Pearson, Utilities Director


ATTACHMENTS:

| Description | Type |
|--------------------|-----------------|
| ▣ Department Memo | Backup Material |
| ▣ Resolution 68-17 | Resolution |

MEMORANDUM

CITY OF CAPE CORAL
UTILITIES DEPARTMENT

TO: John Szerlag, City Manager

FROM: Jeff Pearson, Utilities Director 

DATE: April 24, 2017

SUBJECT: Emergency Purchase Order - Memorandum of Agreement with City and B.P

The Utilities Department is requesting City Council ratification of the Memorandum of Agreement (Agreement) for an emergency purchase order in the non-refundable amount of One Hundred and Forty-Thousand dollars (\$140,000.00). The City's agreement is with B.P, d.b.a. Southwest Aggregates. The Agreement is for emergency water supply deliveries from B.P's reservoir. Their reservoir is located at 16450 Tamiami Trail, Punta Gorda, Florida 33955.

The non-refundable sum of One Hundred Forty Thousand Dollars (\$140,000.00) is to reimburse Southwest Aggregates for the necessary work required to pump water to the City for a period of up to 90 days. This payment will cover the complete operation of the pumps including fuel and maintenance, installation of piping, installation of rip rap in the discharge ditch as may be necessary as determined by B.P, and other ancillary expenses to get water to the US 41 ditch in front of the Property. City staff will install a water meter to properly measure the amount of water pumped from the lake.

The Agreement also provides for the City to pay Ten Cents (\$0.10) per 1,000 gallons of water passing through the meter in the form of a credit ("Water Credit") to B.P. This Water Credit is exclusive of the \$140,000.00 up-front, non-refundable payment referred to in Paragraph 3 of the Agreement. B.P will use the Water Credit to purchase fill dirt from the City at the City's Wilmington Parkway site ("Fill Dirt Site") where the City's fill dirt is stored. B.P will pay the City One Dollar (\$1.00) per cubic yard of fill dirt, payable in Water Credits. B.P will have 2 years from the effective date of the Agreement, or any extension thereof, to remove fill dirt from the City's Fill Dirt Site. B.P will be responsible for all costs of removing the fill dirt from the site, and must weigh the fill dirt and provide monthly receipts to the City. In addition, B.P is responsible for removal of all debris (i.e. rocks, organics, etc.) screened off the fill dirt.

The maximum amount of water the City can purchase over the initial 90-day period is approximately \$150,000. Therefore, if the City sells B.P an estimated 150,000 cubic yards of fill dirt from the Wilmington Parkway site, the actual cost of the water pumped from the reservoir should be fully covered by B.P's removal of the City's excess dirt. This scenario would result in no further expense to the City for the emergency water supply.

The agenda item will be placed on the May 1, 2017 City Council Regular Meeting Agenda for formal consideration and ratification.

RESOLUTION 68 – 17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAPE CORAL RATIFYING THE MEMORANDUM OF AGREEMENT BETWEEN B.P LIMITED LIABILITY COMPANY AND THE CITY OF CAPE CORAL FOR EMERGENCY WATER SUPPLY DELIVERIES FROM THE RESERVOIR LOCATED AT 16450 TAMMIAMI TRAIL IN PUNTA GORDA; PROVIDING AN EFFECTIVE DATE.

WHEREAS, B.P Limited Liability Company ("B.P") owns property located at 16450 Tamiami Trail, Punta Gorda, Florida, on which an excavation operation has been ongoing, creating a lake; and

WHEREAS, the City is in emergency need of raw water to rehydrate its wellfields; and

WHEREAS, B.P is willing to provide raw water to the City pursuant to the terms of the Memorandum of Agreement attached hereto as Exhibit A; and

WHEREAS, under the terms of the Agreement, the City shall pay to Southwest Aggregates the non-refundable sum of \$140,000 for the necessary up-front work required to pump water to the City, including the complete operation of the pumps including fuel and maintenance, installation of piping, installation of rip rap in the discharge ditch as may be necessary, and other ancillary expenses to get water to the US 41 ditch in front of the property; and

WHEREAS, the Agreement also provides for the City to pay Ten Cents (\$0.10) per 1,000 gallons of water passing through a water meter to be installed at a mutually agreed upon location in the form of a credit ("Water Credit") to B.P. B.P shall use this Water Credit to purchase fill dirt from the City at the City's Wilmington Parkway site ("Fill Dirt Site") where the City's fill dirt is stored. B.P shall pay the City One Dollar (\$1.00) per cubic yard of fill dirt, payable in Water Credits; and

WHEREAS, the City Council desires to ratify the Memorandum of Agreement between B.P Limited Liability Company and the City of Cape Coral.

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

Section 1. The City Council hereby ratifies the Memorandum of Agreement between B.P Limited Liability Company and the City of Cape Coral, attached hereto as Exhibit A.

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 COUNCIL SESSION THIS _____ DAY OF _____, 2017.

MARNI L. SAWICKI, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

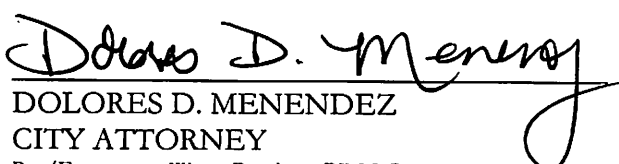
SAWICKI _____
BURCH _____
CARIOSCIA _____
STOUT _____

LEON _____
ERBRICK _____
WILLIAMS _____
COSDEN _____

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____, 2017.

REBECCA VAN DEUTEKOM
CITY CLERK

APPROVED AS TO FORM:



DOLORES D. MENENDEZ
CITY ATTORNEY
Res/Emergency Water Purchase BP LLC

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM OF AGREEMENT ("Memorandum") is entered into as of this 20th day of April, 2017, between B.P Limited Liability Company, a Florida limited liability company whose registered agent's address is 1625 Hendry Street, Fort Myers, FL 33901 ("B.P.") and the City of Cape Coral, a Florida municipal corporation ("CITY"), whose address is P.O. Box 150027, Cape Coral, Florida 33915-0027 ("the Parties").

RECITALS

- A. B.P owns property at 16450 Tamiami Trail, Punta Gorda, Florida 33955 ("the Property") on which an excavation operation has been ongoing, creating a lake.
- B. CITY is in emergency need of raw water to rehydrate its wellfields.
- C. B.P is willing to provide raw water to CITY from its lake at the Property.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing and other valuable consideration delivered pursuant to this Memorandum, the receipt and sufficiency of which are acknowledged, B.P and CITY enter into the following agreement:

1. The above recitals are true and correct and are incorporated in this Memorandum by reference as if set forth in full herein. Capitalized terms used but not defined herein shall have the meaning ascribed to them in this Memorandum.
2. CITY shall be responsible for any and all permitting and approvals necessary to permit the provision of raw water from B.P to CITY.
3. CITY shall pay to B.P, within 10 days of the effective date of this Memorandum, the non-refundable sum of One Hundred Forty Thousand Dollars (\$140,000.00) for B.P to complete the necessary up front work required to pump water to CITY. This will cover the complete operation of the pumps including fuel and maintenance, installation of piping, installation of rip rap in the discharge ditch as may be necessary as determined by B.P, and other ancillary expenses to get water to the US 41 ditch in front of the Property. B.P's responsibility for provision of water ends once the water reaches the US 41 ditch. All payments to B.P. under this agreement shall be made payable to Southwest Aggregates, and sent to 16070 Tamiami Trail South, Punta Gorda, Florida 33955.
4. CITY shall install a water meter at a location to be mutually agreed upon to meter the water pumped from the lake. B.P and CITY shall have the right to have such meter tested by an independent inspector upon forty-eight (48) hours' notice to the other party.
5. CITY shall pay Ten Cents (\$0.10) per 1,000 gallons of water passing through the meter in the form of a credit ("Water Credit") to B.P. This Water Credit is expressly exclusive of the \$140,000.00 up-front, non-refundable payment referred to in Paragraph 3. B.P shall use the

Water Credit to purchase fill dirt from CITY at the CITY's Willamet Parkway site ("Fill Dirt Site") where fill dirt is stored. The Fill Dirt site is within the City of Cape Coral; bounded by NW 27th Street to the north, NW 12th Avenue to the east, NW 26th Terrace to the south, and NW 14th Terrace to the west. B.P shall pay One Dollar (\$1.00) per cubic yard of fill dirt, payable in Water Credits. B.P shall have 2 years from the effective date of this agreement, or any extension thereof, to remove fill dirt from the Fill Dirt Site. B.P shall be responsible for all costs of removing the fill dirt from the site, and shall weigh the fill dirt and provide monthly receipts to the CITY. CITY agrees that fill dirt can be removed without any improvements made to the Fill Dirt site or surrounds. CITY agrees to mark off approximately 150,000 cubic yards and designate that fill available for purchase with the Water Credits. Should CITY not pay B.P sufficient Water Credits to purchase the 150,000 cubic yards of fill dirt, B.P shall nonetheless be able to purchase up to an aggregate amount of 150,000 cubic yards of fill, that balance at \$1.00 per cubic yard cash. B.P shall be responsible for removal of all debris screened off the fill dirt.

6. Should the Fill Site not contain enough fill dirt for B.P to use all of its Water Credits, City shall, within thirty (30) days of demand, pay B.P, in cash, the value of the outstanding, unused Water Credits.

7. The Parties agree that B.P shall provide water to CITY for an initial period of 90 days. CITY may extend this time period by giving written notice to B.P that it desires to extend the time period in 30 day increments. Should the water withdrawal negatively affect B.P's ongoing excavation operations, B.P may terminate this agreement upon 48 hours' written notice. Pumping shall cease immediately if required by any regulatory agency. If B.P is prevented from providing water because of the demand or action of any governmental board or regulatory agency, then this Agreement shall be null and void.

8. The terms and provisions of this Memorandum shall be binding upon and inure to the benefit of B.P and CITY, and their corporate representatives, successors, and assigns. The burdens hereof shall run with the land, with the effect that any person or entity which acquires an interest in the Property shall be bound by the burdens hereof.

9. To the extent permitted by law, B.P and CITY shall defend, indemnify, release and hold each other harmless from and against any and all liabilities, losses, damages, judgments, claims, expenses, and costs (including, without limitation, attorneys' fees) arising directly or indirectly from this Memorandum, now and in the future.

IN WITNESS WHEREOF, the Parties have executed this Memorandum as of the date first above-written, which shall be the effective date of this Memorandum.

B.P LIMITED
LIABILITY COMPANY,
a Florida limited liability
company

CITY OF CAPE CORAL, FLORIDA, a Florida
municipal corporation

By: *Richard Neslund*
Richard Neslund
Manager
Date: 4/20/17

By: *John Szerlag*
John Szerlag
City Manager
Date: 4/20/2017

Ann D. Hoff
City Asst.
Atty.

By: *Rebecca van Deutekom*
Rebecca van Deutekom
City Clerk
Date: 4/20/17

WITNESSES:

Ge. Bay
Name
[Signature]
Name

WITNESSES:

[Signature]
Name
Ann D. Hoff
Name

STATE OF Florida
COUNTY OF Charlotte

The foregoing instrument was acknowledged before me this 20 day of April, 2017, by Richard Neslund, Manager of B. P Limited Liability Company, who is personally known to me or who produced _____ as identification.

[Official Notarial Seal]

Hazel Hernandez
Notary Public
Hazel Hernandez
(Print or type name)

Commission No.: FF951218

My Commission Expires:

January 18, 2020



STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 20th day of April, 2018, by John Szerlag as City Manager of the City of Cape Coral, a Florida municipal corporation, on behalf of the municipal corporation, who is personally known to me or who produced _____ as identification.

[Official Notarial Seal]



Phyllis Demarco
Notary Public
Phyllis Demarco
(Print or type name)
Commission No.: GG 011512
My Commission Expires:



| | |
|---------------------|-----------------------|
| Item Number: | B.(7) |
| Meeting | 5/1/2017 |
| Date: | |
| Item Type: | CONSENT AGENDA |

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Resolution 71-17 Speed Limit Change Request- S.E. 17th Place to reduce the posted speed limit on S.E. 17th Place from Four Mile Cove Parkway to Veterans Memorial Parkway from 30 mph to 25 mph; Department: Public Works; Dollar Value: N/A; (Fund: N/A)

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment? No
2. 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

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

SUMMARY EXPLANATION AND BACKGROUND:

On April 19, 2017, a Committee of the Whole meeting was conducted in lieu of the scheduled City Transportation Advisory Commission (CTAC) meeting to discuss the elements of a traffic calming policy to address speeding and volume concerns on residential streets reported by City residents. During this meeting, City Council requested the City Manager reduce the posted speed limit on S.E. 17th Place, from Four Mile Cove Parkway and Veterans Memorial Parkway from 30 mph to 25 mph to address resident concerns.

Staff requests the approval of this resolution reducing the speed limit on S.E. 17th Place at this time.

LEGAL REVIEW:

Yes

EXHIBITS:

1. Memo
2. Resolution 71-17
3. Speed Limit Change Request Approval Form

PREPARED BY:

William
Corbett

Division- Design and
Construction

Department- Public
Works




SOURCE OF ADDITIONAL INFORMATION:**ATTACHMENTS:**

| Description | Type |
|---|-----------------|
| ▣ Memo - Speed Limit change - SE 17th Place | Cover Memo |
| ▣ Resolution 71-17 | Resolution |
| ▣ Speed Limit Change Request Form | Backup Material |

MEMORANDUM

CITY OF CAPE CORAL
PUBLIC WORKS DEPARTMENT

TO: Mayor and City Council

FROM: John Szerlag, City Manager 
Paul Clinghan, Public Works Director 
William Corbett, Traffic Engineer 

DATE: April 25, 2017

SUBJECT: Speed Limit Change – S.E. 17th Place

On April 19, 2017, a Committee of the Whole meeting was conducted in lieu of the scheduled City Transportation Advisory Commission (CTAC) meeting to discuss the elements of a traffic calming policy to address speeding and volume concerns on residential streets reported by City residents. During this meeting, City Council requested the City Manager reduce the posted speed limit on S.E. 17th Place, from Four Mile Cove Parkway and Veterans Memorial Parkway to address resident concerns.

As directed by City Council, the Public Works Department requests the following changes to existing posted speed limit on S.E. 17th Place in accordance with City Ordinance 18-6:

- S.E. 17th Place from Four Mile Cove Parkway to Veterans Memorial Parkway – 30 MPH to 25 MPH

These changes conform with all local, state and federal requirements.

City Ordinance 18-6 allows the City Manager authority to set speed zones in conformance with Florida statute, however since previous Council action regarding the citywide reduction of speed limits on residential roads was not approved, staff requests the approval of this resolution reducing the speed limit on S.E. 17th Place at this time.

JS/PC/WC:sk

City of Cape Coral Code of Ordinances

§ 18-6 - Speed limits.

No person shall operate any vehicle upon a city street at a rate of speed greater than 30 mph; except the City Manager may set speed zones altering the speed limit not to exceed 60 mph after investigation determines such a change is reasonable and in conformity to criteria promulgated by the Florida Department of Transportation, except that no changes shall be made on state or county highways or connecting links or extensions thereof, which shall be changed only by the Florida Department of Transportation or Lee County.

RESOLUTION 71 - 17

A RESOLUTION OF THE CITY OF CAPE CORAL APPROVING A REDUCTION OF THE POSTED SPEED LIMIT ON SE 17TH PLACE BETWEEN FOUR MILE COVE PARKWAY AND VETERANS MEMORIAL PARKWAY FROM 30 MILES PER HOUR TO 25 MILES PER HOUR; PROVIDING AN EFFECTIVE DATE.

WHEREAS, on April 19, 2017, a Committee of the Whole meeting was conducted to discuss the elements of a traffic calming policy to address speeding and volume concerns on residential streets reported by City residents; and

WHEREAS, during the Committee of the Whole meeting, City Council discussed the potential reduction of the posted speed limit on SE 17th Place between Four Mile Cove Parkway and Veterans Memorial Parkway from 30 miles per hour to 25 miles per hour; and

WHEREAS, in accordance with Section 18-6 of the Code of Ordinances, which provides that the City Manager may set speed zones altering the speed limit not to exceed 60 mph after investigation determines that such a change is reasonable and in conformity to criteria promulgated by the Florida Department of Transportation, the City Manager recommends that the posted speed limit on SE 17th Place between Four Mile Cove Parkway and Veterans Memorial Parkway be reduced from 30 miles per hour to 25 miles per hour; and

WHEREAS, City Council desires to approve a reduction of the posted speed limit on SE 17th Place between Four Mile Cove Parkway and Veterans Memorial Parkway from 35 miles per hour to 40 miles per hour.

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

Section 1. City Council hereby approves a reduction of the posted speed limit on SE 17th Place between Four Mile Cove Parkway and Veterans Memorial Parkway from 30 miles per hour to 25 miles per hour.

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 COUNCIL SESSION THIS _____ DAY OF _____, 2017.

MARNI L. SAWICKI, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

| | | | |
|-----------|-------|----------|-------|
| SAWICKI | _____ | LEON | _____ |
| BURCH | _____ | ERBRICK | _____ |
| CARIOSCIA | _____ | WILLIAMS | _____ |
| STOUT | _____ | COSDEN | _____ |

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____, 2017.

REBECCA VAN DEUTEKOM,
CITY CLERK

APPROVED AS TO FORM:


DOLORES D. MENENDEZ
CITY ATTORNEY
res/Decrease Posted Speed Limit-SE 17th Place

City of Cape Coral Public Works Department
Speed Limit Change Request

§ 18-6 Speed limits:

No person shall operate any vehicle upon a city street at a rate of speed greater than 30 mph;***except the City Manager may set speed zones altering the speed limit not to exceed 60 mph after investigation determines such a change is reasonable and in conformity to criteria promulgated by the Florida Department of Transportation***, except that no changes shall be made on state or county highways or connecting links or extensions thereof, which shall be changed only by the Florida Department of Transportation or Lee County. (Ord. 108-00, 11-6-2000)

The Public Works Department requests the following changes to existing speed limits on City streets in accordance with City Ordinance 18-6. These changes conform with all local, state and federal requirements.

| <u>Roadway Segment</u> | <u>Existing Speed Limit (MPH)</u> | <u>Proposed Speed Limit (MPH)</u> |
|---|---------------------------------------|---|
| S.E. 17th Place - Four Mile Cove Parkway to Veterans Memorial Parkway | 30 | 25 |
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Approved

Date

City Traffic Engineer: _____

Public Works Director: _____

City Manager: _____

| | |
|---------------------|-----------------------|
| Item Number: | B.(8) |
| Meeting | 5/1/2017 |
| Date: | |
| Item Type: | CONSENT AGENDA |

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Waiver of Conflict of Interest for the Law Firm of Henderson Franklin; Department: City Attorney;
Dollar Value: N/A; (Fund: N/A)

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment? No
2. 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

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

SUMMARY EXPLANATION AND BACKGROUND:

Charles Basinait of Henderson Franklin has requested approval of a Waiver of Conflict of Interest so the firm may represent Quillen Properties, Inc., with regard to the redevelopment of land located at 2935 Del Prado Boulevard and 1627 Cornwallis Parkway. The firm represents that its work for Quillen Properties is unrelated to the firm's work for the City.

In the event of any litigation between the parties arising out of this matter, Henderson Franklin will not represent either party.

LEGAL REVIEW:

Brian R. Bartos, Assistant City Attorney

EXHIBITS:

Letter and proposed waiver of conflict of interest

PREPARED BY:

Division- Department- City
Attorney

SOURCE OF ADDITIONAL INFORMATION:

ATTACHMENTS:

| Description | Type |
|----------------------------------|-----------------|
| ▣ Waiver of Conflict of Interest | Backup Material |

Reply to
Charles J. Basinait
Direct Fax Number 239.344.1580
Direct Dial Number 239.344.1204
E-Mail: charles.basinaid@henlaw.com

March 14, 2017

VIA EMAIL AND U.S. MAIL

Dolores Menendez, Esq.
City Attorney
City of Cape Coral
P.O. Box 150027
Cape Coral, FL 33915-0027

Re: Waiver of Conflict of Interest regarding representation of Quillen Properties, Inc. regarding redevelopment of land commonly referred to as the Christ Lutheran Church site located at 2935 Del Prado Blvd. and 1627 Cornwallis Parkway

Dear Ms. Menendez:

My firm has been asked to provide land use representation for Quillen Properties, Inc. with regard to the redevelopment of the lands identified above.

As you are aware my firm has represented the City for a number of years in various matters. Historically, irrespective of that representation, my firm has asked for and received waivers from the City allowing us to represent third parties in matters which also involve the City so long as we agree that in no event will my firm represent these third parties in litigation against the City. While the matter for which we have been requested to represent Quillen Properties, Inc. is not related to work that our firm is performing for the City, our representation of Quillen Properties, Inc. in this matter may technically represent a potential conflict of interest pursuant to the rules of professional conduct for practicing attorneys in the State of Florida.

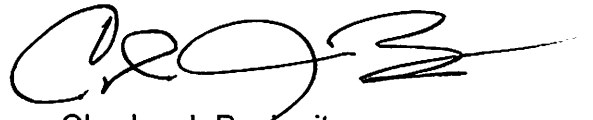
As you know, the rules of professional conduct in Florida allow attorneys within my firm to provide legal representation and counsel to third parties in matters involving the City so long as we advise both parties of the potential conflict and receive both parties permission to do so. Therefore, I am requesting that the City of Cape Coral waive the conflict of interest or potential conflict by signing the attached waiver, where indicated, and returning it to me via email and the original in the enclosed stamped, self addressed envelope.

Henderson, Franklin, Starnes & Holt, P.A.

Dolores Menendez, Esq.
City of Cape Coral
March 14, 2017
Page 2

Please contact me if you have any questions or concerns with regard to this waiver.

Sincerely,

A handwritten signature in black ink, appearing to read 'CJB', with a long horizontal flourish extending to the right.

Charles J. Basnait

CJB/krs
Enclosure Conflict Waiver

WAIVER OF CONFLICT OF INTEREST

Re: Property located in

Cape Coral, Florida

At 2935 Del Prado Blvd and 1627 Cornwallis Parkway

THE UNDERSIGNED hereby acknowledges that it has been advised of the above described conflict or potential conflict of interest and hereby waives any conflict or potential conflict of interest arising as a result of the attorneys within the law firm of Henderson, Franklin, Starnes & Holt, P. A. representing Quillen Properties, Inc., while the firm is also providing unrelated legal services to the City of Cape Coral. In the event of any litigation between the parties arising out of this matter, Henderson Franklin, Starnes & Holt, P.A. will not represent either party.

CITY OF CAPE CORAL

By: _____
Print Name: _____
Its: _____
Date: _____

| | |
|---------------|---|
| Item Number: | F.(1) |
| Meeting Date: | 5/1/2017 |
| Item Type: | APPOINTMENTS TO BOARDS / COMMITTEES / COMMISSIONS |

**AGENDA
REQUEST
FORM**
CITY OF CAPE
CORAL



TITLE:

Youth Council - 2 Rising Senior Vacancies

REQUESTED ACTION:

Appoint

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment? No
2. 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?

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

SUMMARY EXPLANATION AND BACKGROUND:

Rising Senior Vacancies - Mariner High School and Ida Baker High School

Vacancy: 2 Vacancies due to resignations.

Expiration: Expiration date is 5/1/2018 for the (Category rising Seniors - current Juniors)

Applications received: Applications remain on file from the initial selection round for Malik Reid/Mariner High School and Helena Shawver/Ida Baker High School. Council confirmed at their 2/13/2017 Regular Council meeting to utilize the existing applicant pool for potential appointments in the event a vacancies occurred.

Existing applicant pool for consideration of Rising Senior positions:

Mariner High School - Applicant Malik Reid

Ida Baker High School - Applicant Helena Shawver

LEGAL REVIEW:

EXHIBITS:

Resignation email - Madeline Miller/Mariner High School

Resignation email - Alexis Ellsworth/Ida Baker High School

Regular Meeting minutes - 2/13/2017 (consensus received to utilize existing pool of applicants for conflicts of appointed members)

PREPARED BY:

Kimberly
Bruns

Division- Managerial

Department- City Clerk's
Department

SOURCE OF ADDITIONAL INFORMATION:

Kimberly Bruns

Assistant City Clerk

1-239-242-3243

ATTACHMENTS:

| Description | Type |
|--|-----------------|
| ▢ Resignation email - Madeline Miller/Mariner High School | Backup Material |
| ▢ Resignation email - Alexis Ellsworth/Ida Baker High School | Backup Material |
| ▢ Regular Meeting Minutes - 2/13/2017 | Backup Material |

Kimberly Bruns

From: Madeline Miller
Sent: Friday, April 21, 2017 8:17 AM
To: Richard Williams; Kimberly Bruns; Gianna Pack
Subject: Youth Council

To whom it may concern:

I am formally resigning from the Cape Coral Youth Council, effective immediately. I thank you for your time and wish the council the best of luck.

- Madeline Miller, Mariner's Junior Rep.

Kimberly Bruns

From: Alexis Ellsworth
Sent: Monday, April 24, 2017 2:27 PM
To: Kimberly Bruns
Subject: Youth Council Resignation

Ms. Bruns,

I am writing to let you know that I am officially resigning from the City of Cape Coral Youth Council because I am graduating early and plan to start college in the fall semester o 2017-2018 school year. Thank you for everything! It was quiet the experience!

- Alexis Ellsworth

**MINUTES FOR THE REGULAR MEETING OF THE
CAPE CORAL CITY COUNCIL**

February 13, 2017

Council Chambers

4:30 p.m.

Meeting called to order by Mayor Sawicki at 4:30 p.m.

Moment of Silence – Councilmember Erbrick

Pledge of Allegiance – Chase Williams – Christa McAuliffe Elementary School

Roll Call: Mayor Sawicki, Council Members Burch, Carioscia, Cosden, Erbrick, Leon, Stout, and Williams were present.

CHANGES TO AGENDA/ADOPTION OF AGENDA

Mayor Sawicki requested that Item 10(C) City Auditor Position be moved directly to after Citizens' Input.

Councilmember Williams moved, seconded by Councilmember Cosden to approve the agenda, as amended.

Council polled as follows: Erbrick, Leon, Sawicki, Stout, Williams, Burch, Carioscia, and Cosden voted "aye." Eight "ayes." Motion carried 8-0.

RECOGNITIONS/ACHIEVEMENTS

None.

APPROVAL OF MINUTES

Regular Meeting – January 23, 2017

Councilmember Burch moved, seconded by Councilmember Cosden to approve the minutes for the January 23, 2017 regular meeting as presented. Voice Poll: All "ayes." Motion carried.

BUSINESS

PUBLIC COMMENT - CONSENT AGENDA

No speakers.

CONSENT AGENDA

Mayor Sawicki requested that item 8(B)(7) be pulled for discussion from the Consent Agenda.

Councilmember Stout requested to pull item 8(B)(4).

- (1) Resolution 22-17 Approve Agreement CON-PW16-94-GM for Professional Design Services for Streetscape Improvements SE 47th Terrace in which the intended firm, CPH, Inc., was ranked #1, by the Selection Advisory Committee and the ranking approved by Council on December 12, 2016 via Resolution 207-16 which allowed the City Manager to enter into negotiation; and authorize the City Manager or designee to execute this agreement for \$578,099 with a 10% city controlled contingency of \$57,810 for a total project cost of \$635,909. Department: Public Works; Estimated Dollar Value: \$635,909; (CRA Fund/W&S Fund)

- (2) Resolution 23-17 Approve the Selection Advisory Committee (SAC) ranking of the Request for Proposal (RFP) RFP-PW17-24/GM to engage a firm to provide Construction Manager at Risk (CMAR) Services for the Streetscape Improvements SE 47th Terrace and authorize the City Manager or Designee to enter into negotiation with the number one ranked firm, Chris-Tel Company of Southwest Florida, Inc.; Department: Public Works; Dollar Value: N/A; (Fund: N/A)
- (3) Resolution 30-17 Award ITB-UT17-04/KR South Wellfield Drive Panel Design and Fabrication to Commerce Controls, (FLA), LLC, for work required for the design and fabrication of twenty-six (26) panels used to control raw water wells associated with the Southwest Reverse Osmosis Water Treatment Plant, as the lowest responsive, responsible bidder, in the amount of \$285,008 with a 7.5% City controlled contingency of \$21,376 for a total of \$306,384 and authorize the City Manager or designee to execute the contract; Department: Utilities; Dollar Value: \$306,384; (Water and Sewer Fund)
- (4) Resolution 31-17 Award ITB-PW17-22-GM Del Prado Bridge Coatings to CL Coatings, LLC of Lakeland, Florida, for the recoating of five (5) bridges on Del Prado Boulevard, as the lowest responsive, responsible bidder, in the amount of \$59,950 with a 10% city controlled contingency of \$5,995 for a total of \$65,945, and authorize the City Manager or Designee to execute the contract; Department: Public Works; Dollar Value: \$65,945; (General Fund)
- (5) Resolution 33-17 Renewal of Mutual Aid Agreement (MAA) between the Lee County Sheriff's Office (LCSO) and the City of Cape Coral Police Department (CCPD) for Use of Aviation Section Resources and authorizing the City Manager and Chief of Police to execute the Agreement; Department: Police Department; Dollar Value: N/A; (Fund: N/A)
- (6) Resolution 34-17 Approval of Contract for Purchase of Lots 3 and 4, Block 2898, Unit 41, Cape Coral Subdivision, 1523 NW 8th Terrace, to provide a site for a Canal Pump Station facility for the purchase price of \$13,000 plus closing costs not to exceed \$1,200; Department: Financial Services / Real Estate; Dollar Value: \$14,200; (Water and Sewer Fund)
- (7) ADDENDUM; Resolution 35-17 Approval of Interlocal Agreement Between the City of Cape Coral and the Florida Governmental Utility Authority for Use of an Irrigation Water Interconnect; Department: Utilities; Dollar Value: \$4,000,000; (Water and Sewer Fund)

Councilmember Leon moved, seconded by Councilmember Burch to approve items 8(B)(1), 8(B)(2), 8(B)(3), 8(B)5, and 8(B)(6), as presented.

Council polled as follows: Erbrick, Leon, Sawicki, Stout, Williams, Burch, Carioscia, and Cosden voted "aye." Eight "ayes." Motion carried 8-0.

Councilmember Stout stated she was in favor of this but believed the City needs to look at the County to take over Del Prado North. The County has Del Prado south of Pine Island Road, and she has always felt that the County should take over the whole road. In talking with County Commissioners in the past, they indicated no one has ever asked to take over the whole road.

City Manager Szerlag stated he would have staff look at a cost benefit analysis of taking over that stretch of Del Prado and report back to Council.

Councilmember Stout stated it made sense for the County to have that whole road.

Councilmember Stout moved, seconded by Councilmember Leon to approve item 8(B)(4), as presented.

Councilmember Leon noted that Councilmember Stout stated she wants the County to take over the road. City Manager Szerlag understood, but he mentioned there were maintenance costs.

Councilmember Leon inquired if it could also be looked into that the City take over the portion that the County controls. City Manager Szerlag responded in the affirmative.

Councilmember Leon stated this was our City and our road and we should own it, after they pave it.

City Manager Szerlag stated they would look at it from that perspective as well.

Councilmember Williams questioned if we were spending this amount on all the bridges in the City for maintenance.

Public Works Director Clinghan deferred the question to Gary Gasparini, who is the bridge maintenance manager.

PW Maintenance Manager Gasparini stated those five bridges in question are the only ones that have decorative painting to be repainted every decade or so.

Council polled as follows: Erbrick, Leon, Sawicki, Stout, Williams, Burch, Carioscia, and Cosden voted "aye." Eight "ayes." Motion carried 8-0.

City Manager Szerlag introduced Mr. Steve Spratt, System Manager, FGUA (Florida Governmental Utility Authority). City Manager Szerlag explained what this Resolution would accomplish. Mr. Spratt stated this was in the best interest of the taxpayers when we collaborate.

Councilmember Burch requested some reassurance that some issues have been addressed. City Manager Szerlag discussed the 30-year agreement with no termination provision.

Councilmember Burch moved, seconded by Councilmember Erbrick to approve item 8(B)(7), as presented.

Council polled as follows: Erbrick, Leon, Sawicki, Stout, Williams, Burch, Carioscia, and Cosden voted "aye." Eight "ayes." Motion carried 8-0.

CITIZENS INPUT TIME

Anne Carney, a volunteer with Save our Recreation, appeared to speak about historic sites in the City: Yacht Club, Rose Garden, and the old golf club course property.

Pam McLenithan spoke about the City's Parks Master Plan and Save our Recreation. She provided handouts to the Council and discussed how the City needs more parks and not more homes. She discussed keeping the green space at the old golf course property.

Diane Staniforth appeared to complain about her new neighbors and their barking dogs. She noted how many times she has called police and she gets nowhere. She stated she has also called Code Enforcement. She stated the stress of this was affecting her health.

Karen Kane appeared to speak about the old golf course property and the no trespassing signs recently installed. She read a letter into the record. She stated the surrounding residents all seem to want it to stay as a park.

Tracy Hill recently relocated from New York and purchased a home on Palm Tree Boulevard. She spoke about the old golf course property. She asked Council to look at the bigger picture of the City and what attracts new families. The revenue from 500 homes on that property is not worth destroying it when the buyer who purchased it knew it was parks and recreation.

Dan Sheppard discussed the old golf course property; hiring a professional for the Bimini Basin project; Matlacha annexation; investing money in a lawsuit that is not in the City. He questioned why we are not using eminent domain to keep the old golf course property as park land.

Mayor Sawicki addressed comments about the Bimini Basin; there has been no talk about eminent domain for that project.

Councilmember Burch addressed comments regarding the old golf course property.

Councilmember Williams addressed Mr. Sheppard's comments regarding Matlacha.

Discussion of City Auditor Position

W.D. Higginbotham, Mercer Group, stated he sent Council a memo regarding the status of the candidate, T. Paul Tomoser. He stated Mr. Tomoser discussed the offer with his wife, and he decided to withdraw. He liked the City, but it was not a good fit in line with his career goals. Mr. Higginbotham notified the other two candidates about the withdrawal of Mr. Tomoser and asked Council for direction.

Mayor Sawicki asked Council how they want to move forward.

Councilmember Burch stated to stay with the two that we have and poll Council like we did last time.

Councilmember Stout stated the two remaining candidates have a lot to offer. She proposed to stay with her first pick but she would not be disappointed with the other.

Councilmember Williams stated to go with the remaining two.

Mayor Sawicki stated to go down the line and have Councilmembers state their preference:

Assistant City Clerk Bruns polled the Councilmembers:

Erbrick/Simmons; Leon/Simmons; Sawicki/Butola; Stout/Butola; Williams/Butola; Burch/Simmons; Carioscia/Butola; Cosden/Simmons.

Assistant City Clerk Bruns stated there were 4 for Butola and 4 for Simmons.

Councilmember Burch spoke in support of Simmons noting the experience he has.

Councilmember Williams spoke in support of Butola, noting she has more education.

Mayor Sawicki spoke in support of Butola, noting her education; she liked that she was even keeled and non-political. She stated Simmons was very nice, but nervous; while he is extremely qualified, it was important for someone to understand the politics.

Councilmember Stout spoke in support of Butola, but Simmons was still number two. She never shifted from Butola.

Councilmember Burch again spoke in support of Simmons. He noted they were both qualified. He stated he would be good either way.

Councilmember Carioscia stated last week he changed his vote but he would not do it this week. He stated this person would be a manager and supported Butola.

Councilmember Leon stated he delved further into the resumes after he heard about the withdrawal. He explained why he was going with Simmons. He noted the Audit

Committee's top choice was Simmons and he has city government experience and understands Sunshine. He noted all the certificates that Simmons has. He stated he is going to go with the recommendation from the advisory board.

Councilmember Erbrick stated Simmons was her number two choice last week. He was highly recommended by the Audit Committee, and we should listen to their recommendations. Simmons had a focus on taxpayers' funds. She had concerns about Butola's resume, having moved around a bit. She stated she was going to stay with Simmons because of his knowledge with Sunshine which will benefit us.

Councilmember Cosden stated she was having trouble last week with all three candidates and noted the point system she used. She was not surprised that we are at 4-4. She spoke in support of Simmons and his experience; the nature of his work is closer to us than Butola's work in Rhode Island. She stated the Audit Committee recommended him. She stated her decision was based on a set of criteria that each candidate meets.

Mayor Sawicki stated when she asked Mr. Simmons about the audits he did, she noted how he did not take the human element into the issue.

Councilmember Cosden stated she felt that was a good quality in an auditor.

Mayor Sawicki requested the City Attorney to explain the process with a deadlock.

City Attorney Menendez explained the options Council had. Are either of the two remaining the right fit for the City? Council could expand beyond the top three and include others in the pool. They could go out again, noting the engagement they have with the Mercer Group.

Mayor Sawicki inquired if a phone interview could be held with both candidates to ask more specific questions.

Mr. Higginbotham suggested both candidates could be interviewed again, possibly by Skype, if that is what the Council wishes. He suggested that Council structure their interviews with specific questions and offered to help. He noted the candidate should have the opportunity to also ask questions of Council.

Councilmember Burch stated he wanted to see a list of questions and written responses from the candidates but not wanting to take up a lot of time. Mr. Higginbotham agreed that was something he could do.

Councilmember Cosden asked City Auditor Krym to come to the podium. She asked her if she felt comfortable to speak this week about her opinion.

City Auditor Krym stated she has spoken with both candidates, and both are excellent. What makes a difference for her was Mr. Simmons worked alone and has not supervised a staff nor has he worked with a team. Our peer review requires someone to review our work, not saying he can't learn. She noted she had four professionals which needed to be managed professionally, but he would rise to the occasion of fitting in as a team member. Ms. Butola comes having worked with a team, having managed people, and was a supervisor to one of her staff members. She was not opposed to any of them.

Councilmember Cosden stated she would take that into account

Councilmember Leon moved, seconded by Councilmember Stout for Mrs. Butola to extend an offer to become our City Auditor.

City Attorney Menendez requested clarification on the motion: will the same process be followed with regard to this applicant as for the prior one, that the Council is going to have Mr. Higginbotham reach out to do negotiations with her and bring it back to Council?

Councilmember Leon stated his motion included that. Second agreed.

Council polled as follows: Erbrick, Leon, Sawicki, Stout, Williams, Burch, Carioscia, and Cosden voted "aye." Eight "ayes." Motion carried 8-0.

Mr. Higginbotham inquired as to when the next meeting was.

Mayor Sawicki stated the next Council meeting is on March 6th. She asked Mr. Higginbotham to provide her with an update, and she would get with the City Attorney.

Councilmember Burch stated Council could have a special meeting on February 27th right before the Committee of the Whole meeting.

Mayor Sawicki stated they already approved the range and asked if it needed to be voted on.

Mr. Higginbotham stated he assumed the parameters given to him last week were still in place.

City Auditor Krym mentioned it would be good to resolve this on February 27th so that there is a City Auditor in place for March.

Consensus agreed to have a special meeting on February 27th.

City Attorney Menendez understood that Council will be calling a special meeting to occur at a time on February 27th. She suggested that Council start to explore the filling in of the gap between the details with regard to the selected candidate: when that candidate can start, and who would be the acting City Auditor.

Discussion held regarding having Mr. Simmons have the offer if Ms. Butola does not accept.

Mr. Higginbotham stated if he reaches an impasse in negotiations for something beyond what the Council has given him authority to approve, he would still bring it to Council, not so much as a recommendation but for Council's consideration. If that is the case, he did not want to assume Council's decision, he can move ahead to the other candidate for discussion to expedite matters.

Mayor Sawicki responded in the affirmative.

Councilmember Leon asked Ms. Krym who would fill the job as an interim. City Auditor Krym stated there was an Assistant City Auditor in the office. She stated for a short time it could work out.

Councilmember Leon requested that the City Auditor work with the City Attorney to bring back language for the special meeting on the 27th.

Assistant City Auditor Krym stated her plan was to leave on February 28th, but she would give more time if Council wanted to consider that. She proposed an extension of one month.

Mr. Higginbotham stated he suspected that if he came back on the 27th with an agreement the transition would be done within a month.

Mayor Sawicki stated she would work with the two of them to work out the plans.

City Auditor Krym stated she could provide something in writing.

PERSONNEL ACTIONS

None.

PETITIONS TO COUNCIL

None.

APPOINTMENTS TO BOARDS/COMMITTEES/COMMISSIONS

Planning & Zoning Commission - 2 Member vacancies and 2 Alternate vacancies

Assistant City Clerk Bruns announced there were four appointments to the Planning and Zoning Commission: two members and two alternates. All four applicants were present. The Planning and Zoning Commission made their recommendation to reappoint Ryan Peterson and appoint Ron Marmo, who is currently an alternate. P&Z also recommended to appoint Raymond Dezendorf and Giovanni Robinson as alternates.

Councilmember Burch inquired if a motion could be made on all four that were recommended by P&Z.

City Attorney Menendez stated Council did not need to interview the applicants; they could move forward with P&Z recommendation.

Councilmember Leon agreed with the idea of one motion, but asked that the candidates come forward and introduce themselves.

Applicants

Ryan Peterson
Ronald Philip Marmo
Raymond Dezendorf
Giovanni Robinson

Councilmember Burch moved, seconded by Councilmember Williams to re-appoint Ryan Peterson as a regular member, appoint Ron Marmo to a regular member, and Raymond Dezendorf, and Giovanni Robinson as alternates.

Council polled as follows: Erbrick, Leon, Sawicki, Stout, Williams, Burch, Carioscia, and Cosden voted "aye." Eight "ayes." Motion carried 8-0.

Youth Council - 14 Vacancies.

Mayor Pro Tem Williams discussed the appointments to the Youth Council. He stated he sent an email on the process, noting it would be best to take one school at a time, seniors first, followed by juniors.

Councilmember Burch noted the recommendations from the school and how close his choices were with them. He stated we should go with their recommendations.

Discussion held regarding the At Large nominations.

Assistant City Clerk Bruns began with **Cape Coral High School seniors**: Shreeya Desai, Javier Diaz. Erbrick/Diaz; Leon/Diaz; Sawicki/Diaz; Stout/Diaz; Williams/Diaz; Burch/Diaz; Carioscia/Diaz; Cosden/Desai. 1 – Desai; 7 – Diaz

Discussion held regarding to do all nominations and make one motion.

Assistant City Clerk Bruns continued with **Cape Coral High School juniors**: Jocelyn Arroyo, Maxwell Slafer, Tuan Tran. Erbrick/Tran; Leon/Slafer; Sawicki/Tran; Stout/Tran; Williams/Slafer; Burch/Slafer; Carioscia/Tran; Cosden/Slafer. Mayor Sawicki switched to Slafer. 5 – Slafer; 3 – Tran; Arroyo - 0

Assistant City Clerk Bruns continued with **Ida Baker High School seniors**: Tabatha Lehman (only candidate). She continued with **Ida Baker High School juniors**: Alexis Ellsworth, Sophia Kukla (withdrew), Helena Shawver. Erbrick/Ellsworth; Leon/Ellsworth;

Sawicki/Ellsworth; Stout/Ellsworth; Burch/Ellsworth; Carioscia/Ellsworth; Cosden/Ellsworth; Williams/Shawver. 7 – Ellsworth; 1 - Shawver

Assistant City Clerk Bruns continued with **Island Coast High School seniors**: Janelle Flecha, Max McArdle Sykes. Erbrick/Sykes; Leon/Flecha; Sawicki/Flecha; Stout/Flecha; Williams/Flecha; Burch/Sykes; Carioscia/Sykes; Cosden/Sykes. 4 – Sykes; 4 – Flecha. Councilmember Stout switched to Sykes. 5 – Sykes; 3 - Flecha

Assistant City Clerk Bruns continued with **Island Coast High School juniors**: Riley Hare, Michael Nallon. Erbrick/Hare; Leon/Hare; Sawicki/Hare; Stout/Hare; Williams/Hare; Burch/Hare; Carioscia/Nallon; Cosden/Hare. 7 – Hare; 1 – Nallon

Assistant City Clerk Bruns continued with **Mariner High School seniors**: Michael Gibbs, Joseph LaMountain, Olivia Olsen. Erbrick/Gibbs; Leon/LaMountain; Sawicki/Gibbs; Stout/Gibbs; Williams/LaMountain; Burch/LaMountain; Carioscia/Gibbs; Cosden/LaMountain. 4 – Gibbs; 4 – LaMountain. Councilmember Leon switched to Gibbs. 5 - Gibbs; 3 - LaMountain

Assistant City Clerk Bruns continued with **Mariner High School juniors**: Madeline Miller, Malik Reid. Erbrick/Miller; Leon/Miller; Sawicki/Miller; Stout/Miller; Williams/Miller; Burch/Miller; Carioscia/Reid; Cosden/Reid. 6 – Miller; 2 - Reid

Assistant City Clerk Bruns continued with **North Fort Myers High School seniors**: Sofia Pultro (only candidate).

Assistant City Clerk Bruns continued with **North Fort Myers High School juniors**: Brittany Dubois, Austin Wilson. Erbrick/Wilson; Leon/Wilson; Sawicki/Wilson; Stout/Wilson; Williams/Wilson; Burch/Wilson; Carioscia/Wilson; Cosden/Wilson. 8 – Wilson; 0 - Dubois

Assistant City Clerk Bruns continued with **Oasis High School seniors**: Shane Broadstone, Alec Dopkins, Melaineey Lowe, Branden Pearson. Erbrick/Dopkins; Leon/Dopkins; Sawicki/Pearson; Stout/Pearson; Williams/Broadstone; Burch/Pearson; Carioscia/Pearson; Cosden/Broadstone. 2- Broadstone; 2- Dopkins, 0 – Lowe; 4- Pearson.

Assistant City Clerk Bruns continued with **Oasis High School juniors**: Madison Bouthillette, Oriana Troche. Erbrick/Troche; Leon/Troche; Sawicki/Troche; Stout/Troche; Williams/Troche; Burch/Troche; Carioscia/Troche; Cosden/Troche. 0 – Bouthillette; 8 – Troche

Assistant City Clerk Bruns continued with the **At Large seniors**: Jacob Williamson (only candidate).

Assistant City Clerk Bruns continued with the **At Large juniors**: Olivia Cerretani (only candidate).

Councilmember Williams moved, seconded by Councilmember Burch to appoint the majority winners of that selection process.

Councilmember Williams inquired if they need to be named in the motion.

City Attorney Menendez stated it was not necessary to name them. She clarified using the word "majority" versus "plurality."

Councilmember Williams stated he meant to say "plurality."

Councilmember Williams amended his motion, seconded by Councilmember Burch, that we accept the plurality votes for these candidates.

Council polled as follows: Erbrick, Sawicki, Stout, Williams, Burch, Carioscia, and Cosden voted "aye." Leon voted "nay." Seven "ayes." One "nay." Motion carried 7-1.

Assistant City Clerk Bruns inquired if Council would consider any of the applicants that were not chosen tonight to remain on the eligibility list in the event that there is a conflict for one of the appointed. **Consensus agreed.**

City Attorney Menendez stated there is currently no alternate position for this Youth Council. If Council wants to agree, they can maintain the eligibility list. However, Council will need to appoint again if someone does drop out.

Mayor Pro Tem Williams agreed to maintain the list if needed. He stated the first meeting will be held on Friday, February 24, 2017, at 2:30 p.m. until 4:30 p.m. and held every other Friday in Council Chambers. The students not selected should stay involved and come to the meetings and speak.

ORDINANCES/RESOLUTIONS PUBLIC HEARINGS

None.

INTRODUCTIONS

Ordinance 1-17 Case #LU16-0008 Set Public Hearing date for March 6, 2017

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the Future Land Use Map from Pine Island Road District (PIRD) to Multi-Family Residential (MF) land use for property located at 409-411 Hancock Bridge Parkway.

P&Z Recommendation: At the February 1, 2017 meeting, the Planning and Zoning Commission/Local Planning Agency voted (7-0) to recommend approval of Ordinance 1-17.

City Management Recommendation: City Management recommended approval of the requested amendment.

Assistant City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for March 6, 2017 in Council Chambers.

Planner Boyko stated a presentation would be done at the public hearing, and he was available for any questions.

ADDENDUM

Ordinance 13-17 Set Public Hearing Date for March 6, 2017

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance approving Master Equipment Lease No. TSM04511 between the Cape Coral Charter School Authority and DDI Capital for the lease of Lenovo N22 Chromebooks.

Assistant City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for March 6, 2017 in Council Chambers.

Assistant City Manager Ilczyszyn explained what the Ordinance would accomplish and was available for any questions.

Councilmember Burch inquired as to why this issue came out now.

Danielle Jensen, Director of Procurement and Food Services for the Charter School System, explained this needed to be phased in by 2019 for the 3200 students. She stated it has been a directive going on during the past year.

UNFINISHED BUSINESS

Water Quality

None.

Legislative Issues - Update

None.

Discussion of City Auditor Position (moved to after Citizens' Input)

NEW BUSINESS

None.

REPORTS OF THE MAYOR AND COUNCIL MEMBERS

Councilmember Erbrick – Topics: Attended Tourist Development Council meeting last Thursday; reminder joint meeting in March of the Horizon Council, Tourist Development Council, Port Authority, and the Board of County Commissioners; Bill Buztrey retired last week and she wished him well.

Councilmember Leon – Topic: No report.

Councilmember Stout – Topic: Attended Bill Buztrey's retirement.

Councilmember Williams – Topic: No report.

Councilmember Burch – Topics: Wished Bill Buztrey well on his retirement. This week Regional Planning Council, MPO, and the local Florida League of Cities.

Councilmember Carioscia – Topic: No report.

Councilmember Cosden – Topic: Burrowing Owl Festival February 25th.

Mayor Sawicki – Topics: Received Memo from the City Manager on February 10th regarding recommendations concerning medical marijuana; she asked the City Manager when he was going to bring this forward; she suggested adding it to the next meeting agenda. She stated she saw a sign on Del Prado.

City Manager Szerlag asked the DCD Director to come to the podium.

Planning Manager Pederson stated staff was aware of the mentioned location; it was his understanding that a doctor has put up a sign; not opening a dispensary, may be looking for patients.

Mayor Sawicki questioned when we would be talking about the recommendations.

City Manager Szerlag stated he did not have a sense of timing on the topic. We will make sure that it is time sensitive and there is enough time to have Council give us direction.

Councilmember Burch stated it would be good to look into this, but we don't need to rush on this. He stated to watch the legislative sessions and what other communities are doing.

Mayor Sawicki requested that the City Manager let her know when it can be placed on an agenda.

Mayor Sawicki – Mayors of Lee County quarterly dinner last Thursday in Cape Coral at Big Blue; Governor Scott was in Cape Coral today at Marine Concepts discussing Enterprise Florida.

REPORTS OF THE CITY ATTORNEY AND CITY MANAGER

City Attorney – Topic: Bill Buztrey was very touched on how many people came to his retirement event in the office last week.

City Manager – Topic: Parks and Recreation Director Pohlman sent him an email along with an artistic rendering of a dolphin that is provided by the Cape Coral Community Foundation. It was his understanding that this artwork would be donated to the City of Cape Coral, and the Foundation wanted to know if the dolphin should be located at City Hall or at the Yacht Club.

Parks and Recreation Director Pohlman stated this program "Dancing with the Dolphins" came out of the Cape Coral Art League. The Community Foundation bought one and thought it would be the right place within the City, the Yacht Club or City Hall. He displayed a rendering of the dolphin. He inquired if Council would like to accept the donation, and if so, its location.

Consensus agreed to accept the donation of the Dolphin Structure and place it at the Yacht Club.


TIME AND PLACE OF FUTURE MEETINGS

A Committee of the Whole Meeting/Joint City Council and Cape Coral Charter School Governing Board was scheduled for Monday, February 27, 2017 at 4:30 p.m. in Council Chambers.

MOTION TO ADJOURN

There being no further business, the meeting adjourned at 6:31 p.m.

Submitted by,


Rebecca van Deutekom, MMC
City Clerk

| | |
|----------------------|--|
| Item Number: | F.(2) |
| Meeting Date: | 5/1/2017 |
| Item Type: | APPOINTMENTS TO BOARDS / COMMITTEES / COMMISSIONS |

**AGENDA
REQUEST
FORM**
CITY OF CAPE
CORAL



TITLE:

Youth Council - 7 Rising Junior Vacancies

REQUESTED ACTION:

Appoint

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment? No
2. 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

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

SUMMARY EXPLANATION AND BACKGROUND:

Rising Junior Vacancies:

Vacancy: 7 vacancies. (Category rising Juniors - current sophomores)

Expiration: New member term expiration date is 5/1/2019. (Current term expired on 5/1/2017)

Applications: 14 applications were received.

Advertisement: Packets were emailed and mailed to school administrators. Packets were emailed to At large administrators.

LEGAL REVIEW:

EXHIBITS:

Email sent to Council regarding applicants

Schools - letter sent to the School Administrators by mail and email

At Large - letter sent to the At Large Administrators by email

PREPARED BY:

Kimberly
Bruns

Division- Managerial

Department- City Clerk's
Department

SOURCE OF ADDITIONAL INFORMATION:

Kimberly Bruns
Assistant City Clerk
1-239-242-3243

ATTACHMENTS:

| Description | Type |
|--|-----------------|
| □ Email sent to Council regarding Applicants | Backup Material |
| □ Schools - Letter sent to School Administrator via mail and email | Backup Material |
| □ At Large - Letter sent to the At Large Administrators via email | Backup Material |

Kimberly Bruns

From: Kimberly Bruns
Sent: Monday, April 24, 2017 9:29 AM
To: City Council
Cc: Rebecca vanDeutekom
Subject: Youth Council Applications
Attachments: Cape Coral High School.pdf; Island Coast High School.pdf; Mariner High School.pdf; North Fort Myers High School.pdf; OASIS High School.pdf; At Large.pdf

I've attached the Youth Council applications for your review and consideration. I have included a listing of all applicants for your convenience below. Names that are highlighted in yellow are recommendations from the participating schools. Please note that when speaking with the school staffing, it was made clear that the all applicants are top notch and the selection of a recommendation was extremely difficult.

As with Council packets, I have delivered a paper copy for Council Members Burch and Williams. In addition, I have also delivered two extra paper copies in the event anyone would like to review them in paper format. Please let me know if you require any additional paper packets.

Please note that in the application process, some applicants did not include a page in reference to their extra-curricular activities. Based on time constraints, it was necessary to accept the applications as presented.

Lastly, please note that I have not included any applications for Ida Baker High School. They have asked to participate at a future date.

| School | Grade | Candidate Names |
|-------------------------------------|--|------------------------|
| <u>Cape Coral High School</u> | Sophomore | Carsyn Baxter |
| | Sophomore | Cole DeLong |
| | Sophomore | Sara Ellis |
| | | |
| Ida Baker High School | None, to be selected at a future meeting | |
| | | |
| <u>Island Coast High School</u> | Sophomore | Samantha Blackwell |
| | Sophomore | Antonella Molfino |
| | | |
| <u>Mariner High School</u> | Sophomore | Kourtnee Saunders |
| | Sophomore | Hunter Zanni |
| | | |
| <u>North Fort Myers High School</u> | Sophomore | Alecia Bernau |
| | Sophomore | Brendan Eggers |
| | Sophomore | Jessica Evesson |
| | Sophomore | Lluvia Andrea Quintana |
| | Sophomore | Jenny Trinh |
| | | |
| <u>Oasis High School</u> | Sophomore | Kelly Bevan |
| | | |
| <u>At Large Candidates</u> | Sophomore | Cosette Susan Dunkle |

NOTE: yellow highlight
indicates school
recommended candidate

Kimberly Bruns
Assistant City Clerk
Cape Coral City Clerk's Office
1-239-242-3243 PHONE #3243
1-239-242-5344 FAX

Note: Florida has a very broad public records law. Most written communications to or from city staff regarding city business are considered to be public records and will be made available to the public and the media upon request. Therefore, your email message may be subject to public disclosure. Also, under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

Please consider the environment before printing this email.



City of Cape Coral

Office of the Mayor and City Council

March 27, 2017

Dear School Representative:

The City of Cape Coral is proud to announce the exciting opportunity for rising juniors (current sophomores) that are residents of Cape Coral to participate in the City Youth Council through City Ordinance 47-16. The City's Youth Council provides our youth an opportunity to increase their knowledge of civic education through practical hands-on experience and have the ability to make decisions and bring forward to Council issues facing the youth in our City.

The initial Youth Council was comprised of seven seniors for a one-year term and seven juniors for a two-year term. Of the 14 members, there are two At Large members. Each member will meet in the Cape Coral Council Chambers located at 1015 Cultural Park Boulevard every other week on a Friday, starting promptly at 2:45P. Youth Council meetings are televised, streamed on-line, recorded, and have staff support by the City Clerk's Office. This Youth Council abides by the Sunshine Law and meetings, is advertised, and open to the public.

Along with the 14-member Youth Council, there is a non-voting City Council Liaison and adult advisors to work with them to provide City Council with information concerning youth issues. There will be a huge learning opportunity for these students along with a chance to make a difference while participating in a city government environment.

All rising juniors (current sophomores) that are residents of Cape Coral can apply. Students will be selected through a competitive application and interview process where two rising junior applications will be chosen by the school administration as their top recommendations and submitted to the City Council for consideration. City Council members may also interview the applicants. Please have students follow the instructions high-lighted in yellow at the top of the application.

School representatives, please return up to four junior applications, which includes the two recommended applications no later than Wednesday, April 19, 2017, at 4:30P to:

City of Cape Coral
Attn: City Clerk's Office
1015 Cultural Park Boulevard
Cape Coral, Florida 33990

For more information or have any questions regarding the enclosed documents, please call Gianna Pack, Executive Legislative Assistant to Council at 239-574-0437 or email at gpack@capecoral.net.

Sincerely,

Rick Williams
Mayor Pro Tem

Enclosures:

- Application for Copying (Return up to four applications, which include the two recommendations)
- Youth Council General Information
- Ordinance 47-16



CITY OF CAPE CORAL YOUTH COUNCIL APPLICATION

This Youth Council Application, when completed, signed and filed with school administration is a PUBLIC RECORD under Chapter 119, Florida Statutes, and, therefore, is open to public inspection by any person. Applications will be retained in accordance with State Records Retention laws.

DATE: _____

NAME: _____

ADDRESS: _____

CITY: _____ ZIP CODE: _____

HOME PHONE: _____ CELL: _____

E-MAIL ADDRESS: _____

PARENT(S) FIRST AND LAST NAME: _____

HOME PHONE: _____ CELL: _____

E-MAIL ADDRESS: _____

HOW LONG HAVE YOU LIVED IN CAPE CORAL? _____

ARE YOU A U.S. CITIZEN? _____

SCHOOL: _____

CURRENT GRADE: _____ GPA: _____

1. HOW DID YOU HEAR ABOUT THE CITY'S YOUTH COUNCIL? _____

2. LIST YOUR INTERESTS & ACTIVITIES (HOBBIES, ORGANIZATIONS, CLUBS, SPORTS, POSITIONS HELD, ETC.): _____

3. LIST UP TO FIVE CLUBS, ORGANIZATIONS OR SPORTS PROGRAMS IN WHICH YOU HAVE PARTICIPATED DURING THE LAST TWO YEARS.

NAME OF SCHOOL, CLUB/ORGANIZATION/SPORT

WHEN INVOLVED

WHAT WAS YOUR ROLE IN THE ACTIVITY?

| | | |
|----------|-------|-------|
| 1) _____ | _____ | _____ |
| 2) _____ | _____ | _____ |
| 3) _____ | _____ | _____ |
| 4) _____ | _____ | _____ |
| 5) _____ | _____ | _____ |

4. WHAT DO YOU SEE AS THE ROLE OF YOUTH IN OUR SOCIETY AND HOW WOULD YOU LIKE THAT TO CHANGE IN THE FUTURE?

5. LIST ANY SPECIAL RECOGNITION OR HONORS FOR ACADEMIC, SCHOOL, RELIGIOUS OR COMMUNITY RELATED ACTIVITIES YOU HAVE RECEIVED OVER THE LAST TWO YEARS.

6. WHAT ARE YOUR CAREER GOALS? _____

7. DESCRIBE A TIME WHEN YOUR ACTIONS POSITIVELY AFFECTED A PERSON, YOUR SCHOOL, OR YOUR COMMUNITY.

8. IF YOU COULD CHANGE ANYTHING ABOUT YOUR COMMUNITY OR SCHOOL, WHAT WOULD IT BE AND WHY?

9. WHY DO YOU WANT TO SERVE ON THE CITY'S YOUTH COUNCIL? (PLEASE BE SPECIFIC)

10. ARE YOU WILLING TO ATTEND YOUTH COUNCIL MEETINGS EVERY OTHER WEEK?

___ Yes ___ No

11. PLEASE PROVIDE TWO REFERENCES. PLEASE SEE PAGES 4 AND 5 OF THIS APPLICATION FOR REFERENCE INFORMATION.

REFERENCE #1

NAME: _____

ADDRESS: _____

DAYTIME PHONE: _____

REFERENCE #2

NAME: _____

ADDRESS: _____

DAYTIME PHONE: _____

I understand that if I am selected as a member of the City of Cape Coral Youth Council I will need to attend Youth Council meetings every other week, and participate in a manner that brings honor and respect to the citizens of the City of Cape Coral.

Signature

Date

*I give permission for _____ to apply for the City of Cape Coral Youth Council. If selected, I will support him/her in attending meetings and functions related to the City's Youth Council. **PARENTAL CONSENT REQUIRED** (unless the applicant has reached the age of majority).*

Signature of Parent or Guardian

Date

Reference #1
City of Cape Coral Youth Council

This Youth Council Application, when completed, signed and filed with school administration is a PUBLIC RECORD under Chapter 119, Florida Statutes, and, therefore, is open to public inspection by any person. Applications will be retained in accordance with State Records Retention laws.

- *Youth Council Applicant:* **Two** references must be completed by non-relatives.
- *Reference:* Please include the following information about yourself so that we may contact you if necessary

Youth Council Applicant's Name: _____

Reference's Name: _____

Address: _____

City, State, and Zip Code: _____

Home Phone: _____ Work Phone: _____

1. How long have you know the applicant? _____

2. What is your relationship to the applicant? _____

3. Is the applicant dependable? _____

4. Why would you recommend the applicant for this position? _____

Signature: _____ Date: _____

Reference #2
City of Cape Coral Youth Council

This Youth Council Application, when completed, signed and filed with school administration is a PUBLIC RECORD under Chapter 119, Florida Statutes, and, therefore, is open to public inspection by any person. Applications will be retained in accordance with State Records Retention laws.

- *Youth Council Applicant:* Two references must be completed by non-relatives.
- *Reference:* Please include the following information about yourself so that we may contact you if necessary

Youth Council Applicant's Name: _____

Reference's Name: _____

Address: _____

City, State, and Zip Code: _____

Home Phone: _____ Work Phone: _____

1. How long have you know the applicant? _____

2. What is your relationship to the applicant? _____

3. Is the applicant dependable? _____

4. Why would you recommend the applicant for this position? _____

Signature: _____ Date: _____

CAPE CORAL YOUTH COUNCIL

Purpose:

This group will be youth in this city that will assist our city government with identifying the needs and wants of our young folks and will be an advisory group to the City Council that will help us identify solutions, and participate in those solutions and recommendations. The Youth Council will vote on issues, control a small budget, and bring recommendations forward to the City Council.

Structure:

The Cape Coral Youth Council will consist of 14 council members.

One Junior and one Senior from:

- Mariner High School
- Ida Baker High School
- Island Coast High School
- Oasis High School
- Cape Coral High School
- N. Ft Myers High School (must be Cape Coral residents)
- At large from the home schooling or other source.

All will be appointed by the City Council from a pool of candidates from the above schools. The first year the City Council will appoint 7 seniors to a one year term and 7 juniors to a two year term. Year two and beyond the City Council will appoint 7 juniors to a two year term.

There will be an application process, and a group of advisors will interview the applicants. City Council members may also interview the applicants. Participation in the Chamber of Commerce Junior Leadership Program is strongly preferred but not required.

The appointed Youth Council will elect a Chairman and Vice Chairman. Preferably a senior Chair and Junior Vice Chair.

Meetings:

The Cape Coral Youth Council will meet every other week (this may be adjusted as we progress) in the Council Chambers. Their meetings will mirror the City Council meetings. There will be City Councilmember serving as a liaison to the Youth Council. The Youth Council will be supported by staff as any of the City Council appointed advisory board or committees are. Agendas will be prepared, minutes will be kept and they will follow Roberts Rules. All documentation will be preserved

in accordance with the Sunshine laws. We will not be providing city owned phones and computers. We need to work with legal and the City Clerks office on how we would deal with records requests. I would like these youth councilmembers to have city email addresses.

The members of the Youth Council will abide by the Sunshine laws, their meetings will be advertised and are public. The meetings will be televised and hopefully the media will provide coverage.

What do we want from the Youth Council:

We want ideas and help from them to provide programs for the youth. This is an opportunity for them to be involved with their future and actually be in a position to affect their future. If they should decide to run some kind of event, hopefully they will have a small budget (we talked about putting some money from the city budget aside for residents to decide how to spend it. This is a great chance for part of that) that will cover staff involvement, but they will then need to go out and sell their event to sponsors

A lot of what we do every week on the dais in some way affects all of the residents, including our youth. We need their input and opinions. The Youth Council Members are still in school and interact daily with their peers. Once the other students realize that there are a couple of their friends that are in a position to make a difference, we hopefully will start to see a lot more input from the youth in this city.

This will be an opportunity for the Youth Council Members to put what they learned in the leadership program to use. Also, being a member of a city sponsored advisory group will always help them in the future, especially if they are moving on to college.

Where are we now:

I have an ordinance that can be tweaked by legal to form this group. Hopefully be on an agenda in August.

We need advisors, I will act as liaison to start, Derrick Donnell will be an advisor. Mark Cagle from parks and rec (he runs the youth center) will be a staff contact for the council and will be one of the advisors.

Connie Barron is aboard and will provide news releases, tv coverage and any other promotion we can come up with.

John Szerlag is aboard and will help where he can.

Steve Pohlman and Keith Locklin are helping get this going.

Derrick Donnell is going to handle the school side of this, especially recruiting applicants.

This is a great opportunity to get the youth in this city involved with the city government. A chance to be part of the decision making process and feeling they are part of something important.

I. What is a youth council?

A youth council is an advisory body composed of local youth (usually high-school aged). They provide advice and counsel to the local governing body and its affiliated advisory and regulatory boards, as well as other community organizations. Additionally, youth councils can implement and participate in a variety of youth-identified community initiatives.

II. Why create a youth council?

According to the Census Bureau, 24.6 percent of the U.S. population is under the age of 18. It goes without saying that young people are the future of our communities. Therefore, it is vitally important that they are vested with the knowledge, skills and abilities to be the next generation of local leaders. Youth councils are an excellent means of doing so because they promote regular and active civic engagement among youth.

Youth councils promote civic engagement among youth by:

- Giving them a formal role in local decision making
- Offering real-world experiences with elected and advisory bodies
- Teaching them about the role of councils, boards and commissions
- Providing them with an opportunity to develop leadership skills and learn how local government operates
- Increasing voice and communication between youth and adults, and among youth themselves
- Increasing youth volunteerism
- Enhancing classroom civic education

III. Who benefits?

Youth councils enable **young people** to:

- Communicate their concerns regarding local matters that affect them
- Directly participate in local government
- Make decisions and take action to potentially improve their community

Youth councils enable **local councils/commissioners** to:

- Be more representative of the community as a whole
- Gain insight regarding the community's "young," dynamic and/or progressive perspective
- Encourage youths to be more actively engaged in the political process
- Improve services that directly affect young people
- Be more sustainable

Pages 4-10 of the guide are reprinted with permission from the **North Carolina Civic Education Consortium**. Some slight modifications have been made for League members. Special thanks to the consortium for providing a template for this document. For more information on the consortium and its other resources, please visit <http://www.sog.unc.edu/programs/civiced/index.php>.

ORDINANCE 47 - 16

AN ORDINANCE AMENDING THE CITY OF CAPE CORAL CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE V, BOARDS AND COMMISSIONS, AMENDING SECTIONS 2-57, 2-59, AND 2-60, AND CREATING DIVISION 12, SECTION 2-120.49, TO CREATE AND ESTABLISH A YOUTH COUNCIL; PROVIDING FOR CREATION AND PURPOSE; PROVIDING FOR COMPOSITION, QUALIFICATIONS, AND TERMS; PROVIDING FOR PARENTAL CONSENT AND APPLICATION; PROVIDING FOR ELECTION OF OFFICERS; PROVIDING FOR VACANCIES AND REMOVAL; PROVIDING FOR MEETINGS, QUORUM, FORFEITURE OF OFFICE, MINUTES, RECORDS, AND COMPENSATION; PROVIDING FOR RULES AND REGULATIONS; PROVIDING FOR DUTIES AND RESPONSIBILITIES; PROVIDING FOR REPORTING; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Cape Coral City Council wishes to more actively engage and involve the youth of the community in the local government process; and

WHEREAS, the creation of a Youth Council will serve as a catalyst for youth participation and promote community involvement by the youth of the community and will assist with promoting ideas and local government issues; and

WHEREAS, the establishment of a Youth Council will provide an opportunity for the youth of the City of Cape Coral to acquire a greater knowledge of, and appreciation for, the American political system through active participation in that system; and

WHEREAS, the Cape Coral City Council hereby finds that this ordinance is in the best interest of the public health, safety, and welfare.

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, Article V, Section 2-57, is hereby amended as follows:

§ 2-57 Qualifications of members generally.

(a) Members of all advisory boards, committees, commissions, appeals boards, councils, and task forces serving the city shall, in addition to meeting other membership qualifications as imposed by law, be persons who are citizens of the United States and who permanently reside in the city. Any person who meets the foregoing qualifications when appointed, but who later becomes unqualified, shall forfeit his or her office.

(b) (1) An applicant for membership on a board, committee, commission, council, or task force, or a sitting member of those bodies shall not have any delinquent accounts with the city at the time of appointment to the board, committee, commission, council, or task force, or thereafter in cases of members.

...

SECTION 2. The City of Cape Coral Code of Ordinances, Chapter 2, Article V, Section 2-59, is hereby amended as follows:

§ 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) Transportation Advisory Commission;
- (3) Golf Course Advisory Board; and
- (4) ~~Minority Issues/citizens Advisory Committee~~ Youth Council.

SECTION 3. The City of Cape Coral Code of Ordinances, Chapter 2, Article V, Section 2-60, is hereby amended as follows:

§ 2-60 Limitation on offices held.

(a) *Applicability.* Members of all advisory boards, commissions, councils, and appeal boards serving the city shall hold no other office on any other board, commission, council, appeal board or the City Council. This regulation is meant to and shall apply to all appointed offices within the city; with the exception of those persons serving on comprehensive task forces, said task force members being permitted to sit on two or more task forces but not to sit on other bodies. Alternate membership shall classify a person as a member for purposes of this section.

...

SECTION 4. The City of Cape Coral Code of Ordinances, Chapter 2, Article V, is hereby amended to create Division 12, Section 2-120.49, 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 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.

(b) *Composition; qualifications; and terms.*

(1) The Youth Council shall be composed of fourteen (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. The Youth Council shall be composed of one (1) junior and one (1) 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 (7) 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 (7) 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 (7) rising juniors to the Youth Council to serve a term of two (2) 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 immediately forfeit the member's seat and the seat shall be declared vacant.
- (4) In the event that there is no available student applicant from a class or source identified in subsection (1) in any given year, the City Council may appoint a substitute student from one of the other subsection (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, take an Oath of Office and 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 other week, unless there is no business to transact by three (3) days before a regular meeting date. Special meetings may be called by the chairperson or vice-chairperson 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 Section 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 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 all meetings of the Youth Council.
- (h) Duties and responsibilities. The Youth Council shall have the duty and responsibility to:
 - (1) Evaluate and review 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 share ideas and discuss issues, concerns, and needed improvements.
 - (4) Present recommendations to the City Council for public projects and programs.
 - (5) Assist in planning youth/recreation activities.
 - (6) Evaluate and advise the City Council on issues forwarded to the Youth Council for advice.
- (i) Reporting. The Youth Council shall make recommendations to the City Council 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 5. 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 6. 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 26th DAY OF September, 2016.


MARNI L. RETZER, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

RETZER
BURCH
CARIOSCIA
STOUT

aye
aye
aye
excused

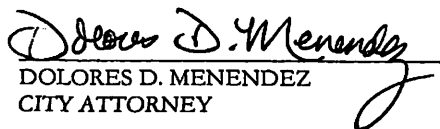
LEON
ERBRICK
WILLIAMS
COSDEN

aye
aye
aye
aye

ATTESTED TO AND FILED IN MY OFFICE THIS 6th DAY OF October, 2016.


REBECCA VAN DEUTEKOM
CITY CLERK

APPROVED AS TO FORM:


DOLORES D. MENENDEZ
CITY ATTORNEY



City of Cape Coral

Office of the Mayor and City Council

March 27, 2017

Dear Representative:

The City of Cape Coral is proud to announce the exciting opportunity for rising juniors (current sophomores) that are residents of Cape Coral to participate in the City Youth Council through City Ordinance 47-16. The City's Youth Council provides our youth an opportunity to increase their knowledge of civic education through practical hands-on experience and have the ability to make decisions and bring forward to Council issues facing the youth in our City.

The initial Youth Council was comprised of seven seniors for a one-year term and seven juniors for a two-year term. Of the 14 members, there are two At Large members. Each member will meet in the Cape Coral Council Chambers located at 1015 Cultural Park Boulevard every other week on a Friday, starting promptly at 2:45P. Youth Council meetings are televised, streamed on-line, recorded, and have staff support by the City Clerk's Office. This Youth Council abides by the Sunshine Law and meetings, is advertised, and open to the public.

Along with the 14-member Youth Council, there is a non-voting City Council Liaison and adult advisors to work with them to provide City Council with information concerning youth issues. There will be a huge learning opportunity for these students along with a chance to make a difference while participating in a city government environment.

At Large students will be selected through a competitive application and interview process where applications will be submitted to the City Council for consideration through the City Clerk's Office. City Council members may interview the applicants.

Please return your application no later than Wednesday, April 19, 2017, at 4:30P to:

City of Cape Coral
Attn: City Clerk's Office
1015 Cultural Park Boulevard
Cape Coral, Florida 33990

For more information or have any questions regarding the enclosed documents, please call Gianna Pack, Executive Legislative Assistant to Council at 239-574-0437 or email at gpack@capecoral.net.

Sincerely,

Rick Williams
Mayor Pro Tem

Enclosures:

- Application
- Youth Council General Information
- Ordinance 47-16



CITY OF CAPE CORAL YOUTH COUNCIL APPLICATION

This Youth Council Application, when completed, signed, and filed with the City Clerk's Office, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and, therefore, is open to public inspection by any person. Applications will be retained in accordance with State Records Retention laws.

DATE: _____

NAME: _____

ADDRESS: _____

CITY: _____ ZIP CODE: _____

HOME PHONE: _____ CELL: _____

E-MAIL ADDRESS: _____

PARENT(S) FIRST AND LAST NAME: _____

HOME PHONE: _____ CELL: _____

E-MAIL ADDRESS: _____

HOW LONG HAVE YOU LIVED IN CAPE CORAL? _____

ARE YOU A U.S. CITIZEN? _____

SCHOOL: _____

CURRENT GRADE: _____ GPA: _____

1. HOW DID YOU HEAR ABOUT THE CITY'S YOUTH COUNCIL? _____

2. LIST YOUR INTERESTS & ACTIVITIES (HOBBIES, ORGANIZATIONS, CLUBS, SPORTS, POSITIONS HELD, ETC.): _____

3. LIST UP TO FIVE CLUBS, ORGANIZATIONS OR SPORTS PROGRAMS IN WHICH YOU HAVE PARTICIPATED DURING THE LAST TWO YEARS.

| NAME OF SCHOOL, CLUB/ORGANIZATION/SPORT | WHEN INVOLVED | WHAT WAS YOUR ROLE IN THE ACTIVITY? |
|---|---------------|-------------------------------------|
| 1) _____ | _____ | _____ |
| 2) _____ | _____ | _____ |
| 3) _____ | _____ | _____ |
| 4) _____ | _____ | _____ |
| 5) _____ | _____ | _____ |

4. WHAT DO YOU SEE AS THE ROLE OF YOUTH IN OUR SOCIETY AND HOW WOULD YOU LIKE THAT TO CHANGE IN THE FUTURE?

5. LIST ANY SPECIAL RECOGNITION OR HONORS FOR ACADEMIC, SCHOOL, RELIGIOUS OR COMMUNITY RELATED ACTIVITIES YOU HAVE RECEIVED OVER THE LAST TWO YEARS.

6. WHAT ARE YOUR CAREER GOALS? _____

7. DESCRIBE A TIME WHEN YOUR ACTIONS POSITIVELY AFFECTED A PERSON, YOUR SCHOOL, OR YOUR COMMUNITY.

8. IF YOU COULD CHANGE ANYTHING ABOUT YOUR COMMUNITY OR SCHOOL, WHAT WOULD IT BE AND WHY?

9. WHY DO YOU WANT TO SERVE ON THE CITY'S YOUTH COUNCIL? (PLEASE BE SPECIFIC)

10. ARE YOU WILLING TO ATTEND YOUTH COUNCIL MEETINGS EVERY OTHER WEEK?

___ Yes ___ No

11. PLEASE PROVIDE TWO REFERENCES. PLEASE SEE PAGES 4 AND 5 OF THIS APPLICATION FOR REFERENCE INFORMATION.

REFERENCE #1

NAME: _____

ADDRESS: _____

DAYTIME PHONE: _____

REFERENCE #2

NAME: _____

ADDRESS: _____

DAYTIME PHONE: _____

I understand that if I am selected as a member of the City of Cape Coral Youth Council I will need to attend Youth Council meetings every other week, and participate in a manner that brings honor and respect to the citizens of the City of Cape Coral.

Signature

Date

I give permission for _____ to apply for the City of Cape Coral Youth Council. If selected, I will support him/her in attending meetings and functions related to the City's Youth Council. PARENTAL CONSENT REQUIRED (unless the applicant has reached the age of majority).

Signature of Parent or Guardian

Date

Reference #1
City of Cape Coral Youth Council

This Youth Council Application, when completed, signed, and filed with the City Clerk's Office, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and, therefore, is open to public inspection by any person. Applications will be retained in accordance with State Records Retention laws.

- *Youth Council Applicant:* **Two** references must be completed by non-relatives.
- *Reference:* Please include the following information about yourself so that we may contact you if necessary

Youth Council Applicant's Name: _____

Reference's Name: _____

Address: _____

City, State, and Zip Code: _____

Home Phone: _____ Work Phone: _____

1. How long have you know the applicant? _____

2. What is your relationship to the applicant? _____

3. Is the applicant dependable? _____

4. Why would you recommend the applicant for this position? _____

Signature: _____ Date: _____

Reference #2
City of Cape Coral Youth Council

This Youth Council Application, when completed, signed, and filed with the City Clerk's Office, is a PUBLIC RECORD under Chapter 119, Florida Statutes, and, therefore, is open to public inspection by any person. Applications will be retained in accordance with State Records Retention laws.

- *Youth Council Applicant:* Two references must be completed by non-relatives.
- *Reference:* Please include the following information about yourself so that we may contact you if necessary

Youth Council Applicant's Name: _____

Reference's Name: _____

Address: _____

City, State, and Zip Code: _____

Home Phone: _____ Work Phone: _____

1. How long have you know the applicant? _____

2. What is your relationship to the applicant? _____

3. Is the applicant dependable? _____

4. Why would you recommend the applicant for this position? _____

Signature: _____ Date: _____

CAPE CORAL YOUTH COUNCIL

Purpose:

This group will be youth in this city that will assist our city government with identifying the needs and wants of our young folks and will be an advisory group to the City Council that will help us identify solutions, and participate in those solutions and recommendations. The Youth Council will vote on issues, control a small budget, and bring recommendations forward to the City Council.

Structure:

The Cape Coral Youth Council will consist of 14 council members.

One Junior and one Senior from:

- Mariner High School
- Ida Baker High School
- Island Coast High School
- Oasis High School
- Cape Coral High School
- N. Ft Myers High School (must be Cape Coral residents)
- At large from the home schooling or other source.

All will be appointed by the City Council from a pool of candidates from the above schools. The first year the City Council will appoint 7 seniors to a one year term and 7 juniors to a two year term. Year two and beyond the City Council will appoint 7 juniors to a two year term.

There will be an application process, and a group of advisors will interview the applicants. City Council members may also interview the applicants. Participation in the Chamber of Commerce Junior Leadership Program is strongly preferred but not required.

The appointed Youth Council will elect a Chairman and Vice Chairman. Preferably a senior Chair and Junior Vice Chair.

Meetings:

The Cape Coral Youth Council will meet every other week (this may be adjusted as we progress) in the Council Chambers. Their meetings will mirror the City Council meetings. There will be City Councilmember serving as a liaison to the Youth Council. The Youth Council will be supported by staff as any of the City Council appointed advisory board or committees are. Agendas will be prepared, minutes will be kept and they will follow Roberts Rules. All documentation will be preserved

in accordance with the Sunshine laws. We will not be providing city owned phones and computers. We need to work with legal and the City Clerks office on how we would deal with records requests. I would like these youth councilmembers to have city email addresses.

The members of the Youth Council will abide by the Sunshine laws, their meetings will be advertised and are public. The meetings will be televised and hopefully the media will provide coverage.

What do we want from the Youth Council:

We want ideas and help from them to provide programs for the youth. This is an opportunity for them to be involved with their future and actually be in a position to affect their future. If they should decide to run some kind of event, hopefully they will have a small budget (we talked about putting some money from the city budget aside for residents to decide how to spend it. This is a great chance for part of that) that will cover staff involvement, but they will then need to go out and sell their event to sponsors

A lot of what we do every week on the dais in some way affects all of the residents, including our youth. We need their input and opinions. The Youth Council Members are still in school and interact daily with their peers. Once the other students realize that there are a couple of their friends that are in a position to make a difference, we hopefully will start to see a lot more input from the youth in this city.

This will be an opportunity for the Youth Council Members to put what they learned in the leadership program to use. Also, being a member of a city sponsored advisory group will always help them in the future, especially if they are moving on to college.

Where are we now:

I have an ordinance that can be tweaked by legal to form this group. Hopefully be on an agenda in August.

We need advisors, I will act as liaison to start, Derrick Donnell will be an advisor. Mark Cagle from parks and rec (he runs the youth center) will be a staff contact for the council and will be one of the advisors.

Connie Barron is aboard and will provide news releases, tv coverage and any other promotion we can come up with.

John Szerlag is aboard and will help where he can.

Steve Pohlman and Keith Locklin are helping get this going.

Derrick Donnell is going to handle the school side of this, especially recruiting applicants.

This is a great opportunity to get the youth in this city involved with the city government. A chance to be part of the decision making process and feeling they are part of something important.

I. What is a youth council?

A youth council is an advisory body composed of local youth (usually high-school aged). They provide advice and counsel to the local governing body and its affiliated advisory and regulatory boards, as well as other community organizations. Additionally, youth councils can implement and participate in a variety of youth-identified community initiatives.

II. Why create a youth council?

According to the Census Bureau, 24.6 percent of the U.S. population is under the age of 18. It goes without saying that young people are the future of our communities. Therefore, it is vitally important that they are vested with the knowledge, skills and abilities to be the next generation of local leaders. Youth councils are an excellent means of doing so because they promote regular and active civic engagement among youth.

Youth councils promote civic engagement among youth by:

- Giving them a formal role in local decision making
- Offering real-world experiences with elected and advisory bodies
- Teaching them about the role of councils, boards and commissions
- Providing them with an opportunity to develop leadership skills and learn how local government operates
- Increasing voice and communication between youth and adults, and among youth themselves
- Increasing youth volunteerism
- Enhancing classroom civic education

III. Who benefits?

Youth councils enable **young people** to:

- Communicate their concerns regarding local matters that affect them
- Directly participate in local government
- Make decisions and take action to potentially improve their community

Youth councils enable **local councils/commissioners** to:

- Be more representative of the community as a whole
- Gain insight regarding the community's "young," dynamic and/or progressive perspective
- Encourage youths to be more actively engaged in the political process
- Improve services that directly affect young people
- Be more sustainable

Pages 4-10 of the guide are reprinted with permission from the **North Carolina Civic Education Consortium**. Some slight modifications have been made for League members. Special thanks to the consortium for providing a template for this document. For more information on the consortium and its other resources, please visit <http://www.sog.unc.edu/programs/civiced/index.php>.

ORDINANCE 47 - 16

AN ORDINANCE AMENDING THE CITY OF CAPE CORAL CODE OF ORDINANCES, CHAPTER 2, ADMINISTRATION, ARTICLE V, BOARDS AND COMMISSIONS, AMENDING SECTIONS 2-57, 2-59, AND 2-60, AND CREATING DIVISION 12, SECTION 2-120.49, TO CREATE AND ESTABLISH A YOUTH COUNCIL; PROVIDING FOR CREATION AND PURPOSE; PROVIDING FOR COMPOSITION, QUALIFICATIONS, AND TERMS; PROVIDING FOR PARENTAL CONSENT AND APPLICATION; PROVIDING FOR ELECTION OF OFFICERS; PROVIDING FOR VACANCIES AND REMOVAL; PROVIDING FOR MEETINGS, QUORUM, FORFEITURE OF OFFICE, MINUTES, RECORDS, AND COMPENSATION; PROVIDING FOR RULES AND REGULATIONS; PROVIDING FOR DUTIES AND RESPONSIBILITIES; PROVIDING FOR REPORTING; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Cape Coral City Council wishes to more actively engage and involve the youth of the community in the local government process; and

WHEREAS, the creation of a Youth Council will serve as a catalyst for youth participation and promote community involvement by the youth of the community and will assist with promoting ideas and local government issues; and

WHEREAS, the establishment of a Youth Council will provide an opportunity for the youth of the City of Cape Coral to acquire a greater knowledge of, and appreciation for, the American political system through active participation in that system; and

WHEREAS, the Cape Coral City Council hereby finds that this ordinance is in the best interest of the public health, safety, and welfare.

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, Article V, Section 2-57, is hereby amended as follows:

§ 2-57 Qualifications of members generally.

(a) Members of all advisory boards, committees, commissions, appeals boards, councils, and task forces serving the city shall, in addition to meeting other membership qualifications as imposed by law, be persons who are citizens of the United States and who permanently reside in the city. Any person who meets the foregoing qualifications when appointed, but who later becomes unqualified, shall forfeit his or her office.

(b) (1) An applicant for membership on a board, committee, commission, council, or task force, or a sitting member of those bodies shall not have any delinquent accounts with the city at the time of appointment to the board, committee, commission, council, or task force, or thereafter in cases of members.

...

SECTION 2. The City of Cape Coral Code of Ordinances, Chapter 2, Article V, Section 2-59, is hereby amended as follows:

§ 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) Transportation Advisory Commission;
- (3) Golf Course Advisory Board; and
- (4) ~~Minority Issues/citizens Advisory Committee~~ Youth Council.

SECTION 3. The City of Cape Coral Code of Ordinances, Chapter 2, Article V, Section 2-60, is hereby amended as follows:

§ 2-60 Limitation on offices held.

(a) *Applicability.* Members of all advisory boards, commissions, councils, and appeal boards serving the city shall hold no other office on any other board, commission, council, appeal board or the City Council. This regulation is meant to and shall apply to all appointed offices within the city; with the exception of those persons serving on comprehensive task forces, said task force members being permitted to sit on two or more task forces but not to sit on other bodies. Alternate membership shall classify a person as a member for purposes of this section.

...

SECTION 4. The City of Cape Coral Code of Ordinances, Chapter 2, Article V, is hereby amended to create Division 12, Section 2-120.49, 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 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.

(b) *Composition; qualifications; and terms.*

- (1) The Youth Council shall be composed of fourteen (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. The Youth Council shall be composed of one (1) junior and one (1) 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 (7) 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 (7) 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 (7) rising juniors to the Youth Council to serve a term of two (2) 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 immediately forfeit the member's seat and the seat shall be declared vacant.
- (4) In the event that there is no available student applicant from a class or source identified in subsection (1) in any given year, the City Council may appoint a substitute student from one of the other subsection (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, take an Oath of Office and 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 other week, unless there is no business to transact by three (3) days before a regular meeting date. Special meetings may be called by the chairperson or vice-chairperson 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 Section 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 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 all meetings of the Youth Council.
- (h) Duties and responsibilities. The Youth Council shall have the duty and responsibility to:
 - (1) Evaluate and review 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 share ideas and discuss issues, concerns, and needed improvements.
 - (4) Present recommendations to the City Council for public projects and programs.
 - (5) Assist in planning youth/recreation activities.
 - (6) Evaluate and advise the City Council on issues forwarded to the Youth Council for advice.
- (i) Reporting. The Youth Council shall make recommendations to the City Council 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 5. 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 6. 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 26th DAY OF September, 2016.


MARNI L. RETZER, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

RETZER
BURCH
CARIOSCIA
STOUT

aye
aye
aye
excused

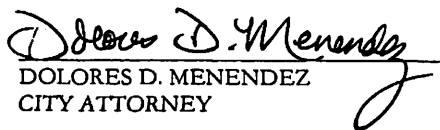
LEON
ERBRICK
WILLIAMS
COSDEN

aye
aye
aye
aye

ATTESTED TO AND FILED IN MY OFFICE THIS 6th DAY OF October, 2016.


REBECCA VAN DEUTEKOM
CITY CLERK

APPROVED AS TO FORM:


DOLORES D. MENENDEZ
CITY ATTORNEY

| | |
|----------------------|---|
| Item Number: | A.(1) |
| Meeting Date: | 5/1/2017 |
| Item Type: | ORDINANCES/RESOLUTIONS - Public Hearings |

**AGENDA
REQUEST FORM
CITY OF CAPE
CORAL**



TITLE:

Ordinance 12-17 (LU 16-0012) Public Hearing

REQUESTED ACTION:

STRATEGIC PLAN INFO:

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

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

P&Z recommendation:

At the April 5, 2017 meeting, the Planning and Zoning Commission/Local Planning Agency voted (5-0) to recommend approval of Ordinance 12-17. There were three speakers during public hearing. Staff received two letters of correspondence, one in support and one in opposition.

Staff Recommendation:

Staff recommends approval of the requested future land use map amendment.

SUMMARY EXPLANATION AND BACKGROUND:

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the City of Cape Coral Future Land Use Map from Single Family and Multi-Family by PDP to Single Family Residential for properties located in Units 33, 34, 35, 36-1, 37, 38, 41, 48, 49, 50, 54, 58, and 59, Cape Coral Subdivision, for properties located in the Whispering Pines Subdivision, and for properties lying in Section 10, Township 44 South, Range 23 East, Lee County, Florida; from Single Family and Multi-Family by PDP to Multiple Family Residential for properties located in Units 33, 37 and 58, Cape Coral Subdivision, and lying in Sections 29 and 32, Township 43 South, Range 24 East, Lee County, Florida; from Commercial Activity Center to Single Family Residential for properties located in Unit 49, Cape Coral Subdivision; from Commercial Activity Center to Multiple Family Residential for properties located in Unit 49, Cape Coral Subdivision; and from Urban Services Reserve Area to Urban Services Transition Area for properties located in Units 59, 60, 76, and 81, Cape Coral Subdivision, and for

properties located in the West Cape Estates Subdivision. This large scale future land use amendment is a follow-up to LU 15-0004 (Ordinance 59-15) which brought over 4,000 acres in northern Cape Coral from the Urban Services Reserve Area into the Urban Services Transition Area.

LEGAL REVIEW:

Brian R. Bartos, Assistant City Attorney

EXHIBITS:

Ordinance 12-17 (LU 16-0012) - revised version
Staff Presentation
Back-up

PREPARED BY:

Division- Department- City
 Attorney

SOURCE OF ADDITIONAL INFORMATION:

Wyatt Daltry, Planning Team Coordinator

ATTACHMENTS:

| Description | Type |
|--|-----------------|
| ▣ Ordinance 12-17 (LU 16-0012) revised version | Backup Material |
| ▣ Staff presentation | Backup Material |
| ▣ Back-up | Backup Material |

ORDINANCE 12 - 17

AN ORDINANCE AMENDING THE CITY OF CAPE CORAL COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP FROM SINGLE FAMILY AND MULTI-FAMILY BY PDP TO SINGLE FAMILY RESIDENTIAL FOR PROPERTIES LOCATED IN UNITS 33, 34, 35, 36-1, 37, 38, 41, 48, 49, 50, 54, 58, AND 59, CAPE CORAL SUBDIVISION, FOR PROPERTIES LOCATED IN THE WHISPERING PINES SUBDIVISION, AND FOR PROPERTIES LYING IN SECTIONS 10, TOWNSHIP 44 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA; FROM SINGLE FAMILY AND MULTI-FAMILY BY PDP TO MULTI-FAMILY RESIDENTIAL FOR PROPERTIES LOCATED IN UNITS 33, 37 AND 58, CAPE CORAL SUBDIVISION, AND LYING IN SECTIONS 29 AND 32, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; FROM COMMERCIAL ACTIVITY CENTER TO SINGLE FAMILY RESIDENTIAL FOR PROPERTIES LOCATED IN UNIT 49, CAPE CORAL SUBDIVISION; FROM COMMERCIAL ACTIVITY CENTER TO MULTI-FAMILY RESIDENTIAL FOR PROPERTIES LOCATED IN UNIT 49, CAPE CORAL SUBDIVISION; AND FROM URBAN SERVICES RESERVE AREA TO URBAN SERVICES TRANSITION AREA FOR PROPERTIES LOCATED IN UNITS 59, 60, 76, AND 81, CAPE CORAL SUBDIVISION, AND FOR PROPERTIES LOCATED IN THE WEST CAPE ESTATES SUBDIVISION, ALL AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Cape Coral on February 13, 1989, adopted a Comprehensive Plan pursuant to the Comprehensive Planning Act; and

WHEREAS, as part of the Comprehensive Plan the City of Cape Coral adopted therewith a future land use map designating land uses and proposed land uses throughout the City of Cape Coral consistent with the Comprehensive Plan and Comprehensive Planning Act; and

WHEREAS, the City of Cape Coral City Council has considered the testimony, evidence, and documentation for the Land Use Amendment initiated by the CITY OF CAPE CORAL regarding the below described property, and considered the recommendation of the Planning & Zoning Commission/Local Planning Agency and City staff.

NOW, THEREFORE, THE CITY OF CAPE CORAL, FLORIDA, HEREBY ORDAINS PURSUANT TO THE LAWS OF FLORIDA, AND OTHER APPLICABLE LAWS, THIS ORDINANCE:

SECTION 1. That the below described real property located within the City of Cape Coral, Florida, is hereby amended consistent with the City of Cape Coral Comprehensive Plan as follows:

FROM SINGLE FAMILY AND MULTI-FAMILY BY PDP TO SINGLE FAMILY
RESIDENTIAL

| Cape Coral Subdivision | | |
|------------------------|-------|------------------|
| Unit | Block | Lots |
| 34-0 | 2053 | 44-68 |
| 35-0 | 2053 | 69-86 |
| 34-0 | 2054 | 4-28 |
| 34-0 | 2099 | 31-55 |
| 34-0 | 2100 | 44-72 |
| 36-1 | 2100 | 73-106 + Tract A |
| 33-0 | 2247 | 1-95 |
| 33-0 | 2248 | 1-56 |
| 33-0 | 2249 | 1-21 |
| 33-0 | 2250 | 1-24 |
| 33-0 | 2251 | 1-26 |
| 33-0 | 2252 | 1-26 |
| 33-0 | 2253 | 1-73 |
| 33-0 | 2254 | 1-69 |

| | | |
|------|------|------|
| 33-0 | 2255 | 1-75 |
| 33-0 | 2256 | 1-75 |
| 33-0 | 2258 | 1-46 |
| 33-0 | 2259 | 1-46 |
| 33-0 | 2260 | 1-15 |
| 33-0 | 2262 | 1-6 |
| 33-0 | 2263 | 1-48 |
| 33-0 | 2264 | 1-48 |
| 33-0 | 2265 | 1-54 |
| 33-0 | 2266 | 1-56 |
| 33-0 | 2267 | 1-72 |
| 33-0 | 2271 | 1-37 |
| 33-0 | 2272 | 1-26 |
| 33-0 | 2273 | 1-26 |
| 33-0 | 2274 | 1-26 |
| 33-0 | 2275 | 1-26 |
| 33-0 | 2276 | 1-26 |
| 33-0 | 2277 | 1-56 |
| 33-0 | 2278 | 1-22 |
| 33-0 | 2279 | 1-36 |
| 33-0 | 2280 | 1-48 |
| 33-0 | 2281 | 1-3 |
| 33-0 | 2282 | 1-3 |
| 33-0 | 2283 | 1-64 |
| 33-0 | 2284 | 1-77 |
| 33-0 | 2285 | 1-62 |
| 33-0 | 2286 | 1-24 |
| 33-0 | 2287 | 1-67 |
| 35-0 | 2361 | 1-24 |
| 35-0 | 2362 | 1-25 |
| 35-0 | 2363 | 1-30 |
| 35-0 | 2364 | 1-36 |
| 35-0 | 2365 | 1-44 |
| 35-0 | 2366 | 1-50 |
| 35-0 | 2367 | 1-58 |
| 35-0 | 2368 | 1-64 |
| 35-0 | 2369 | 1-70 |
| 35-0 | 2370 | 1-78 |
| 35-0 | 2371 | 1-25 |
| 35-0 | 2372 | 1-33 |
| 35-0 | 2375 | 1-37 |
| 35-0 | 2376 | 1-23 |
| 35-0 | 2384 | 1-70 |
| 35-0 | 2385 | 1-82 |
| 35-0 | 2386 | 1-46 |
| 35-0 | 2387 | 1-69 |
| 34-0 | 2388 | 1-48 |
| 34-0 | 2389 | 1-48 |
| 34-0 | 2390 | 1-48 |
| 34-0 | 2392 | 1-28 |
| 35-0 | 2393 | 1-45 |
| 35-0 | 2394 | 1-38 |
| 35-0 | 2397 | 1-42 |
| 35-0 | 2398 | 1-38 |
| 35-0 | 2399 | 1-40 |

| | | |
|------|------|----------------|
| 35-0 | 2400 | 1-85 + Tract A |
| 35-0 | 2401 | 1-42 |
| 35-0 | 2402 | 1-42 |
| 35-0 | 2403 | 1-42 |
| 35-0 | 2404 | 1-42 |
| 35-0 | 2405 | 1-42 |
| 35-0 | 2406 | 1-42 |
| 35-0 | 2407 | 1-32 |
| 35-0 | 2408 | 1-40 |
| 35-0 | 2409 | 1-48 |
| 35-0 | 2410 | 1-70 |
| 35-0 | 2411 | 1-80 |
| 35-0 | 2412 | 1-78 |
| 35-0 | 2413 | 1-96 |
| 35-0 | 2414 | 1-53 |
| 35-0 | 2415 | 1-40 |
| 34-0 | 2416 | 1-60 |
| 34-0 | 2417 | 1-60 |
| 34-0 | 2418 | 1-56 |
| 34-0 | 2419 | 1-74 |
| 34-0 | 2420 | Tract A |
| 34-0 | 2421 | 1-46 |
| 34-0 | 2422 | 1-46 |
| 34-0 | 2423 | 1-46 |
| 34-0 | 2424 | 1-76 |
| 34-0 | 2425 | 1-82 |
| 34-0 | 2426 | 1-60 |
| 34-0 | 2427 | 1-64 |
| 34-0 | 2428 | 1-64 |
| 34-0 | 2429 | 1-60 |
| 34-0 | 2430 | 1-64 |
| 34-0 | 2431 | 1-62 |
| 34-0 | 2432 | 1-78 |
| 34-0 | 2433 | 1-44 |
| 34-0 | 2434 | 1-44 |
| 34-0 | 2435 | 1-44 |
| 34-0 | 2436 | 1-76 |
| 34-0 | 2437 | 1-86 |
| 34-0 | 2438 | 1-70 |
| 34-0 | 2439 | 1-70 |
| 34-0 | 2440 | 1-48 |
| 34-0 | 2441 | 1-48 |
| 34-0 | 2442 | 1-48 |
| 34-0 | 2443 | 1-48 |
| 34-0 | 2444 | 1-62 |
| 34-0 | 2445 | 1-62 |
| 34-0 | 2446 | 1-56 |
| 34-0 | 2447 | 1-90 |
| 34-0 | 2448 | 1-90 |
| 34-0 | 2450 | 1-62 |
| 34-0 | 2451 | 1-60 |
| 34-0 | 2452 | 1-48 |
| 34-0 | 2453 | 1-60 |
| 34-0 | 2454 | 1-60 |
| 34-0 | 2455 | 1-60 |

| | | |
|------|-------|--|
| 34-0 | 2456 | 1-50 |
| 34-0 | 2457 | 1-50 |
| 34-0 | 2458 | 1-50 |
| 34-0 | 2459 | 1-30 |
| 34-0 | 2460 | 1-78 |
| 34-0 | 2461 | 1-63 + portion of vacated canal as described in OR Book 4829/Page 1042 |
| 34-0 | 2462 | 1-42 |
| 34-0 | 2463 | 1-41 |
| 34-0 | 2464 | 1-53 |
| 34-0 | 2465 | 1-100 |
| 34-0 | 2466 | 1-84 |
| 34-0 | 2467 | 1-37 |
| 34-0 | 2468 | 1-49 |
| 36-1 | 2475 | 25-48 |
| 36-1 | 2476 | 40-78 |
| 36-1 | 2477 | 29-56 |
| 36-1 | 2478 | 32-62 |
| 37-0 | 2550 | 18-54 + property described in OR Book 2203/Page 395 |
| 37-0 | 2551 | 1-74 |
| 37-0 | 2552 | 1-96 |
| 37-0 | 2553A | 1-44 |
| 37-0 | 2554 | 1-56 |
| 38-0 | 2555 | 1-74 |
| 38-0 | 2556 | 1-64 |
| 37-0 | 2557 | 1-64 |
| 37-0 | 2558 | 1-42 |
| 37-0 | 2559 | 1-78 |
| 37-0 | 2560 | 1-78 |
| 37-0 | 2561 | 1-78 |
| 37-0 | 2562 | 1-42 |
| 37-0 | 2563 | 1-42 |
| 37-0 | 2564 | 1-94 |
| 37-0 | 2565 | 1-32 |
| 37-0 | 2566 | 1-32 |
| 37-0 | 2567 | 1-32 |
| 37-0 | 2568 | 1-32 |
| 37-0 | 2569 | 1-32 |
| 37-0 | 2570 | 1-32 |
| 37-0 | 2571 | 1-33 |
| 37-0 | 2574 | 1-2; 20-34 |
| 37-0 | 2575 | 1-38 |
| 37-0 | 2576 | 1-58 |
| 37-0 | 2577 | 1-62 |
| 37-0 | 2578 | 1-76 |
| 37-0 | 2579 | 1-64 |
| 37-0 | 2581 | 1-65 |
| 37-0 | 2582 | 1-82 |
| 37-0 | 2583 | 1-49 |
| 37-0 | 2584 | 1-31 |
| 37-0 | 2585 | 1-98 |
| 37-0 | 2586 | 1-34 |
| 37-0 | 2587 | 1-42 |

| | | |
|------|------|-------|
| 37-0 | 2588 | 1-48 |
| 37-0 | 2589 | 1-56 |
| 37-0 | 2590 | 1-58 |
| 37-0 | 2591 | 1-58 |
| 37-0 | 2592 | 1-62 |
| 37-0 | 2593 | 1-62 |
| 37-0 | 2594 | 1-58 |
| 37-0 | 2595 | 1-58 |
| 37-0 | 2596 | 1-62 |
| 37-0 | 2597 | 1-42 |
| 37-0 | 2598 | 1-76 |
| 37-0 | 2599 | 1-58 |
| 37-0 | 2600 | 1-74 |
| 37-0 | 2601 | 1-46 |
| 37-0 | 2602 | 1-46 |
| 37-0 | 2603 | 1-46 |
| 37-0 | 2604 | 1-105 |
| 37-0 | 2605 | 1-87 |
| 37-0 | 2606 | 1-55 |
| 37-0 | 2607 | 1-33 |
| 38-0 | 2608 | 1-81 |
| 38-0 | 2609 | 1-94 |
| 37-0 | 2610 | 1-86 |
| 37-0 | 2611 | 1-42 |
| 37-0 | 2612 | 1-54 |
| 37-0 | 2613 | 1-54 |
| 37-0 | 2614 | 1-54 |
| 37-0 | 2615 | 1-42 |
| 37-0 | 2616 | 1-48 |
| 37-0 | 2617 | 1-33 |
| 38-0 | 2618 | 1-57 |
| 38-0 | 2619 | 1-2 |
| 38-0 | 2675 | 22-42 |
| 38-0 | 2676 | 25-48 |
| 38-0 | 2681 | 31-60 |
| 38-0 | 2682 | 29-56 |
| 41-0 | 2840 | 1-64 |
| 41-0 | 2841 | 1-62 |
| 41-0 | 2898 | 1-68 |
| 41-0 | 2899 | 1-71 |
| 49-0 | 3620 | 3-40 |
| 48-0 | 3621 | 1-64 |
| 48-0 | 3622 | 1-49 |
| 49-0 | 3623 | 1-40 |
| 49-0 | 3624 | 1-37 |
| 49-0 | 3625 | 10-48 |
| 49-0 | 3626 | 1-46 |
| 49-0 | 3628 | 1-53 |
| 49-0 | 3636 | 1-70 |
| 48-0 | 3637 | 1-44 |
| 48-0 | 3638 | 1-46 |
| 48-0 | 3639 | 1-54 |
| 48-0 | 3640 | 1-28 |
| 48-0 | 3641 | 1-54 |
| 48-0 | 3642 | 1-46 |

| | | |
|------|-------------------|---------------|
| 48-0 | 3643 | 1-44 |
| 48-0 | 3644 | 1-54 |
| 48-0 | 3645 | 1-62 |
| 48-0 | 3646 | 1-76 |
| 48-0 | 3647 | 1-76 |
| 48-0 | 3648 | 3-35 |
| 48-0 | 3649 | 1-44 |
| 48-0 | 3650 | 1-66 |
| 48-0 | 3651 | 1-66 |
| 48-0 | 3652 | 1-73 |
| 48-0 | 3653 | 1-9 + Tract A |
| 48-0 | 3654 | 1-66 |
| 48-0 | 3655 | 1-54 |
| 48-0 | 3656 | 1-54 |
| 48-0 | 3657 | 1-60 |
| 48-0 | 3658 | 1-68 |
| 48-0 | 3659 | 1-53 |
| 49-0 | 3663 | 30-78 |
| 49-0 | 3664 | 1-53 |
| 49-0 | 3665 | 1-48 |
| 48-0 | 3666 | 1-28 |
| 49-0 | 3666 | 29-53 |
| 48-0 | 3667 | 1-70 |
| 48-0 | 3668 | 1-52 |
| 48-0 | 3669 | 1-46 |
| 48-0 | 3670 | 1-78 |
| 48-0 | 3671 | 1-47 |
| 48-0 | 3672 | 1-67 |
| 48-0 | 3673 | 1-83 |
| 48-0 | 3674 | 1-47 |
| 48-0 | 3675 | 1-29 |
| 50-0 | 3680 | 1-64 |
| 50-0 | 3681 | 1-35 |
| 50-0 | 3684 | 1-60 |
| 50-0 | 3686 | 1-89 |
| 50-0 | 3687 | 1-62 |
| 50-0 | 3688 | 1-54 |
| 50-0 | All of Block 3689 | |
| 50-0 | 3690 | 1-77 |
| 50-0 | 3691 | 1-60 |
| 50-0 | 3692 | 1-70 |
| 50-0 | 3693 | 1-70 |
| 50-0 | 3694 | 1-60 |
| 50-0 | 3695 | 1-60 |
| 50-0 | 3696 | 1-70 |
| 50-0 | 3697 | 1-48 |
| 50-0 | 3698 | 1-68 |
| 50-0 | 3699 | 1-61 |
| 54-0 | 3917 | 1-58 |
| 54-0 | 3918 | 1-16 |
| 54-0 | 3919 | 1-81 |
| 54-0 | 3920 | 1-47 |
| 54-0 | 3921 | 1-41 |
| 54-0 | 3922 | 1-61 |
| 54-0 | 3923 | 1-43 |

| | | |
|------|------|---|
| 54-0 | 3924 | 1-37 |
| 54-0 | 3925 | 1-31 |
| 54-0 | 3926 | 1-83 |
| 54-0 | 3927 | 1-52 |
| 54-0 | 3928 | 1-52 |
| 54-0 | 3929 | 1-52 |
| 54-0 | 3930 | 1-62 |
| 54-0 | 3931 | 1-62 |
| 54-0 | 3932 | 1-60 |
| 54-0 | 3933 | 1-60 |
| 54-0 | 3935 | 1-18 + Tract A + vacated right-of-way as described in INST #2006000394539 |
| 54-0 | 3936 | 1-59 |
| 54-0 | 3937 | 1-78 |
| 54-0 | 3938 | 1-70 |
| 54-0 | 3939 | 1-60 |
| 54-0 | 3940 | 1-60 |
| 54-0 | 3941 | 1-70 |
| 54-0 | 3942 | 1-70 |
| 54-0 | 3943 | 1-60 |
| 54-0 | 3944 | 1-56 |
| 54-0 | 3945 | 1-75 |
| 54-0 | 3946 | 1-78 |
| 54-0 | 3947 | 1-64 |
| 54-0 | 3948 | 1-83 |
| 54-0 | 3949 | 1-72 |
| 59-0 | 4127 | 1-6, 67-72 |
| 59-0 | 4130 | 1-2 |
| 59-0 | 4150 | 1-49 |
| 59-0 | 4151 | 1-35 |
| 59-0 | 4152 | 1-46 |
| 59-0 | 4153 | 1-43 |
| 59-0 | 4154 | 1-36 |
| 59-0 | 4155 | 1-42 |
| 59-0 | 4156 | 1-36 |
| 59-0 | 4157 | 1-31 |
| 59-0 | 4158 | 1-45 |
| 59-0 | 4159 | 1-48 |
| 59-0 | 4160 | 1-50 |
| 59-0 | 4161 | 1-36 |
| 59-0 | 4162 | 1-36 |
| 59-0 | 4163 | 1-37 |
| 59-0 | 4164 | 1-35 |
| 59-0 | 4165 | 1-54 |
| 59-0 | 4166 | 1-54 |
| 59-0 | 4167 | 1-54 |
| 59-0 | 4168 | 1-54 |
| 59-0 | 4169 | 1-48 |
| 59-0 | 4170 | 1-48 |
| 59-0 | 4171 | 1-48 |
| 59-0 | 4172 | 1-48 |
| 59-0 | 4173 | 1-44 |
| 59-0 | 4174 | 1-44 |
| 59-0 | 4175 | 1-44 |
| 59-0 | 4176 | 1-44 |

| | | |
|------|--------------------|-------------|
| 59-0 | 4177 | 1-64 |
| 59-0 | 4178 | 1-34 |
| 58-0 | 5300 | 1-14 |
| 58-0 | All of Block 5300A | |
| 58-0 | 5301 | 1-50 |
| 58-0 | 5302 | 1-56 |
| 58-0 | 5303 | 1-56 |
| 58-0 | 5304 | 1-58 |
| 58-0 | 5305 | 1-58 |
| 58-0 | 5306 | 1-58 |
| 58-0 | 5307 | 1-49 |
| 58-0 | 5308 | 1-58 |
| 58-0 | 5309 | 1-60 |
| 58-0 | 5310 | 1-60 |
| 58-0 | 5311 | 1-42 |
| 58-0 | 5312 | 1-42 |
| 58-0 | 5313 | 1-42 |
| 58-0 | 5314 | 1-60 |
| 58-0 | 5315 | 1-40 |
| 58-0 | 5316 | 1-46 |
| 58-0 | 5317 | 1-39 |
| 58-0 | 5318 | 1-33, 36-48 |
| 58-0 | 5319 | 1-20 |
| 58-0 | 5320 | 1-34 |
| 58-0 | 5321 | 1-56 |
| 58-0 | 5322 | 1-42 |
| 58-0 | 5323 | 1-46 |
| 58-0 | 5324 | 1-67 |
| 58-0 | 5325 | 1-91 |
| 58-0 | 5326 | 1-57 |
| 58-0 | 5327 | 1-36 |
| 58-0 | 5330 | 1-50 |
| 58-0 | 5331 | 1-34 |
| 58-0 | 5332 | 1-39 |
| 58-0 | 5333 | 1-77 |
| 58-0 | 5334 | 1-50 |
| 58-0 | 5335 | 1-84 |
| 58-0 | 5336 | 1-38 |
| 58-0 | 5338 | 1-48 |
| 58-0 | 5339 | 1-46 |
| 58-0 | 5340 | 1-24 |
| 58-0 | 5341 | 1-30 |
| 58-0 | 5342 | 1-22 |
| 58-0 | 5343 | 1-60 |
| 58-0 | 5344 | 1-33 |
| 58-0 | 5347 | 1-47 |
| 58-0 | 5348 | 1-52 |
| 58-0 | 5349 | 1-36 |
| 58-0 | 5350 | 1-49 |
| 58-0 | 5351 | 1-55 |
| 58-0 | 5352 | 1-54 |
| 58-0 | 5353 | 1-54 |
| 58-0 | 5354 | 1-54 |
| 58-0 | 5355 | 1-54 |
| 58-0 | 5356 | 1-50 |

AND

Lots 15 and 16, Block 3649, Unit 48, Cape Coral Subdivision, according to the plat thereof, as recorded in Plat Book 17, Pages 135 through 144, inclusive, in the Public Records of Lee County, Florida, and

Lots 17 and 18, Block 3649, Unit 48, Cape Coral Subdivision, according to the plat thereof, as recorded in Plat Book 17, Pages 135 through 144, inclusive, in the Public Records of Lee County, Florida, and

The North $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ in Section 10, Township 44 South, Range 23 East, less right-of-way for roads.

ALSO, Part of the SE $\frac{1}{4}$ of Section 10, Township 44 South, Range 23 East, City of Cape Coral, Florida, more particularly described as follows:

Commencing at the Southeast corner of Section 10: Thence N89°50'40"W along the South line of said SE $\frac{1}{4}$, 1,343.75 feet to the Southeast corner of the West $\frac{1}{2}$ of said SE $\frac{1}{4}$ and the Place of Beginning of this description; thence continue N89°50'40"W, 671.875 feet; thence N00°00'44"W, 2,689.05 feet to a point on the North line of said SE $\frac{1}{4}$, which point is 672.26 feet S89°55'52"E from the center post of Section 10; thence S89°55'52"E, 672.26 feet to the Northeast corner, of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence S00°00'15"E, 840.35 feet along the East line of said NW $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence N89°53'16"W, 16.39 feet; thence S19°53'16"E 187 feet; thence S08°09'54"W, 332.24 feet to the Northeast corner of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence S00°00'15"E along the East line said fractional section 1,345.03 feet to the Place of Beginning.

ALSO, the West $\frac{1}{2}$ of the West $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Section 10, Township 44 South, Range 23 East, City of Cape Coral, Lee County, Florida, more particularly described as follows:

Commencing at the SE corner of Section 10; thence N89°50'40"W along the South line of said SE $\frac{1}{4}$ 2,015.63 feet to the Point of Beginning of this description; thence continue N89°50'40"W 671.875 feet to the South $\frac{1}{4}$ corner of Section 10; thence N00°01'14"W along the West line of said SE $\frac{1}{4}$ 2,688.04 feet to the center post of Section 10; thence S89°55'52"E along the North line of said SE $\frac{1}{4}$ 672.26 feet; thence S00°00'44"E 2,689.05 feet to the Place of Beginning. Bearing derived from recorded Plat of Cape Coral Unit 48, Plat Book 17, Pages 135 through 144 in the Public Records of Lee County, Florida.

AND Lots 1 and 2, Block 3648, Unit 48, Cape Coral Subdivision, according to the plat thereof, as recorded in Plat Book 17, Pages 135 through 144 in the Public Records of Lee County, Florida.

AND Lot 19, Block 3648, Unit 48, Cape Coral Subdivision, according to the plat thereof, as recorded in Plat Book 17, Pages 135 through 144 in the Public Records of Lee County, Florida.

AND

Lots 1, 7-10, 12-18, and 43-46, Block A, of an unrecorded plat of Whispering Pines Subdivision, Lee County, Florida.

AND

A tract or parcel of land located in the South $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 10, Township 44 South, Range 23 East, City of Cape Coral as described in Official Records Book 1760, Page 3532 of the Public Records of Lee County, Florida.

AND

The SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the South $\frac{1}{2}$ of the NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Section 10, Township 44 South, Range 23 East.

LESS and except Lot 9, Block A of an unrecorded plat of Whispering Pines Subdivision, Public Records of Lee County, Florida.

FROM SINGLE FAMILY AND MULTI-FAMILY BY PDP TO MULTI-FAMILY
RESIDENTIAL

| Cape Coral Subdivision | |
|------------------------|-------------------|
| Unit | Block |
| 37-0 | All of Block 2580 |
| 58-0 | All of Block 5345 |

AND

A tract of land consisting of a portion of Block 2257, Cape Coral Unit 33 according to Plat Book 16, Pages 40 through 61 of the Public Records of Lee County, Florida, and lying in Sections 29 and 32, Township 43 South, Range 24 East, City of Cape Coral, Lee County, Florida being more particularly described as follows:

Beginning at the Northwesterly corner of said Block 2257, being also the southwesterly corner of Lot 1, Block 2260 of said Cape Coral Unit 33, a point on the easterly line of Section 30, Township 43 South, Range 24 East and a point on the westerly line of said Section 29; thence run N89°59'11"E along the northerly line of said Block 2257 and the southerly line of said Lot 1 for 150 feet to the southeasterly corner of said Lot 1, being also the southwesterly corner of NE 26th Street right-of-way; thence continue running N89°59'11"E along said northerly line of said Block 2257 and the southerly right-of-way line of NE 26th Street for 974.84 feet to the point of curvature of a curve concave to the Southwest; thence run along the northeasterly line of said Block 2257 and southwesterly right-of-way line of NE 26th Street along said curve having a radius of 25 feet and a central angle of 90°00'16" (Chord - S45°00'41"E, 35.36 feet) for 39.27 feet to the point of tangency, being also a point on the easterly line of said Block 2257 and a point on the westerly right-of-way line of NE 19th Avenue; thence run along said easterly line of said Block 2257 and said westerly right-of-way line the following three (3) courses: S00°00'33"E for 192.73 feet to the point of curvature of a curve concave to the Northeast, then run along said curve having a radius of 3,110 feet and a central angle of 17°58'17" (Chord - S08°59'42"E, 971.50 feet) for 975.48 feet to the point of reverse curvature with a curve concave to the Northwest, then run along said curve having a radius of 50 feet and a central angle of 107°58'17" (Chord - S36°00'18"W, 80.89 feet) for 94.22 feet to the point of tangency, being also a point on the southerly line of said Block 2257 and a point on the northerly right-of-way line of Kismet Parkway (NE 24th Street); thence run S89°59'27"W along said southerly right-of-way line of said Block 2257 and said northerly right-of-way line for 936.22 feet; thence run N00°21'00"W, leaving said common line, for 695.01 feet; thence run S89°59'27"W for 310.62 feet to an intersection with the westerly line of said Block 2257, being also the easterly line of said Section 30 and the westerly line of Section 29; thence run N00°19'41"W along said westerly line of said Block 2257, said easterly line of said Section 30 and said westerly line of said Section 29 for 547.65 feet to the point of beginning.

Said tract of land contains 1,266,076 square feet (29.065 acres), more or less, and Buildings 1-34 and common area of Concordia Cape Coral.

FROM COMMERCIAL ACTIVITY CENTER TO SINGLE FAMILY RESIDENTIAL

| Cape Coral Subdivision | | |
|------------------------|-------|------|
| Unit | Block | Lots |
| 49-0 | 3629 | 1-68 |
| 49-0 | 3630 | 1-31 |
| 49-0 | 3635 | 1-54 |
| 49-0 | 3660 | 9-65 |
| 49-0 | 3661 | 1-36 |

FROM COMMERCIAL ACTIVITY CENTER TO MULTI-FAMILY RESIDENTIAL

| Cape Coral Subdivision | | |
|------------------------|-------|-------------------|
| Unit | Block | Lots |
| 49-0 | | All of Block 3631 |
| 49-0 | | All of Block 3634 |
| 49-0 | 3661 | 37-52 |

FROM URBAN SERVICES RESERVE AREA TO URBAN SERVICES TRANSITION AREA

| Cape Coral Subdivision | | |
|-------------------------------|-------|----------------------|
| Unit | Block | Lots |
| 59-0 | 4148 | 4-39 |
| 59-0 | 4149 | 1-34 |
| 60-0 | 4224 | 1-24 |
| 81-0 | 5219 | Tract A |
| 76-0 | 6405 | 1-2 + Tract C |
| 76-0 | 6406 | 1-7 + Tract B |
| 76-0 | 6407 | 1-8 + Tract A |
| 76-0 | 6408 | 1-4 + Tracts I, J, K |
| West Cape Estates Subdivision | | |
| | 7010 | 1-28 + Tracts A-E |

SECTION 2. 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 3. Effective Date. The effective date of this plan amendment shall be thirty-one (31) days after the state land planning agency notifies the City that the plan amendment package is complete, or if timely challenged, the date a final order is issued by the Administration Commission finding the amendment to be in compliance in accordance with Chapter 163.3184(3)(c)4., F.S., whichever is applicable.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION THIS _____ DAY OF _____, 2017.

MARNI L. SAWICKI, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

SAWICKI _____
BURCH _____
CARIOSCIA _____
STOUT _____

LEON _____
ERBRICK _____
WILLIAMS _____
COSDEN _____

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____, 2017.

REBECCA VAN DEUTEKOM
CITY CLERK

APPROVED AS TO FORM:



BRIAN R. BARTOS
ASSISTANT CITY ATTORNEY
ord/LU16-0012

Cape Coral City Council

May 1, 2017

ORDINANCE 12-17
LU16-0012

Ordinance 12-17

- **Applicant: City of Cape Coral**
- **Location: Approximately 2,900 acres of Northern Cape Coral**
- **Urban Services Area: Transition and Reserve**

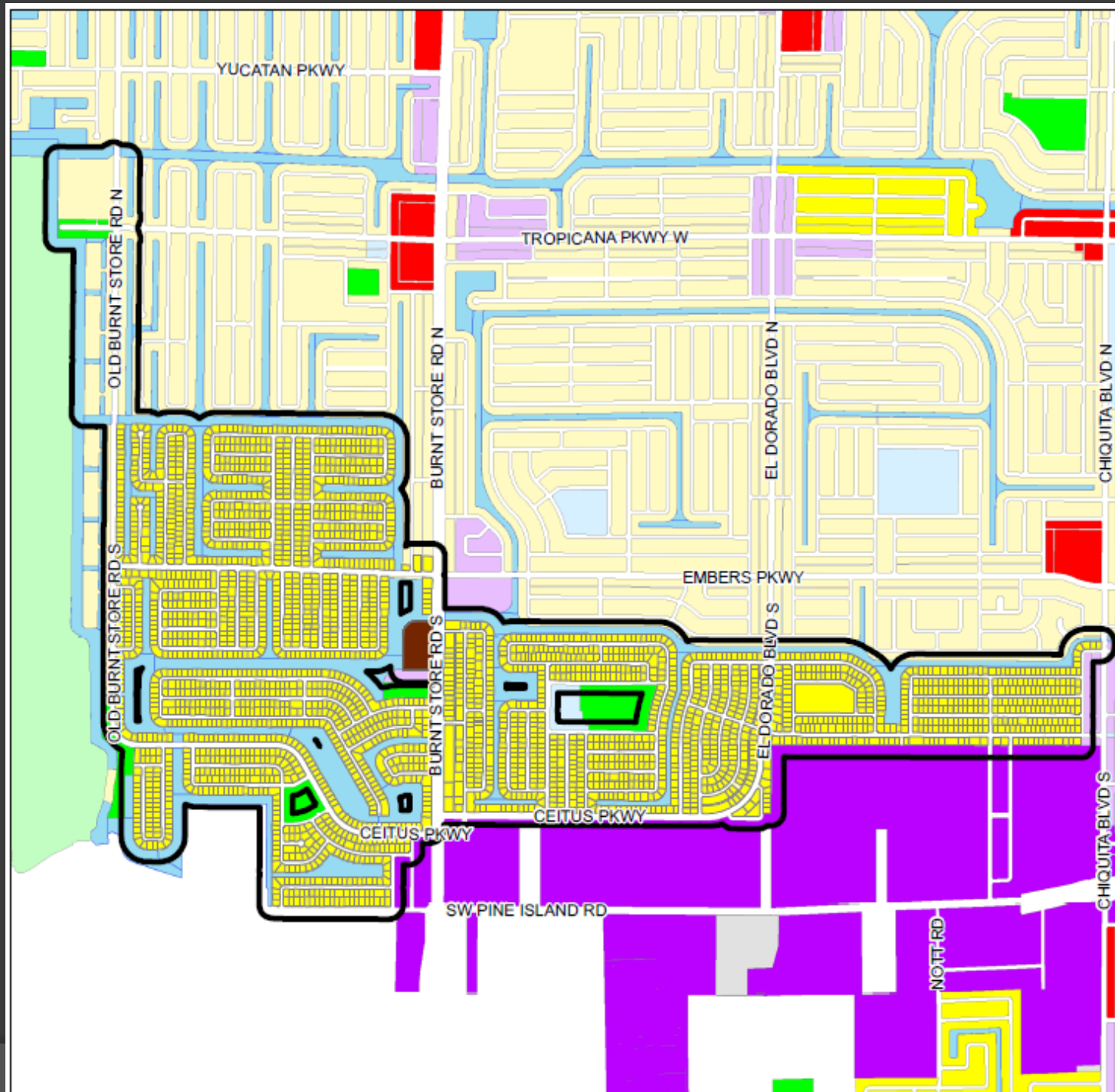
Ordinance 12-17

- Request:

| Current FLU | Proposed FLU | Acreage |
|--|--------------------------------|----------|
| Single Family/Multi-Family by PDP (SM) | Single-Family Residential (SF) | 2,686.04 |
| SM | Multi-Family Residential (MF) | 63.16 |
| Commercial Activity Center (CAC) | SF | 29.39 |
| CAC | MF | 29.66 |
| No FLUMA: Reserve Area | No FLUMA: Transition Area | 57.13 |

Area





CITY OF CAPE CORAL
 Department of
 Community Development
 Planning Division
NORTH 2 WEST
LU16-0012

Legend

Subject Properties

SM to MF

SM to SF

Future Land Use

FLU

NA

SF

SM

CAC

PIRD

CP

PF

PK

PR

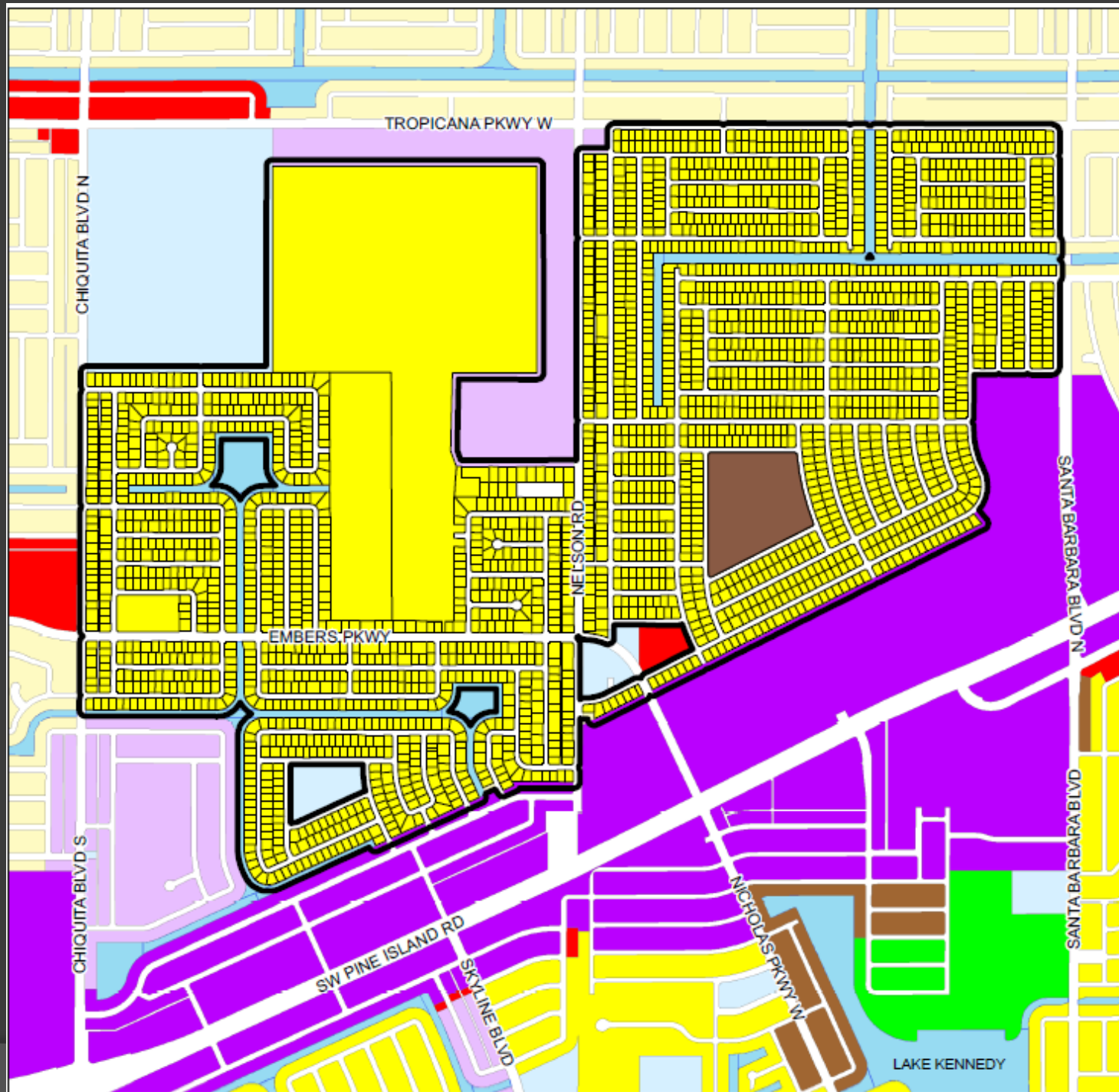
Canals/Lakes



April 27, 2016

0 870 1,740 2,610 3,480 Feet

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.



CITY OF CAPE CORAL

Department of
Community Development
Planning Division

NORTH 2 CENTRAL
LU16-0012

LEGEND

Subject Properties

SM to MF

SM to SF

Future Land Use

SF

SM

MF

CAC

PIRD

CP

PF

PK

Canals/Lakes

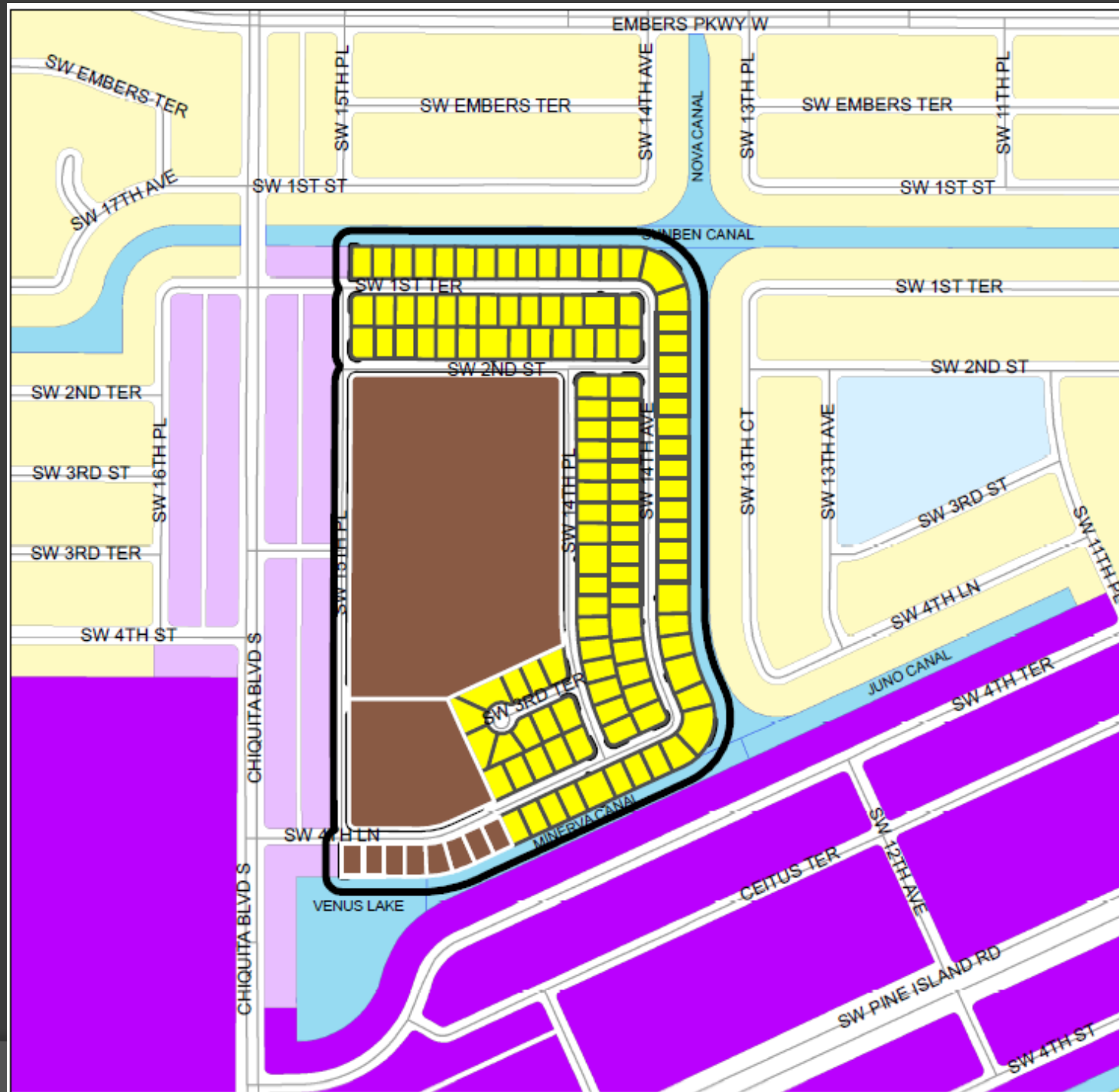


October 3, 2016

0 560 1,120 1,740 2,320 Feet

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.

/wd



CITY OF CAPE CORAL
Department of
Community Development
Planning Division

CAC AREA
LU16-0012

Legend

- CAC to MF
- CAC to SF
- Subject Area

Future Land Use

FLU

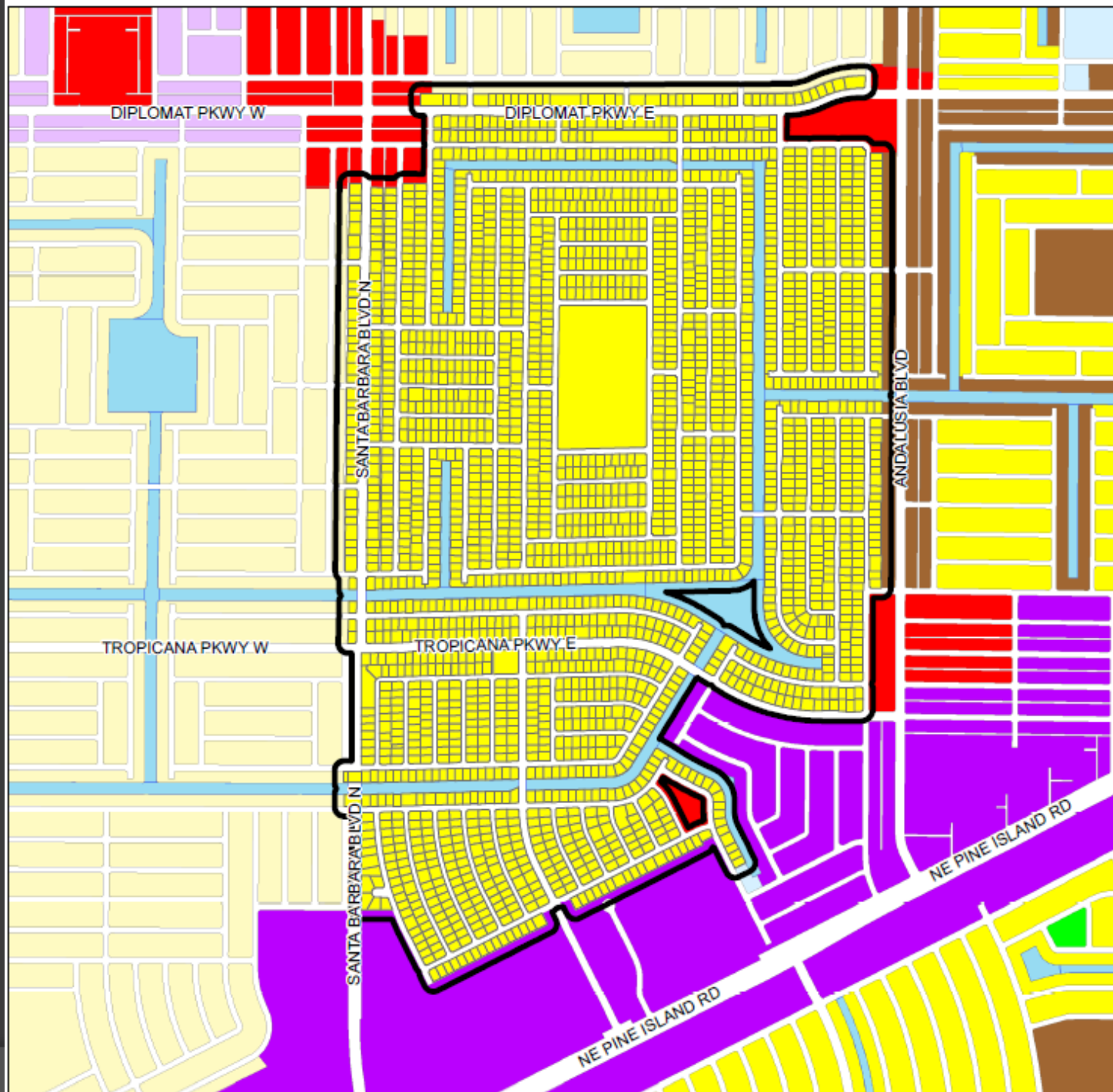
- SF
- SM
- CAC
- PIRD
- PF
- Canals/Lakes



October 5, 2016



This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.



CITY OF CAPE CORAL
 Department of
 Community Development
 Planning Division
 NORTH 2 EAST CENTRAL
 LU16-0012

Legend

Subject Properties

SM to SF

Future Land Use

FLU

SF

SM

MF

CAC

PIRD

CP

PF

PK

Canals/Lakes

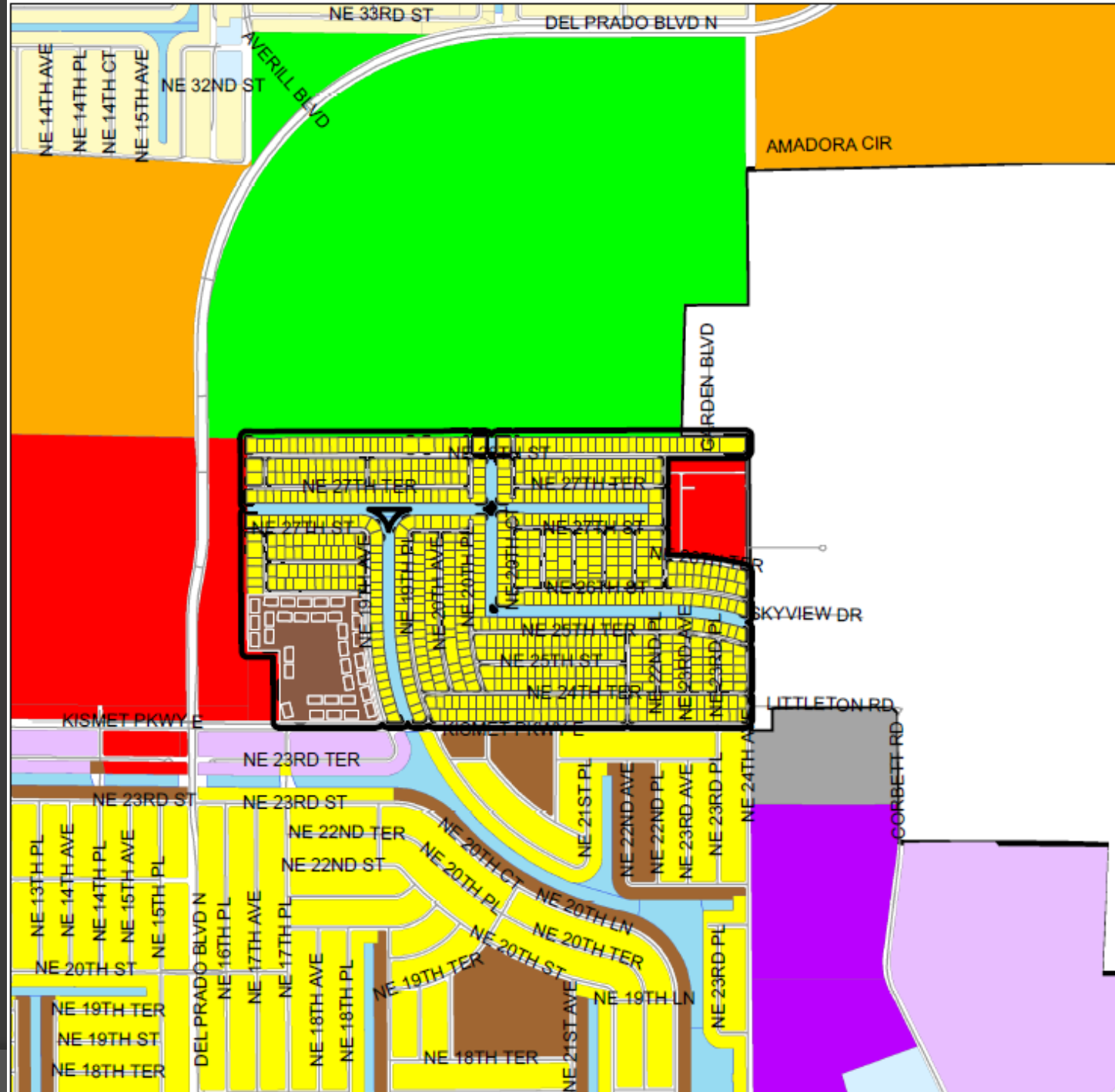


April 27, 2016

0 960 1,120 1,680 2,240 Feet

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.

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CITY OF CAPE CORAL
 Department of
 Community Development
 Planning Division
NORTH 2 EAST AREA
LU16-0012

Legend

- SM to MF
- SM to SF
- SM to SF
- Subject Area

Future Land Use

FLU

- SF
- SM
- MF
- MX
- CAC
- PIRD
- CP
- I
- PF
- PK
- Canals/Lakes



October 5, 2016



This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.

/wd

Background

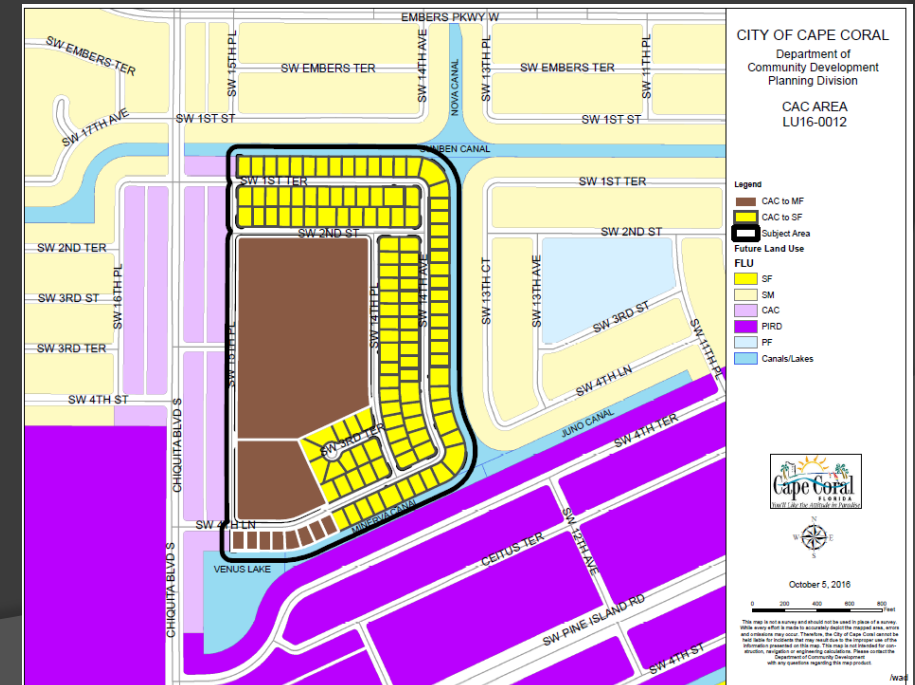
- **Roughly the same area identified in Ordinance 59-15, which brought the area to the Transition.**
- **Affects approximately 9,600 properties**
- **Will remove the possibility for multi-family residential development for the majority of properties**
- **96% of area to be changed to Single Family Residential**

Background

- **38% of properties are developed; City policy is to consider extension of utilities after area is 30% developed**
- **First substantial area north of Pine Island Road to receive central utilities**
- **Prepares area for development after utilities are provided.**

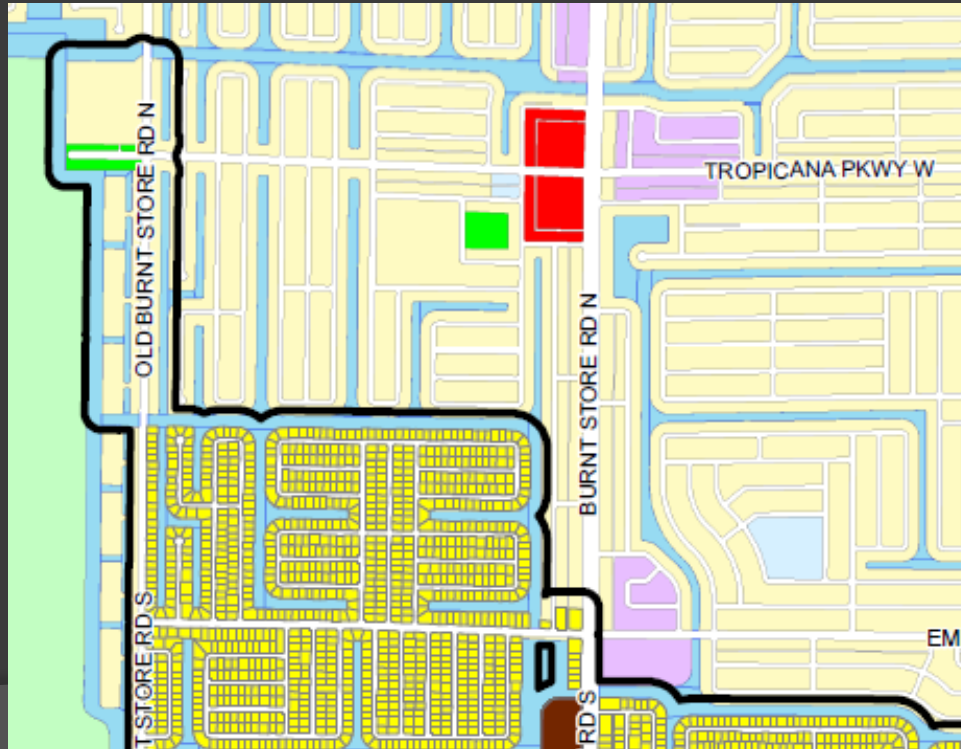
Background

- Four areas of MF are proposed; two of which are existing MF developments
- CAC proposed to be amended to SF and MF in one area; 60 acres



Background

- Finally, one area proposed to be amended without FLUMA change
- Area is to be changed from Urban Services Reserve Area to Transition



Considerations – Comprehensive Plan

- **Proposed amendment is consistent with multiple policies in Infrastructure Element; Policies 1.1.6, 2.1.1, and 2.2.1.**
- **These policies indicate the need for the city to continue its dual water Utility Expansion project to unserved areas that met criterion set forth in the Utility Master Plan update.**

Recommendation

Planning Division staff recommends approval for the following reasons:

- **The request is consistent with the Comprehensive Plan**
- **The need to provide centralized water and sewer facilities to relax the strain on the environment**

Planning Division has received no correspondence

P&Z Recommendation

At the April 5, 2017 meeting, the Planning and Zoning Commission/Local Planning Agency voted (5-0) to recommend approval of Ordinance 12-17. There were three speakers during public input. Staff received two letters of correspondence, one in support and one in opposition.

Case # LU 16-0012REQUEST TO PLANNING & ZONING COMMISSION/LOCAL PLANNING AGENCY AND COUNCIL
FOR A **LARGE SCALE** COMPREHENSIVE LAND USE MAP AMENDMENT

FEE \$1,225.00 first 3 acres plus \$220.00 each additional acre over 3 up to 20 acres; \$22.00 per acre over the first 20 acres. In addition to the application fee, all required advertising costs are to be paid by the applicant (ORD 39-03, Sec. 5.4). An initial payment of \$1,125 for advertising costs is to be paid at submittal. Additional advertising costs, if applicable, will be billed prior to hearing.

OWNER OF PROPERTY

See Attachment A

Address: _____

City: _____ State: _____ Zip _____

Phone: _____

Email: _____

APPLICANT

City of Cape Coral

Address: 1015 Cultural Park BoulevardCity: Cape Coral State: FL Zip 33915

Phone: _____

Email: _____

AUTHORIZED REPRESENTATIVE

Wyatt Daltry, AICP, Png Team Coordinator

Address: 1015 Cultural Park BoulevardCity: Cape Coral State: FL Zip 33915Phone: 239-573-3160Email: wdaltry@capecoral.netUnit _____ Block _____ Lot(s) _____ Subdivision Cape CoralLegal Description multiple; see Attachment AAddress of Property See Attachment A

Plat _____ Page _____

Current Zoning multiple Strap Number multiple; see Attachment ACurrent Land Use SM, CAC Proposed Land Use SF, MF, PK

THIS APPLICATION SHALL ALSO HAVE ANY ADDITIONAL REQUIRED SUPPORTING DOCUMENTS

The owner of this property, or his authorized representative agrees to conform to all applicable laws of the City of Cape Coral and to all applicable Federal, State, and County laws and certifies that all information supplied is correct to the best of their knowledge.

A. John Szerlag, City Manager

NAME (PLEASE TYPE OR PRINT)

AUTHORIZED SIGNATURE

(SIGNATURE MUST BE NOTARIZED)

STATE OF FL, COUNTY OF LEESworn to (or affirmed) and subscribed before me this 3rd day of November, 2016, by

A. John Szerlag who is personally known or produced
as identification.

Exp. Date: 8/13/2020 Commission Number: GG 011512Signature of Notary Public: Phyllis DeMarcoPrinted name of Notary Public: Phyllis DeMarco



**LARGE SCALE COMPREHENSIVE LAND USE AMENDMENT
APPLICATION CONTINUED**

Parcel Size: Width _____ Depth _____ Sq. Ft. _____ Acreage 2,818.49
Soil Type: Multiple soil types

Urban Services Area: (check one) ☐ Infill ☒ Transition ☐ Reserve

Natural Resources: (state habitat type, e.g. high lands, wetlands, upland forest, oak hammocks, etc.):
vacant platted parcels, developed platted parcels

Animal Species: (list any endangered, threatened, or species of special concern on-site)

Eagles, gopher tortoises and burrowing owls exist on the site

Estimated Development:

Estimate total lot coverage: 25 %

Estimate total building floor area _____ sq. ft.

Estimate type of future development and percentages (e.g. business offices,
commercial retail, automotive repair, etc.

Mixture of Single Family Residential and Multi-Family Residential

Estimated peak hour trip ends:

If 300 or less peak hour trip ends are projected, the applicant must provide the source of the traffic projection. If more than 300 peak hour trip ends are projected, a traffic impact study must be completed and submitted as part of the application (see attachments).

City Sewer: Yes ☐ No ☐
City Water: Yes ☐ No ☐



AUTHORIZATION TO REPRESENT PROPERTY OWNER(s)

PLEASE BE ADVISED THAT Wyatt Daltry, Planning Team Coordinator
(Name of person giving presentation)

IS AUTHORIZED TO REPRESENT ME IN THE REQUEST TO THE PLANNING & ZONING COMMISSION/ LOCAL PLANNING AGENCY, BOARD OF ZONING ADJUSTMENTS AND APPEALS AND/OR CITY COUNCIL FOR

Large Scale Land Use Map Amendment
(Type of Public Hearing – i.e., PDP, Zoning, Special Exception, Variance, etc.)

UNIT multiple BLOCK multiple LOT(S) SUBDIVISION Cape Coral

OR LEGAL DESCRIPTION See Attachment A

LOCATED IN THE CITY OF CAPE CORAL, COUNTY OF LEE, FLORIDA.

A. John Szerlag, City Manager
PROPERTY OWNER (Please Print)

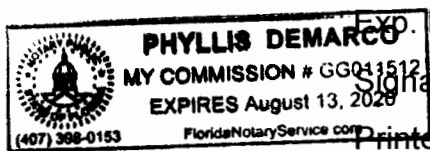
[Signature]
PROPERTY OWNER (Please Print)

PROPERTY OWNER (Signature & Title)

[Signature] City Manager
PROPERTY OWNER (Signature & Title)

STATE OF FL, COUNTY OF LEE

Subscribed and sworn to (or affirmed) before me this 3rd day of November, 2016, by A. John Szerlag who is personally known or produced as identification.



Exp. Date: 8/13/2020 Commission Number: GG041512
Signature of Notary Public: Phyllis DeMarco
Printed name of Notary Public: Phyllis DeMarco

Note: Please list all owners. If a corporation, please supply the Planning and Growth Management Division with a copy of corporation papers.



ACKNOWLEDGEMENT FORM

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

I acknowledge that I, or my representative, must attend any applicable meetings scheduled for the Planning & Zoning Commission/Local Planning Agency, Board of Zoning Adjustments and Appeals, and Council.

I will have the opportunity, at the hearing, to present verbal information pertaining to my request that may not be included in my application.

I understand any decision rendered by the CITY shall be subject to a thirty (30) day appeal period. Any work performed within the thirty (30) day time frame or during the APPEAL process will be completed at the applicant's risk.

Please obtain all necessary permits prior to commencing any phase of construction.

Please indicate on a separate sheet those persons to whom you wish a copy of the Public Hearing Notice sent.

By submitting this application, I acknowledge and agree that I am authorizing the City of Cape Coral to inspect the subject property and to gain access to the subject property for inspection purposes reasonably related to this application and/or the permit for which I am applying.

I hereby acknowledge that I have read and understood the above affidavit on the

3rd

day of

November

, 20

16

A. John Szerlag

NAME (PLEASE TYPE OR PRINT)

[Signature]

APPLICANT'S SIGNATURE

STATE OF

FL

, COUNTY OF

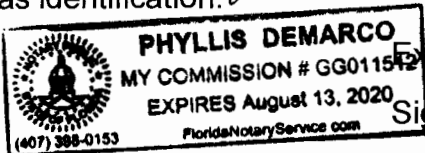
LEE

Subscribed and sworn to (or affirmed) before me this 3rd day of November, 2016, by

A. John Szerlag

who is personally known or produced

as identification.



Exp. Date:

8/13/2020

Commission Number:

GG 011512

Signature of Notary Public:

[Signature]

Printed name of Notary Public:

Phyllis DeMarco

CITY MANAGER
CITY OF CAPE CORAL
DEPARTMENT OF COMMUNITY DEVELOPMENT
MEMORANDUM

2016 SEP 6 PM 3:40

TO: John Szerlag, City Manager

FROM: Vincent A. Cautero, Community Development Director *VAC*
Robert H. Pederson, Planning Manager *RHP*
Wyatt Daltry, Planning Team Coordinator *WD*

DATE: September 6, 2016

SUBJECT: Future Land Use Map Amendment Request—LU16-0012

The City has initiated a large scale future land use map amendment for a large area in Northern Cape Coral; the proposed area is 2,818.49 acres. This request is a follow-up to LU15-0004, which brought over 4,000-acres from the Urban Services Reserve Area into the Urban Services Transition Area. Once the amendment is adopted by Council, property owners could rezone their property for development to permit densities supported by centralized water and sewer utilities.

The proposed amendment request includes the following:

| Current FLU | Proposed FLU | Acreage |
|--|--------------------------------|----------|
| Single Family/Multi-Family by PDP (SM) | Single-Family Residential (SF) | 2,686.04 |
| SM | Multi-Family Residential (MF) | 63.16 |
| SM | Parks and Recreation (PK) | 10.24 |
| Commercial Activity Center (CAC) | SF | 29.39 |
| CAC | MF | 29.66 |

Thank you for your consideration of this future land use map amendment. Please contact Wyatt Daltry, Planning Team Coordinator, at 573-3160 if you have any questions.

VAC/wad(North1+2FLUMAmemoofintent)
Attachment

Planning Division Case Report
LU 16-0012

Review Date: November 2, 2016

Applicant: City of Cape Coral, Department of Community Development

Property Owners: See Attachment A

Site Address: See Attachment A

Authorized Representative: Wyatt Daltry, AICP
Planning Team Coordinator
City of Cape Coral
Department of Community Development
(239) 573-3160

Case Staff: Wyatt Daltry, AICP, Planning Team Coordinator

Review Approved By: Robert Pederson, AICP, Planning Manager

Purpose: The City has initiated this large-scale future land use map amendment for a large area in Northern Cape Coral. This request is a follow-up to LU15-0004/Ordinance 59-15, which placed $\pm 4,000$ acres from the Urban Services Reserve Area to the Urban Services Transition Area.

In addition to the FLUMA, 57.13 acres (84 properties), are proposed to be amended from the Urban Services Reserve Area to the Transition Area.

Request: **The proposed amendment is as follows:**

| Current FLU | Proposed FLU | Acreage |
|--|--------------------------------|----------|
| Single Family/Multi-Family by PDP (SM) | Single-Family Residential (SF) | 2,686.04 |
| SM | Multi-Family Residential (MF) | 63.16 |
| Commercial Activity Center (CAC) | SF | 29.39 |
| CAC | MF | 29.66 |
| No FLUMA: Reserve Area | No FLUMA: Transition Area | 57.13 |

Location: Cape Coral Subdivision Units 33, 34, 35, 36-1, 37, 38, 41, 48, 49, 50, 54, 58, 59, and 76, Coral Ridge Estates unrecorded subdivision, and certain unplatted properties.

These properties in question are south of Embers Parkway, Tropicana Parkway, west of Andalusia Boulevard, east of the Northwest Spreader canal, and north of the SW 6/7 Utility Expansion Area.

Parcel Area: Overall, 9,656 properties (±2,865.38 acres) will be directly affected by this amendment.

| <i>Subject Property:</i> | <i>Future Land Use</i> | <i>Zoning</i> |
|---|---|--|
| <i>Current:</i> | Commercial Activity Center (CAC), Parks and Recreation (PK), and Single Family and Multi-Family Residential by PDP (SM) | Agricultural (A), Multi-Family Residential (R-3), Residential Development (RD), and Single Family Residential (R-1B) |
| <i>Proposed:</i> | Single Family Residential (SF), Multi-Family Residential (MF), and PK | N/A |
| <i>Surrounding Future Land Use</i> | | <i>Surrounding Zoning</i> |
| <i>North:</i> | CAC, Commercial/Professional (CP), PK, and SM | Agricultural (A), R-1B, and RD |
| <i>South:</i> | Pine Island Road District (PIRD), and Rural (Lee County designation) | Corridor (CORR), R-1B, RD, and Marketplace Residential (MR) |
| <i>East:</i> | Industrial (I), MF, SF, and PIRD | CORR, RD, and Industrial (I-1) |
| <i>West:</i> | Natural Resources/Preservation (PRES) and SM | Preservation – regulated by Preserve FLU (PRES), and Agricultural-2 (AG-2, Lee County designation) |

Urban Service Area: Transition and Reserve

City Water and Sewer: The majority of the area is not serviced by City water and sewer, with the exception of some properties that have extended water service to their sites.

Type of Access: The subject area is accessible from Embers Parkway, Burnt Store Road, Pine Island Road, and other local, collector, and arterial roadways.

| | |
|---|--|
| Positive Aspects of Application: | <ul style="list-style-type: none"> • With utilities finally or imminently present, amendment will reflect development patterns that will exist at buildout • Amendment will provide direction for future growth within the area • Amendment would retain existing residential character within subject properties |
| Negative Aspects of Application: | <ul style="list-style-type: none"> • No commercial lands anticipated within subject area • Possibility of CAC owner disappointment with loss of commercial opportunities |
| Mitigating Factors: | <ul style="list-style-type: none"> • Other areas are more appropriate for commercial development. |

Soil Types and Their Limitations for Development:

| Soil Type | | Limitations | |
|-----------|--|-----------------------------|----------------------------|
| | | Dwellings without Basements | Small commercial buildings |
| 12 | Felda fine sand | Severe (wetness) | Severe (wetness) |
| 13 | Boca fine Sand | Severe (wetness) | Severe (wetness) |
| 18 | Matlacha gravelly fine sand, limestone | Moderate (wetness) | Moderate (wetness) |
| 26 | Pineda fine sand | Severe (wetness) | Severe (wetness) |
| 33 | Oldsmar sand | Severe (wetness) | Severe (wetness) |
| 34 | Malabar fine sand | Severe (wetness) | Severe (wetness) |
| 35 | Wabasso sand | Severe (wetness) | Severe (wetness) |
| 42 | Wabasso sand, limestone substratum | Severe (wetness) | Severe (wetness) |
| 49 | Felda fine sand, depressional | Severe (ponding) | Severe (ponding) |
| 63 | Malabar fine sand, high | Severe (wetness) | Severe (wetness) |
| 69 | Matlacha gravelly fine sand | Moderate (wetness) | Moderate (wetness) |

All soils in the area present moderate to severe limitations for residential dwellings and small commercial buildings. These severe limitations are typically overcome by using various engineering solutions, such as importing fill. The soil types, therefore, do not present an obstacle to the proposed Future Land Use Amendment; however, special engineering solutions may be required.

Natural Resources: The subject area is characterized by forested areas, unplatted land, and urbanized and regularly mowed vacant parcels.

Species Habitat: Active burrowing owl nests, gopher tortoise burrows, and eagle nests are present in the vicinity. The City requires species surveys prior to issuance of City of Cape Coral permits or development approvals, in accordance with the Conservation and Coastal Management Element of the Comprehensive Plan. Furthermore, development within 1100' of an active eagle nest is regulated by Chapter 23 of the City Code of Ordinances.

Land Use Analysis:

BACKGROUND

Policy 2.2.1 of the Infrastructure Element committed the City to undertake the planning and studies necessary for orderly utility expansion. The City fulfilled this commitment by conducting an intensive and comprehensive utility planning effort and adopting the *City of Cape Coral Utility Master Plan Update* (Dames & Moore, August 1999). The *City of Cape Coral Utility Master Plan Update* reaffirmed the above-referenced policy to undertake a phased Utility Expansion Program (UEP).

The *Utility Master Plan Update* developed evaluation criteria to identify areas within the City which appeared to be most feasible for immediate utility expansion. The most highly ranked areas were further evaluated in terms of financial feasibility based on existing land value, improvements value and projected assessment amounts. The *Utility Master Plan Update* then developed a model with ten weighted criteria. The evaluative criteria are provided below:

1. Projected Density: The more densely populated a GAC Unit, the more feasible it will be to expand the utility system into that area.
2. Average Land Value: Land values assist in determining the financial feasibility of expanding the utility system into an area.
3. Rate of Growth: Areas with a high growth rate indicate significant development, which would warrant expansion of the utility system.
4. Location of an area in relation to the existing Utility Service Area: Avoids “leapfrog” development and promotes proper growth management by providing continuity of the utility system while discouraging urban sprawl.
5. Groundwater Resource Protection: Addresses the potential for saltwater intrusion into the aquifers underlying the City.
6. Surface Water Resource Effects: Areas with greater surface water coverage are more exposed to contamination from septic tanks.
7. Economic Development: This category addresses the emphasis on promoting commercial growth within the City.
8. 2035 Land Use Map Conformance: Areas within the “Infill” or “Transition” areas designated by the Comprehensive Plan are the highest priorities for receiving utility service in order to promote conformance with the Plan.
9. Existing Utility Availability: The City’s goal is to provide a complete Potable Water, Wastewater, and Secondary Water System to its customers where appropriate.
10. Planned Capital Improvements: The City has a limited amount of funds for Capital Improvement Projects. Therefore, it is important that these funds be used as wisely and efficiently as possible.

The *Utility Master Plan Update* applied the evaluation criteria to GAC Units (areas that typically consist of approximately one square mile that coincide with the platted areas), subdivisions, and unplatted areas.

In December of 2015, the City initiated a future land use map amendment request to bring over 4,000 acres of property into the Urban Service Transition Area ahead of the North 1 and 2 Utility Expansion Areas. The effort concluded in May 2016 with the adoption of Ordinance 59-15. Ordinance 59-15 provided the legal framework for the provision of centralized utilities to the areas identified in the North 1 and 2 Utility Expansion Areas; however, there was no amendment of future land use map classification (e.g. to Single Family Residential) within Ordinance 59-15.

Ordinance 59-15 placed ±4,010.86 acres and over 10,500 properties in the Urban Services Transition Area. Several properties, namely large-acreage properties along Pine Island Road, already have future land use map classifications such as Pine Island Road District, which do not require additional land use changes and are not part of this amendment. There are sporadic areas with Public Facilities and Commercial Activity Center future land use designation that similarly do not require a future land use map amendment. As a result, this amendment is significantly reduced compared to the area identified in Ordinance 59-15. Regardless, at 2,808.25 acres and ±9,500 parcels, this future land use map amendment is one of the largest ever considered by the City.

COMPREHENSIVE PLAN ANALYSIS

The impetus of this amendment is the provision of municipal potable water, reuse irrigation water, and sanitary sewer services to the amendment area. Extension of urban infrastructure to the area is in accordance with the *City of Cape Coral Utility Master Plan Update* (Dames & Moore, August 1999).

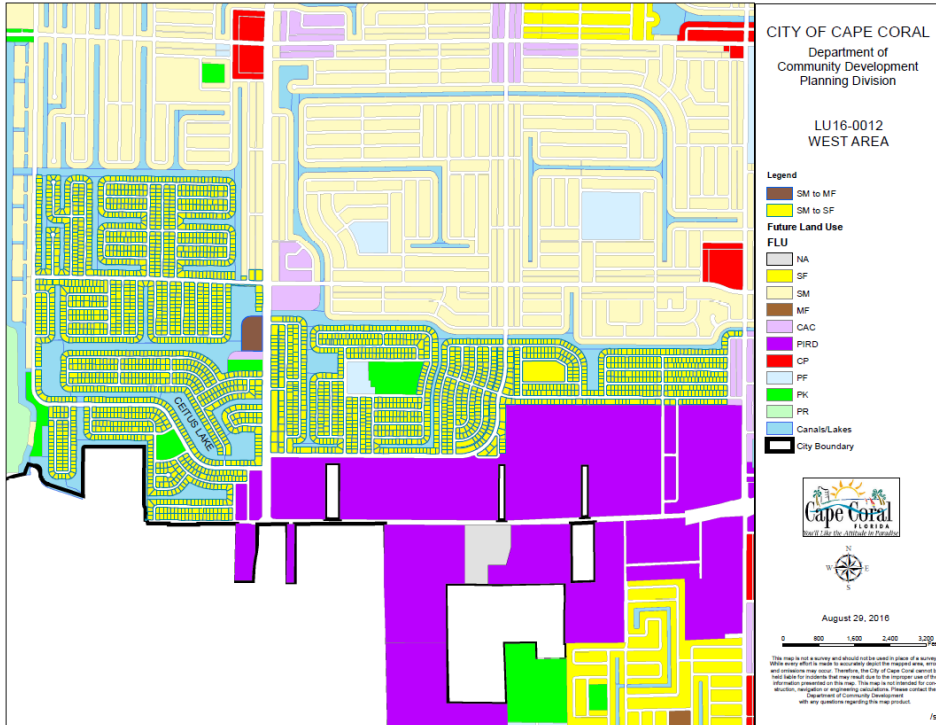
The future land use map amendment adopted through Ordinance 59-15 was an effort consistent with, and in support of, Policies 1.1.6, 2.1.1, and 2.2.1. of the Infrastructure Element of the City of Cape Coral Comprehensive Plan. To accommodate the growth and expansion anticipated in the southwest quarter of the City, planning and implementation of utilities has become an important strategic planning priority. Policy 1.1.6 of the Infrastructure Element limits the provision of utilities to the Urban Services Infill and Urban Services Transition Areas, as stated below:

"Policy 1.1.6

Provision by the City of centralized sanitary sewer and potable water service will be limited to the urban services infill and transition areas, as outlined in the adopted future land use map and amended annually via the plan amendment process, and to those areas where the City has a legal commitment to provide services and facilities. The City hereby designates, when feasible, a dual water system which consists of both the irrigation and domestic water supply for the extension of public water service to those portions of the Urban Services Transition Area per the future land use map as amended not currently served by both public water and sewer. Consistent with this Plan, public water and/or sewer service is scheduled to be extended to these areas by the year 2025. In accordance with this, the extension of public water and sewer service to these areas will include the extension of dual water service, when feasible, using non-potable sources for irrigation purposes."

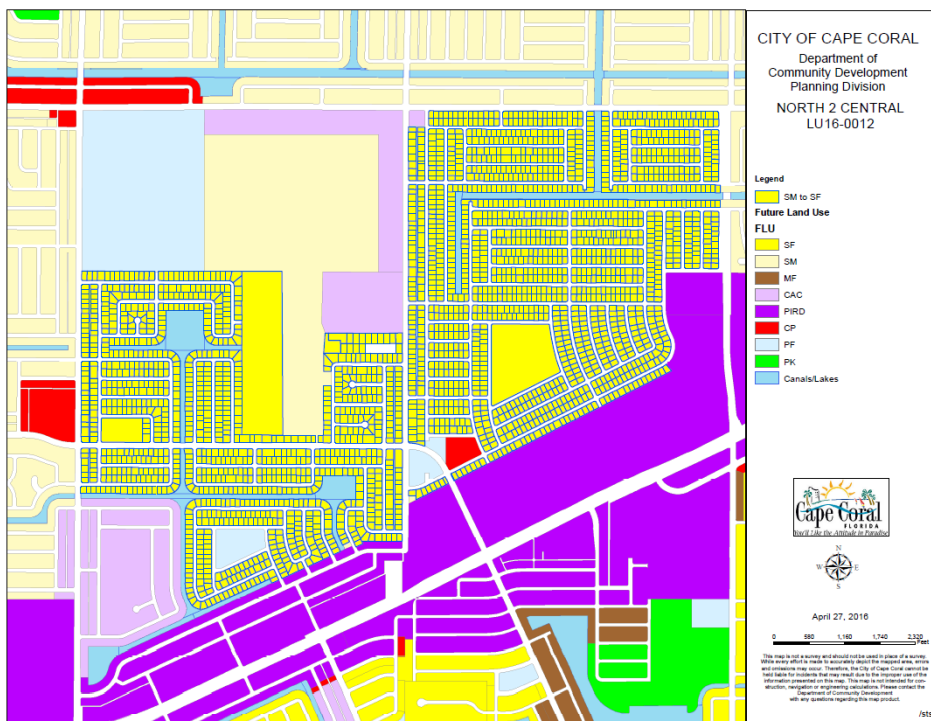
Currently, 38%¹ of the platted and unplatted parcels within the amendment area are referred to as improved properties. Most of the developed parcels have single-family residences. Remaining developed properties consist of sporadic multi-family residential developments, intermittent commercial development, and City-owned parks.

¹ 3,631 of 9,573 parcels



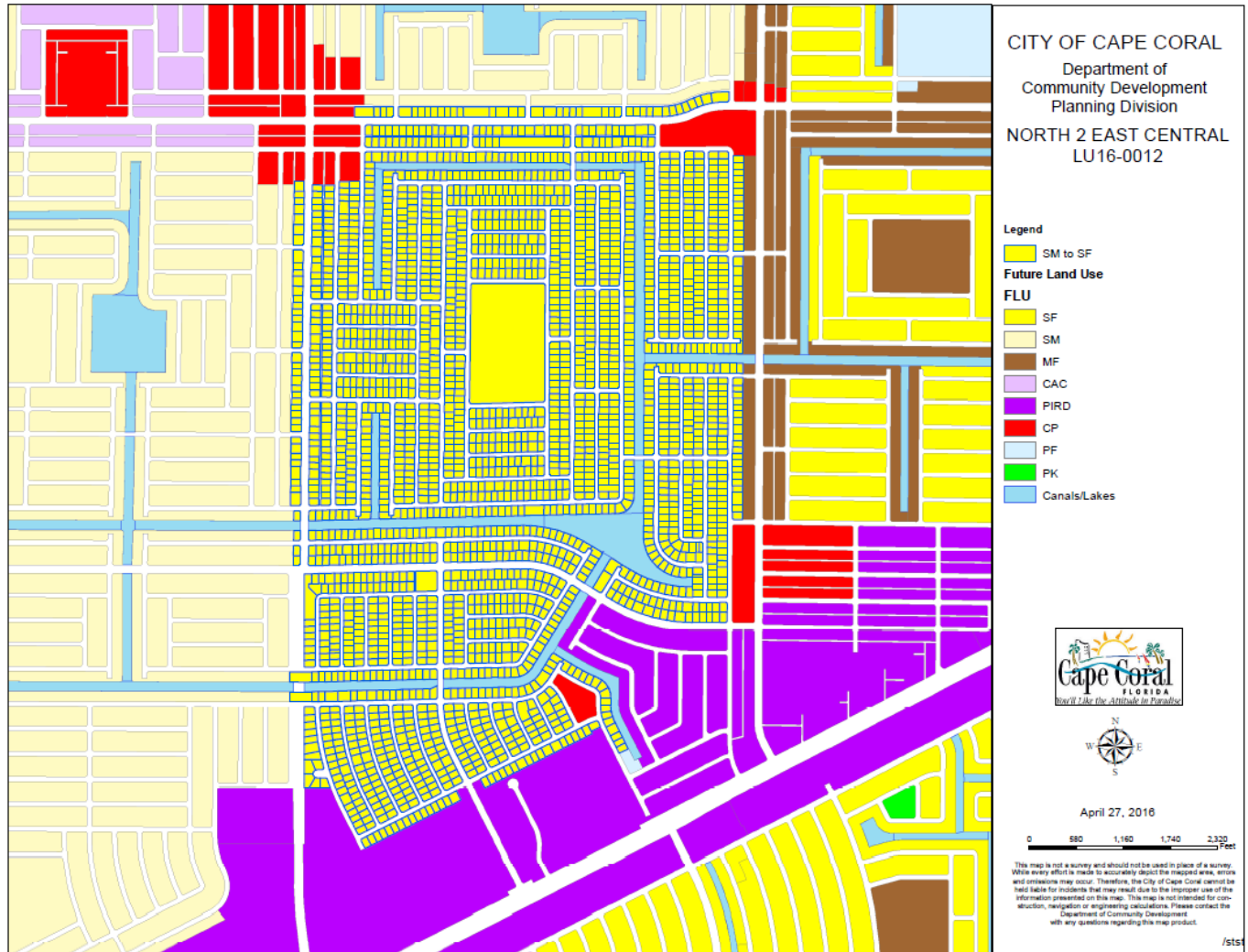
Area 1: West Area

The majority (96%) of the area involves a change to Single Family Residential (SF). This is due to the already-existing single-family residences throughout the area and the City's responsibility to ensure that the existing residential character for these areas is undisturbed.

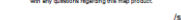


Area 2: Central

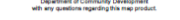
Of the remaining properties, three distinct areas have been identified for an amendment to Multi-Family Residential (MF). Two of the proposed MF areas already have multi-family residential developments; the Bluewater Coach Home development, off Burnt Store Road (see map of Area 1) and Concordia development, off Kismet Parkway (see map of Area 4).



Area 3: East-Central



Area 4: East



Area 5: CAC inset

The third area involves a change from Commercial Activity Center to MF for a pair of contiguous unplatted tracts and some platted lots (see above) that lack direct access to a major thoroughfare and provide an opportunity to provide needed multi-family development to Cape Coral. These properties were designated CAC in 2005, adopted by Ordinance 105-05. In the past eleven years since the adoption of the land use amendment to CAC, no commercial or mixed use development has occurred in the area. Given that only 3% of the City's land area is identified as Multi-Family Residential (MF), indicating a shortage of such a classification, and the properties' lack of frontage on major roadways, an amendment to MF is warranted. Additional properties east of the proposed MF are identified as future Single Family Residential, consistent with the development pattern that was interrupted by the 2005 amendment.

An additional component of the amendment is the addition of 57.13 acres (84 properties) into the Urban Services Transition Area. This component was added to the North 2 Utility Expansion Area in mid-2016, and encompasses an area between the Western Spreader Canal and the Sirius and Jai Lai Canals, northward to the Hermosa Canal. This area is 26% developed. No amendment to the area's future land use is intended, as much of the area is subject to the Seven Islands Project, and a final plan to develop the City-owned site is pending at the time of this report.

Impact Assessment Summary

The following calculations summarize approximate conditions for each municipal service analyzed. To determine the impact assessment, staff utilized the adopted future land use and zoning designations to determine the existing impacts at buildout. Therefore, the impacts discussed in this assessment do not necessarily reflect the actual amount of dwelling units, population, etc. present within the subject area.

The majority of the area (2,749.20 acres) is SM, and the analysis below will assume a density of 4.4 dwelling units per acre for those properties. The remaining properties (59.05 acres), which have the CAC classification, are assumed to be used as commercial development with an average floor-area-ratio of 0.25, resulting in 643,000 square feet. The proposed land use classification for these parcels is SF, MF and PK. For purposes of the land use amendment, the impact assessment summary of the proposed use, a density of 4.4 dwelling units per acre for the future SF properties and 16 dwelling units per acre for MF properties.

Dwelling Units

| | |
|-------------|--------------------------------|
| Existing: | 12,096 |
| Proposed: | 13,433 (SF: 11,948, MF: 1,485) |
| Net Change: | +1,337 |

Population*

| | |
|-------------|--------|
| Existing: | 30,724 |
| Proposed: | 34,120 |
| Net Change: | +3,396 |

* 2.54 persons/household = avg. household size; 2010 Census

Water Use

| | |
|--------------------|--|
| Existing: | <u>2,612,100 gal/day total</u> 2,419,200 SM (200 gal/day x 12,096 DU's) + 192,900 CAC (643,000 square feet x 0.3 gal./sq. ft./day) |
| Proposed: | <u>2,686,600 gal/day total</u> (200 gal/day x 13,433 DU's) |
| Net Change: | +74,500 gal/day |
| Facility Capacity: | 30.1 MGD |
| Permitted Usage: | 16.9 MGD |
| Avg. Daily Usage: | 9.4 MGD |

The City is permitted water withdrawals by the South Florida Water Management District (SFWMD) not to exceed 16.93 MGD. The potable water consumed would be evaluated as part of those later reviews and concurrency requirements are required at the time of those respective reviews.

Sewage

| | |
|--------------------|--|
| Existing: | <u>2,612,100 gal/day total</u> 2,419,200 SM (200 gal/day x 12,142 DU's) + 192,900 CAC (643,000 square feet x 0.3 gal./sq. ft./day) |
| Proposed: | <u>2,686,600 gal/day total</u> (200 gal/day x 13,433 DU's) |
| Net Change: | +74,500 gal/day |
| Facility Capacity: | 28.4 MGD |
| Avg. Daily Usage: | 12.8 MGD |

The wastewater generated by development permitted by future land use map amendments in the future would be evaluated as part of those later reviews and concurrency requirements would be required to be met at the time of those respective reviews.

Solid Waste

| | |
|----------------------|--|
| Existing Generation: | <u>234,168 lbs. total/day</u> 145,632 SM (4.74 lbs./person/day x 30,724 residents) + 88,536 CAC (651,000 x 0.136 lbs./sq. ft./day) |
| Proposed: | <u>161,729 lbs. total/day</u> (4.74 lbs./person/day x 34,120 residents) |
| Net Change: | -72,439 lbs./day |
| Facility Capacity: | 1,836 tons/day |
| Existing Demand: | 1,384 tons/day |
| Capacity Available: | Yes |

Traffic/Daily Trips

| | |
|----------------------|--|
| Existing Generation: | 10,020 AM peak trips/hour and 14,826 PM peak trips/hour |
| Proposed: | 9,572 AM peak trips/hour and 12,649 PM peak trips/hour |
| Net Change: | -448 AM peak hour trips and -2,177 PM peak hour trips |
| Facility Capacity: | Burnt Store Road, a principal arterial roadway, Diplomat Parkway, a major arterial roadway, Tropicana Parkway, a minor arterial roadway, Ember Parkway, a minor arterial roadway, Kismet Parkway, a minor arterial roadway, Nelson Road, a collector roadway, and El Dorado Boulevard, a collector roadway, and local roads currently access the subject properties. All roadways meet or surpass the minimum acceptable Level of Service Standard of "D." |

Capacity Available: Yes

The maximum allowed density for these properties would create a peak volume of 9,572 trips during the AM peak hour, and 12,649 trips during PM peak hour. This 4%/15% (AM peak/PM peak) decrease in traffic is generated primarily by the proposed removal of CAC properties, and the resulting loss of commercially-generated traffic.

Development Impact Analysis

Hurricane Evacuation

The subject area is in Evacuation Zones A (most vulnerable), B, and C (moderately vulnerable). The amendment could increase residential dwelling units in this area by 1,272 dwelling units, thus causing an impact on hurricane evacuation times. While some of the properties are in the Coastal High Hazard Area, no areas receiving an increase in density are within the Coastal High Hazard Area.

Park Lands

The levels of service standard (LOS) for parkland and facilities are based on permanent population. Based on the proposed increase in dwelling units, there could be a maximum increase in park demand of 13.11 acres.

Protected Species

The City requires an environmental survey prior to the issuance of any land clearing, site clearing, or development permits. Any future land alteration activities will be preceded by the completion of an environmental survey identifying the presence of protected flora and fauna. Based on the results of the environmental survey, City, state, or federal protective or mitigation measures may be needed by the developer to proceed.

School Impacts

There will be an increase in the number of dwelling units due to the amendment request, resulting in an increase in the projected number of students.

| | |
|--------------------------|--|
| Existing dwelling units: | 12,096 dwelling units |
| Existing students: | 3,532 (12,096 DU x .292 students per single-family dwelling unit) |
| Proposed dwelling units: | 13,433 dwelling units (11,948 SF, 1,485 MF) |
| Proposed students: | 3,624 (3,489 SF (11,948 DU x .292 students per single-family dwelling unit) and 135 MF (1,485 DU x .091 students per multi-family dwelling unit) |
| Change: | +92 students |

Recommendation:

Planning Division staff recommends approval of the proposed large-scale future land use map amendment request.

Appendix:

| From SM to SF | | |
|------------------------|-------|---------------|
| Cape Coral Subdivision | | |
| Unit | Block | Lots |
| 34-0 | 2053 | 44-68 |
| 35-0 | 2053 | 69-86 |
| 34-0 | 2054 | 4-28 |
| 34-0 | 2099 | 31-55 |
| 34-0 | 2100 | 44-72 |
| 36-1 | 2100 | 73-106 + TR A |
| 33-0 | 2247 | 1-95 |
| 33-0 | 2248 | 1-56 |
| 33-0 | 2249 | 1-21 |
| 33-0 | 2250 | 1-24 |
| 33-0 | 2251 | 1-26 |
| 33-0 | 2252 | 1-26 |
| 33-0 | 2253 | 1-73 |
| 33-0 | 2254 | 1-69 |
| 33-0 | 2255 | 1-75 |
| 33-0 | 2256 | 1-75 |
| 33-0 | 2258 | 1-46 |
| 33-0 | 2259 | 1-46 |
| 33-0 | 2260 | 1-15 |
| 33-0 | 2262 | 1-6 |
| 33-0 | 2263 | 1-48 |
| 33-0 | 2264 | 1-48 |
| 33-0 | 2265 | 1-54 |
| 33-0 | 2266 | 1-56 |
| 33-0 | 2267 | 1-72 |
| 33-0 | 2271 | 1-37 |
| 33-0 | 2272 | 1-26 |
| 33-0 | 2273 | 1-26 |
| 33-0 | 2274 | 1-26 |
| 33-0 | 2275 | 1-26 |
| 33-0 | 2276 | 1-26 |
| 33-0 | 2277 | 1-56 |
| 33-0 | 2278 | 1-22 |
| 33-0 | 2279 | 1-36 |
| 33-0 | 2280 | 1-48 |
| 33-0 | 2281 | 1-3 |
| 33-0 | 2282 | 1-3 |

| | | |
|------|------|-------------|
| 33-0 | 2283 | 1-64 |
| 33-0 | 2284 | 1-77 |
| 33-0 | 2285 | 1-62 |
| 33-0 | 2286 | 1-24 |
| 33-0 | 2287 | 1-67 |
| 35-0 | 2361 | 1-24 |
| 35-0 | 2362 | 1-25 |
| 35-0 | 2363 | 1-30 |
| 35-0 | 2364 | 1-36 |
| 35-0 | 2365 | 1-44 |
| 35-0 | 2366 | 1-50 |
| 35-0 | 2367 | 1-58 |
| 35-0 | 2368 | 1-64 |
| 35-0 | 2369 | 1-70 |
| 35-0 | 2370 | 1-78 |
| 35-0 | 2371 | 1-25 |
| 35-0 | 2372 | 1-33 |
| 35-0 | 2375 | 1-37 |
| 35-0 | 2376 | 1-23 |
| 35-0 | 2384 | 1-70 |
| 35-0 | 2385 | 1-82 |
| 35-0 | 2386 | 1-46 |
| 35-0 | 2387 | 1-69 |
| 34-0 | 2388 | 1-48 |
| 34-0 | 2389 | 1-48 |
| 34-0 | 2390 | 1-48 |
| 34-0 | 2392 | 1-28 |
| 35-0 | 2393 | 1-45 |
| 35-0 | 2394 | 1-38 |
| 35-0 | 2397 | 1-42 |
| 35-0 | 2398 | 1-38 |
| 35-0 | 2399 | 1-40 |
| 35-0 | 2400 | 1-85 + TR A |
| 35-0 | 2401 | 1-42 |
| 35-0 | 2402 | 1-42 |
| 35-0 | 2403 | 1-42 |
| 35-0 | 2404 | 1-42 |
| 35-0 | 2405 | 1-42 |
| 35-0 | 2406 | 1-42 |
| 35-0 | 2407 | 1-32 |
| 35-0 | 2408 | 1-40 |

| | | |
|------|------|------|
| 35-0 | 2409 | 1-48 |
| 35-0 | 2410 | 1-70 |
| 35-0 | 2411 | 1-80 |
| 35-0 | 2412 | 1-78 |
| 35-0 | 2413 | 1-96 |
| 35-0 | 2414 | 1-53 |
| 35-0 | 2415 | 1-40 |
| 34-0 | 2416 | 1-60 |
| 34-0 | 2417 | 1-60 |
| 34-0 | 2418 | 1-56 |
| 34-0 | 2419 | 1-74 |
| 34-0 | 2420 | TR A |
| 34-0 | 2421 | 1-46 |
| 34-0 | 2422 | 1-46 |
| 34-0 | 2423 | 1-46 |
| 34-0 | 2424 | 1-76 |
| 34-0 | 2425 | 1-82 |
| 34-0 | 2426 | 1-60 |
| 34-0 | 2427 | 1-64 |
| 34-0 | 2428 | 1-64 |
| 34-0 | 2429 | 1-60 |
| 34-0 | 2430 | 1-64 |
| 34-0 | 2431 | 1-62 |
| 34-0 | 2432 | 1-78 |
| 34-0 | 2433 | 1-44 |
| 34-0 | 2434 | 1-44 |
| 34-0 | 2435 | 1-44 |
| 34-0 | 2436 | 1-76 |
| 34-0 | 2437 | 1-86 |
| 34-0 | 2438 | 1-70 |
| 34-0 | 2439 | 1-70 |
| 34-0 | 2440 | 1-48 |
| 34-0 | 2441 | 1-48 |
| 34-0 | 2442 | 1-48 |
| 34-0 | 2443 | 1-48 |
| 34-0 | 2444 | 1-62 |
| 34-0 | 2445 | 1-62 |
| 34-0 | 2446 | 1-56 |
| 34-0 | 2447 | 1-90 |
| 34-0 | 2448 | 1-90 |
| 34-0 | 2450 | 1-62 |

| | | |
|------|-------|-------------|
| 34-0 | 2451 | 1-60 |
| 34-0 | 2452 | 1-48 |
| 34-0 | 2453 | 1-60 |
| 34-0 | 2454 | 1-60 |
| 34-0 | 2455 | 1-60 |
| 34-0 | 2456 | 1-50 |
| 34-0 | 2457 | 1-50 |
| 34-0 | 2458 | 1-50 |
| 34-0 | 2459 | 1-30 |
| 34-0 | 2460 | 1-78 |
| 34-0 | 2461 | 1-63 + VAC |
| 34-0 | 2462 | 1-42 |
| 34-0 | 2463 | 1-41 |
| 34-0 | 2464 | 1-53 |
| 34-0 | 2465 | 1-100 |
| 34-0 | 2466 | 1-84 |
| 34-0 | 2467 | 1-37 |
| 34-0 | 2468 | 1-49 |
| 36-1 | 2475 | 25-48 |
| 36-1 | 2476 | 40-78 |
| 36-1 | 2477 | 29-56 |
| 36-1 | 2478 | 32-62 |
| 37-0 | 2550 | 18-54 + VAC |
| 37-0 | 2551 | 1-74 |
| 37-0 | 2552 | 1-96 |
| 37-0 | 2553A | 1-44 |
| 37-0 | 2554 | 1-56 |
| 38-0 | 2555 | 1-74 |
| 38-0 | 2556 | 1-64 |
| 37-0 | 2557 | 1-64 |
| 37-0 | 2558 | 1-42 |
| 37-0 | 2559 | 1-78 |
| 37-0 | 2560 | 1-78 |
| 37-0 | 2561 | 1-78 |
| 37-0 | 2562 | 1-42 |
| 37-0 | 2563 | 1-42 |
| 37-0 | 2564 | 1-94 |
| 37-0 | 2565 | 1-32 |
| 37-0 | 2566 | 1-32 |
| 37-0 | 2567 | 1-32 |
| 37-0 | 2568 | 1-32 |

| | | |
|------|------|------------|
| 37-0 | 2569 | 1-32 |
| 37-0 | 2570 | 1-32 |
| 37-0 | 2571 | 1-33 |
| 37-0 | 2574 | 1-2; 20-34 |
| 37-0 | 2575 | 1-38 |
| 37-0 | 2576 | 1-58 |
| 37-0 | 2577 | 1-62 |
| 37-0 | 2578 | 1-76 |
| 37-0 | 2579 | 1-64 |
| 37-0 | 2581 | 1-65 |
| 37-0 | 2582 | 1-82 |
| 37-0 | 2583 | 1-49 |
| 37-0 | 2584 | 1-31 |
| 37-0 | 2585 | 1-98 |
| 37-0 | 2586 | 1-34 |
| 37-0 | 2587 | 1-42 |
| 37-0 | 2588 | 1-48 |
| 37-0 | 2589 | 1-56 |
| 37-0 | 2590 | 1-58 |
| 37-0 | 2591 | 1-58 |
| 37-0 | 2592 | 1-62 |
| 37-0 | 2593 | 1-62 |
| 37-0 | 2594 | 1-58 |
| 37-0 | 2595 | 1-58 |
| 37-0 | 2596 | 1-62 |
| 37-0 | 2597 | 1-42 |
| 37-0 | 2598 | 1-76 |
| 37-0 | 2599 | 1-58 |
| 37-0 | 2600 | 1-74 |
| 37-0 | 2601 | 1-46 |
| 37-0 | 2602 | 1-46 |
| 37-0 | 2603 | 1-46 |
| 37-0 | 2604 | 1-105 |
| 37-0 | 2605 | 1-87 |
| 37-0 | 2606 | 1-55 |
| 37-0 | 2607 | 1-33 |
| 38-0 | 2608 | 1-81 |
| 38-0 | 2609 | 1-94 |
| 37-0 | 2610 | 1-86 |
| 37-0 | 2611 | 1-42 |
| 37-0 | 2612 | 1-54 |

| | | |
|------|------|-----------|
| 37-0 | 2613 | 1-54 |
| 37-0 | 2614 | 1-54 |
| 37-0 | 2615 | 1-42 |
| 37-0 | 2616 | 1-48 |
| 37-0 | 2617 | 1-33 |
| 38-0 | 2618 | 1-57 |
| 38-0 | 2619 | 1-2 |
| 38-0 | 2675 | 22-42 |
| 38-0 | 2676 | 25-48 |
| 38-0 | 2681 | 31-60 |
| 38-0 | 2682 | 29-56 |
| 41-0 | 2840 | 1-64 |
| 41-0 | 2841 | 1-62 |
| 41-0 | 2898 | 1-68 |
| 41-0 | 2899 | 1-71 |
| 49-0 | 3620 | 3-40 |
| 48-0 | 3621 | 1-64 |
| 48-0 | 3622 | 1-49 |
| 49-0 | 3623 | 1-40 |
| 49-0 | 3624 | 1-37 |
| 49-0 | 3625 | 10-48 |
| 49-0 | 3626 | 1-46 |
| 49-0 | 3628 | 1-53 |
| 49-0 | 3636 | 1-70 |
| 48-0 | 3637 | 1-44 |
| 48-0 | 3638 | 1-46 |
| 48-0 | 3639 | 1-54 |
| 48-0 | 3640 | 1-28 |
| 48-0 | 3641 | 1-54 |
| 48-0 | 3642 | 1-46 |
| 48-0 | 3643 | 1-44 |
| 48-0 | 3644 | 1-54 |
| 48-0 | 3645 | 1-62 |
| 48-0 | 3646 | 1-76 |
| 48-0 | 3647 | 1-76 |
| 48-0 | 3648 | 3-35 |
| 48-0 | 3649 | 1-44 |
| 48-0 | 3650 | 1-66 |
| 48-0 | 3651 | 1-66 |
| 48-0 | 3652 | 1-73 |
| 48-0 | 3653 | 1-9, TR A |

| | | |
|------|------|-------|
| 48-0 | 3654 | 1-66 |
| 48-0 | 3655 | 1-54 |
| 48-0 | 3656 | 1-54 |
| 48-0 | 3657 | 1-60 |
| 48-0 | 3658 | 1-68 |
| 48-0 | 3659 | 1-53 |
| 49-0 | 3663 | 30-78 |
| 49-0 | 3664 | 1-53 |
| 49-0 | 3665 | 1-48 |
| 48-0 | 3666 | 1-28 |
| 49-0 | 3666 | 29-53 |
| 48-0 | 3667 | 1-70 |
| 48-0 | 3668 | 1-52 |
| 48-0 | 3669 | 1-46 |
| 48-0 | 3670 | 1-78 |
| 48-0 | 3671 | 1-47 |
| 48-0 | 3672 | 1-67 |
| 48-0 | 3673 | 1-83 |
| 48-0 | 3674 | 1-47 |
| 48-0 | 3675 | 1-29 |
| 50-0 | 3680 | 1-64 |
| 50-0 | 3681 | 1-35 |
| 50-0 | 3684 | 1-60 |
| 50-0 | 3686 | 1-89 |
| 50-0 | 3687 | 1-62 |
| 50-0 | 3688 | 1-54 |
| 50-0 | 3689 | ALL |
| 50-0 | 3690 | 1-77 |
| 50-0 | 3691 | 1-60 |
| 50-0 | 3692 | 1-70 |
| 50-0 | 3693 | 1-70 |
| 50-0 | 3694 | 1-60 |
| 50-0 | 3695 | 1-60 |
| 50-0 | 3696 | 1-70 |
| 50-0 | 3697 | 1-48 |
| 50-0 | 3698 | 1-68 |
| 50-0 | 3699 | 1-61 |
| 54-0 | 3917 | 1-58 |
| 54-0 | 3918 | 1-16 |
| 54-0 | 3919 | 1-81 |
| 54-0 | 3920 | 1-47 |

| | | |
|------|------|-------------------|
| 54-0 | 3921 | 1-41 |
| 54-0 | 3922 | 1-61 |
| 54-0 | 3923 | 1-43 |
| 54-0 | 3924 | 1-37 |
| 54-0 | 3925 | 1-31 |
| 54-0 | 3926 | 1-83 |
| 54-0 | 3927 | 1-52 |
| 54-0 | 3928 | 1-52 |
| 54-0 | 3929 | 1-52 |
| 54-0 | 3930 | 1-62 |
| 54-0 | 3931 | 1-62 |
| 54-0 | 3932 | 1-60 |
| 54-0 | 3933 | 1-60 |
| 54-0 | 3935 | 1-18 + VAC + TR A |
| 54-0 | 3936 | 1-59 |
| 54-0 | 3937 | 1-78 |
| 54-0 | 3938 | 1-70 |
| 54-0 | 3939 | 1-60 |
| 54-0 | 3940 | 1-60 |
| 54-0 | 3941 | 1-70 |
| 54-0 | 3942 | 1-70 |
| 54-0 | 3943 | 1-60 |
| 54-0 | 3944 | 1-56 |
| 54-0 | 3945 | 1-75 |
| 54-0 | 3946 | 1-78 |
| 54-0 | 3947 | 1-64 |
| 54-0 | 3948 | 1-83 |
| 54-0 | 3949 | 1-72 |
| 59-0 | 4127 | 1-6, 67-72 |
| 59-0 | 4130 | 1-2 |
| 59-0 | 4150 | 1-49 |
| 59-0 | 4151 | 1-35 |
| 59-0 | 4152 | 1-46 |
| 59-0 | 4153 | 1-43 |
| 59-0 | 4154 | 1-36 |
| 59-0 | 4155 | 1-42 |
| 59-0 | 4156 | 1-36 |
| 59-0 | 4157 | 1-31 |
| 59-0 | 4158 | 1-45 |
| 59-0 | 4159 | 1-48 |
| 59-0 | 4160 | 1-50 |

| | | |
|------|-------|-------------|
| 59-0 | 4161 | 1-36 |
| 59-0 | 4162 | 1-36 |
| 59-0 | 4163 | 1-37 |
| 59-0 | 4164 | 1-35 |
| 59-0 | 4165 | 1-54 |
| 59-0 | 4166 | 1-54 |
| 59-0 | 4167 | 1-54 |
| 59-0 | 4168 | 1-54 |
| 59-0 | 4169 | 1-48 |
| 59-0 | 4170 | 1-48 |
| 59-0 | 4171 | 1-48 |
| 59-0 | 4172 | 1-48 |
| 59-0 | 4173 | 1-44 |
| 59-0 | 4174 | 1-44 |
| 59-0 | 4175 | 1-44 |
| 59-0 | 4176 | 1-44 |
| 59-0 | 4177 | 1-64 |
| 59-0 | 4178 | 1-34 |
| 58-0 | 5300 | 1-14 |
| 58-0 | 5300A | TR |
| 58-0 | 5301 | 1-50 |
| 58-0 | 5302 | 1-56 |
| 58-0 | 5303 | 1-56 |
| 58-0 | 5304 | 1-58 |
| 58-0 | 5305 | 1-58 |
| 58-0 | 5306 | 1-58 |
| 58-0 | 5307 | 1-49 |
| 58-0 | 5308 | 1-58 |
| 58-0 | 5309 | 1-60 |
| 58-0 | 5310 | 1-60 |
| 58-0 | 5311 | 1-42 |
| 58-0 | 5312 | 1-42 |
| 58-0 | 5313 | 1-42 |
| 58-0 | 5314 | 1-60 |
| 58-0 | 5315 | 1-40 |
| 58-0 | 5316 | 1-46 |
| 58-0 | 5317 | 1-39 |
| 58-0 | 5318 | 1-33, 36-48 |
| 58-0 | 5319 | 1-20 |
| 58-0 | 5320 | 1-34 |
| 58-0 | 5321 | 1-56 |

| | | |
|------------------------|-------|------|
| 58-0 | 5322 | 1-42 |
| 58-0 | 5323 | 1-46 |
| 58-0 | 5324 | 1-67 |
| 58-0 | 5325 | 1-91 |
| 58-0 | 5326 | 1-57 |
| 58-0 | 5327 | 1-36 |
| 58-0 | 5330 | 1-50 |
| 58-0 | 5331 | 1-34 |
| 58-0 | 5332 | 1-39 |
| 58-0 | 5333 | 1-77 |
| 58-0 | 5334 | 1-50 |
| 58-0 | 5335 | 1-84 |
| 58-0 | 5336 | 1-38 |
| 58-0 | 5338 | 1-48 |
| 58-0 | 5339 | 1-46 |
| 58-0 | 5340 | 1-24 |
| 58-0 | 5341 | 1-30 |
| 58-0 | 5342 | 1-22 |
| 58-0 | 5343 | 1-60 |
| 58-0 | 5344 | 1-33 |
| 58-0 | 5347 | 1-47 |
| 58-0 | 5348 | 1-52 |
| 58-0 | 5349 | 1-36 |
| 58-0 | 5350 | 1-49 |
| 58-0 | 5351 | 1-55 |
| 58-0 | 5352 | 1-54 |
| 58-0 | 5353 | 1-54 |
| 58-0 | 5354 | 1-54 |
| 58-0 | 5355 | 1-54 |
| 58-0 | 5356 | 1-50 |
| From SM to MF | | |
| Cape Coral Subdivision | | |
| Unit | Block | Lots |
| 37-0 | 2580 | ALL |
| 58-0 | 5345 | ALL |
| From CAC to SF | | |
| Cape Coral Subdivision | | |
| Unit | Block | Lots |
| 49-0 | 3629 | 1-68 |
| 49-0 | 3630 | 1-31 |
| 49-0 | 3635 | 1-54 |

| | | |
|------------------------|-------|-----------------|
| 49-0 | 3660 | 9-65 |
| 49-0 | 3661 | 1-36 |
| From CAC to MF | | |
| Cape Coral Subdivision | | |
| Unit | Block | Lots |
| 49-0 | 3631 | ALL |
| 49-0 | 3634 | ALL |
| 49-0 | 3661 | 37-52 |
| Transition Only | | |
| Unit | Block | Lots |
| 59-0 | 4148 | 4-39 |
| 59-0 | 4149 | 1-34 |
| 60-0 | 4224 | 1-24 |
| 81-0 | 5219 | TR A |
| 76-0 | 6405 | 1-2, TR C |
| 76-0 | 6406 | 1-7, TR B |
| 76-0 | 6407 | 1-8, TR A |
| 76-0 | 6408 | 1-4, TR I, J, K |
| | 7010 | 1-28, TR A-E |

Department of Community Development
Planning Division

AFFIDAVIT

IN RE: APPLICATION OF: City of Cape Coral

APPLICATION NO: LU16-0012

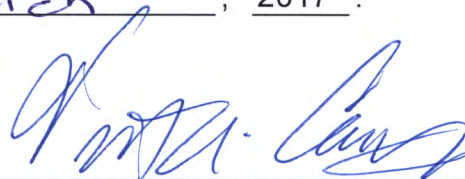
STATE OF FLORIDA)
) §
COUNTY OF LEE)

I, Vincent A. Cautero, AICP having first been duly sworn according to law, state on my oath the following:

That I am the Director of the Department of Community Development and responsible in performing duties as required for the City of Cape Coral.

That pursuant to City of Cape Coral code. Section 8.3.2A and Section 8.11.3.A all required written notice and publication has been provided. Also posting of a sign has been done when applicable per Section 8.3.2A.

DATED this 27th day of March, 2017.

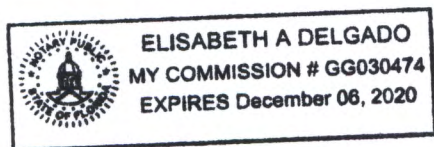


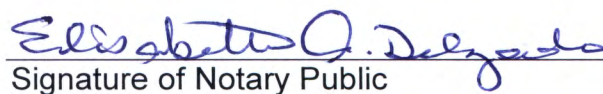
Vincent A. Cautero, AICP

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 27th day of March, 2017, by Vincent A. Cautero, AICP, who is personally known to me and who did not take an oath.

Exp. Date 12/6/20 Commission # GG030474




Signature of Notary Public

Elisabeth A. Delgado
Print Name of Notary Public

NOTICE OF CHANGE OF LAND USE

The City of Cape Coral proposes to adopt ORDINANCE 12-17, AN ORDINANCE AMENDING THE CITY OF CAPE CORAL COMPREHENSIVE PLAN BY AMENDING THE FUTURE LAND USE MAP FROM SINGLE FAMILY AND MULTI- FAMILY BY PDP TO SINGLE FAMILY RESIDENTIAL FOR PROPERTIES LOCATED IN UNITS 33, 34, 35, 36-1, 37, 38, 41, 48, 49, 50, 54, 58, AND 59, CAPE CORAL SUBDIVISION, FOR PROPERTIES LOCATED IN THE WHISPERING PINES SUBDIVISION, AND FOR PROPERTIES LYING IN SECTIONS 10, TOWNSHIP 44 SOUTH, RANGE 23 EAST, LEE COUNTY, FLORIDA; FROM SINGLE FAMILY AND MULTI-FAMILY BY PDP TO MULTIPLE FAMILY RESIDENTIAL FOR PROPERTIES LOCATED IN UNITS 33, 37 AND 58, CAPE CORAL SUBDIVISION, AND LYING IN SECTIONS 29 AND 32, TOWNSHIP 43 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; FROM COMMERCIAL ACTIVITY CENTER TO SINGLE FAMILY RESIDENTIAL FOR PROPERTIES LOCATED IN UNIT 49, CAPE CORAL SUBDIVISION; FROM COMMERCIAL ACTIVITY CENTER TO MULTIPLE FAMILY RESIDENTIAL FOR PROPERTIES LOCATED IN UNIT 49, CAPE CORAL SUBDIVISION; AND FROM URBAN SERVICES RESERVE AREA TO URBAN SERVICES TRANSITION AREA FOR PROPERTIES LOCATED IN UNITS 59, 60, 76, AND 81, CAPE CORAL SUBDIVISION, AND FOR PROPERTIES LOCATED IN THE WEST CAPE ESTATES SUBDIVISION, ALL AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

A public hearing on the ordinance will be held Wednesday, April 5, 2017 at 9:00 a.m. at the City of Cape Coral, City Hall Chambers, 1015 Cultural Park Blvd., Cape Coral, Florida 33990. At this public hearing, the Planning and Zoning Commission will consider the City's future land use map amendment request. Accordingly, members of the general public and real property owners in the community are invited to appear and speak at the public hearing. Written comments filed with the Director will also be entered into the record. A copy of the map and the proposed amendment under consideration will be available for inspection and will be provided to the public at cost at the City Clerk's office between 7:30 a.m. and 4:30 p.m., Monday through Friday excluding holidays. Any person who decides to appeal any decision made by the City Council at that meeting will need a record of proceedings, and that subject person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is based. In accordance with Section 286.26, Florida Statutes, persons with disabilities needing special accommodations to participate in this meeting should contact the City Clerk no later than 4:00 p.m. on the day prior to the meeting.

Rebecca Van Deutekom, CMC
City Clerk



Ordinance 12-17
LU16-0012
SINGLE FAMILY/MULTI-FAMILY RESIDENTIAL BY PDP (SM) TO SINGLE FAMILY RESIDENTIAL (SF); SM TO MULTI-FAMILY RESIDENTIAL (MF); COMMERCIAL ACTIVITY CENTER (CAC) TO SF; CAC TO MF; AND FROM THE URBAN SERVICES RESERVE AREA TO THE URBAN SERVICES TRANSITION AREA FOR VARIOUS PROPERTIES

NP-0000931588

☐ PROOF O.K. BY: _____ ☐ O.K. WITH CORRECTIONS BY: _____

PLEASE READ CAREFULLY • SUBMIT CORRECTIONS ONLINE

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PROOF DUE: -
NEXT RUN DATE: 03/26/17

NP-0000931588.INDD

CITY OF CAPE CORAL

Department of
Community Development
Planning Division

CAC AREA
LU16-0012

Legend

- CAC to MF
- CAC to SF
- Subject Area

Future Land Use

FLU

- SF
- SM
- CAC
- PIRD
- PF
- Canals/Lakes



October 5, 2016

0 200 400 600 800 Feet




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CITY OF CAPE CORAL

Department of
Community Development
Planning Division

NORTH 2 CENTRAL
LU16-0012

LEGEND

-  Subject Properties
-  SM to MF
-  SM to SF

Future Land Use

-  SF
-  SM
-  MF
-  CAC
-  PIRD
-  CP
-  PF
-  PK
-  Canals/Lakes



October 3, 2016

0 580 1,160 1,740 2,320 Feet

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CITY OF CAPE CORAL

Department of
Community Development
Planning Division

NORTH 2 EAST AREA
LU16-0012

Legend

- SM to MF
- SM to SF
- SM to SF
- SM to SF
- Subject Area

Future Land Use

FLU

- SF
- SM
- MF
- MX
- CAC
- PIRD
- CP
- I
- PF
- PK
- Canals/Lakes



October 5, 2016

0 530 1,060 1,590 2,120 Feet


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CITY OF CAPE CORAL

Department of
Community Development
Planning Division

NORTH 2 EAST CENTRAL
LU16-0012

Legend


 Subject Properties

 SM to SF

Future Land Use

FLU

 SF

 SM

 MF

 CAC

 PIRD

 CP

 PF

 PK

 Canals/Lakes



April 27, 2016

0 560 1,120 1,680 2,240 Feet

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CITY OF CAPE CORAL

Department of
Community Development
Planning Division

NORTH 2 WEST
LU16-0012

Legend

- Subject Properties
- SM to MF
- SM to SF

Future Land Use

FLU

- NA
- SF
- SM
- CAC
- PIRD
- CP
- PF
- PK
- PR
- Canals/Lakes



April 27, 2016

0 870 1,740 2,610 3,480 Feet

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| | |
|----------------------|---|
| Item Number: | A.(2) |
| Meeting Date: | 5/1/2017 |
| Item Type: | ORDINANCES/RESOLUTIONS - Public Hearings |

**AGENDA
REQUEST FORM**
CITY OF CAPE
CORAL



TITLE:

Ordinance 18-17 (ZA 16-0010*) Public Hearing

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment? No
2. 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

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

Hearing Examiner Recommendation: Recommends approval of the application for rezoning.

Staff Recommendation: Recommends approval of the application for rezoning.

SUMMARY EXPLANATION AND BACKGROUND:

An ordinance amending the City of Cape Coral Official Zoning Map by rezoning property located at 9 Del Prado Boulevard North from Professional Office (P-1) to Pedestrian Commercial (C-1) zone.

LEGAL REVIEW:

EXHIBITS:

Ordinance 18-17
 Staff Presentation - introduction
 Staff Presentation - public hearing
 HEX Recommendation Order
 Back-up from Hearing Examiner Hearing dated 3/21/2017

PREPARED BY:

Division- Department- City
Attorney

SOURCE OF ADDITIONAL INFORMATION:

Wyatt Daltry, Planning Team Coordinator

ATTACHMENTS:

| Description | Type |
|---|-----------------|
| ▣ Ordinance 18-17 (ZA 16-0010) | Ordinance |
| ▣ Staff presentation - introduction | Backup Material |
| ▣ Staff presentation - public hearing | Backup Material |
| ▣ HEX Recommendation Order | Backup Material |
| ▣ Back-up from Hearing Examiner Hearing dated 3/21/2017 | Backup Material |

ORDINANCE 18 – 17

AN ORDINANCE AMENDING THE CITY OF CAPE CORAL OFFICIAL ZONING DISTRICT MAP OF ALL PROPERTY WITHIN THE LIMITS OF THE CITY OF CAPE CORAL BY REZONING PROPERTY DESCRIBED AS LOTS 5-6, BLOCK 1502, CAPE CORAL, UNIT 17, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM PROFESSIONAL OFFICE (P-1) TO PEDESTRIAN COMMERCIAL (C-1) ZONE; PROPERTY IS LOCATED AT 9 DEL PRADO BOULEVARD NORTH; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Cape Coral City Council has considered testimony, evidence, documentation and the application submitted by STEPHEN W. BUCKLEY, TRUSTEE, for rezoning the below-described property from PROFESSIONAL OFFICE (P-1) TO PEDESTRIAN COMMERCIAL (C-1) ZONE, and considered the recommendations of the Hearing Examiner and City Staff, and has considered the City of Cape Coral Comprehensive Plan with this zoning request.

NOW, THEREFORE, THE CITY OF CAPE CORAL, FLORIDA, HEREBY ORDAINS PURSUANT TO THE LAWS OF FLORIDA, AND OTHER APPLICABLE LAWS, THIS ORDINANCE:

Section 1. That the City of Cape Coral Official Zoning District Map of all of the property within the limits of the City of Cape Coral is hereby amended with respect to real property described as follows:

PROFESSIONAL OFFICE (P-1) TO PEDESTRIAN COMMERCIAL (C-1) ZONE

LOTS 5 AND 6, BLOCK 1502, UNIT 17, CAPE CORAL SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGES 23 THROUGH 38, AND THAT PORTION OF THE ADJOINING ALLEY VACATED IN OFFICIAL RECORDS BOOK 2203, PAGE 393, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

PROPERTY LOCATED AT: 9 DEL PRADO BOULEVARD NORTH

and the City administrative office shall amend the City of Cape Coral Official Zoning District Map to reflect this zoning change.

That the amendments to the City of Cape Coral Official Zoning District Map as prescribed herein are consistent with the City of Cape Coral Comprehensive Plan.

Section 2. 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 3. Effective Date. This ordinance shall become effective immediately upon passage by the Cape Coral City Council.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION THIS _____ DAY OF _____, 2017.

MARNI L. SAWICKI, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

SAWICKI _____
BURCH _____
CARIOSCLA _____
STOUT _____

LEON _____
ERBRICK _____
WILLIAMS _____
COSDEN _____

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____,
2017.

REBECCA VAN DEUTEKOM
CITY CLERK

APPROVED AS TO FORM:



BRIAN R. BARTOS
ASSISTANT CITY ATTORNEY
ord\ZA16-0010

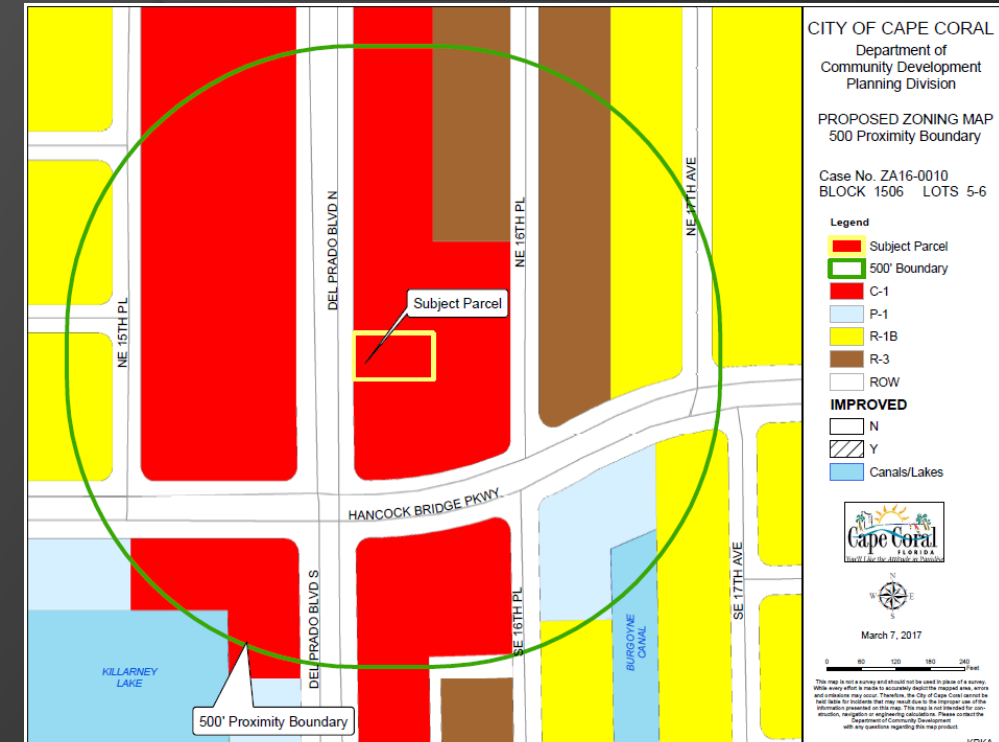
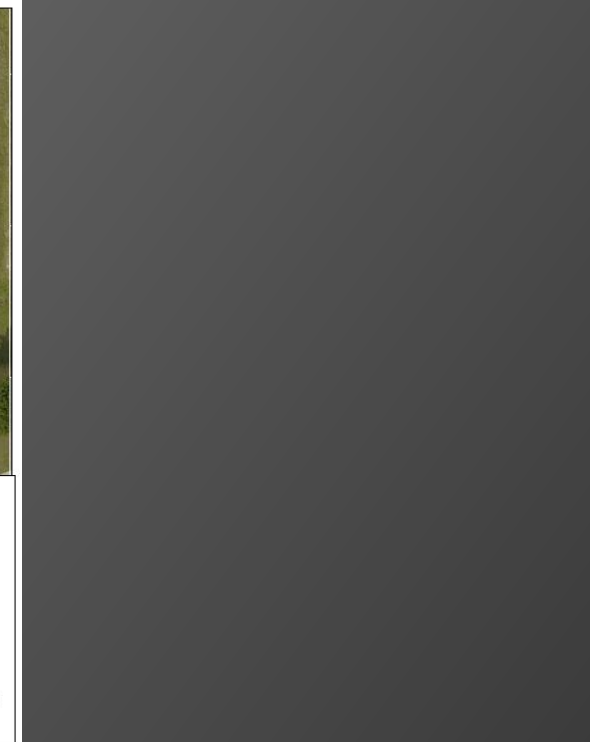


CITY OF CAPE CORAL
Department of
Community Development
Case # ZA16-0010
Subject Parcel

Map Date: March 10, 2017
Aerial Date: 2016

0 25 50 Feet

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately represent the subject parcel, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for damages that may result from the use of this map. The map is not intended for construction, engineering or engineering consultation. Please contact the Department of Community Development with any questions regarding this map product.



CITY OF CAPE CORAL
Department of
Community Development
Planning Division
ZONING MAP
500 Proximity Boundary

Case No. ZA16-0010
BLOCK 1506 LOTS 5-6

Legend

- Subject Parcel
- 500' Boundary
- C-1
- P-1
- R-1B
- R-3
- ROW

IMPROVED

- N
- Y
- Canals/Lakes

March 7, 2017

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KRKA

Cape Coral City Council

April 17, 2017

ZA16-0010

ZA16-0010

- **Applicant: Steven Buckley, Trustee**
- **Location: 9 Del Prado Boulevard North; Unit 17, Block 1502, Lots 5-6, Cape Coral Subdivision**
- **Urban Services Area: Infill**
- **Request: A rezone from Professional Office (P-1) to Pedestrian Commercial (C-1) for a 11,090 square-ft. (0.25 acre) site.**

Background

- One site - 11,090 square feet
- Zoning has been P-1 since 1990, office building constructed in 1989
- C-1 zoning on rest of block, bordering property on 3 sides
- Planning Division staff recommends approval

Cape Coral City Council

May 1, 2017

ORDINANCE 18-17

ZA16-0010

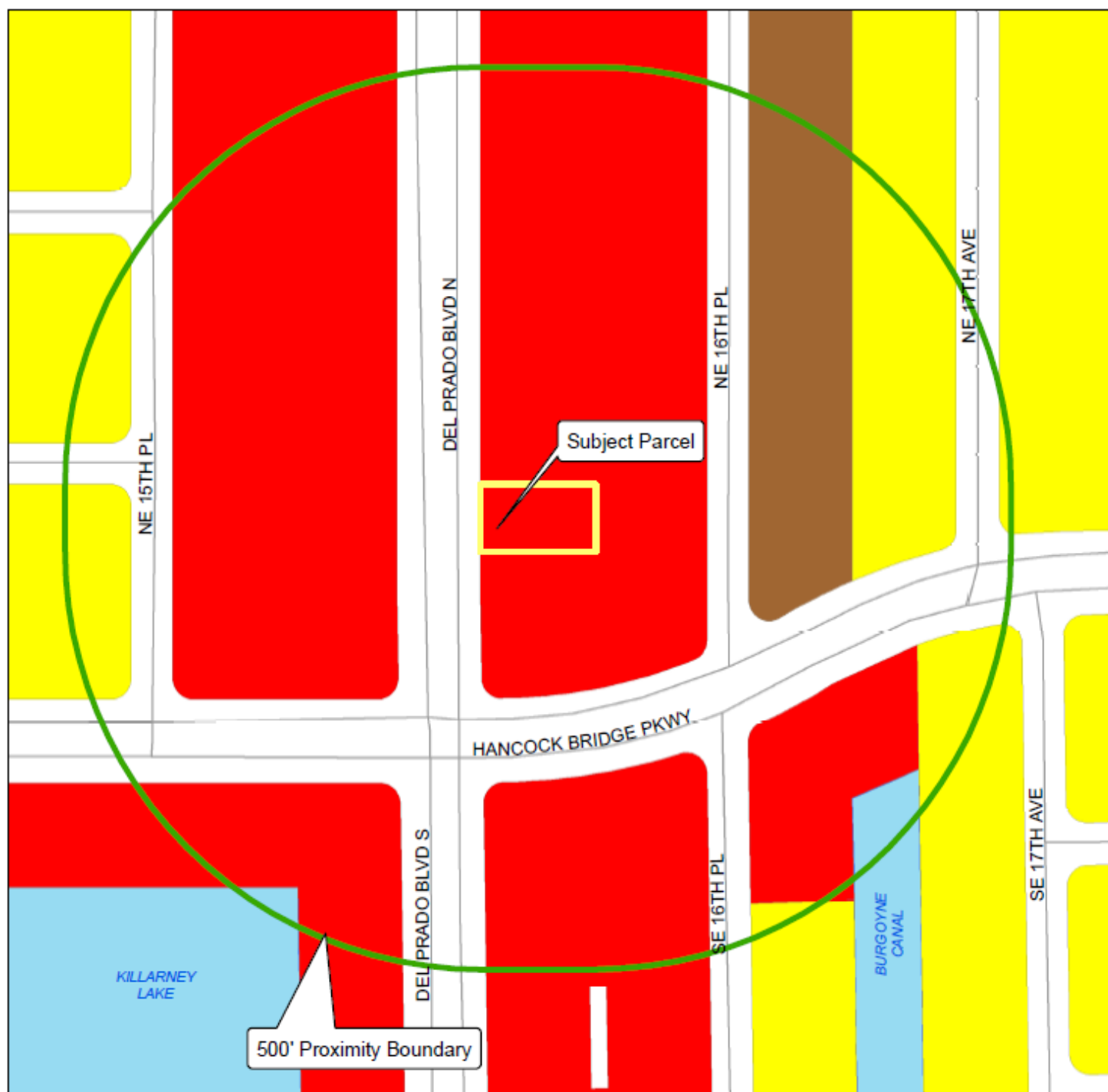
ZA16-0010

- **Applicant: Steven Buckley, Trustee**
- **Location: 9 Del Prado Boulevard North; Unit 17, Block 1502, Lots 5-6, Cape Coral Subdivision**
- **Urban Services Area: Infill**
- **Request: A rezone from Professional Office (P-1) to Pedestrian Commercial (C-1) for a 11,090 square-ft. (0.25 acre) site.**



Site





CITY OF CAPE CORAL
 Department of
 Community Development
 Planning Division

FUTURE LAND USE MAP
 500 Proximity Boundary

Case No. ZA16-0010
 BLOCK 1506 LOTS 5-6

Legend

- Subject Parcel
- 500' Boundary
- Canals/Lakes

Future Land Use

- SF
- MF
- CP

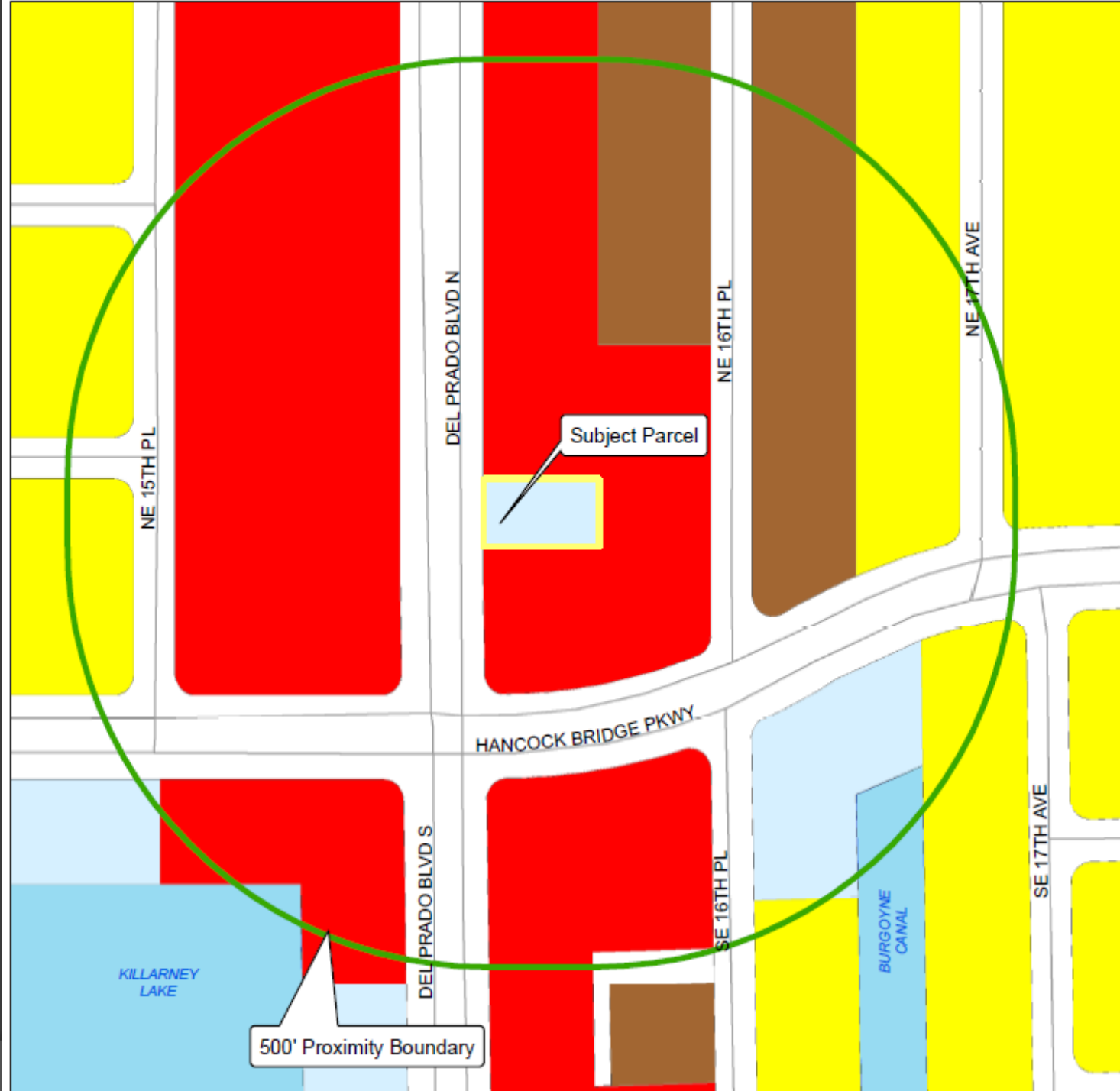


March 7, 2017



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KRKA



CITY OF CAPE CORAL

Department of
Community Development
Planning Division

ZONING MAP 500 Proximity Boundary

Case No. ZA16-0010
BLOCK 1506 LOTS 5-6

Legend

Subject Parcel
 500' Boundary

C-1

P-1

R-1B

R-3

ROW

IMPROVED

N

Y

Canals/Lakes

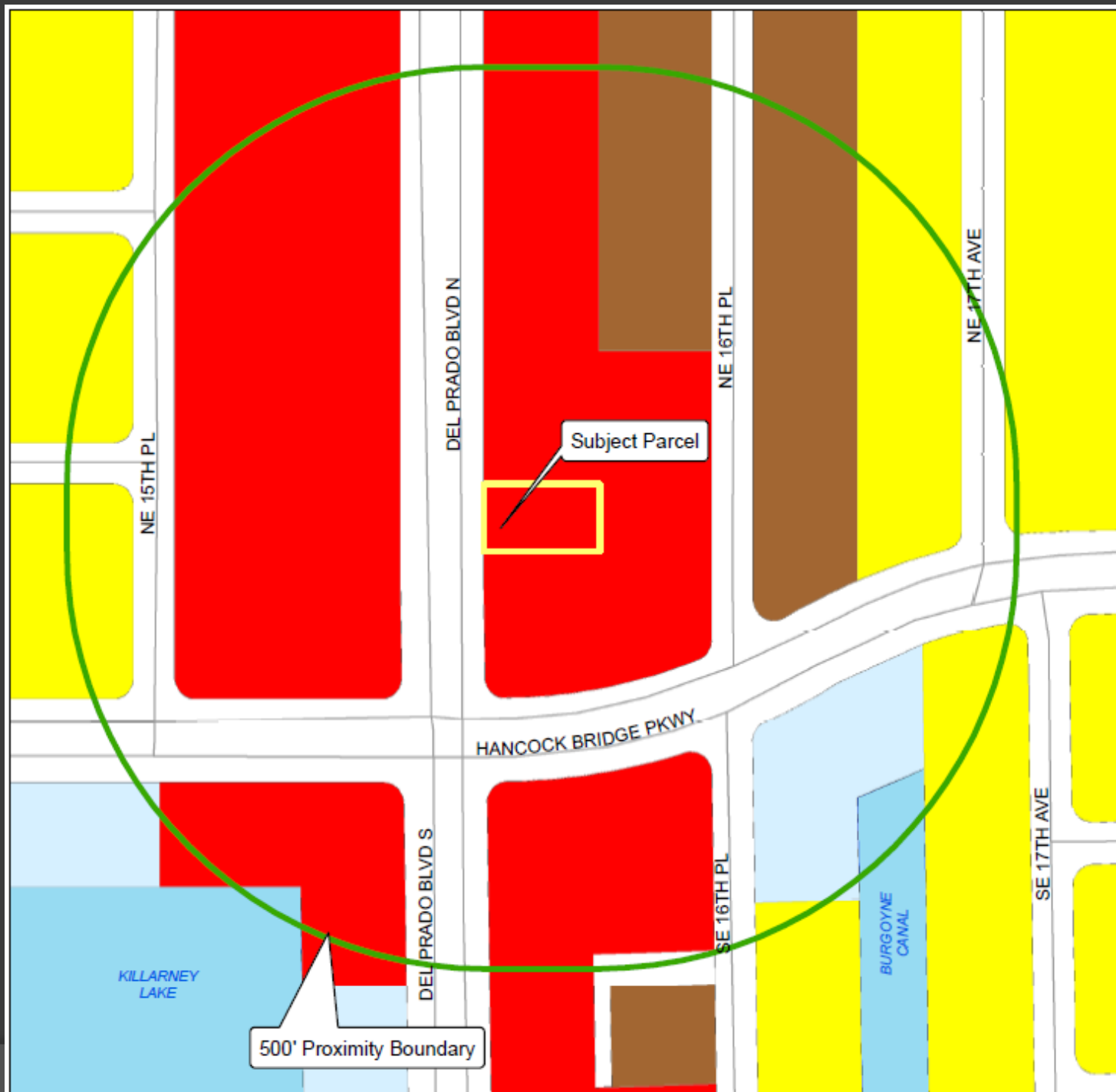


March 7, 2017

0 60 120 180 240 Feet

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KRKA



CITY OF CAPE CORAL
Department of
Community Development
Planning Division

PROPOSED ZONING MAP
500 Proximity Boundary

Case No. ZA16-0010
BLOCK 1506 LOTS 5-6

Legend

Subject Parcel

500' Boundary

C-1

P-1

R-1B

R-3

ROW

IMPROVED

N

Y

Canals/Lakes



March 7, 2017

0 60 120 180 240 Feet

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KRKA

Background

- One site - 11,090 square feet
- Zoning has been P-1 since 1990
- Office building constructed in 1989
- C-1 zoning on rest of block, bordering property on 3 sides

Considerations – Comprehensive Plan

- **Objective 2, Future Land Use Element**
- **Policy 3.1 Future Land Use Element**
- **Policy 3.4 Future Land Use Element**
- **These Comprehensive Plan sections promote future commercial development at or near transportation nodes and major commercial corridors**

Considerations – Section 8.7.3, LUDR

- **Staff analyzed Section 8.7.3 to determine the suitability for the proposed rezone**
- **Staff identified no objections or issues in the point-by-point analysis, described in the case report**

Recommendation

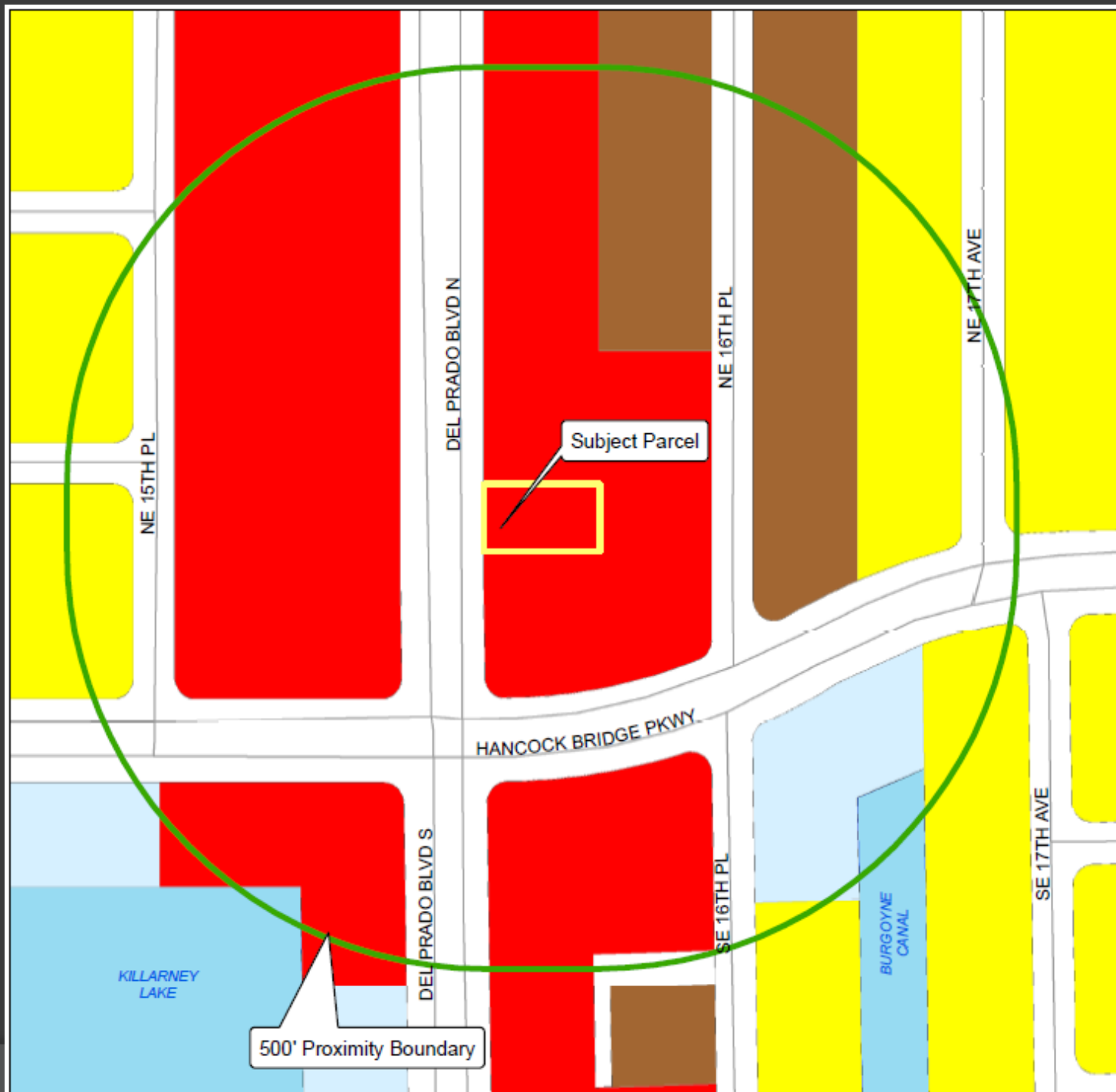
Planning Division staff recommends approval for the following reasons:

- **The request is consistent with the Comprehensive Plan and Land Use and Development Regulations**
- **The need for additional commercial land**

Planning Division has received no correspondence

Hearing Examiner Recommendation

At the March 21, 2017 meeting, the Hearing Examiner issued HEX Recommendation 4-2017 and recommended approval of Ordinance 18-17. There was one speaker during public input.



CITY OF CAPE CORAL
Department of
Community Development
Planning Division

PROPOSED ZONING MAP
500 Proximity Boundary

Case No. ZA16-0010
BLOCK 1506 LOTS 5-6

Legend

Subject Parcel

500' Boundary

C-1

P-1

R-1B

R-3

ROW

IMPROVED

N

Y

Canals/Lakes



March 7, 2017



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KRKA

OFFICE OF THE HEARING EXAMINER, CITY OF CAPE CORAL
HEARING EXAMINER RECOMMENDATION

ZA HEX Recommendation 4-2017
Rendered March 21, 2017

APPLICATION FOR: Rezoning from Professional Office (P-1) Zoning District to the
Pedestrian Commercial (C-1) Zoning District
DCD Case # ZA16-0010

NAME OF APPLICANT/OWNER: Steven Buckley, Trustee

APPLICANT'S REPRESENTATIVE: Q. Brady Minor & Associates

PROPERTY ADDRESSES, LEGAL DESCRIPTIONS AND STRAP NUMBERS:

9 Del Prado Boulevard North, Cape Coral, FL 33909
Unit 17, Block 1502, Lots 5-6 plus vacated alley, Cape Coral
Subdivision
STRAP Number: 08-44-24-C4-01502.0050

CURRENT ZONING: Professional Office (P-1)

FUTURE LAND USE CATEGORY: Commercial/Professional (CP)

HEARING DATE: March 21, 2017

I. SUMMARY OF REQUEST

The applicant requests a rezoning from Professional Office (P-1) to Pedestrian Commercial (C-1) for an 11,090 square foot (0.25 acre) site

II. SUMMARY OF HEARING EXAMINER RECOMMENDATION

The Hearing Examiner recommends **approval** of the application for rezoning.

III. NOTICE OF HEARING

Based on the testimony of City Staff Wyatt Daltry at the Hearing, the Hearing Examiner finds that proper notice of this hearing was provided, in accordance with the requirements of Article VIII, Section 8.3, Public Hearings, of the City of Cape Coral Land Use and Development Regulations ("LUDRs").

IV. PARTICIPANTS IN HEARING

CITY STAFF: Wyatt Daltry, AICP

CITY CLERK'S OFFICE: Elisabeth Delgado

APPLICANT'S REPRESENTATIVE: Wayne Arnold, AICP, of Q. Brady Minor and Associates

MEMBERS OF PUBLIC: none

CORRESPONDENCE FROM PUBLIC: Staff testified that he had received one (1) telephone call requesting information.

APPLICANT'S AND CITY STAFF'S EXHIBITS: previously submitted

V. **REVIEW OF STATUTORY AND LUDR REQUIREMENTS**

Authority. Section 163.3194, F.S. and Cape Coral Ordinance 24-16 require the Hearing Examiner to review and make a recommendation to City Council about consistency of a rezoning application to the City's adopted Comprehensive Plan and whether the requested rezoning should be granted.

Standard of Review of Evidence; Hearsay Evidence. The Hearing Examiner's recommendation is based on whether the application meets all applicable requirements of the Comprehensive Plan, the City Code of Ordinances, and the LUDRs, upon review of the entirety of the record. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but it shall not be sufficient by itself to support a finding unless it would be admissible over objection in court. In rendering this recommendation, the Hearing Examiner must consider all competent substantial evidence in the record, as defined in City Ordinance 23-16.

Rezoning Standards. In reviewing the rezoning application for consistency with the Comprehensive Plan of the City of Cape Coral, the Hearing Examiner must apply the general standards set forth in LUDR Section 8.7.3.

VI. **TESTIMONY AT HEARING**

Applicant's Incorporation of Staff Report and Staff Testimony

The Applicant's Representative incorporated the Staff Report and Staff Testimony ("Staff Input") into his presentation and requested the Hearing Examiner to recommend that City Council find the Staff Input as findings of fact.

Hearing Examiner's Recommended Findings of Fact.

All documentary and oral testimony referenced below is accepted by the Hearing Examiner as recommended findings of fact, except as specifically noted otherwise. The Hearing Examiner recommends that the City Council accept such testimony as findings of fact to substantiate its decision hereunder.

VII. **DISCUSSION**

Site and Surrounding Area.

Staff testified that the 0.25-acre site was developed in 1989 with a two-story office building. The Applicant's Representative testified that the building is

March 21, 2017

currently occupied with tenants. The property has 135 feet of depth with direct access to Del Prado Boulevard, a major arterial roadway.

The current zoning district, Professional Office (P-1), was in place at the time of construction. Staff testified that there has not been a future land use map amendment or rezone since the adoption of the Comprehensive Plan and LUDRs shortly following this construction.

Staff's table regarding the Future Land Use classifications and Zoning Districts of the subject property and the surrounding properties, as set forth in the staff report of February 28, 2017, is set forth *in toto* below as recommended findings of fact herein:

| Subject Property: | Future Land Use | Zoning |
|------------------------------------|--|--|
| Current: | Commercial/Professional (CP) | P-1 |
| Proposed: | N/A | C-1 |
| Surrounding Future Land Use | | Surrounding Zoning |
| North: | PF | C-1 |
| South: | CP | C-1 |
| East: | Multi-Family Residential (MF) and Single-Family Residential (SF) | Multi-Family Residential (R-3) and C-1 |
| West: | CP | C-1 |

The Hearing Examiner further notes that the Applicant's Representative testified at the Hearing that the subject property is directly surrounded on all sides by properties with the C-1 zoning designation, that assemblage of larger commercial sites and future redevelopment would be aided if this property were to be rezoned to be consistent with surrounding properties on Block 1502, and that the requested C-1 zoning would be consistent with the Commercial/Professional Future Land Use Map Classification for the site.

Consideration of General Standards Set Forth in LUDR Section 8.7.3

1. *The extent to which the value of the property is diminished by the proposed land use restriction or zoning of the property.*

Staff testified that the proposed change in zoning districts would increase the number of uses permitted by right and by special exception.

The Hearing Examiner recommends that City Council find that the value of the property **will not be diminished** by the rezoning.

2. *The extent to which the removal of a proposed land use restriction or change in zoning depreciates the value of other property in the area.*

Due to the commercial character of the surrounding properties as set forth above, the Hearing Examiner recommends a finding that the

proposed rezoning is **not anticipated** to depreciate the value of other properties in the area.

3. The suitability of the property for the zoning purpose or land use restriction imposed on the property as zoned.

Staff testified that the proposed zoning district is consistent with the Future Land Use Map Classification of CP.

Based on the above testimony, the Hearing Examiner recommends that City Council find that the property is **suitable** for the proposed rezoning.

4. The character of the neighborhood, existing uses, zoning of nearby and surrounding properties, and compatibility of the proposed land use restriction or zoning.

As set forth in the above table and in Staff's testimony, the surrounding area has a commercial character. In addition, the Applicant's Representative testified that the property is adjacent to a 6-lane divided roadway near the intersection of Del Prado Boulevard and Hancock Bridge Parkway, which is developed with commercial uses at this intersection.

Accordingly, the Hearing Examiner recommends that City Council find the proposed rezoning is **compatible** with the character of the neighborhood, existing uses, and zoning of nearby and surrounding properties.

5. The relative gain to the community as compared to the hardship, if any imposed, by the proposed land use restrictions or from rezoning said property.

Staff testified that the effect of this rezoning is to increase the City's inventory of commercial properties, which would increase the City's tax base in an area that already has a commercial character.

In addition, the Applicant's Representative testified that having a common Zoning District for this property and the adjoining properties would create positive opportunities for all of the properties.

After considering the above factors, the Hearing Examiner recommends that City Council find the proposed rezoning would **create more gains than hardships** to the community.

6. Community need for the use proposed by the zoning or land use restriction.

Staff testified that additional commercial lands that result in an increase in the community's tax base would provide a benefit to the community.

March 21, 2017

Based on the foregoing testimony, the Hearing Examiner recommends that City Council find the **community needs** the use proposed by the applicant.

7. Length of time the property proposed to be rezoned has been vacant, as zoned, when considered in the context of the City of Cape Coral Comprehensive Land Use Plan for the development of the proposed property and surrounding property.

The property is not vacant. However, as set forth above, granting this rezoning would allow the property to be redeveloped in conjunction with the surrounding parcels.

8. The extent to which the proposed land use restriction or zoning promotes the health, safety, morals, or general welfare of this community.

Staff testified that the proposed rezoning should have a somewhat positive, although mostly negligible effect on the general welfare of the community. Staff further noted that the current zoning designation, Professional Office, is consistent with the current future land use map classification.

Based upon the foregoing testimony, the Hearing Examiner recommends that City Council find that this rezoning **will promote** the general welfare of the community.

9. The extent to which the proposed land use, land use restriction, or zoning will impact the level of service standards for public facilities as specified in the Comprehensive Plan

Staff testified that Impacts on infrastructure for development on this site would be negligible due to the small size of the site, that facility capacity exists for the transportation infrastructure network, and that utilities are available at this location.

The Hearing Examiner recommends that City Council find the proposed rezoning will have **no significant negative impact** on level of service standards for public facilities hereunder.

10. Whether the proposed land use restriction, removal of a restriction, or zoning is consistent with the City of Cape Coral Comprehensive Land Use Plan.

Staff testified that the Application is compatible with Objective 2, Policy 3.1 and Policy 3.4 of the Future Land Use Element of the City's Comprehensive Plan in that the proposed rezoning is consistent with the location of commercial areas at or near transportation nodes and major commercial corridors.

For all of the above reasons, the Hearing Examiner recommends that the City Council find the proposed rezoning to be **compatible** with the future land use classification that currently exists for the subject property and the proposed rezoning to be **consistent** with the goals and objectives of the Comprehensive Plan.

VIII. **RECOMMENDATIONS**

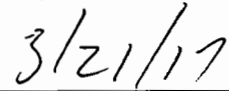
Based upon the testimony and documentary exhibits presented during the Hearing, the Hearing Examiner recommends that:

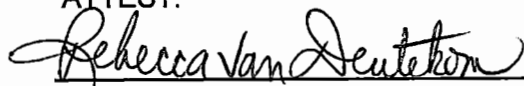
1. the City Council find the requested rezoning is consistent with the requirements of the Comprehensive Plan of the City of Cape Coral, if the City Council approves the Applicant's requested Future Land Use Map amendment which is being heard concurrently with this rezoning request; and
2. the City Council approve the requested rezoning.

This Recommendation is effective on the date specified below.

HEARING EXAMINER OF THE CITY OF CAPE CORAL, FLORIDA


ANNE DALTON, ESQUIRE


DATE

ATTEST:

CITY CLERK



DEPARTMENT OF COMMUNITY DEVELOPMENT
REQUEST FOR REZONING APPLICATION
Questions: 239-574-0776

Case # 2A16-0010

REQUEST FOR A REZONING

FEE \$2,050.00 first 3 acres plus \$220.00 each additional acre over 3 up to 20 acres; \$22.00 per acre over the first 20 acres. In addition to the application fee, all required advertising costs are to be paid by the applicant (ORD 39-03, Sec. 5.4). Advertising costs will be billed and must be paid prior to hearing.

Following the approval of your request, the applicant shall be responsible for paying the City to electronically record the final signed Resolution or Ordinance with the Lee County Clerk of Court. Until this fee is paid, restrictions on the issuance of any City permits will remain on the affected property that will prevent the city from issuing any applicable building permits, site plans, certificates of use, or certificates of occupancy for any property covered by the Resolution or Ordinance.

OWNER OF PROPERTY

Stephen W. Buckley, Trustee

Address: PO Box 2366

City Fort Myers State: FL Zip 33902

Email: _____

Phone: _____

AUTHORIZED REPRESENTATIVE

D. Brent Addison, P.E., Vice President

Address: 3800 Via Del Rey

Q. Grady Minor & Associates, P.A.

City Bonita Springs State: FL Zip 34134

Email: baddison@gradyminor.com

Phone: 239-947-1144

Unit 17 Block 1502 Lot(s) Below Subdivision Cape Coral Unit 17

Address of Property 9 Del Prado Blvd.

Current Zoning P-1 Plat Book 14, Page 25

Proposed Zoning C-1 Strap Number 08-44-24-C4-01502.0050

Lots 5 + 6 + 10 ft. VAC OR 2203, PG. 393

THIS APPLICATION SHALL ALSO HAVE ANY ADDITIONAL REQUIRED SUPPORTING DOCUMENTS

The owner of this property, or the applicant agrees to conform to all applicable laws of the City of Cape Coral and to all applicable Federal, State, and County laws and certifies that all information supplied is correct to the best of their knowledge.

If the owner does not own the property in his/her personal name, the owner must sign all applicable forms in his/her corporate capacity.



DEPARTMENT OF COMMUNITY DEVELOPMENT
REQUEST FOR REZONING APPLICATION
Questions: 239-574-0776

Case # _____

(SIGNATURE MUST BE NOTARIZED)

Stephen W. Buckley, Trustee

NAME (PLEASE TYPE OR PRINT)

APPLICANT'S SIGNATURE

STATE OF FL, COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 13 day of December, 2016, by
Stephen W. Buckley, Trustee who is personally known or produced
as identification.

Exp. Date: _____ Commission Number: _____

Signature of Notary Public:

Printed name of Notary Public:

SIGNATURE MUST BE NOTARIZED)



AUTHORIZATION TO REPRESENT PROPERTY OWNER(s)



DEPARTMENT OF COMMUNITY DEVELOPMENT
REQUEST FOR REZONING APPLICATION
Questions: 239-574-0776

Case # _____

PLEASE BE ADVISED THAT D. Brent Addison, P.E., Q. Grady Minor & Associates, P.A.
(Name of person giving presentation)

IS AUTHORIZED TO REPRESENT ME IN THE REQUEST TO THE HEARING EXAMINER, OR CITY COUNCIL FOR
Zoning Amendment
(Type of Public Hearing – i.e., PDP, Zoning, Special Exception, Variance, etc.)

UNIT 17 BLOCK 1502 LOT(S) Below SUBDIVISION Cape Coral Unit 17

OR LEGAL DESCRIPTION Lots 5 + 6 + 10 ft. VAC OR 2203, PG. 393

LOCATED IN THE CITY OF CAPE CORAL, COUNTY OF LEE, FLORIDA.

Stephen W. Buckley, Trustee
PROPERTY OWNER (Please Print)

[Signature]
PROPERTY OWNER (Please Print)

PROPERTY OWNER (Signature & Title)

PROPERTY OWNER (Signature & Title)

STATE OF FL, COUNTY OF LEE

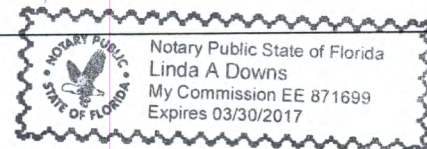
Subscribed and sworn to (or affirmed) before me this 13 day of December, 2016, by

Stephen W. Buckley, Trustee who is personally known or produced
as identification.

Exp. Date: _____ Commission Number: _____

Signature of Notary Public: [Signature]

Printed name of Notary Public: _____



Note: Please list all owners. If a corporation, please supply the Planning Division with a copy of corporation papers.

ACKNOWLEDGEMENT FORM



DEPARTMENT OF COMMUNITY DEVELOPMENT
REQUEST FOR REZONING APPLICATION
Questions: 239-574-0776

Case # _____

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

I acknowledge that I, or my representative, must attend any applicable meetings scheduled for the Hearing Examiner, Planning & Zoning Commission/Local Planning Agency, and City Council.

I will have the opportunity, at the hearing, to present verbal information pertaining to my request that may not be included in my application.

I understand any decision rendered by the CITY shall be subject to a thirty (30) day appeal period. Any work performed within the thirty (30) day time frame or during the APPEAL process will be completed at the applicant's risk.

I understand I am responsible for all fees, including advertising costs. All fees are to be submitted to the City of Cape Coral with the application or the item may be pulled from the agenda and continued to future date after fees are paid.

Please obtain all necessary permits prior to commencing any phase of construction.

Please indicate on a separate sheet those persons to whom you wish a copy of the Public Hearing Notice sent.

By submitting this application, I acknowledge and agree that I am authorizing the City of Cape Coral to inspect the subject property and to gain access to the subject property for inspection purposes reasonably related to this application and/or the permit for which I am applying.

I hereby acknowledge that I have read and understood the above affidavit on the 13 day of December, 20 16

Stephen W. Buckley, Trustee
NAME (PLEASE TYPE OR PRINT)

APPLICANT'S SIGNATURE

STATE OF FL . COUNTY OF

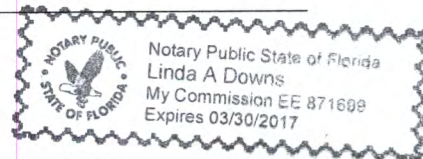
LEE

Subscribed and sworn to (or affirmed) before me this 13 day of December, 2016, by
Stephen W. Buckley, Trustee who is personally known or
as identification.

Exp. Date: _____ Commission Number: _____

Signature of Notary Public: Linda A. Downs

Printed name of Notary Public: _____





DEPARTMENT OF COMMUNITY DEVELOPMENT
REQUEST FOR REZONING APPLICATION
Questions: 239-574-0776

Case # _____

DOCUMENTARY EVIDENCE (LUDR, Section 8.3.1.C.6.f)

A copy of all documentary evidence shall be made available to the decision-making body or the Hearing Examiner and to staff no later than two business days prior to the hearing of the application. This requirement includes information that the applicant intends to present at public hearing.

I have read the above requirement and agree to comply with this provision.

Stephen W. Buckley, Trustee

OWNER/APPLICANT (PLEASE TYPE OR PRINT)

OWNER/APPLICANT SIGNATURE

(SIGNATURE MUST BE NOTARIZED)

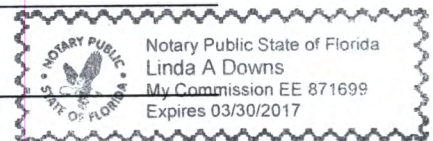
STATE OF FLORIDA COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me on this 13 day of December, 2016
by STEPHEN W. BUCKLEY TR, who is personally known or who has produced _____ as identification.

Exp. Date _____
Commission # _____

Signature of Notary Public

Print Name of Notary Public



9 Del Prado N Rezone Request

Letter of Intent

The applicant is seeking to rezone the subject 0.25 acre parcel (#08-44-24-C4-01502.0050) from the P-1 to the Pedestrian Commercial (C-1) zoning district. The parcel has C-1 zoning adjacent on the three non-roadway property boundaries. The property is essentially an island, and the zoning change is appropriate to allow assemblage of property to support commercial development consistent with the surrounding zoning and City of Cape Coral Comprehensive Plan.

The property is designated Commercial/Professional (CP) on the Future Land Use Map. This land use category is supportive of the C-1 zoning district, which is designed to facilitate a range of commercial uses from neighborhood commercial through major shopping facilities with large trade areas.

The existing P-1 zoning district designation for this small property does not allow lot assemblage and future redevelopment of the site. The C-1 zoning district is the appropriate zoning district for this site and the application meets the Land Use and Development Regulations standards for approval of zoning district amendments.

§ 8.7 Amendments.

.3 Consistency with Comprehensive Plan and general standards.

A. No amendment shall be approved or effective unless it is determined by City Council to be consistent with the Comprehensive Plan.

The property is designated Commercial/Professional (CP) on the Future Land Use Map. This land use category is supportive of the C-1 zoning district, which is designed to facilitate a range of commercial uses from neighborhood commercial through major shopping facilities with large trade areas.

- c. *Commercial/Professional (CP): Intensities of use in the Commercial/Professional land use classification shall not exceed a floor to lot area ratio (FAR) of 1.0. Density, as permitted within the Flexible Development Overlay District (see below), shall not exceed 16 units per acre. (Note: Zoning districts compatible with this classification may also be used in conjunction with the Mixed Use (MX) future land use classification. When used in conjunction with the MX Classification, densities, intensities and other parameters, as described for these districts may differ from those described for the CP Classification.) Permitted uses will ultimately depend upon the zoning district of the subject parcel. Generally, three zoning districts are found in the Commercial/Professional future land use*

**9 Del Prado N
Rezone Request**

Letter of Intent

classification. However the City may develop additional zoning districts, compatible with the CP future land use classification, in the future.

B. The Hearing Examiner, the Planning and Zoning Commission/ Local Planning Agency and the City Council shall apply the following general standards in their consideration of amendments of the Land Use and Development Regulations, the Comprehensive Plan, the Future Land Use Map, and the Official Zoning Map:

(Ord. 68-91, 8-26-1991)

1. The extent to which the value of the property is diminished by the proposed land use restriction or zoning of the property;

The value of the property will not be diminished once the zoning amendment occurs. In fact the value of the subject property and surrounding properties are enhanced due to the ability to assemble parcels under a single common zoning district designation.

2. The extent to which the removal of a proposed land use restriction or change in zoning depreciates the value of other property in the area;

The change in zoning will not depreciate any nearby property and will result in an appreciation of property values.

3. The suitability of the property for the zoning purpose or land use restriction imposed on the property as zoned;

The existing P-1 zoning district designation is not consistent with the Future Land Use designation of the property. The C-1 is the most suitable zoning district designation as all adjacent are presently designated as C-1.

4. The character of the neighborhood, existing uses, zoning of nearby and surrounding properties, and compatibility of the proposed land use restriction or zoning;

The character of the neighborhood is supportive of the types of uses permitted in the C-1 zoning district. The property is adjacent to a 6-lane divided roadway near the intersection of Del Prado Boulevard and Hancock Bridge Parkway, which is developed with commercial uses at the intersection.

5. The relative gain to the community as compared to the hardship, if any imposed, by the proposed land use restrictions or from rezoning said property;

**9 Del Prado N
Rezone Request**

Letter of Intent

There is no hardship created to the City by the proposed rezoning, but rather the zoning change will create positive business opportunities resulting from a common zoning district for all contiguous properties.

6. The community need for the use proposed by the zoning or land use restriction;

The Comprehensive Plan envisions this property to be commercial and the C-1 zoning district is one of the three commercial zoning districts that are consistent with the C/P Future Land Use category. The Future Land Use Map suggests that this property is needed at this location.

7. Length of time the property proposed to be rezoned has been vacant, as zoned, when considered in the context of the City of Cape Coral Comprehensive Land Use Plan for the development of the proposed property and surrounding property;

The subject property currently is developed with a small office building. Once the rezoning occurs, the site will have commercial zoning consistent with neighboring properties which will result in future redevelopment opportunities consistent with surrounding properties.

8. The extent to which the proposed land use restriction or zoning promotes the health, safety, morals, or general welfare of this community;

The zoning change will have no direct impact on the health, safety and general welfare of the City. The zoning change is consistent with the City's long term future development plans.

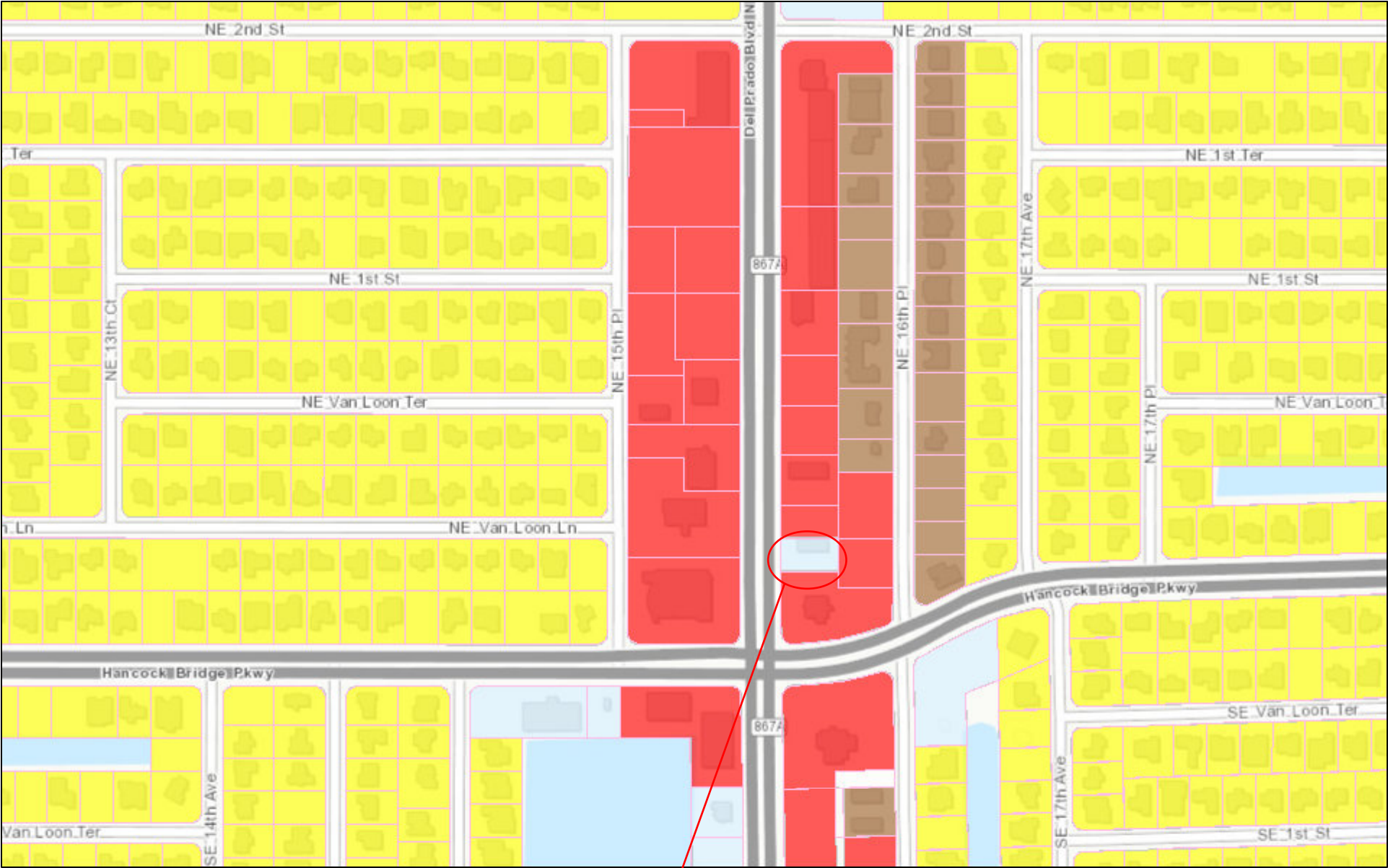
9. The extent to which the proposed land use, land use restriction, or zoning will impact the level of service standards for public facilities as specified in the Comprehensive Plan; and (Ord. 68-91, 8-26-1991)

The zoning change in and of itself will have no public facility impact. Any future redevelopment of the site will be reviewed at the time of local development plan approval to insure that level of service standards will be maintained.

10. Whether the proposed land use restriction, removal of a restriction, or zoning is consistent with the City of Cape Coral Comprehensive Land Use Plan.

The proposed zoning change to the C-1 zoning district is consistent with the Future Land Use Element of the City of Cape Coral Comprehensive Land Use Plan. The C-1 zoning district is one of three commercial zoning districts that the Commercial/Professional (CP) Future Land Use Category describes as being consistent with the land use category.

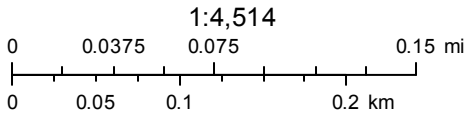
Cape Coral ArcGIS Web Map



November 29, 2016

| | | |
|---------------|--|---|
| Ownership |  P-1 |  ROW |
| Zoning |  R-1B | |
| |  C-1 |  R-3 |

Subject Property



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey,

Planning Division Case Report
ZA16-0010

Review Date: February 28, 2017

Applicant and Steven Buckley, Trustee
P.O. Box 2366
Fort Myers, FL 33902

Site Address: 9 Del Prado Boulevard North
Cape Coral, FL 33909

Location: Unit 17, Block 1502, Lots 5-6 plus vacated alley, Cape Coral Subdivision

08-44-24-C4-01502.0050

Authorized Representative: D. Brent Addison, P.E., Vice President
Q. Grady Minor & Associates
3800 Via Del Rey
Bonita Springs, FL 34134
(239) 947-1144

Case Staff: Wyatt Daltry, AICP, Planning Team Coordinator

Review Approved By: Robert Pederson, AICP, Planning Manager

Purpose/Request: The applicant requests a rezone from Professional Office (P-1) to Pedestrian Commercial (C-1) for an 11,090 square foot (0.25 acre) site.

| <i>Subject Property:</i> | <i>Future Land Use</i> | <i>Zoning</i> |
|---------------------------------|--|--|
| <i>Current:</i> | Commercial/Professional (CP) | P-1 |
| <i>Proposed:</i> | N/A | C-1 |
| | <i>Surrounding Future Land Use</i> | <i>Surrounding Zoning</i> |
| <i>North:</i> | PF | C-1 |
| <i>South:</i> | CP | C-1 |
| <i>East:</i> | Multi-Family Residential (MF) and Single-Family Residential (SF) | Multi-Family Residential (R-3) and C-1 |
| <i>West:</i> | CP | C-1 |

Urban Service Area: Infill

City Water and Sewer: The area is served by City water and sewer

Type of Access: The site has access to Del Prado Boulevard, an arterial road.

| | |
|---|---|
| Positive Aspects of Application: | <ul style="list-style-type: none">• C-1 zoning permits additional commercial development opportunities• Uses allowed in C-1 should be compatible with nearby development |
| Negative Aspects of Application: | <ul style="list-style-type: none">• There may be a slight traffic increase or change in the characteristics of traffic |
| Mitigating Factors: | <ul style="list-style-type: none">• Small site; relatively small impacts anticipated |

Site Visit: January 25, 2017

Applicable Regulations

- Section §163.3194, F.S. requires that “all land development regulations enacted or amended...to be consistent with the adopted comprehensive plan.”

STAFF RECOMMENDATION

For the reasons discussed below, staff believes the Pedestrian Commercial zoning district is consistent with the Comprehensive Plan. Staff recommends **Approval** of the proposed rezone.

Background/Analysis:

The 0.25-acre site has an existing two-story office building constructed in 1989. The Professional Office (P-1) zoning was in place at the time of construction. There has not been a future land use map amendment or rezone since the adoption of the Comprehensive Plan and Land Use and Development Regulations.

The property has 135 feet of depth with direct access to Del Prado Boulevard, a major arterial roadway.

The applicant's letter of intent notes this property is surrounded on all sides by properties with the C-1 zoning designation. It further notes that assemblage of larger commercial sites and future redevelopment would be aided if this property was rezoned to be consistent with surrounding properties on Block 1502. The proposed C-1 zoning would be consistent with the Commercial/Professional Future Land Use Map Classification for the site.

Comprehensive Plan

C-1 zoning is consistent with the CP future land use map classification. The rezone is consistent with Objective 2 and Policies 3.1 and 3.4 of the Future Land Use Element.

Land Use and Development Regulations -- Section 8.7 Amendments:

Staff reviewed this request in accordance with Section 8.7 Amendments, .3 Consistency with Comprehensive Plan and General Standards, B. 1.-10. of the Land Use and Development Regulations and provides the following analysis. This section is used for future land use map amendments, comprehensive plan amendments, and for rezone requests.

1. The extent to which the value of the property is diminished by the proposed land use restriction or zoning of the property.

A rezone from P-1 to C-1 **would not likely** diminish the land value because this proposed district increases the number of permitted and special exception uses.

2. The extent to which the removal of a proposed land use restriction or change depreciates the value of other properties in the area.

The proposal is **not anticipated** to depreciate the value of other properties in the area.

3. The suitability of the property for the zoning purpose or land use restriction imposed on the property as zoned.

The proposed zoning district will be consistent with the land use classification of CP Future Land Use Map Classification.

4. The character of the neighborhood, existing uses, zoning of nearby and surrounding properties, and compatibility of the proposed land use restriction or zoning.

The surrounding area has a commercial character. The site is at the intersection of Del Prado Boulevard and Hancock Bridge Parkway. Existing commercial development is nearby, particularly to the north and south. The proposed rezone is **compatible** with the surrounding area.

5. The relative gain to the community as compared to the hardship, if any imposed, by the proposed land use restrictions or from rezoning said property.

The effect of this rezoning is to increase the City's inventory of commercial properties. The proposal would increase the City's tax base in an area that has a commercial character. As a result, this proposed rezone **does not create more hardship than gain** to the community.

6. The community need for the use proposed by the zoning or land use restriction.

Additional commercial lands that result in an increase in the community's tax base would provide a benefit to the community. There is a **need** for the uses permitted by the proposed rezone.

7. Length of time the property proposed to be rezoned has been vacant, as zoned, when considered in the context of the City of Cape Coral Comprehensive Land Use Plan for the development of the proposed property and surrounding property.

The subject property is developed with a two-story office building, constructed in 1989.

8. The extent to which the proposed land use restriction or zoning promotes the health, safety, morals, or general welfare of this community.

Approval of this rezone should have a **negligible effect** upon the health, general welfare, safety, or morals of the community due to the small size of the site. Providing a zoning designation that is consistent with the future land use map classification should have a **positive effect** on the general welfare for the community. It should be noted, however, that a consistent zoning designation, Professional Office, already exists for the site.

9. The extent to which the proposed land use, land use restriction, or zoning will impact the level of service standards for public facilities as specified in the Comprehensive Plan.

Impacts on infrastructure for development on this site will be **negligible** due to the size of the site. Facility capacity exists for the transportation infrastructure network. Utilities are available at this location.

10. Whether the proposed land use restriction, removal of a restriction, or zoning is consistent with the City of Cape Coral Comprehensive Land Use Plan.

Both the existing and proposed zoning designations are **consistent** with the CP future land use classification.

Public Notification

This case will be publicly noticed as required by LUDR, Section 8.3.2.A as further described below.

Publication: A legal ad will be prepared and sent to the *News-Press* announcing the intent of the petitioners to rezone the property described within this report. The ad will appear in the *News-Press* a minimum of 10 days prior to the public hearing scheduled before the Hearing Examiner. Following the public hearing before the Hearing Examiner, the ad announcing the final public hearing before the City Council will appear once in the *News-Press*. The ad will appear in the newspaper not less than 10 days prior to the date of the final public hearing before the City Council.

Written notice: Property owners located within 500 feet from the property line of the land which the petitioners request to rezone will receive written notification of the scheduled public hearings. These letters will be mailed to the aforementioned parties a minimum of 10 days prior to the public hearing scheduled before the Hearing Examiner.

Posting of a Sign: A large sign identifying the case and providing salient information will be posted on the property, as another means of providing notice of the rezoning request.

Recommendation:

Planning staff has reviewed this request in accordance with Section 8.7 Amendments, .3 Consistency with the Comprehensive Plan and General Standards A., B. 1.-10 of the Land Use and Development Regulations and the City's Comprehensive Plan. Planning Division recommends **approval** of the rezone request.

Staff Contact Information:

Wyatt Daltry, AICP
Planning Team Coordinator
Department of Community Development
Planning Division
(239) 573-3160
email: wdaltry@capecoral.net



NOTICE TO SURROUNDING PROPERTY OWNERS

CASE NUMBER: ZA16-0010

REQUEST: The applicant requests a rezone from Professional Office (P-1) to Pedestrian Commercial (C-1) for an 11,090 square foot (0.25 acre) site.

LOCATION: Unit 17, Block 1502, Lots 5-6 plus vacated alley, Cape Coral Subdivision
08-44-24-C4- 01502.0050

CAPE CORAL STAFF CONTACT: Wyatt Daltry, AICP, Planning Team Coordinator, 239-573-3160,
wdaltry@capecoral.net

PROPERTY OWNER(S): Steven Buckley, Trustee

AUTHORIZED REPRESENTATIVE: D. Brent Addison, P.E., Vice President Q. Grady Minor & Associates

UPCOMING PUBLIC HEARING: Notice is hereby given that the City of Cape Coral Hearing Examiner will hold a public hearing at 9:00AM on Tuesday, March 21, 2017 on the above mentioned case. The public hearing will be held in the City of Cape Coral Council Chambers, 1015 Cultural Park Boulevard, Cape Coral, FL.

All interested parties are invited to appear and be heard. All materials presented before the Hearing Examiner will become a permanent part of the record. The public hearing may be continued to a time and date certain by announcement at this public hearing without any further published notice. Copies of the staff report will be available 5 days prior to the hearing. The file can be reviewed at the Cape Coral Community Development Department, Planning Division, 1015 Cultural Park Blvd., Cape Coral, FL.

DETAILED INFORMATION: The case report and colored maps for this application are available at the City of Cape Coral website, www.capecoral.net/publichearing (Click on 'Public Hearing Information', use the case number referenced above to access the information); or, at the Planning Division counter at City Hall, between the hours of 7:30 AM and 4:30 PM. The public hearing may be continued to a time and date certain by announcement at this public hearing without any further published notice.

HOW TO CONTACT: Any person may appear at the public hearing and be heard, subject to proper rules of conduct. You are allowed sufficient time to write or appear at the public hearing to voice your objections or approval. Written comments filed with the Director will be entered into the record. Please reference the case number above within your correspondence and mail to: Department of Community Development, Planning Division, P.O. Box 150027, Cape Coral, FL 33915-0027. The hearings may be continued from time to time as necessary.

ADA PROVISIONS: In accordance with the Americans With Disabilities Act, persons needing a special accommodation to participate in this proceeding should contact the Human Resources Department whose office is located at Cape Coral City Hall, 1015 Cultural Park Boulevard, Cape Coral, Florida; telephone 1-239-574-0530 for assistance; if hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8770 (v) for assistance.

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

The News-Press media group

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Ad No.: 0001987136

Address: 1015 CULTURAL PARK BLVD
CAPE CORAL FL 33990
USA

Net Amt: \$

Run Times: 1

No. of Affidavits: 1

Run Dates: 03/11/17

Text of Ad:

NOTICE OF PUBLIC HEARING

CASE NUMBER: ZA16-0010

REQUEST: The applicant requests a rezone from Professional Office (P-1) to Pedestrian Commercial (C-1) for an 11,090 square foot (0.25 acre) site.

LOCATION: Unit 17, Block 1502, Lots 5-6 plus vacated alley, Cape Coral Subdivision 08-44-24-C4- 01502.0050

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After Hearing Examiner has made a written recommendation, the case will be scheduled for a public hearing before the City Council who will review the recommendation and make a final decision. You will receive another public hearing notice when this case is scheduled for a City Council hearing.

DETAILED INFORMATION: The case report and colored maps for this application are available at the City of Cape Coral website, www.capecoral.net/publichearing (Click on 'Public Hearing Information', use the case number referenced above to access the information); or, at the Planning Division counter at City Hall, between the hours of 7:30 AM and 4:30 PM

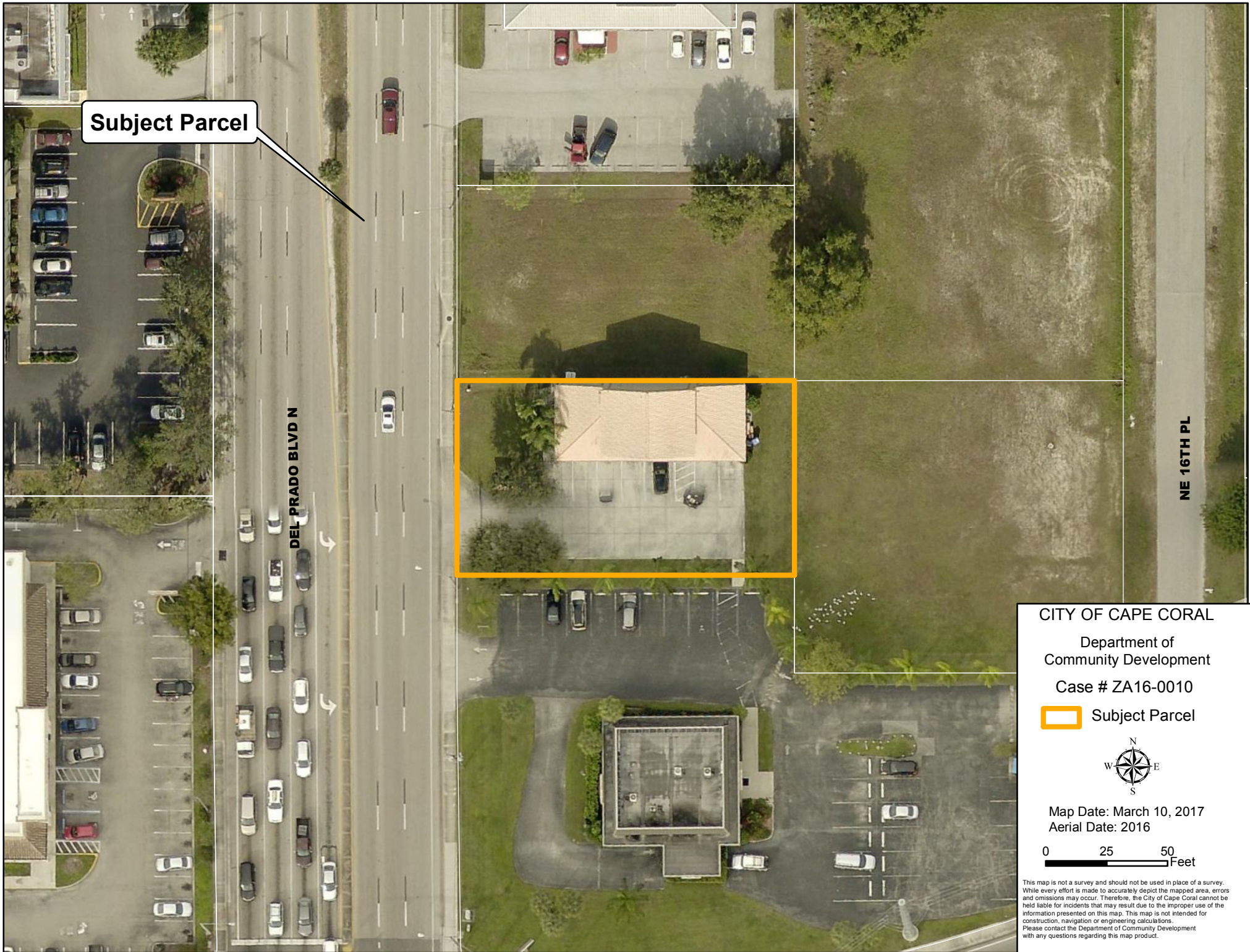
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by order of
Rebecca van Deutekom, MMC

AD# 1987136


Mar. 11, 2017



CITY OF CAPE CORAL

Department of
Community Development

Case # ZA16-0010

 Subject Parcel



Map Date: March 10, 2017
Aerial Date: 2016

0 25 50
Feet

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.


CITY OF CAPE CORAL


Department of
Community Development
Planning Division

ZONING MAP 500 Proximity Boundary


Case No. ZA16-0010
BLOCK 1506 LOTS 5-6

Legend

 Subject Parcel

 500' Boundary

 C-1


 P-1


 R-1B

 R-3

 ROW

IMPROVED

 N

 Y

 Canals/Lakes

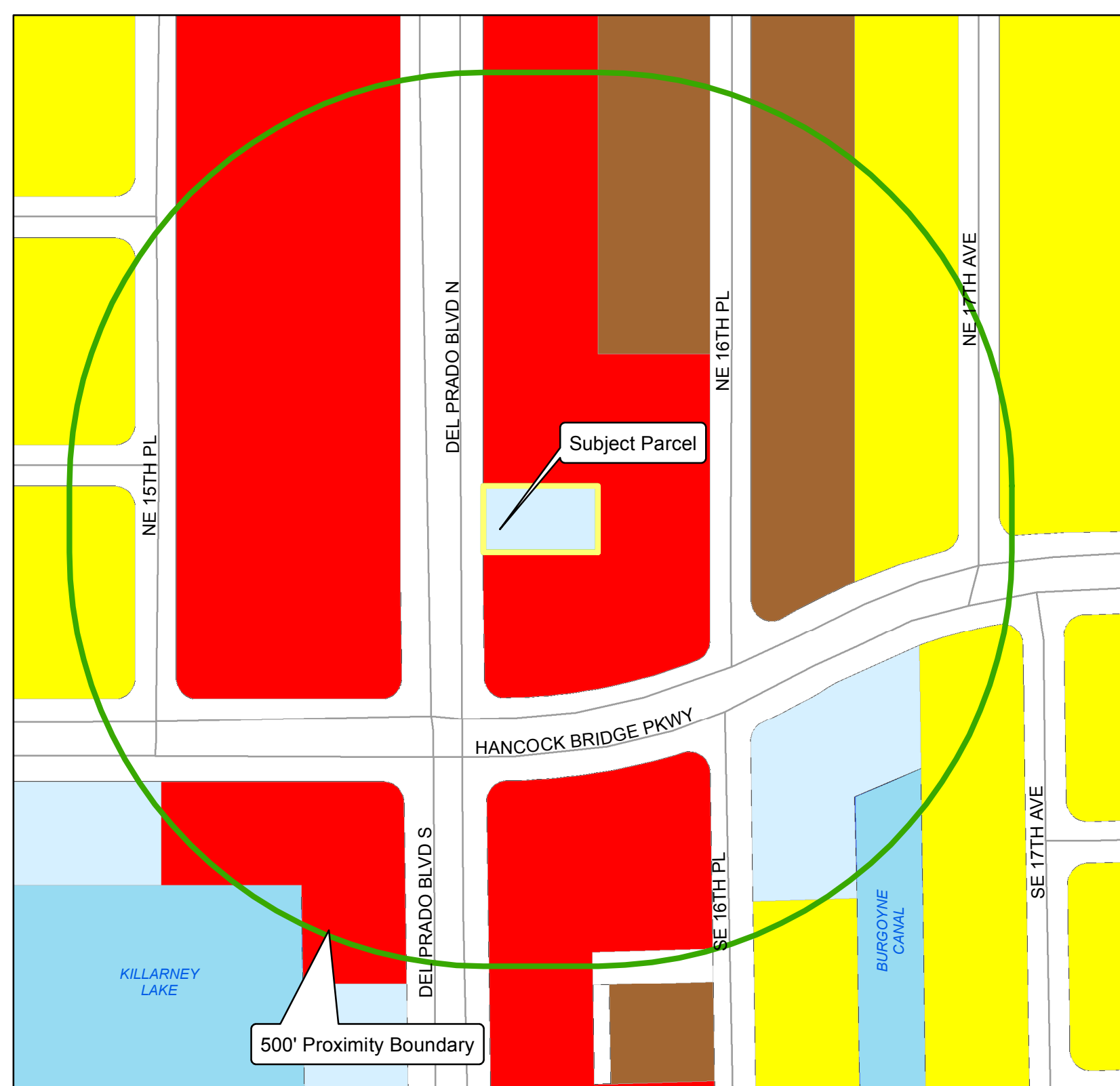


March 7, 2017

0 60 120 180 240 Feet

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KRKA



CITY OF CAPE CORAL


Department of
Community Development
Planning Division

PROPOSED ZONING MAP 500 Proximity Boundary


Case No. ZA16-0010
BLOCK 1506 LOTS 5-6

Legend

 Subject Parcel

 500' Boundary

 C-1

 P-1


 R-1B

 R-3

 ROW

IMPROVED

 N

 Y

 Canals/Lakes

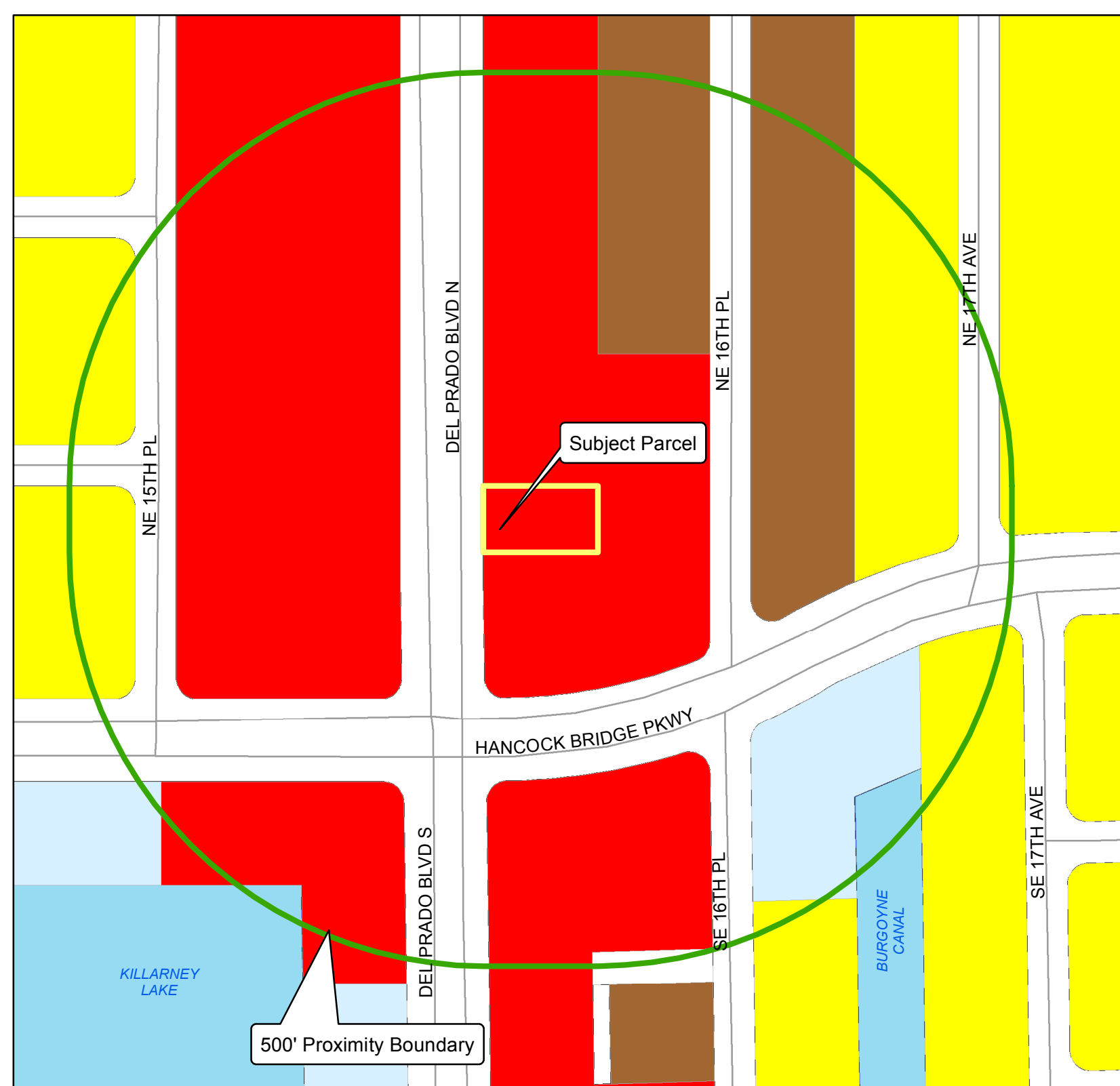


March 7, 2017

0 60 120 180 240 Feet

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KRKA






CITY OF CAPE CORAL

Department of
Community Development
Planning Division




FUTURE LAND USE MAP 500 Proximity Boundary

Case No. ZA16-0010
BLOCK 1506 LOTS 5-6

Legend

-  Subject Parcel
-  500' Boundary
-  Canals/Lakes

Future Land Use

-  SF
-  MF
-  CP



March 7, 2017

0 60 120 180 240 Feet

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation or engineering calculations. Please contact the Department of Community Development with any questions regarding this map product.

KRKA

Subject Parcel

500' Proximity Boundary

KILLARNEY
LAKE

BURGOYNE
CANAL

HANCOCK BRIDGE PKWY

DEL PRADO BLVD S

DEL PRADO BLVD N

SE 16TH PL

NE 16TH PL

NE 17TH AVE

SE 17TH AVE

NE 15TH PL

| | |
|----------------------|---|
| Item Number: | B.(1) |
| Meeting Date: | 5/1/2017 |
| Item Type: | ORDINANCES/RESOLUTIONS - Introductions |

**AGENDA
REQUEST FORM
CITY OF CAPE
CORAL**



TITLE:

Ordinance 14-17 Set First Public Hearing Date for May 15, 2017

REQUESTED ACTION:

STRATEGIC PLAN INFO:

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

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

P&Z recommendation:

At the March 1, 2017 meeting, the Planning and Zoning Commission/Local Planning Agency voted (7-0) to recommend approval of Ordinance 14-17. There were no speakers during public hearing. Staff received no correspondence.

Staff Recommendation:

Staff recommends approval of the requested amendment.

SUMMARY EXPLANATION AND BACKGROUND:

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the Cape Coral Land Use and Development Regulations, Article II, District Regulations, Section 2.5, Schedule of Land Use Classifications, by adding "Sports Academy" to the schedule of Land Use Classifications; amending Section 2.7, District Regulations, by providing that Private Parks shall be allowed as a permitted use in Single-Family Residential (R-1A and R-1B) and Multi-Family (R-3) districts; and providing that Cultural Facilities; Hotels/Motels-Resorts Only; Recreation, Commercial, Group II; and Schools, Commercial (Sports Academy Only) uses shall be allowed as special exception uses in the Single-Family Residential (R-1A and R-1B) and Multi-Family Residential (R-3) districts under certain identified conditions; amending Article XI, Definitions, by revising the definition of "Resort" and adding a definition for "Sports Academy."

LEGAL REVIEW:

Brian R. Bartos, Assistant City Attorney

EXHIBITS:

Updated Ordinance 14-17

Staff Presentation

Final Staff Report

PREPARED BY:

Division- Department- City
Attorney

SOURCE OF ADDITIONAL INFORMATION:

Robert Pederson, Planning Manager

Wyatt Daltrey, Planning Team Coordinator

ATTACHMENTS:

| Description | Type |
|---------------------------|-----------------|
| ▣ Updated Ordinance 14-17 | Backup Material |
| ▣ Staff Presentation | Backup Material |
| ▣ Final Staff Report | Backup Material |

AN ORDINANCE AMENDING THE CITY OF CAPE CORAL LAND USE AND DEVELOPMENT REGULATIONS, ARTICLE II, DISTRICT REGULATIONS, SECTION 2.5, SCHEDULE OF LAND USE CLASSIFICATIONS, BY ADDING "SPORTS ACADEMY" TO THE SCHEDULE OF LAND USE CLASSIFICATIONS; AMENDING SECTION 2.7, DISTRICT REGULATIONS, SUBSECTION .1, SINGLE-FAMILY RESIDENTIAL DISTRICTS (R-1A AND R-1B), TO PROVIDE THAT PRIVATE PARKS SHALL BE ALLOWED AS A PERMITTED USE, AND THAT CULTURAL FACILITIES, HOTELS/MOTELS-RESORTS ONLY, RECREATION, COMMERCIAL GROUP II, AND SCHOOLS, COMMERCIAL (SPORTS ACADEMY ONLY) USES SHALL BE ALLOWED AS SPECIAL EXCEPTION USES IN THE R-1A AND R-1B SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT UNDER CERTAIN IDENTIFIED CONDITIONS; AMENDING SECTION 2.7, DISTRICT REGULATIONS, SUBSECTION .2, R-3 MULTI-FAMILY RESIDENTIAL DISTRICTS, TO PROVIDE THAT PRIVATE PARKS SHALL BE ALLOWED AS A PERMITTED USE, AND THAT CULTURAL FACILITIES, HOTELS/MOTELS-RESORTS ONLY, RECREATION, COMMERCIAL GROUP II, AND SCHOOLS, COMMERCIAL (SPORTS ACADEMY ONLY) USES SHALL BE ALLOWED AS SPECIAL EXCEPTION USES IN THE R-3 MULTI-FAMILY RESIDENTIAL ZONING DISTRICT UNDER CERTAIN IDENTIFIED CONDITIONS; AMENDING ARTICLE XI, DEFINITIONS, TO REVISE THE DEFINITION OF "RESORT" AND TO ADD A DEFINITION FOR "SPORTS ACADEMY"; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

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

SECTION 1. The City of Cape Coral Land Use and Development Regulations, Article II, District Regulations, Section 2.5, Schedule of Land Use Classifications, is hereby amended as follows:

§ 2.5 - Schedule of land use classifications.

- .1 *Permitted uses.* Permitted uses include those uses which are permitted by right. Following the effective date of this ordinance, no structure or use shall be built, moved, used or occupied unless permitted by the zoning district in which the structure or land is located.

...

- .5 *Land use classifications.* All uses of land within the City of Cape Coral, Florida, shall be classified in accordance with the provisions of this ordinance.

| Land Use Classifications | NAICS |
|---|--------|
| ... | |
| Schools, commercial, includes, but not limited to: | |
| Art schools and academy | 61161 |
| Aviation, ground school only | 611512 |
| Barber and beauty school | 611511 |
| Bartending | 611519 |
| Business, general | 611410 |
| Clerical, including court reporting, secretarial, and similar areas | 611410 |
| Computer and data processing | 611420 |
| Crafts | |
| Dance instruction including folk, tap, ballet, modem, and ballroom | 71399 |
| Driving school (automobile and motorcycle only) | 611692 |
| Gymnastics | 611620 |
| Law, including paralegal | 611310 |
| Oriental martial arts | 611320 |
| Real estate, including appraisal | 611519 |

| | |
|---|--------|
| Sailing and marine-oriented outdoor lifestyle | 611620 |
| <u>Sports Academy</u> | |
| ... | |

...

SECTION 2. The City of Cape Coral Land Use and Development Regulations, Article II, District Regulations, Section 2.7, Subsection .1, Single-Family Residential Districts (R-1A and R-1B) is hereby amended as follows:

§ 2.7 – District Regulations

.1 - Single-Family Residential Districts (R-1A and R-1B).

A. *Purpose and intent.* These districts are established to:

1. Encourage and protect single-family development at a variety of densities with varying dimensional requirements;
2. Permit other uses generally compatible with such residential uses; and
3. Otherwise implement this ordinance.

B. *Permitted uses (all districts).*

1. Entrance gates (applicable to private subdivisions with private rights-of-way);
2. Essential service;
3. Essential service facilities - Group II - distribution electric substation only (see § 3.27);
4. Family day care home;
5. Home occupation;
6. Nature and wildlife preserves;
7. Parks - Group I; ~~and~~
- ~~8. Private Park; and~~
- 8 9. Single-family dwelling.

C. *Special exception uses (all districts).*

1. Assisted living facility (minimum area three acres and PDP);
2. Child care facility/preschool/kindergarten;
3. Country club;
4. Cultural facilities (Zoo excluded. 25-acre minimum development site. See Special Regulations .1D.4.);
- 4 5. Essential service facilities - Group I (except communication [wireless] towers);
- 5 6. Gate house, within a planned development project only;
- 6 7. Golf course;
- 7 8. Government uses - Group II;
9. Hotels/Motels – Resort only (25-acre minimum development site. See Special Regulations .1D.3.)
- 8 10. Model home site(s) (see special regulations);
- 9 11. Parks - Groups II and III;
- 10 12. Places of worship (one-acre minimum lot area);
- 11 13. Religious facilities (one-acre minimum lot area); ~~and~~
14. Recreation, commercial, Group II (25-acre minimum development site. See Special Regulations .1D.4.);
15. Schools, commercial (25-acre minimum development site, Sports Academy only. See Special Regulations .1D.4.); and
- 12 16. Schools: non-profit, private, public, or parochial - Group I.

D. *Special regulations.*

...

3. No hotel/motel use shall be located on property in an R-1A or R-1B zoning district unless such use is a Resort that meets the regulations identified in this section. If a

resort is approved by the Hearing Examiner as a special exception use, such Resort shall comply not only with the conditions, if any, imposed by the Hearing Examiner, but also shall comply with all of the following special regulations:

- a. The Resort shall be located on a site that contains at least twenty-five (25) acres in land area. If the Resort is part of a multi-use site, not less than twenty-five (25) acres of the site shall be occupied by the Resort use.
 - b. The property on which the Resort is located shall have a Parks and Recreation Facilities Future Land Use classification.
 - c. Not less than seventy-five (75%) percent of the land area of the property on which the Resort is located shall be utilized for outdoor recreational amenities. Although the Resort may provide recreational activities or facilities that are located within a structure, any land area utilized for such “indoor” recreational activities or facilities shall not be counted toward the minimum of seventy-five (75%) percent of the land area of the property required by this Section. In the event the recreational amenities offered by a Resort include water-related amenities, such as fishing or usage of non-motorized water vehicles, in a body of water located on the Resort site, then the entire area of such body of water shall be counted toward the minimum of seventy-five (75%) percent of the land area of the property utilized for outdoor recreational amenities.
 - d. A Resort in this zoning district shall offer recreational amenities with only limited sound or visual impacts on surrounding communities including, but not limited to, golf courses, tennis courts, recreational instruction, swimming, usage of non-motorized water vehicles (canoes, kayaks, paddle boats, etc.), and bicycle/pedestrian trails.
 - e. Resorts are permitted to have the following ancillary uses:
 - i. Ballroom
 - ii. Clubhouse
 - iii. Recreation, Commercial, Group II
 - iv. Restaurant, Groups III and IV
 - v. Specialty Retail, Groups I and II
 - f. Maximum building height for a resort use in this zoning district is 48 ft.
4. No cultural facility; recreation, commercial, Group II; or schools, commercial (Sports Academy only) use shall be located on property in an R-1A or R-1B zoning district unless such use meets the regulations identified in this Section. If a cultural facility; recreation, commercial, Group II; or schools, commercial (Sports Academy only) use is approved by the Hearing Examiner as a special exception use, such cultural facility; recreation, commercial, Group II; or schools, commercial (Sports Academy only) use shall comply not only with the conditions, if any, imposed by the Hearing Examiner, but also shall comply with all of the following special regulations:
- a. The cultural facility; recreation, commercial, Group II; or schools, commercial (Sports Academy only) use shall be located on a site that contains at least twenty-five (25) acres in land area. If the cultural facility; recreation, commercial, Group II; or schools, commercial (Sports Academy only) use is part of a multi-use site, not less than twenty-five (25) acres of the site shall be occupied by the cultural facility; recreation, commercial, Group II; or schools, commercial (Sports Academy only) use.
 - b. The property on which the cultural facility; recreation, commercial, Group II; or schools, commercial (Sports Academy only) use is located shall have a Parks and Recreation Facilities Future Land Use classification.

SECTION 3. The City of Cape Coral Land Use and Development Regulations, Article II, District Regulations, Section 2.7, Subsection .2, R-3 Multi-Family Residential District, is hereby amended as follows:

.2 - R-3 Multi-Family Residential District.

A. *Purpose and intent.* This district is established to:

1. Permit multi-family residential development;
2. Permit other uses generally compatible with such residential uses; and
3. Otherwise implement this ordinance.

B. *Permitted uses.*

1. Administrative office;
2. Duplex dwellings (see special regulations .2D.);
3. Entrance gates (applicable to private subdivisions with private rights-of-way);
4. Essential services;
5. Essential service facilities - Group II - distribution electric substation only (see § 3.27);
6. Family day care home;
7. Home occupations;
8. Multi-family dwellings;
9. Nature and wildlife preserves;
10. Parks - Group I;
11. Places of worship (one-acre minimum lot area);
- ~~12.~~ Private park;
- ~~12~~ 13. Single-family dwellings; and
- ~~13~~ 14. Conjoined residential structures.

C. *Special exception uses.*

1. Assisted living facility;
2. Bed and breakfast establishment;
3. Boarding or rooming houses (see Art. III, § 3.3.5);
4. Child care facility/preschool/kindergarten;
5. Clubs country (40,000 square feet minimum lot area);
6. Commercial parking (see special regulations .2D.3.);
- ~~7.~~ Cultural facilities (Zoo excluded. 25-acre minimum development site. See Special Regulations .2D.5.);
- ~~7~~ 8. Day care center, adult;
- ~~8~~ 9. Dormitory, fraternity house, or sorority house;
- ~~9~~ 10. Essential service facilities - Group I (except communication [wireless] towers);
- ~~10~~ 11. Gate house, within a planned development project only;
- ~~11~~ 12. Golf courses;
- ~~12~~ 13. Governmental uses - Group II;
- ~~13~~ 14. Hospice;
- ~~14~~ 15. Hotels/Motels – Resort only (25-acre minimum development site. See Special Regulations .2D.4.)
- ~~15~~ 16. Large family child care home;
- ~~16~~ 17. Lodging houses (see Art. III, § 3.3.4);
- ~~17~~ 18. Model home sites (see special regulations .2D.2.);
- ~~18~~ 19. Parks - Groups II and III;
- ~~19~~ 20. Recreation, commercial, Group II (25-acre minimum development site. See Special Regulation .2D.5.);
- ~~20~~ 21. Religious facility (minimum one acre);
- ~~21~~ 22. Schools, commercial (25-acre minimum development site. Sports Academy only. See Special Regulation .2D.5.);
- ~~22~~ 23. Schools: nonprofit, private, public, or parochial - Group I; and
- ~~23~~ 24. Social services - Groups III and IV.

D. *Special regulations.*

...

- ~~4.~~ No hotel/motel use shall be located on property in an R-3 zoning district unless such use is a Resort that meets the regulations identified in this Section. If a Resort is approved by the Hearing Examiner as a special exception use, such Resort shall

comply not only with the conditions, if any, imposed by the Hearing Examiner, but also shall comply with all of the following special regulations:

- a. The Resort shall be located on a site that contains at least twenty-five (25) acres in land area. If the Resort is part of a multi-use site, not less than twenty-five (25) acres of the site shall be occupied by the Resort use.
 - b. The property on which the Resort is located shall have a Parks and Recreation Facilities Future Land Use classification.
 - c. Not less than seventy-five (75%) percent of the land area of the property on which the Resort is located shall be utilized for outdoor recreational amenities. Although the Resort may provide recreational activities or facilities that are located within a structure, any land area utilized for such "indoor" recreational activities or facilities shall not be counted toward the minimum of seventy-five (75%) percent of the land area of the property required by this Section. In the event, the recreational amenities offered by a Resort include water-related amenities, such as fishing or usage of non-motorized water vehicles, in a body of water located on the Resort site, then the entire area of such body of water shall be counted toward the minimum of seventy-five (75%) percent of the land area of the property utilized for outdoor recreational amenities.
 - d. A Resort in this zoning district shall offer recreational amenities with only limited sound or visual impacts on surrounding communities including, but not limited to, golf courses, tennis courts, recreational instruction, swimming, usage of non-motorized water vehicles (canoes, kayaks, paddle boats, etc.), and bicycle/pedestrian trails.
 - e. Resorts are permitted to have the following ancillary uses:
 - i. Ballroom
 - ii. Clubhouse
 - iii. Recreation, Commercial, Group II
 - iv. Restaurant, Groups III and IV
 - v. Specialty Retail, Groups I and II
 - f. Maximum building height for a resort use in this zoning district is 48 ft.
5. No cultural facility; recreation, commercial, Group II; or schools, commercial (Sports Academy only) use shall be located on property in an R-3 zoning district unless such use meets the regulations identified in this Section. If a cultural facility; recreation, commercial, Group II; or schools, commercial (Sports Academy only) use is approved by the Hearing Examiner as a special exception use, such cultural facility; recreation, commercial, Group II; or schools, commercial (Sports Academy only) use shall comply not only with the conditions, if any, imposed by the Hearing Examiner, but also shall comply with all of the following special regulations:
- a. The cultural facility; recreation, commercial, Group II; or schools, commercial (Sports Academy only) use shall be located on a site that contains at least twenty-five (25) acres in land area. If the cultural facility; recreation, commercial, Group II; or schools, commercial (Sports Academy only) use is part of a multi-use site, not less than twenty-five (25) acres of the site shall be occupied by the cultural facility; recreation, commercial, Group II; or school, commercial use.
 - b. The property on which the cultural facility; recreation, commercial, Group II; or schools, commercial (Sports Academy only) use is located shall have a Parks and Recreation Facilities Future Land Use classification.

SECTION 4. The City of Cape Coral Land Use and Development Regulations, Article XI, Definitions, Section 11.1, Definitions, is hereby amended as follows:

§ 11.1 - Definitions.

Unless the context clearly indicates a different meaning, the following definitions shall be used to interpret the provisions of these Land Use and Development Regulations.

Words whose meanings are self-evident as used in this ordinance are not defined here. Words used in the present tense shall include the future; the singular includes the plural, and vice versa.

The word "shall" is mandatory; the word "may" is permissive. The word "includes" shall not limit a term to the specific examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character. The terms "land use" and "use of land" shall be deemed also to include building or structure use and use of building or structure.

...

RESORT. A short-term lodging facility principally for the accommodation or short term residence of transient guests or vacationers, but where the primary attraction is generally recreational amenities, features or activities and open space. Resort patrons typically enjoy recreational amenities, activities, or features including, but not limited to, golf courses, tennis courts, recreational instruction, swimming, usage of water vehicles (canoes, kayaks, paddle boats, jet skis, sailboats, etc.), and bicycle/pedestrian trails. Resorts emphasize recreation and open space while providing lodging, the density/intensity and type of which shall be compatible with future land uses and surrounding developments.

...

SPORTS ACADEMY. A commercial school which provides instruction for amateur and professional athletes and that includes ancillary lodging, cafeteria, and sports facilities for use by athletes.

...

SECTION 5. 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 6. 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 _____, 2017.

MARNI L. SAWICKI, MAYOR

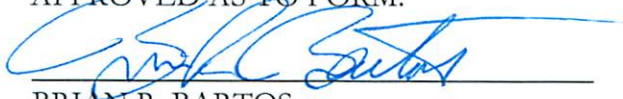
VOTE OF MAYOR AND COUNCILMEMBERS:

| | | | |
|-----------|-------|----------|-------|
| SAWICKI | _____ | LEON | _____ |
| BURCH | _____ | ERBRICK | _____ |
| CARIOSCIA | _____ | WILLIAMS | _____ |
| STOUT | _____ | COSDEN | _____ |

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____, 2017.

REBECCA VAN DEUTEKOM
CITY CLERK

APPROVED AS TO FORM:


BRIAN R. BARTOS
ASSISTANT CITY ATTORNEY
Ord\R-1 & R-3 Uses

Cape Coral City Council - Introduction

March 20, 2017

ORDINANCE 14-17

Ordinance 14-17

- **Purpose: To amend LUDR Sections 2.7.1 and 2.7.2 (R-1A/B and R-3 zoning districts) to permit additional permitted and special exception uses**

Summary

Staff proposes that the following use be permitted in the R-1B and R-3 zoning districts:

- **Private Park**

In addition, staff recommends the following uses be Special Exception uses in the R-1B and R-3 districts:

- **Cultural facilities (zoo excluded);**
- **Hotels/Motels – Resort only;**
- **Recreation, commercial, Group II; and**
- **Schools: commercial**

Summary

- **Cultural facilities (zoo excluded):** This would permit the development of arboreta, art galleries, etc.
- **Hotels/Motels – Resort only:** This is a limited hotel/motel use designed to be self-contained and emphasizes outdoor recreation and open space

Summary

- **Recreation, commercial, Group II: Miniature golf, tennis courts, and similar outdoor activities.**
- **Schools: commercial (Sports Academy only): Sports academies are commercial schools designed for amateur and professional athletes and contain ancillary lodging, cafeteria, and sports facilities for athletes. Not open to the public.**

Summary

- **Special regulations for the Special Exception uses are proposed (LUDR Sections 2.7.1 and 2.7.2, Special Regulations)**
- **The four Special Exception uses have a minimum 75-acre size**
- **Definitions for a Resort and a Sports Academy use are proposed in Article XI, LUDR, Definitions**

Analysis/Purpose

- **The proposed changes will provide additional development opportunities and flexibility**
- **Cape Coral has been long-recognized for active recreational opportunities**
- **The City has been approached in the past to develop facilities such as swim centers and kayak clubs; these have not been successful in part due to the ad-hoc nature of the requests**

Planning Division Staff Report

Ordinance 14-17

| | |
|------------------------|---|
| Review Date: | April 26, 2017 |
| Prepared by: | Wyatt Daltry, AICP, Planning Team Coordinator |
| Approved by: | Robert H. Pederson, AICP, Planning Manager |
| Recommendation: | Approval |
| Request: | Amend Sections 2.7.1 and 2.7.2 of the City Land Use and Development Regulations (LUDRs) to revise the list of permitted and special exception uses. |

Background

Planning staff recently met with the City Attorney's office to discuss including additional uses in the list of permitted and special exception uses in zoning districts, specifically the R-1B and R-3 zoning districts. This was an issue discussed as a possible code amendment in 2007, but was ultimately dropped due to lack of staff resources.

In February 2017, the City Manager authorized Planning staff to initiate a LUDR to revise these regulations consistent with discussions held between Planning and City Attorney staff.

Summary of the Proposed Changes

Staff proposes that the following use be permitted in the Single Family Residential (R-1B) and Multi-Family Residential (R-3) zoning districts:

- Private Park

In addition, we recommend the following uses be added as Special Exception uses in the R-1B and R-3 districts:

- Cultural facilities (zoo excluded);
- Hotels/Motels – Resort only;
- Recreation, commercial, Group II; and
- Schools: commercial

In addition, unique regulations pertaining to the Special Exception uses have been included in Sections of 2.7.1 and 2.7.2, Special Regulations. Definitions for a Resort and a Sports Academy use will be added to Article XI, LUDR, Definitions.

Analysis/Purpose

The proposed changes are designed to provide additional infill opportunities and flexibility within the R-1B and R-3 zoning districts. Cape Coral has been long-recognized as having multiple opportunities for active recreational, due to its abundant sunshine and network of waterways. The City has been approached in the past by several groups to develop facilities such as swim centers and kayak clubs;

these have not been successful in part due to the ad-hoc nature of the requests. By providing regulatory guidance within the LUDR, the City will be prepared to analytically judge the merits of future requests.

The impact of the proposed changes is to expand the uses within the R-1B and R-3 districts. While only one use, private park, is proposed to be allowed by right as a permitted use, four Special Exception uses are proposed. These four uses are described below:

- 1.) Cultural facilities (zoo excluded): This would permit the development of arboreta, art galleries, aquariums, botanical gardens, historical sites, libraries, museums, opera houses, and planetariums.
- 2.) Hotels/Motels – Resort only: This is a limited hotel/motel use designed to be self-contained and emphasizes outdoor recreation and open space.
- 3.) Recreation, commercial, Group II: Miniature golf, golf driving ranges, water slides, pools, tennis courts, and similar outdoor activities are defined by this use.
- 4.) Schools: commercial (25-acre minimum development site, Sports Academy only): Sports academies are commercial schools designed for amateur and professional athletes and contain ancillary lodging, cafeteria, and sports facilities for athletes. This is not a use open to the general public.

The four Special Exception uses also have a 25-acre minimum size limitation; therefore, it is anticipated that these uses would not be intrusive to neighboring residential uses due to this size limitation.

Consistency with the Comprehensive Plan

The proposed changes to the LUDR are consistent with the following policies in the Future Land Use Element of the Comprehensive Plan.

Policy 5.1

Land use regulations, whether adopted or revised pursuant to this plan, shall provide incentives to encourage infill of residential, commercial, and other appropriate uses within the Urban Services Infill Area and Transition Area.

Policy 8.3

“Commercial developments shall be designed to minimize negative impacts on surrounding residential uses and the land development regulations shall provide for adequate buffering between commercial and residential uses. The design should ensure adequate screening of unsightly views of commercial development (such as loading docks, rooftop equipment, service entrances, trash containers, parking areas and exterior storage) through the extensive uses of landscaping, berms, fencing, concealment, architectural features, open space, setbacks, and/or building orientation. Ensure that the placement of any noise generating activities such as ingress/egress, parking, deliveries, air conditioning equipment and dumpster collections are designed to minimize any adverse noise effects. Traffic and parking should not adversely affect neighborhood quality. Noise, safety and overall maintenance of commercial properties should be carefully monitored.”

Recommendation

Staff recommends approval of Ordinance 14-17

| | |
|----------------------|---|
| Item Number: | B.(2) |
| Meeting Date: | 5/1/2017 |
| Item Type: | ORDINANCES/RESOLUTIONS - Introductions |

**AGENDA
REQUEST FORM**
CITY OF CAPE
CORAL



TITLE:

Ordinance 19-17 Set First Public Hearing Date for May 15, 2017

REQUESTED ACTION:

STRATEGIC PLAN INFO:

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

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

SUMMARY EXPLANATION AND BACKGROUND:

The ordinance establishes rules and procedures to monitor and provide reasonable means for the City of Cape Coral to mitigate impacts created by transitory uses of residential property and dwelling units within the City. The City has found that short term rentals of residential property tend to negatively affect the residential character of the community, while at the same time positively affecting commerce within the City. In order to protect the public health, safety, and welfare while at the same time supporting safe and positive economic development within the City, the ordinance sets forth procedures and rules for the operation of vacation rentals. The ordinance also provides that various administrative fees and charges for the operation of vacation rentals shall be established by resolution of the City Council.

LEGAL REVIEW:

EXHIBITS:

Ordinance 19-17
Staff Presentation

PREPARED BY:

Division- Department- City
Attorney

SOURCE OF ADDITIONAL INFORMATION:

Michael Ilczyszyn, Assistant City Manager

ATTACHMENTS:

| Description | Type |
|----------------------|-----------------|
| ▣ Ordinance 19-17 | Backup Material |
| ▣ Staff Presentation | Backup Material |

AN ORDINANCE AMENDING THE CITY OF CAPE CORAL LAND USE AND DEVELOPMENT REGULATIONS ("LUDR"), ARTICLE II, DISTRICT REGULATIONS, SECTION 2.7, DISTRICT REGULATIONS, TO ADD VACATION RENTALS AS A PERMITTED USE IN THE SINGLE-FAMILY RESIDENTIAL (R-1A AND R-1B), MULTI-FAMILY RESIDENTIAL (R-3), RESIDENTIAL DEVELOPMENT (RD), RESIDENTIAL ESTATE (RE), RESIDENTIAL RECEIVING (RX), PEDESTRIAN COMMERCIAL DISTRICT (C-1), PROFESSIONAL OFFICE (P-1), AGRICULTURAL (A), VILLAGE (VILL), CORRIDOR (CORR), SOUTH CAPE DOWNTOWN (SC), AND MARKETPLACE-RESIDENTIAL (MR) ZONING DISTRICTS; AMENDING ARTICLE III OF THE LUDR, SUPPLEMENTARY DISTRICT REGULATIONS, CREATING SECTION 3.30 TO ESTABLISH REGULATIONS PERTAINING TO VACATION RENTALS; PROVIDING FOR PURPOSE; PROVIDING FOR DEFINITIONS; PROVIDING FOR REGISTRATION REQUIRED, VACATION RENTAL CERTIFICATE, ADMINISTRATION; PROVIDING FOR APPLICATION FOR REGISTRATION, FEES; PROVIDING FOR VACATION RENTAL CERTIFICATE DURATION, RENEWAL, NON-TRANSFERABLE; PROVIDING FOR RESPONSIBLE PARTY REQUIRED; PROVIDING FOR VACATION RENTAL STANDARDS AND REQUIREMENTS; PROVIDING FOR VACATION RENTAL/LEASE AGREEMENT MINIMUM PROVISIONS AND REQUIREMENTS; PROVIDING FOR POSTING OF VACATION RENTAL INFORMATION; PROVIDING FOR INSPECTIONS OF VACATION RENTALS; PROVIDING FOR VIOLATIONS, ENFORCEMENT, REVOCATION, NOTICE, APPEALS; PROVIDING FOR RENTAL AGREEMENT VESTING; AMENDING ARTICLE XI OF THE LUDR, DEFINITIONS, SECTION 11.1, DEFINITIONS, REGARDING THE DEFINITION OF A DWELLING UNIT; AND AMENDING THE CITY OF CAPE CORAL CODE OF ORDINANCES, CHAPTER 11, LOCAL BUSINESS TAX, ARTICLE I, GENERAL PROVISIONS, SECTION 11-16, SCHEDULE OF BUSINESS TAXES, TO ESTABLISH LOCAL BUSINESS TAX REQUIREMENTS FOR VACATION RENTALS; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Subsection 163.3202(1), Florida Statutes, requires municipalities to adopt and enforce land development regulations that are consistent with and implement their adopted comprehensive plans; and

WHEREAS, the City of Cape Coral Comprehensive Plan Future Land Use Map designates areas for residential use that are intended primarily for dwellings as well as other land uses that support the residential environment; and

WHEREAS, the City of Cape Coral established residential zoning districts within its Land Use and Development Regulations ("LUDR") consistent with the residential land use designations of the City of Cape Coral Comprehensive Plan Future Land Use Map; and; and

WHEREAS, the LUDR provides a list of permitted uses and special exception uses (also known as conditional uses) that are allowed within each zoning district and prohibits any use not substantially similar to those uses; and

WHEREAS, prior to 2011, Florida's municipalities and counties regulated local land use issues and decisions under the Home Rule authority granted to them by the Florida Constitution; and

WHEREAS, the 2011 Florida Legislature enacted House Bill 883 (Florida Chapter 2011-119, Laws of Florida) (hereafter "HB 883") which preempted the local regulation of a specific land use commonly called short-term vacation rentals (transient rentals less than thirty (30) days in duration and commonly located in residential areas); and

WHEREAS, HB 883 created a new classification of public lodging establishment known as vacation rentals, as defined in Section 509.242(c), Florida Statutes, as "any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family, or four-family house or dwelling unit that is also a transient public lodging establishment but that is not a timeshare project."; and

WHEREAS, Subsection 509.013(4)(a)1., Florida Statutes, defines a transient public lodging establishment as "any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is rented to guests more than three (3) times in a calendar year for periods of less than thirty (30)

days or one (1) calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented to guests; and

WHEREAS, HB 883 prevented local communities from enacting regulations necessary to address any negative impacts caused by short-term vacation rentals; and

WHEREAS, the 2014 Florida Legislature enacted Senate Bill 356 (Florida Chapter 2014-71, Laws of Florida)(hereafter "SB 356") which rescinded the previous preemption on local regulation of short-term vacation rentals, but provided that a local law, ordinance, or regulation adopted after June 1, 2011 may not prohibit short-term vacation rentals or regulate the duration or frequency of rental of vacation rentals; and

WHEREAS, SB 356 returned some local control back to communities to mitigate the effects of short-term vacation rentals in an attempt to make them safer, more compatible with existing neighborhoods, and accountable for their proper operation; and

WHEREAS, vacation rental occupants, due to the transient nature of their occupancy, are unfamiliar with local evacuation plans, the location of fire extinguishers, residence's exit routes, pool and home safety features, and other safety measures that would readily be provided to guests in traditional lodging establishments; and

WHEREAS, unregulated vacation rentals can create disproportionate impacts related to their size, excessive occupancy, or lack of proper facilities; and

WHEREAS, the presence of vacation rentals within residential dwelling units in residential neighborhoods can create negative compatibility impacts, among which include, but are not limited to, excessive noise, on-street parking, accumulation of trash, lower property values, and diminished public safety; and

WHEREAS, traditional lodging establishments (hotels, motels, and bed & breakfasts) are subject to stricter development standards, undergo annual inspections, and have more stringent operational and business requirements than vacation rentals; and

WHEREAS, many local jurisdictions in the state of Florida have standards in place to minimize any negative impacts caused by vacation rentals; and

WHEREAS, many residential structures in the City were constructed prior to the enactment of more current building and fire codes that require minimum life safety improvements, such as hardwired or interconnected smoke detectors, carbon monoxide detectors, or pool safety drains, etc.; and

WHEREAS, Subsection 509.032(7), Florida Statutes, authorizes local governments to conduct inspections of public lodging establishments for compliance with the Florida Building Code and the Florida Fire Protection Code, pursuant to Sections 553.80 and 633.206, Florida Statutes; and

WHEREAS, the City desires to encourage vacation rentals that are safe, fit in with the character of the neighborhood, provide positive impacts on the community, preserve property values, and achieve greater neighborhood compatibility; and

WHEREAS, the City seeks to balance respect for private property rights and incompatibility concerns between investor-backed vacation rentals and more permanent family residences through the use of reasonable development and regulation standards; and

WHEREAS, these standards are deemed necessary by the Cape Coral City Council in order to preserve property values and to protect the health, safety, and general welfare of permanent residences, property owners, investors, transient occupants, and visitors alike; and

WHEREAS, the application of these minimum standards and requirements to vacation rental properties will help ensure that transient occupants are provided the same minimum protections as are required by current statutes and codes for residential properties; and

WHEREAS, the Cape Coral City Council hereby finds that this ordinance is in the best interest of the public health, safety, and welfare.

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

SECTION 1. The City of Cape Coral Land Use and Development Regulations, Article II, District Regulations, Section 2.7, District Regulations, Subsection .1, Single-Family Residential Districts, is hereby amended as follows:

§ 2.7 District regulations.

- .1 *Single-Family Residential Districts (R-1A and R-1B).*
...
B. *Permitted uses (all districts).*
...
7. Parks – Group I; ~~and~~
8. Single-family dwelling; ~~and~~
9. Vacation rental (permitted only in conjunction with permitted use §2.7.1B.8. and subject to §3.30).
...

SECTION 2. The City of Cape Coral Land Use and Development Regulations, Article II, District Regulations, Section 2.7, District Regulations, Subsection .2, Multi-Family Residential District, is hereby amended as follows:

§ 2.7 District regulations.

- ...
.2 *R-3 Multi-Family Residential District.*
...
B. *Permitted uses.*
...
2. Duplex dwellings (see special regulations .2D.);
...
8. Multi-family dwellings;
...
12. Single-family dwellings; ~~and~~
13. Conjoined residential structures; ~~and~~
14. Vacation rental (permitted only in conjunction with permitted use §2.7.2B.2., §2.7.2B.8., §2.7.2B.12., or §2.7.2B.13. and subject to §3.30).
...

SECTION 3. The City of Cape Coral Land Use and Development Regulations, Article II, District Regulations, Section 2.7, District Regulations, Subsection .3, Residential Development District, is hereby amended as follows:

§ 2.7 District regulations.

- ...
.3 *RD Residential Development District.*
...
B. *Permitted uses.*
...
3. Duplex dwelling (see special regulations D.);
...
9. Multi-family dwelling;
...
13. Single-family dwelling; ~~and~~
14. Conjoined residential structures; ~~and~~
15. Vacation rental (permitted only in conjunction with permitted use §2.7.3B.3., §2.7.3B.9., §2.7.3B.13., or §2.7.3B.14. and subject to §3.30).
...

SECTION 4. The City of Cape Coral Land Use and Development Regulations, Article II, District Regulations, Section 2.7, District Regulations, Subsection .4, Residential Estate District, is hereby amended as follows:

§ 2.7 District regulations.

...

.4 RE Residential Estate District.

...

B. Permitted uses.

...

11. Single-family dwelling; ~~and~~

12. Stables, private (two acres minimum); ~~and~~

13. Vacation rental (permitted only in conjunction with permitted use §2.7.4B.11. and subject to §3.30).

...

SECTION 5. The City of Cape Coral Land Use and Development Regulations, Article II, District Regulations, Section 2.7, District Regulations, Subsection .5, Residential Receiving District, is hereby amended as follows:

§ 2.7 District regulations.

...

.5 RX Residential Receiving District.

...

B. Permitted uses.

...

2. Duplex dwellings (with use of TDRs only);

...

8. Multi-family dwellings (with use of TDRs only);

...

11. Places of worship (one-acre minimum lot area); ~~and~~

12. Single-family dwelling; ~~and~~

13. Vacation rental (permitted only in conjunction with permitted use §2.7.5B.2., §2.7.5B.8., or §2.7.5B.12. and subject to §3.30).

...

SECTION 6. The City of Cape Coral Land Use and Development Regulations, Article II, District Regulations, Section 2.7, District Regulations, Subsection .7, Pedestrian Commercial District, is hereby amended as follows:

§ 2.7 District regulations.

...

.7 C-1 Pedestrian Commercial District.

...

B. Permitted uses.

...

41. Multi-family dwelling, only within the Mixed Use land use designation and within a PDP, or within the Flexible Development Overlay District (See special regulations);

...

72. Variety store; ~~and~~

73. Veterinary and animal clinics; ~~and~~

74. Vacation rental (permitted only in conjunction with permitted use §2.7.7B.41. and subject to §3.30).

...

SECTION 7. The City of Cape Coral Land Use and Development Regulations, Article II, District Regulations, Section 2.7, District Regulations, Subsection .9, Professional Office District, is hereby amended as follows:

§ 2.7 District regulations.

...

.9 P-1 Professional Office District.

...

B. Permitted uses.

...

13. Multi-family dwelling - only within a mixed use land use designation and within a PDP (see special regulations);
- ...
20. Studio; ~~and~~
21. Veterinary and animal clinics; ~~and~~
22. Vacation rental (permitted only in conjunction with permitted use §2.7.9B.13. and subject to §3.30).

...

SECTION 8. The City of Cape Coral Land Use and Development Regulations, Article II, District Regulations, Section 2.7, District Regulations, Subsection .11, Agricultural District, is hereby amended as follows:

§ 2.7 District regulations.

...

.11 *Agricultural District (A).*

...

B. *Permitted uses.*

...

11. Single-family dwelling (see special regulations for recreational vehicle parks);

...

31. Veterinary and animal clinics; ~~and~~

32. Wholesale establishments – Groups I and II; ~~and~~

33. Vacation rental (permitted only in conjunction with permitted use §2.7.11B.11. and subject to §3.30).

...

SECTION 9. The City of Cape Coral Land Use and Development Regulations, Article II, District Regulations, Section 2.7, District Regulations, Subsection .12, Village District, is hereby amended as follows:

§ 2.7 District regulations.

...

.12 *Village District (Vill).*

...

B. *Permitted uses.*

...

18. Conjoined residential structures (minimum three units);

...

41. Multi-family;

...

69. Variety stores; ~~and~~

70. Veterinary and animal clinics; ~~and~~

71. Vacation rental (permitted only in conjunction with permitted use §2.7.12B.18. or §2.7.12B.41. and subject to §3.30).

...

SECTION 10. The City of Cape Coral Land Use and Development Regulations, Article II, District Regulations, Section 2.7, District Regulations, Subsection .13, Corridor District, is hereby amended as follows:

§ 2.7 District regulations.

...

.13 *Corridor District (Corr).*

...

B. *Permitted uses.*

...

24. Conjoined residential structures (see dimensional regulations E.1.);

...

30. Duplex dwellings (see dimensional regulations E.1.);

...

- 58. Multi-family dwellings (see dimensional regulations E.1.);
- ...
- 86. Single-family dwellings (see dimensional regulations E.1.);
- ...
- 98. Warehouse, public (45,000 square feet minimum lot area); ~~and~~
- 99. Wholesale establishment – Group III (45,000 square feet minimum lot area); ~~and~~
- 100. Vacation rental (permitted only in conjunction with permitted use §2.7.13B.24., §2.7.13B.30., §2.7.13B.58., or §2.7.13B.86. and subject to §3.30).
- ...

SECTION 11. The City of Cape Coral Land Use and Development Regulations, Article II, District Regulations, Section 2.7, District Regulations, Subsection .15, South Cape Downtown District, is hereby amended as follows:

§ 2.7 District regulations.

- ...
- .15 *South Cape Downtown District (SC).*
- ...
- C. *Permitted and special exception uses.* Permitted and special exception uses shall be as provided in Table SC-1. The locations of such uses are regulated by street designations as follows:
- ...

| <p><i>Table SC-1</i></p> <p>PERMITTED AND SPECIAL EXCEPTION USES</p> <p>SOUTH CAPE DOWNTOWN DISTRICT</p> | | | | |
|--|-------------------------------|----------------------------|------------------|-----------------|
| <i>Permitted and Special Exception Uses</i> | <i>Street Designation(a)</i> | | | |
| | <i>Parkway</i> | <i>Primary</i> | <i>Secondary</i> | <i>Tertiary</i> |
| <i>P - Permitted</i> | <i>SE - Special Exception</i> | <i>--- - Not Permitted</i> | | |
| ... | | | | |
| 27. Dwelling units: | | | | |
| a. Conjoined residential structure (shall contain at least three units) | --- | --- | P(f) | P |
| b. Multi-family | P(g)(h) | P(g)(h) | P(f) | P |
| ... | | | | |
| 83. Veterinary/animal clinics | P | P | P | P |
| 84. <u>Vacation rental</u> | <u>P(o)</u> | <u>P(o)</u> | <u>P(o)</u> | <u>P(o)</u> |
| ... | | | | |
| (o) <u>Permitted only in conjunction with permitted use 27., "Dwelling Units," of this Table SC-1 and subject to §3.30</u> | | | | |

...

SECTION 12. The City of Cape Coral Land Use and Development Regulations, Article II, District Regulations, Section 2.7, District Regulations, Subsection .18, Marketplace Residential, is hereby amended as follows:

§ 2.7 District regulations.

- ...
- .18 *Marketplace-Residential (MR).*
- ...
- B. *Permitted uses.* (See § 2.7.18D.1., special regulations.)
- ...
- 12. Conjoined residential structures (see § 2.7.18D.3., special regulations.);
- ...
- 16. Duplex dwellings (see § 2.7.18D.3., special regulations.);
- ...

- 36. Multi-family dwellings (see § 2.7.18D.3., special regulations.);
- ...
- 57. Single family dwelling (see § 2.7.18D.2. and 3.h., special regulations.);
- ...
- 61. Variety stores; ~~and~~
- 62. Veterinary and animal clinics; ~~and~~
- 63. Vacation rental (permitted only in conjunction with permitted use §2.7.18B.12., §2.7.18B.16., §2.7.18B.36., or §2.7.18B.57. and subject to §3.30).

...

SECTION 13. The City of Cape Coral Land Use and Development Regulations, Article III, Section 3.30, is hereby created to read as follows:

§ 3.30 Vacation rentals.

.1 Purpose. The City Council finds that certain transitory uses of residential property tend to affect the residential character of the community and may be injurious to the health of the community. The City Council also finds that certain transitory uses of residential property positively affect commerce within the City with visitors enjoying the use of property and purchasing goods and services within the community. Therefore, it is necessary and in the interest of the public health, safety, and welfare to monitor and provide reasonable means for the City of Cape Coral to mitigate impacts created by such transitory uses of residential property and dwelling units within the City. In support of safe and positive economic development in the City of Cape Coral, it shall be unlawful for any owner of any property within the geographic bounds of the City to rent or operate a Vacation Rental, as defined below, contrary to the procedures and regulations established in this section, except as specifically provided herein.

.2 Definitions. For the purpose of this Section 3.30, the following terms, phrases, words, abbreviations and their derivations shall have the meaning given herein. Words not defined herein shall be given their meaning as provided in Article XI, Definitions, of the Cape Coral Land Use and Development Regulations.

RESIDENTIAL PROPERTY. Any single-family residence, duplex, multi-family dwelling, or conjoined residential structure.

RESPONSIBLE PARTY. The property owner, or the person designated by the property owner, to be called upon to answer for the maintenance of the property and the conduct and acts of occupants of Vacation Rentals. The purpose of the Responsible Party is to coordinate initial and routine compliance inspections with the City as well as to respond to complaints and problems related to the Vacation Rental.

TRANSIENT OCCUPANT. Any person, or guest or invitee of such person, who occupies or is in actual or apparent control or possession of a dwelling unit registered as a Vacation Rental. It shall be a rebuttable presumption that any person who holds themselves out as being an occupant, or guest of an occupant, of a Vacation Rental is a Transient Occupant.

VACATION RENTAL. Any individually or collectively owned Residential Property or dwelling unit that is rented or leased to guests more than three (3) times in a calendar year for periods of less than thirty (30) days or one (1) calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented or leased to guests for a period of less than thirty (30) days.

.3 Registration required; vacation rental certificate; administration. Beginning on October 1, 2017, it shall be unlawful for any person to rent or lease a Vacation Rental to another person within the City of Cape Coral, or to advertise or offer such rental services within the City, unless the person has registered the Vacation Rental with the City and has been issued a Vacation Rental Certificate in accordance with the provisions of this Section 3.30. Each dwelling unit operated as a Vacation Rental shall require a separate Vacation Rental Certificate. Guest/staff quarters are prohibited from being used as a Vacation Rental.

Notwithstanding anything to the contrary in this Section 3.30, a property owner operating a Vacation Rental in the City on the effective date of this ordinance, July 1, 2017, shall apply to the City for an initial Vacation Rental Certificate on or before October 1, 2017. A property owner that submits an application for a Vacation Rental Certificate by October 1, 2017, may continue

operating the dwelling unit as a Vacation Rental while the application is pending and until such time as the City completes its review of the application and conducts an inspection of the property. In the event that the Vacation Rental Certificate is denied by the City, the property owner shall immediately cease operating the subject dwelling unit as a Vacation Rental.

The responsibility for the administration of this Section 3.30 is vested in the Director of the Department of Community Development ("Director"), or designee, who is responsible for granting, denying, revoking, and renewing Vacation Rental Certificates for proposed and existing Vacation Rentals, as set forth in this section.

.4 Application for registration; fees. A property owner seeking an initial or renewal Vacation Rental Certificate in the City of Cape Coral shall submit a completed Vacation Rental registration application on a form established by the City. The Vacation Rental registration application shall include, at a minimum, the following information and submittals:

- a. The legal description of the dwelling unit offered for rental or lease;
- b. Name, address, and phone number of the owner of said property;
- c. Proof of the owner's current ownership of the property;
- d. The website address for any and all websites that the property owner uses to advertise the dwelling unit for rent or lease as a Vacation Rental;
- e. Names, addresses, and phone numbers of the designated Responsible Party and an alternate contact person for said property, which shall be twenty-four (24) hours, seven (7) days a week contact numbers;
- f. Acknowledgments by the property owner of the following:
 - (1) That the owner shall comply with all applicable City, county, state, and federal laws, rules, regulations, ordinances, and statutes regarding Vacation Rentals;
 - (2) That all vehicles parked at the Vacation Rental shall comply with all applicable laws, rules, regulations, ordinances, and statutes;
 - (3) That it shall be unlawful to allow or make any noise or sound that exceeds the limits set forth in all applicable laws, rules, regulations, ordinances, and statutes;
 - (4) That no refuse or garbage receptacle shall be located at the curb for pickup before 5:00 p.m. of the day prior to pick up, and the receptacle shall be removed before midnight of the day of pick up, as set forth in Section 9-67, Cape Coral Code of Ordinances;
 - (5) That any person, without being authorized, licensed, or invited, who willfully enters or remains in any Vacation Rental, or, having been authorized, licensed, or invited, is warned by the owner to depart the property and refuses to do so, commits the offense of trespass in a structure; and
 - (6) That the City of Cape Coral is authorized to conduct inspections of the Vacation Rental at reasonable times, as it deems necessary, to ensure compliance with all of the provisions of this section.
- g. A non-refundable annual Vacation Rental registration fee shall be paid to the City, at the time of application, for each dwelling unit used as a Vacation Rental, in an amount established by resolution of the City Council. An applicant shall not be eligible for a refund of a registration fee for any reason including, but not limited to, a denied or revoked Vacation Rental Certificate;
- h. A copy of the Vacation Rental's current and active certificate of registration with the Florida Department of Revenue for the purposes of collecting and remitting sales surtaxes, transient rental taxes, and any other taxes required by law to be remitted to the Florida Department of Revenue;
- i. A copy of the Vacation Rental's current and active license with the Florida Department of Business and Professional Regulation as a transient public lodging establishment;
- j. A copy of the current and active Local Business Tax Receipt from the City of Cape Coral, pursuant to Chapter 11 of the Code of Ordinances;
- k. Interior building sketch by floor – A building sketch (may be hand drawn) by floor shall be provided, showing a floor layout and demonstrating compliance with the standards and requirements set forth in this Section 3.30. The sketch provided shall be drawn to scale, showing all bedrooms and sleeping areas, other rooms, exits, hallways, stairways, smoke and carbon monoxide detectors, and fire extinguishers;
- l. Exterior site sketch – An exterior sketch of the property (may be hand drawn) shall be provided, demonstrating compliance with the standards and requirements set forth in this Section 3.30. The sketch provided shall be drawn to scale, showing all structures,

- pools, spas, fences, driveways, and ingress and egress access points, including areas provided for parking and trash collection;
- m. An affidavit from the property owner agreeing to maintain compliance with the Vacation Rental standards and requirements contained herein, plus any other applicable City, county, state, and federal laws, rules, regulations, ordinances, and statutes to include, but not be limited to, Chapter 509, Florida Statutes, and Rule Chapters 61C and 69A, Florida Administrative Code, or such successor statutes or rules as may be applicable;
- n. The property owner shall indicate whether the owner has ever had a Vacation Rental Certificate revoked in the City, and, if so, state the address(es) of the property and the date(s) of any prior revocation; and
- o. Any other information deemed necessary by the City to demonstrate compliance with the standards and requirements set forth in this Section 3.30.

The submission of an incomplete Vacation Rental registration application shall result in rejection of the application by the Director, or designee. The Director, or designee, shall notify the applicant in writing of any missing information that is required. Any missing information shall be provided to the Director, or designee, within thirty (30) calendar days from the date of the City's notice, or the application shall be denied and the Vacation Rental Certificate shall not be issued.

The property owner shall notify the Director, or designee, within fifteen (15) calendar days of any changes in the information provided to the City pursuant to this section. It shall be unlawful for any person to give any false or misleading information in connection with the application for a Vacation Rental registration required by this Section 3.30. In addition, any false statements made in an application shall be grounds for the revocation of any certificate issued pursuant to such application.

.5 *Vacation rental certificate duration; renewal; non-transferable.* A Vacation Rental Certificate issued pursuant to this section shall expire one (1) year after the date of issuance by the City, and may be annually renewed thereafter if the property is in compliance with this section. A property owner shall register and apply annually for a renewal of the Vacation Rental Certificate no later than sixty (60) days prior to the expiration date of the previous certificate. A Vacation Rental Certificate shall not be eligible for renewal until the property is inspected by the City pursuant to Section 3.30.10. Late registration fees, if any, shall be established by resolution of the City Council.

Notwithstanding anything to the contrary in this Section 3.30, a property owner that has submitted an application to the City for the renewal of a Vacation Rental Certificate may continue operating the dwelling unit as a Vacation Rental while the application is pending and until such time as the City completes its review of the application and conducts an inspection of the property. In the event that the renewal of the Vacation Rental Certificate is denied by the City, the property owner shall immediately cease operating the subject dwelling unit as a Vacation Rental.

Vacation Rental Certificates are non-transferable and non-assignable. If the ownership of any Vacation Rental is sold or otherwise transferred, any outstanding Vacation Rental Certificate as to that Vacation Rental shall be null and void upon the sale or transfer. A property owner shall notify the City within fifteen (15) calendar days of the sale or transfer of any Vacation Rental.

.6 *Responsible party required.* Whenever any property is required to be registered under this section, the property owner shall designate a natural person who resides within Lee County, Florida, to serve as the Responsible Party. A Responsible Party shall be designated and such name and contact information shall be submitted to the City with the application for registration. The property owner shall also provide the City with the name, address, and phone number of an alternate contact person in the event that the designated Responsible Party is unavailable. It is the duty of the Responsible Party to:

- a. Inform all guests, in writing, prior to occupancy of the property, of applicable City of Cape Coral regulations concerning noise, vehicle parking, garbage, and common area usage, with a copy of the applicable regulations printed in the English language and posted prominently near the main entrance or on the refrigerator of the Vacation Rental;
- b. See that the provisions of this Section 3.30 are complied with and promptly address any violations of this section or any violations of law which may come to the attention of the responsible party;

- c. Be available by landline or mobile telephone at the phone number provided to the City twenty-four (24) hours a day, seven (7) days a week, and capable of handling any issues arising from the Vacation Rental use;
- d. If necessary, be willing and able to come to the Vacation Rental unit within two (2) hours following notification from an occupant, the property owner, or the City of Cape Coral to address issues related to the Vacation Rental;
- e. Maintain the Vacation Rental property free of garbage and litter, provided however, that this subsection shall not prohibit the storage of garbage and litter in authorized receptacles for collection; and
- f. Monitor and visit the Vacation Rental at least once monthly to assure continued compliance with the requirements of this section.

A property owner may change the designation of a Vacation Rental Responsible Party, however, there shall only be one (1) designated Responsible Party for each Vacation Rental at any given time. To change the designated Responsible Party, the property owner shall notify the Director, or designee, in writing within fifteen (15) calendar days of such change via a completed form provided by the City.

Notwithstanding anything to the contrary in this Section 3.30, the property owner shall ultimately be responsible for compliance with all of the provisions of this section.

.7 Vacation rental standards and requirements. The following standards shall govern the use of a Vacation Rental as a permitted use:

- a. Minimum life/safety requirements:
 - (1) Swimming pool, spa and hot tub safety. Any swimming pool, spa, and hot tub shall comply with the standards of the Residential Swimming Pool Safety Act set forth at Chapter 515, Florida Statutes, in effect at the time of an annual inspection by the City.
 - (2) Sleeping rooms. All sleeping rooms shall meet the minimum requirements of the Florida Building Code in effect at the time of an annual inspection by the City.
 - (3) Smoke and carbon monoxide (CO) detection and notification system. If a working interconnected and hard-wired smoke and carbon monoxide (CO) detection and notification system is not in place within the Vacation Rental unit, then an interconnected, hard-wired smoke alarm and carbon monoxide (CO) alarm system shall be required to be installed and maintained on a continuing basis consistent with the requirements of Section R314, Smoke Alarms, and Section R315, Carbon Monoxide Alarms, of the Florida Building Code – Residential.
 - (4) Fire extinguisher. A portable, multi-purpose dry chemical 2A:10B:C fire extinguisher shall be installed, inspected, and maintained in accordance with NFPA 10 on each floor/level of the dwelling unit. The extinguisher(s) shall be installed on the wall in an open common area or in an enclosed space with appropriate markings visibly showing the location.
- b. Solid waste handling and containment. Refuse and garbage receptacles shall be maintained in accordance with all applicable laws, rules, regulations, ordinances, statutes, and standards. For purposes of this section, refuse and garbage receptacles shall not be placed curbside before 5:00 p.m. of the day prior to pick up, and the receptacle shall be removed before midnight of the day of pick up.
- c. Minimum vacation rental/lease agreement wording. There shall be a written rental/lease agreement between a Vacation Rental owner and a transient occupant, which shall contain the minimum information provided in Subsection 3.30.8.
- d. Minimum vacation rental required posting information. The Vacation Rental shall be posted with the information prescribed in Subsection 3.30.9.
- e. The owner shall designate a Vacation Rental Responsible Party and alternate contact person capable of meeting the duties provided in Subsection 3.30.6.
- f. Advertising. Any advertising of the Vacation Rental unit shall conform to the information included in the Vacation Rental Certificate and shall include the Vacation Rental Certificate number issued by the City.
- g. Sexual offenders and sexual predators. It is unlawful to allow another person to occupy any Residential Property as a Vacation Rental within the City of Cape Coral, with the knowledge that it will be occupied by a person prohibited from establishing a permanent or temporary residence at said Residential Property pursuant to Chapter 12 of the Code of Ordinances, if such place, structure or part thereof, trailer, or other

conveyance, is located within two thousand five hundred (2,500) feet of any school, park, playground, or child care facility where children regularly congregate.

h. Notice: Owners of Vacation Rentals shall not qualify for the owner-builder exemption provided in Section 489.103(7)(a), Florida Statutes, and shall hire licensed contractors for all permitted work at the Vacation Rental.

i. The Vacation Rental shall comply with all applicable City, county, state, and federal laws, rules, regulations, ordinances, statutes, and standards to include, but not be limited to, Chapter 509, Florida Statutes, and Rule Chapters 61C and 69A, Florida Administrative Code, or such successor laws, rules, regulations, ordinances, statutes, and standards as may be applicable.

.8 Vacation rental/lease agreement minimum provisions and requirements. Any rental/lease agreement between a Vacation Rental owner and a Transient Occupant shall, at a minimum, contain the following information:

a. The name and home address of the primary Transient Occupant of the Vacation Rental; and

b. A statement that all Transient Occupants shall evacuate from the Vacation Rental upon the declaration of any evacuation order issued by City, county, state, or federal authorities.

A copy of the rental/lease agreement shall be retained by the property owner and the designated Responsible Party for a period of one (1) year following the end of each rental period. At the City's request, the property owner or Responsible Party shall provide the City with a copy of the rental/lease agreement.

.9 Posting of vacation rental information. In each Vacation Rental, located on the back or next to the main entrance door or on the refrigerator, there shall be posted the following information:

a. The names, addresses, and emergency contact phone numbers of the designated Vacation Rental Responsible Party and an alternate contact person;

b. Notice that quiet hours are to be observed between 11:00 p.m. and 7:00 a.m. daily, pursuant to Section 12-22, Cape Coral Code of Ordinances;

c. The maximum number of vehicles that can be parked at the Vacation Rental;

d. Notice that any person, without being authorized, licensed, or invited, who willfully enters or remains in any Vacation Rental, or having been authorized, licensed, or invited, is warned by the owner to depart the property and refuses to do so, commits the offense of trespass in a structure;

e. The days and times of trash pickup and recycling;

f. The location of the nearest hospital;

g. The emergency police phone number is 9-1-1;

h. The local non-emergency police phone number; and

i. Notice that all Transient Occupants shall evacuate from the Vacation Rental upon the declaration of any evacuation order issued by City, county, state, or federal authorities.

.10 Inspections of vacation rentals.

a. An inspection of the Residential Property or dwelling unit by the City for compliance with this Section 3.30 is required prior to the issuance of an initial or renewal Vacation Rental Certificate. If violations are found, all violations shall be corrected and the dwelling unit shall be re-inspected prior to the issuance of a Vacation Rental Certificate. Inspection and re-inspection fees shall be established by resolution of the City Council.

b. The Vacation Rental Responsible Party is required to schedule any inspections required by this section. If an inspector has made an appointment with the Responsible Party to complete an inspection, and the Responsible Party fails to admit the inspector at the scheduled time, the property owner shall be charged a "no-show" inspection fee in an amount established by resolution of the City Council to cover the expenses incurred by the City.

c. If the inspector is denied admittance by the Vacation Rental Responsible Party in at least three (3) attempts to complete an inspection of the Vacation Rental, the inspector shall provide written notice of failure of inspection to the owner at the address shown on the existing Vacation Rental Certificate or the application for a Vacation Rental Certificate. A notice of failure of inspection results in the Vacation Rental Certificate

- being denied, and the Vacation Rental is deemed not in compliance with this Section 3.30.
- d. The City of Cape Coral is also authorized to conduct spot inspections of Vacation Rentals at reasonable times, as it deems necessary, to ensure compliance with all of the provisions of this section.
 - e. Once a Vacation Rental Certificate is issued, the Vacation Rental unit shall be properly maintained in accordance with the standards and requirements herein. All violations found during a spot inspection shall be corrected and re-inspected by the City within thirty (30) calendar days. Failure to correct such spot inspection deficiencies in the timeframe provided shall result in enforcement action as provided in Subsection 3.30.11 until such time as the violation(s) is/are corrected and re-inspected by the City.
- .11 Violations; enforcement; revocation; notice; appeals.
- a. Violations/Offenses.
 - (1) A property owner's failure to comply with any of the provisions of this Section 3.30 shall constitute a violation of Section 3.30, and shall subject the property owner to the code enforcement provisions and procedures provided in Sections 2-81 through 2-96, Cape Coral Code of Ordinances.
 - (2) Each day a violation exists shall constitute a separate and distinct violation.
 - b. Enforcement/Remedies.
 - (1) Violations of this Section 3.30 shall be subject to penalties as part of an enforcement program with the primary focus on compliance and compatibility with adjoining properties, versus penalties and legal actions. To accomplish a safe and effective Vacation Rental registration program it is key that Vacation Rental Responsible Parties are responsive and responsible in the management of the property for compliance with this section. Any code enforcement activity pursuant to this section shall be in accordance with Chapter 162, Florida Statutes, and the Cape Coral Code of Ordinances.
 - (2) Nothing contained herein shall prevent the City of Cape Coral from seeking all other available remedies which may include, but not be limited to, injunctive relief, liens, and other civil and criminal penalties as provided by law, as well as referral to other enforcing agencies.
 - c. Revocation. Any Vacation Rental Certificate issued pursuant to this Section 3.30 may be revoked by the Director, or designee, upon the adjudication of a violation of this section, any City of Cape Coral Ordinance, or state law by the property owner, Responsible Party, or Transient Occupant(s) attributable to the property for which the Vacation Rental Certificate is issued. The property owner shall not be entitled to a refund of the annual registration fee for a Vacation Rental Certificate for any portion of the unexpired term of a Certificate because of revocation of the Vacation Rental Certificate. Such revocation shall be in addition to any other penalty provided herein.
 - (1) Prior to revoking a Vacation Rental Certificate, the Director, or designee, shall notify the property owner, in writing, of the City's Intention to Revoke a Vacation Rental Certificate, stating the reason(s) for the proposed revocation and that the property owner has ten (10) calendar days to request a hearing before the Director, or designee. A property owner may request a hearing before the Director, or designee, in writing, within ten (10) calendar days of the date of City's Intention to Revoke a Vacation Rental Certificate to dispute the initial decision.
 - (2) If the property owner fails to timely request a hearing before the Director, or designee, pursuant to Subsection 3.30.11c.(1), the Director, or designee, shall provide written notice of Revocation of the Vacation Rental Certificate to the owner, stating the reason(s) for the revocation.
 - (3) If the property owner timely requests a hearing before the Director, or designee, a revocation hearing shall be held within twenty-one (21) calendar days of receipt of the owner's written request.
 - (4) At the revocation hearing before the Director, or designee, the property owner may provide testimony and evidence to support why the Vacation Rental Certificate should not be revoked.

- (5) In determining whether to revoke a Vacation Rental Certificate, the Director, or designee, shall consider, at a minimum, the following criteria:
 - (a) The gravity of the violation(s);
 - (b) The number of violations occurring at the Vacation Rental;
 - (c) Any violations at other Vacation Rental units owned by the same property owner; and
 - (d) Any actions taken by the property owner to prevent, mitigate, or correct the violations.
 - (6) After the revocation hearing, if the Director, or designee, decides that the Vacation Rental Certificate shall be revoked, the Director, or designee, shall provide written notice of Revocation of the Vacation Rental Certificate to the owner, stating the reason(s) for the revocation.
 - (7) In the event that a Vacation Rental Certificate is revoked, the property owner of the Vacation Rental subject to the revocation shall be prohibited from being issued another Vacation Rental Certificate from the City for that same dwelling unit for a period of six (6) months after the revocation of the Certificate.
- d. Notice. Any notice required under this Section 3.30 shall be provided to the property owner as provided in Section 2-85, Cape Coral Code of Ordinances.
- e. Appeals. Any decision of the Director, or designee, relating to the granting, denial, renewal, or revocation of a Vacation Rental Certificate under this section shall be rendered in writing. An applicant may request an appeal of the Director's, or designee's, decision to the City Manager by written notice to the City Manager within ten (10) calendar days after such decision is rendered. The City Manager shall schedule the appeal for review by the City Manager, or designee. An appeal to the City Manager pursuant to this Section 3.30 shall stay the Director's, or designee's, decision pending such appeal. The City Manager, or designee, shall consider, at a minimum, the criteria provided in Subsection 3.30.11c.(5) when deciding whether to uphold the decision of the Director, or designee. The decision of the City Manager, or designee, shall be rendered in writing.

An applicant may request an appeal of the City Manager's, or designee's, decision to the City Council by written notice to the City Clerk within ten (10) calendar days after such decision is rendered. The City Clerk shall place the appeal on the agenda of an upcoming meeting of the City Council for review. An appeal to the City Council pursuant to this Section 3.30 shall stay the City Manager's, or designee's, decision pending such appeal. The City Council shall consider, at a minimum, the criteria provided in Subsection 3.30.11c.(5) when deciding whether to uphold the decision of the City Manager, or designee. The decision of the City Council shall be final. The final decision of the City Council may be reviewed as permitted pursuant to Florida law.

.12 Rental agreement vesting. It is recognized that there are likely existing rental/lease agreements for Vacation Rentals at the time of adoption of these Vacation Rental regulations, which may not be in compliance with the terms of Section 3.30. Rental/lease agreements that were entered into prior to the date of adoption of these regulations shall be considered vested. No special vesting process or fee shall be required to obtain this vesting benefit other than demonstrating eligibility through the normal Vacation Rental Certificate process.

Notwithstanding any provision to the contrary in this Section 3.30, a person may rent or lease and allow another person to occupy a Residential Property or dwelling unit as a Vacation Rental without the issuance of a Vacation Rental Certificate from the City if:

- a. The Residential Property or dwelling unit has a current and active license as a transient public lodging establishment issued by the Florida Department of Business and Professional Regulation prior to the date of adoption of these regulations by the City Council; and
- b. A Vacation Rental registration application has been completed and submitted to the City pursuant to Section 3.30, and all applicable fees have been paid; and
- c. Said occupancy was scheduled prior to the date of adoption of these regulations by the City Council, as evidenced by a written and validly executed rental/lease agreement provided to the Director, or designee. Any such agreement for occupancy shall be provided to the City by October 1, 2017. In the event that an existing rental/lease agreement is not timely provided to the Director, or designee, a property owner shall waive any vested benefit pursuant to this section for that Vacation Rental unit.

SECTION 14. The City of Cape Coral Land Use and Development Regulations, Article XI, Section 11.1, is hereby amended as follows:

§ 11.1 Definitions.

Unless the context clearly indicates a different meaning, the following definitions shall be used to interpret the provisions of these Land Use and Development Regulations.

Words whose meanings are self-evident as used in this ordinance are not defined here. Words used in the present tense shall include the future; the singular includes the plural, and vice versa.

The word "shall" is mandatory; the word "may" is permissive. The word "includes" shall not limit a term to the specific examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character. The terms "land use" and "use of land" shall be deemed also to include building or structure use and use of building or structure.

...

DWELLING UNIT. A room or rooms connected together, which could constitute a separate, independent housekeeping establishment for a family, for owner occupancy, or for rental or lease on a weekly, monthly, or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure. **DWELLING UNITS** must contain at a minimum one sleeping room, one bathroom, and one kitchen, but shall not contain more than one kitchen, or other indoor portion of the structure with a functioning range or oven. The term **DWELLING UNIT** shall not include rooms in hotels, motels or institutional facilities. Vacation Rentals, as defined in Section 3.30, shall not be subject to the rental or lease duration restrictions provided herein.

...

SECTION 15. The City of Cape Coral Code of Ordinances, Chapter 11, Article I, Section 11-16, is hereby amended to read as follows:

§ 11-16 Schedule of business taxes.

The various businesses, professions and occupations within the City of Cape Coral, Florida, are hereby classified for the purpose of this chapter and assessments of business taxes therefor fixed as follows:

| | <i>Business</i> | <i>License Tax</i> |
|-------|--|--------------------|
| (1) | ABSTRACT COMPANY | \$110.00 |
| ... | ... | ... |
| (725) | UNCLASSIFIED, every business or occupation for which no business tax has been ordained and is not specifically designated shall pay a business tax under this classification | 55.00 |
| (731) | <u>VACATION RENTAL (state license required)</u> | <u>77.00</u> |
| (737) | VETERINARIAN (state license required) | 55.00 |
| ... | ... | ... |

SECTION 16. 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 17. Effective Date. This ordinance shall become effective on July 1, 2017.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR
SESSION THIS _____ DAY OF _____, 2017.

MARNI L. SAWICKI, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

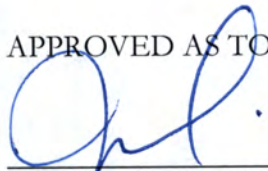
SAWICKI _____
BURCH _____
CARIOSCIA _____
STOUT _____

LEON _____
ERBRICK _____
WILLIAMS _____
COSDEN _____

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____,
2017.

REBECCA VAN DEUTEKOM
CITY CLERK

APPROVED AS TO FORM:



JOHN E. NACLERIO, III
ASSISTANT CITY ATTORNEY
ord/Vacation Rentals
4/5/17

Short-Term Rental Policy: Ordinance 19-17

Presented By: City Managers Office

Department of Community Development

Economic Development Office

Executive Summary

- Discussion on proposed policy held December 14, 2016 (COW)
- Purpose/outcome
 - Short Term Rental (STR) Policy
 - Currently STR not allowed in Cape Coral for a period of time less than a week.
 - Embrace concept but with public a safety goal
- Ordinance today is result of discussions with City Council and staff review

Short Term Rental

Background



- In 2015 there were 3.9M homes listed by the top 4 short term rental websites (0.5M in 2010)
- As of May, 2016 there were 2810 listings for short term rentals in Cape Coral—4% of all housing units in the City.
- Compare to 263 rooms at the Westin
 - (10.68 equivalent resorts)
- Current codes restricts daily rentals.
- Short term rentals support economic development within the City.
 - Visitors/renters purchase goods and services while here.

Short Term Rental

Public Policy

Components

- Ensure Building safety for occupants
 - Lodging facilities have inspections 2 times per year by the state, Short Term Rentals are not required to have any inspections
- Reduce impacts on neighborhood character
 - Reduce noise, parking and trash problems
 - Eliminate Party Houses
 - Reduce tension between short-term property owners and neighbors
- Curtail negative impact on affordable housing availability by conversion of housing to tourist accommodations
- Improve compliance amongst local business operators
- Send message to community Short-Term rental businesses are welcome but within certain parameters
- Recover lost tax revenue to support Code Enforcement efforts

Short Term Rental

Public Policy
Components
Continued

- **Defines Vacation Rental**
 - Any individually or collectively owned Residential Property or dwelling unit that is rented or leased to guests more than three (3) times in a calendar year for periods of less than thirty (30) days or one (1) calendar month, whichever is less, or which is advertised or held out to the public as a place regularly rented or leased to guests for a period of less than thirty (30) days.
- **Adds Vacation Rental use to selected zoning districts—all residential**
 - (R-1A, R-1B, R-3, RD, RE, RX, C-1, P-1, Ag, Village, Corridor, South Cape, MR)

Short Term Rental

Public Policy
Components
Continued

- **Rental Registration Required**
 - Annual basis (required before 10/1/17)
 - Fee by Resolution: \$123.00
 - Inspection Fee \$100
 - Business Tax Receipt: \$77.00
 - Requires Responsible Party be named with access 7 days a week
- **Vacation Rental Standards to reduce impacts on neighborhood**
 - Life/Safety: pool, sleeping rooms, smoke and CO detection, fire extinguishers
 - Solid Waste: no sooner than 5 pm curbside day before
 - Posting: quiet hours (11p-7a), vehicle parking, hospital, garbage day, police non-emergency and emergency #'s
 - Sex Offenders/Sexual Predators: rental prohibited

Short Term Rental

Public Policy
Components
Continued

- **Vacation rental/lease agreement requirements**
 - Minimum requirement
 - Retention requirements
- **Inspection Requirements**
 - Required for initial and renewal
 - Allows for spot inspections
- **Violations/Enforcement/Revocation**
 - Daily violations
 - Revocation by Community Development Director
 - Hearing
 - Appeals to both the City Manager and City Council



QUESTIONS AND DISCUSSION

| | |
|----------------------|---|
| Item Number: | B.(3) |
| Meeting Date: | 5/1/2017 |
| Item Type: | ORDINANCES/RESOLUTIONS - Introductions |

**AGENDA
REQUEST FORM
CITY OF CAPE
CORAL**



TITLE:

Ordinance 20-17 Set Public Hearing Date for May 15, 2017

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment? Yes
2. Is this a Strategic Decision?
 If Yes, Priority Goals Supported are listed below.
 If No, will it harm the intent or success of the Strategic Plan?

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

SUMMARY EXPLANATION AND BACKGROUND:

An ordinance amending Ordinance 46-16, which adopted the City of Cape Coral Operating Budget, Revenues and Expenditures, and Capital Budget for Fiscal Year 2017, by increasing total Revenues and Expenditures by a total of \$58,387,603.

LEGAL REVIEW:

Dolores D. Menendez, City Attorney

EXHIBITS:

Ordinance 20-17
 Staff Presentation
 Summary of FY2017 Budget Amendment #1

PREPARED BY:

Division- Department-

SOURCE OF ADDITIONAL INFORMATION:

Victoria Bateman, Finance Director

ATTACHMENTS:

| Description | Type |
|---|-----------------|
| ▣ Ordinance 20-17 | Ordinance |
| ▣ Staff Presentation | Backup Material |
| ▣ Summary of FY2017 Budget Amendment #1 | Backup Material |

ORDINANCE 20 - 17

AN ORDINANCE AMENDING CITY OF CAPE CORAL ORDINANCE 46-16, WHICH ADOPTED THE CITY OF CAPE CORAL OPERATING BUDGET, REVENUES AND EXPENDITURES, AND CAPITAL BUDGET FOR FISCAL YEAR 2017, BY INCREASING THE TOTAL REVENUES AND EXPENDITURES BY A TOTAL OF \$58,387,603, AS DETAILED IN EXHIBIT "B," ATTACHED HERETO; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, the City of Cape Coral, pursuant to Section 200.065, Florida Statutes, adopted its Operating Budget, Revenues and Expenditures, and Capital Budget for Fiscal Year 2017 by approving Ordinance 46-16 on September 22, 2016, said budget being as set forth in Exhibit "A," which is attached hereto and incorporated herein by reference; and

WHEREAS, the City Council desires to amend its Operating Budget, Revenues and Expenditures, and Capital Budget for the Fiscal Year 2017 as authorized by Section 166.241(3), Florida Statutes.

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

SECTION 1. City of Cape Coral Ordinance 46-16, which adopted the City of Cape Coral Operating Budget, Revenues and Expenditures, and Capital Budget for the Fiscal Year 2017, is hereby amended by increasing the total revenues and expenditures by a total of \$58,387,603, as detailed in Exhibit "B," which is attached hereto and incorporated herein by reference.

SECTION 2. 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 3. 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 _____, 2017.

MARNI L. SAWICKI, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

| | | | |
|-----------|-------|----------|-------|
| SAWICKI | _____ | LEON | _____ |
| BURCH | _____ | ERBRICK | _____ |
| CARIOSCIA | _____ | WILLIAMS | _____ |
| STOUT | _____ | CODSEN | _____ |

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____, 2017.

REBECCA VAN DEUTEKOM,
CITY CLERK

APPROVED AS TO FORM:



DOLORES D. MENENDEZ
CITY ATTORNEY
Ord/FY17BudAmd1

CITY OF CAPE CORAL
FY 2017 BUDGET - FUND LEVEL SUMMARY
ATTACHMENT A TO ORDINANCE 20-17

| | ADOPTED ORD 46-16 | BA #1 INCREASE | REF #1 | BA #1 (DECREASE) | REF #2 | AMEND BUDGET #1 - ORD 20-17 | BA #1 NET CHANGE |
|---|-----------------------|----------------------|--------|-----------------------|--------|--------------------------------|----------------------|
| GENERAL FUND | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ 35,387,739 | \$ 15,157,438 | B1a | | | \$ 50,545,177 | \$ 15,157,438 |
| Revenues: | | | | | | | |
| Ad Valorem Taxes | 79,074,379 | | | | | 79,074,379 | - |
| Sales & Use Taxes | 14,788,145 | | | | | 14,788,145 | - |
| Licenses, Permits, Franchise, Impact Fees & Special Assessments | 29,240,413 | | | | | 29,240,413 | - |
| Charges for Service | 1,572,938 | | | | | 1,572,938 | - |
| Internal Service Charges | 4,653,149 | | | | | 4,653,149 | - |
| Intergovernmental | 23,647,597 | | | | | 24,065,424 | 417,827 |
| | - | 250,000 | J1 | | | | |
| | - | 45,019 | J3 | | | | |
| | - | 17,753 | J4 | | | | |
| | - | 105,055 | J5 | | | | |
| Fines & Forfeitures | 656,543 | | | | | 656,543 | - |
| Miscellaneous | 1,286,290 | | | | | 1,286,290 | - |
| | - | | | | | - | - |
| | - | | | | | - | - |
| | - | | | | | - | - |
| Interfund Transfers | 4,634,533 | | | | | 4,634,533 | - |
| Debt Proceeds | 750,000 | | | | | 750,000 | - |
| Total General Fund Sources | <u>\$ 195,691,726</u> | <u>\$ 15,575,265</u> | | <u>\$ -</u> | | <u>\$ 211,266,991</u> | <u>\$ 15,575,265</u> |
| USES | | | | | | | |
| City Council | \$ 796,580 | | | | | \$ 796,580 | \$ - |
| City Attorney | 1,518,185 | 30,000 | B2a | | | 1,548,185 | 30,000 |
| City Manager | 2,299,344 | 62,063 | B2a | | | 2,361,407 | 62,063 |
| City Auditor | 691,605 | 37,350 | B2a | | | 728,955 | 37,350 |
| Information Services | 6,710,099 | 647,437 | B2a | | | 7,357,536 | 647,437 |
| City Clerk | 1,393,916 | 713 | B2a | | | 1,419,629 | 25,713 |
| | | 25,000 | B3 | | | | |
| Financial Services | 3,412,404 | 126,958 | B2a | | | 3,539,362 | 126,958 |
| Human Resources | 1,598,582 | 34,850 | B2a | | | 1,633,432 | 34,850 |
| Community Development | 4,593,563 | 13,201 | B2a | | | 4,704,004 | 110,441 |
| | | 97,240 | B3 | | | | |
| Police | 34,097,324 | 164,709 | B2a | | | 35,692,257 | 1,594,933 |
| | | 1,262,397 | B3 | | | | |
| | | 45,019 | J3 | | | | |
| | | 17,753 | J4 | | | | |
| | | 105,055 | J5 | | | | |
| Fire | 29,184,262 | 274,445 | B2a | | | 31,229,491 | 2,045,229 |
| | | 1,770,784 | B3 | | | | |
| Public Works | 8,473,646 | 470,585 | B2a | | | 9,693,912 | 1,220,266 |
| | | 499,681 | B3 | | | | |
| | | 250,000 | J1 | | | | |
| Parks & Recreation | 11,965,063 | 1,566,892 | B2a | | | 14,638,330 | 2,673,267 |
| Transfer Out- P&R Programs | | 371,865 | B2f | | | | |
| Transfer Out - Waterpark | | 287,010 | B2g | | | | |
| | | 447,500 | B3 | | | | |
| Government Services | | | | | | | |
| Expenditures | 56,237,246 | 3,792,564 | B2a | | | 55,931,687 | (305,559) |
| Donations Bike/Pedestrian | | 12,461 | B2b | | | | |
| Capital Outlay - Rolling Stock | | (4,102,602) | B3 | | | | |
| Transfer Out - CRA | | | | (7,982) | B4 | | |
| Reserves | | | | | | | |
| Restricted | 4,544,737 | | | | | 4,544,737 | - |
| Unrestricted | 27,978,638 | 15,157,438 | B1a | | | 35,250,955 | 7,272,317 |
| | | 7,982 | B4 | | | | |
| | | | | (7,221,767) | B2a | | |
| | | | | (12,461) | B2b | | |
| | | | | (371,865) | B2f | | |
| | | | | (287,010) | B2g | | |
| Committed - Fire Negotiations | 196,532 | | | | | 196,532 | - |
| Appropriations & Reserves General Fund | <u>\$ 195,691,726</u> | <u>\$ 23,476,350</u> | | <u>\$ (7,901,085)</u> | | <u>\$ 211,266,991</u> | <u>\$ 15,575,265</u> |

CITY OF CAPE CORAL
FY 2017 BUDGET - FUND LEVEL SUMMARY
ATTACHMENT A TO ORDINANCE 20-17

| | ADOPTED ORD 46-16 | BA #1 INCREASE | REF #1 | BA #1 (DECREASE) | REF #2 | AMEND BUDGET #1 - ORD 20-17 | BA #1 NET CHANGE |
|---|----------------------|---------------------|--------|---------------------|--------|--------------------------------|---------------------|
| SPECIAL REVENUE FUNDS | | | | | | | |
| ADDITIONAL FIVE CENT GAS TAX FUND | | | | | | | |
| <u>SOURCES</u> | | | | | | | |
| Balances Brought Forward | \$ 50,000 | \$ 4,716,368 | B1b | | | \$ 4,766,368 | \$ 4,716,368 |
| Revenues: | | | | | | | |
| Sales & Use Taxes | 3,334,709 | | | | | 3,334,709 | - |
| Intergovernmental | - | | | | | - | - |
| Miscellaneous | - | | | | | - | - |
| Interfund Transfers | - | | | | | - | - |
| Total Additional Five Cent Gas Tax Fund Sources | <u>\$ 3,384,709</u> | <u>\$ 4,716,368</u> | | <u>\$ -</u> | | <u>\$ 8,101,077</u> | <u>\$ 4,716,368</u> |
| <u>USES</u> | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ - | | | | | \$ - | \$ - |
| Debt Service | - | | | | | - | - |
| Transfers Out | 3,334,709 | | | | | 3,334,709 | - |
| Reserves | 50,000 | 4,716,368 | B1b | | | 4,766,368 | 4,716,368 |
| Appropriations & Reserves Additional Five Cent Gas Tax Fund | <u>\$ 3,384,709</u> | <u>\$ 4,716,368</u> | | <u>\$ -</u> | | <u>\$ 8,101,077</u> | <u>\$ 4,716,368</u> |
| SIX CENT GAS TAX FUND | | | | | | | |
| <u>SOURCES</u> | | | | | | | |
| Balances Brought Forward | \$ 4,523,507 | \$ 3,328,141 | B1c | | | \$ 7,851,648 | \$ 3,328,141 |
| Revenues: | | | | | | | |
| Sales & Use Taxes | 4,536,127 | | | | | 4,536,127 | - |
| Intergovernmental | - | | | | | - | - |
| Miscellaneous | - | | | | | - | - |
| Interfund Transfers | - | | | | | - | - |
| Total Six Cent Gas Tax Fund Sources | <u>\$ 9,059,634</u> | <u>\$ 3,328,141</u> | | <u>\$ -</u> | | <u>\$ 12,387,775</u> | <u>\$ 3,328,141</u> |
| <u>USES</u> | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ - | | | | | \$ - | \$ - |
| Debt Service | - | | | | | - | - |
| Transfers Out | 4,441,131 | | | | | 4,441,131 | - |
| Reserves | 4,618,503 | 3,328,141 | B1c | | | 7,946,644 | 3,328,141 |
| Appropriations & Reserves Six Cent Gas Tax Fund | <u>\$ 9,059,634</u> | <u>\$ 3,328,141</u> | | <u>\$ -</u> | | <u>\$ 12,387,775</u> | <u>\$ 3,328,141</u> |
| ROAD IMPACT FUND | | | | | | | |
| <u>SOURCES</u> | | | | | | | |
| Balances Brought Forward | \$ 50,000 | \$ 127,062 | B1d | | | \$ 177,062 | \$ 127,062 |
| Revenues: | | | | | | | |
| Intergovernmental | 743,343 | | | | | 743,343 | - |
| Licenses, Permits, Franchise, Impact Fees & Special Assessments | 2,438,205 | | | | | 2,438,205 | - |
| Miscellaneous | 6,993 | | | | | 6,993 | - |
| Interfund Transfers | - | | | | | - | - |
| Total Road Impact Fund Sources | <u>\$ 3,238,541</u> | <u>\$ 127,062</u> | | <u>\$ -</u> | | <u>\$ 3,365,603</u> | <u>\$ 127,062</u> |
| <u>USES</u> | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ - | | | | | \$ - | \$ - |
| Debt Service | - | | | | | - | - |
| Transfers Out | 3,188,541 | | | | | 3,188,541 | - |
| Reserves | 50,000 | 127,062 | B1d | | | 177,062 | 127,062 |
| Appropriations & Reserves Road Impact Fee Fund | <u>\$ 3,238,541</u> | <u>\$ 127,062</u> | | <u>\$ -</u> | | <u>\$ 3,365,603</u> | <u>\$ 127,062</u> |
| POLICE PROT. IMPACT FEES | | | | | | | |
| <u>SOURCES</u> | | | | | | | |
| Balances Brought Forward | \$ 1,432,022 | \$ 450,232 | B1e | | | \$ 1,882,254 | \$ 450,232 |
| Revenues: | | | | | | | |
| Licenses, Permits, Franchise, Impact Fees & Special Assessments | 474,774 | | | | | 474,774 | - |
| Miscellaneous | 200 | | | | | 200 | - |
| Interfund Transfers | - | | | | | - | - |
| Total Police Protection Impact Fee Fund Sources | <u>\$ 1,906,996</u> | <u>\$ 450,232</u> | | <u>\$ -</u> | | <u>\$ 2,357,228</u> | <u>\$ 450,232</u> |
| <u>USES</u> | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 9,495 | | | | | \$ 9,495 | \$ - |
| Debt Service | - | | | | | - | - |
| Transfers Out | - | | | | | - | - |
| Reserves | 1,897,501 | 450,232 | B1e | | | 2,347,733 | 450,232 |
| Appropriations & Reserves Police Protection Impact Fee Fund | <u>\$ 1,906,996</u> | <u>\$ 450,232</u> | | <u>\$ -</u> | | <u>\$ 2,357,228</u> | <u>\$ 450,232</u> |
| ALS IMPACT FEES | | | | | | | |
| <u>SOURCES</u> | | | | | | | |
| Balances Brought Forward | \$ 160,192 | \$ 25,917 | B1f | | | \$ 186,109 | \$ 25,917 |
| Revenues: | | | | | | | |
| Licenses, Permits, Franchise, Impact Fees & Special Assessments | 28,889 | | | | | 28,889 | - |
| Miscellaneous | 160 | | | | | 160 | - |
| Interfund Transfers | - | | | | | - | - |
| Total ALS Fund Sources | <u>\$ 189,241</u> | <u>\$ 25,917</u> | | <u>\$ -</u> | | <u>\$ 215,158</u> | <u>\$ 25,917</u> |
| <u>USES</u> | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 578 | | | | | \$ 578 | \$ - |

CITY OF CAPE CORAL
FY 2017 BUDGET - FUND LEVEL SUMMARY
ATTACHMENT A TO ORDINANCE 20-17

| | ADOPTED ORD 46-16 | BA #1 INCREASE | REF #1 | BA #1 (DECREASE) | REF #2 | AMEND BUDGET #1 - ORD 20-17 | BA #1 NET CHANGE |
|---|----------------------|---------------------|--------|---------------------|--------|--------------------------------|---------------------|
| Debt Service | - | | | | | - | - |
| Transfers Out | - | | | | | - | - |
| Reserves | 188,663 | 25,917 | B1f | | | 214,580 | 25,917 |
| Appropriations & Reserves ALS Fund | <u>\$ 189,241</u> | <u>\$ 25,917</u> | | <u>\$ -</u> | | <u>\$ 215,158</u> | <u>\$ 25,917</u> |
| PARK IMPACT FEE FUNDS | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ 10,000 | \$ 1,561,766 | B1p | | | \$ 1,571,766 | \$ 1,561,766 |
| Revenues: | | | | | | | |
| Licenses, Permits, Franchise, Impact Fees & Special Assessments | 858,550 | | | | | 858,550 | - |
| Miscellaneous | - | | | | | - | - |
| Interfund Transfers | - | | | | | - | - |
| Total Park Impact Fee Funds Sources | <u>\$ 868,550</u> | <u>\$ 1,561,766</u> | | <u>\$ -</u> | | <u>\$ 2,430,316</u> | <u>\$ 1,561,766</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 12,878 | | | | | \$ 12,878 | \$ - |
| Debt Service | - | | | | | - | - |
| Transfers Out | 845,672 | | | | | 845,672 | - |
| Reserves | 10,000 | 1,561,766 | B1p | | | 1,571,766 | 1,561,766 |
| Appropriations & Reserves Park Impact Fee Funds | <u>\$ 868,550</u> | <u>\$ 1,561,766</u> | | <u>\$ -</u> | | <u>\$ 2,430,316</u> | <u>\$ 1,561,766</u> |
| FIRE IMPACT CAPITAL IMPROVEMENT FUND | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ 793,264 | \$ 113,252 | B1g | | | \$ 906,516 | \$ 113,252 |
| Revenues: | | | | | | | |
| Licenses, Permits, Franchise, Impact Fees & Special Assessments | 472,568 | | | | | 472,568 | - |
| Miscellaneous | 1,624 | | | | | 1,624 | - |
| Interfund Transfers | - | | | | | - | - |
| Total Fire Capital Improvement Fund Sources | <u>\$ 1,267,456</u> | <u>\$ 113,252</u> | | <u>\$ -</u> | | <u>\$ 1,380,708</u> | <u>\$ 113,252</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 9,451 | | | | | \$ 9,451 | \$ - |
| Debt Service | - | | | | | - | - |
| Transfers Out | 339,866 | | | | | 339,866 | - |
| Reserves | 918,139 | 113,252 | B1g | | | 1,031,391 | 113,252 |
| Appropriations & Reserves Fire Capital Improvement Fund | <u>\$ 1,267,456</u> | <u>\$ 113,252</u> | | <u>\$ -</u> | | <u>\$ 1,380,708</u> | <u>\$ 113,252</u> |
| DO THE RIGHT THING | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ - | \$ 17,470 | B1h | | | \$ 17,470 | \$ 17,470 |
| Revenues: | | | | | | | |
| Miscellaneous | 8,000 | | | | | 8,000 | - |
| Interfund Transfers | - | | | | | - | - |
| Total Do The Right Thing Fund Sources | <u>\$ 8,000</u> | <u>\$ 17,470</u> | | <u>\$ -</u> | | <u>\$ 25,470</u> | <u>\$ 17,470</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 8,000 | \$ 17,470 | B1h | | | \$ 25,470 | \$ 17,470 |
| Debt Service | - | | | | | - | - |
| Transfers Out | - | | | | | - | - |
| Reserves | - | | | | | - | - |
| Appropriations & Reserves Do The Right Thing Fund | <u>\$ 8,000</u> | <u>\$ 17,470</u> | | <u>\$ -</u> | | <u>\$ 25,470</u> | <u>\$ 17,470</u> |
| CRIMINAL JUSTICE EDUCATION (Police Training) | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ 5,000 | \$ 9,969 | B1k | | | \$ 14,969 | \$ 9,969 |
| Reserves | | | | | | | |
| Fines & Forfeitures | 17,000 | | | | | 17,000 | - |
| Miscellaneous | - | | | | | - | - |
| Total Police Confiscation-State Fund Sources | <u>\$ 22,000</u> | <u>\$ 9,969</u> | | <u>\$ -</u> | | <u>\$ 31,969</u> | <u>\$ 9,969</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 22,000 | \$ 9,969 | B1k | | | \$ 31,969 | \$ 9,969 |
| Debt Service | - | | | | | - | - |
| Transfers Out | - | | | | | - | - |
| Reserves | - | | | | | - | - |
| Appropriations & Reserves Police Confiscation - State Fund | <u>\$ 22,000</u> | <u>\$ 9,969</u> | | <u>\$ -</u> | | <u>\$ 31,969</u> | <u>\$ 9,969</u> |
| POLICE CONFISCATION - STATE | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ 100,590 | \$ 127,774 | B1i | | | \$ 228,364 | \$ 127,774 |
| Reserves | | | | | | | |
| Miscellaneous | 100 | | | | | 100 | - |
| Interfund Transfers | - | | | | | - | - |
| Total Police Confiscation-State Fund Sources | <u>\$ 100,690</u> | <u>\$ 127,774</u> | | <u>\$ -</u> | | <u>\$ 228,464</u> | <u>\$ 127,774</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 39,150 | | | | | \$ 39,150 | \$ - |

CITY OF CAPE CORAL
FY 2017 BUDGET - FUND LEVEL SUMMARY
ATTACHMENT A TO ORDINANCE 20-17

| | ADOPTED ORD 46-16 | BA #1 INCREASE | REF #1 | BA #1 (DECREASE) | REF #2 | AMEND BUDGET #1 - ORD 20-17 | BA #1 NET CHANGE |
|---|----------------------|-------------------|--------|---------------------|--------|--------------------------------|---------------------|
| Debt Service | - | | | | | - | - |
| Transfers Out | - | | | | | - | - |
| Reserves | 61,540 | 127,774 | B1i | | | 189,314 | 127,774 |
| Appropriations & Reserves Police Confiscation - State Fund | <u>\$ 100,690</u> | <u>\$ 127,774</u> | | <u>\$ -</u> | | <u>\$ 228,464</u> | <u>\$ 127,774</u> |
| POLICE CONFISCATION - FEDERAL | | | | | | | |
| Balances Brought Forward | \$ 493,637 | \$ 58,978 | B1j | | | \$ 552,615 | \$ 58,978 |
| Reserves | | | | | | | |
| Miscellaneous | 300 | | | | | 300 | - |
| Interfund Transfers | - | | | | | - | - |
| Total Police Confiscation-State Fund Sources | <u>\$ 493,937</u> | <u>\$ 58,978</u> | | <u>\$ -</u> | | <u>\$ 552,915</u> | <u>\$ 58,978</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 88,188 | | | | | \$ 88,188 | \$ - |
| Debt Service | - | | | | | - | - |
| Transfers Out | - | | | | | - | - |
| Reserves | 405,749 | 58,978 | B1j | | | 464,727 | 58,978 |
| Appropriations & Reserves Police Confiscation - Federal Fund | <u>\$ 493,937</u> | <u>\$ 58,978</u> | | <u>\$ -</u> | | <u>\$ 552,915</u> | <u>\$ 58,978</u> |
| ALARM FEE FUND | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ 6,148 | \$ 18,608 | B1l | | | \$ 24,756 | \$ 18,608 |
| Revenues: | | | | | | | |
| Charges for Service | 139,271 | | | | | 139,271 | - |
| Miscellaneous | 200 | | | | | 200 | - |
| Interfund Transfers | - | | | | | - | - |
| Total Alarm Fee Fund Sources | <u>\$ 145,619</u> | <u>\$ 18,608</u> | | <u>\$ -</u> | | <u>\$ 164,227</u> | <u>\$ 18,608</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 137,136 | | | | | \$ 137,136 | \$ - |
| Debt Service | - | | | | | - | - |
| Transfers Out | 7,500 | | | | | 7,500 | - |
| Reserves | 983 | 18,608 | B1l | | | 19,591 | 18,608 |
| Appropriations & Reserves Alarm Fee Fund | <u>\$ 145,619</u> | <u>\$ 18,608</u> | | <u>\$ -</u> | | <u>\$ 164,227</u> | <u>\$ 18,608</u> |
| ALL HAZARDS FUND | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ 1,071,873 | | | \$ (50,017) | B1m | \$ 1,021,856 | \$ (50,017) |
| Revenues: | | | | | | | |
| Ad Valorem Taxes | 777,122 | | | | | 777,122 | - |
| Intergovernmental | - | | | | | - | - |
| Miscellaneous | - | | | | | - | - |
| Interfund Transfers | - | | | | | - | - |
| Total All Hazards Fund Sources | <u>\$ 1,848,995</u> | <u>\$ -</u> | | <u>\$ (50,017)</u> | | <u>\$ 1,798,978</u> | <u>\$ (50,017)</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 645,410 | \$ 82,436 | B2e | | | \$ 727,846 | \$ 82,436 |
| Debt Service | - | | | | | - | - |
| Transfers Out | 180,000 | | | | | 180,000 | - |
| Reserves | 1,023,585 | | | (50,017) | B1m | 891,132 | (132,453) |
| | | | | (82,436) | B2e | | |
| Appropriations & Reserves All Hazards Fund | <u>\$ 1,848,995</u> | <u>\$ 82,436</u> | | <u>\$ (132,453)</u> | | <u>\$ 1,798,978</u> | <u>\$ (50,017)</u> |
| DEL PRADO PARKING LOT MAINTENANCE | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ 78,172 | | | \$ (78,172) | B1n | \$ - | \$ (78,172) |
| Revenues: | | | | | | | |
| Licenses, Permits, Franchise, Impact Fees & Special Assessments | 122,000 | | | | | 122,000 | - |
| Miscellaneous | 17,000 | | | | | 17,000 | - |
| Interfund Transfers | - | | | | | - | - |
| Total Del Prado Mall Maintenance Fund Sources | <u>\$ 217,172</u> | <u>\$ -</u> | | <u>\$ (78,172)</u> | | <u>\$ 139,000</u> | <u>\$ (78,172)</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 38,010 | | | | | \$ 38,010 | \$ - |
| Debt Service | 98,639 | | | | | 98,639 | - |
| Transfers Out | - | | | | | - | - |
| Reserves | 80,523 | | | (78,172) | B1n | 2,351 | (78,172) |
| Appropriations & Reserves Del Prado Mall Maintenance Fund | <u>\$ 217,172</u> | <u>\$ -</u> | | <u>\$ (78,172)</u> | | <u>\$ 139,000</u> | <u>\$ (78,172)</u> |
| LOT MOWING FUND | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ 1,915,562 | | | \$ (496,114) | B1q | \$ 1,419,448 | \$ (496,114) |
| Revenues: | | | | | | | |
| Charges for Service | 3,434,685 | | | | | 3,434,685 | - |
| Miscellaneous | - | | | | | - | - |
| Fines & Forfeitures | 51,000 | | | | | 51,000 | - |
| Interfund Transfers | - | | | | | - | - |

CITY OF CAPE CORAL
FY 2017 BUDGET - FUND LEVEL SUMMARY
ATTACHMENT A TO ORDINANCE 20-17

| | ADOPTED ORD 46-16 | BA #1 INCREASE | REF #1 | BA #1 (DECREASE) | REF #2 | AMEND BUDGET #1 - ORD 20-17 | BA #1 NET CHANGE |
|---|----------------------|-------------------|--------|-----------------------------------|--------|--------------------------------|---------------------|
| Total Lot Mowing Fund Sources | \$ 5,401,247 | \$ - | | \$ (496,114) | | \$ 4,905,133 | \$ (496,114) |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 3,851,764 | \$ 999,941 | B2d | | | \$ 4,851,705 | \$ 999,941 |
| Debt Service | - | - | | | | - | - |
| Transfers Out | - | - | | | | - | - |
| Reserves | 1,549,483 | | | (496,114) (999,941) B1q B2d | | 53,428 | (1,496,055) |
| Appropriations & Reserves Lot Mowing Fund | \$ 5,401,247 | \$ 999,941 | | \$ (1,496,055) | | \$ 4,905,133 | \$ (496,114) |
| BUILDING DIVISION FUND | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ 3,129,960 | \$ 1,334,358 | B1o | | | \$ 4,464,318 | \$ 1,334,358 |
| Revenues: | | | | | | | |
| Licenses, Permits, Franchise, Impact Fees & Special Assessments | 4,974,505 | | | | | 4,974,505 | - |
| Charges for Service | 241,130 | | | | | 241,130 | - |
| Fines & Forfeitures | 36,140 | | | | | 36,140 | - |
| Miscellaneous | 2,275 | | | | | 2,275 | - |
| Interfund Transfers | - | | | | | - | - |
| Total Building Division Sources | \$ 8,384,010 | \$ 1,334,358 | | \$ - | | \$ 9,718,368 | \$ 1,334,358 |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 4,593,115 | \$ 407,151 | B2c | | | \$ 5,000,266 | \$ 407,151 |
| Debt Service | - | - | | | | - | - |
| Transfers Out | 764,317 | | | | | 764,317 | - |
| Reserves | 3,026,578 | 1,334,358 | B1o | (407,151) B2c | | 3,953,785 | 927,207 |
| Appropriations & Reserves Building Division Fund | \$ 8,384,010 | \$ 1,741,509 | | \$ (407,151) | | \$ 9,718,368 | \$ 1,334,358 |
| COMMUNITY REDEVELOPMENT TRUST FUND | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ 1,824,267 | \$ 576,129 | B4 | | | \$ 2,400,396 | \$ 576,129 |
| Revenues: | | | | | | | |
| Ad Valorem Taxes | 615,653 | | | (6,851) B4 | | 608,802 | (6,851) |
| Charges for Service | - | | | | | - | - |
| Miscellaneous | 5,700 | | | | | 5,700 | - |
| Interfund Transfers | 1,001,219 | | | (7,982) B4 | | 993,237 | (7,982) |
| Total Community Redevelopment Trust Fund Sources | \$ 3,446,839 | \$ 576,129 | | \$ (14,833) | | \$ 4,008,135 | \$ 561,296 |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 3,029,992 | \$ 576,129 | B4 | \$ (14,833) B4 | | \$ 3,591,288 | \$ 561,296 |
| Debt Service | - | - | | | | - | - |
| Transfers Out | 416,847 | | | | | 416,847 | - |
| Reserves | - | - | | | | - | - |
| Appropriations & Reserves Community Redevelopment Trust Fund | \$ 3,446,839 | \$ 576,129 | | \$ (14,833) | | \$ 4,008,135 | \$ 561,296 |
| CITY CENTRUM BUSINESS PARK FUND | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ 12,849 | | | | | \$ 12,849 | \$ - |
| Revenues: | | | | | | | |
| Intergovernmental | - | | | | | - | - |
| Miscellaneous | - | | | | | - | - |
| Interfund Transfers | - | | | | | - | - |
| Total City Centrum Business Park Fund Sources | \$ 12,849 | \$ - | | \$ - | | \$ 12,849 | \$ - |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 12,849 | | | | | \$ 12,849 | \$ - |
| Debt Service | - | | | | | - | - |
| Transfers Out | - | | | | | - | - |
| Reserves | - | | | | | - | - |
| Appropriations & Reserves City Centrum Business Park Fund | \$ 12,849 | \$ - | | \$ - | | \$ 12,849 | \$ - |
| SEAWALL ASSESSMENTS | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ - | | | | | \$ - | \$ - |
| Revenues: | | | | | | | |
| Licenses, Permits, Franchise, Impact Fees & Special Assessments | - | | | | | - | - |
| Fines & Forfeitures | 1,400 | | | | | 1,400 | - |
| Miscellaneous | - | | | | | - | - |
| Interfund Transfers | - | | | | | - | - |
| Total Seawall Assessment Funds Sources | \$ 1,400 | \$ - | | \$ - | | \$ 1,400 | \$ - |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 1,400 | | | | | \$ 1,400 | \$ - |
| Debt Service | - | | | | | - | - |

CITY OF CAPE CORAL
FY 2017 BUDGET - FUND LEVEL SUMMARY
ATTACHMENT A TO ORDINANCE 20-17

| | ADOPTED ORD 46-16 | BA #1 INCREASE | REF #1 | BA #1 (DECREASE) | REF #2 | AMEND BUDGET #1 - ORD 20-17 | BA #1 NET CHANGE |
|---|----------------------|-------------------|--------|---------------------|--------|--------------------------------|---------------------|
| Transfers Out | - | | | | | - | - |
| Reserves | - | | | | | - | - |
| Appropriations & Reserves Seawall Assessment Funds | <u>\$ 1,400</u> | <u>\$ -</u> | | <u>\$ -</u> | | <u>\$ 1,400</u> | <u>\$ -</u> |
| SUN SPLASH WATERPARK FUND | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ - | \$ 148,415 | B1r | | | \$ 148,415 | \$ 148,415 |
| Revenues: | | | | | | | |
| Intergovernmental | - | | | | | - | - |
| Charges for Service | 2,485,912 | | | | | 2,485,912 | - |
| Miscellaneous | 11,876 | | | | | 11,876 | - |
| Interfund Transfers | 464,567 | 287,010 | B2g | | | 751,577 | 287,010 |
| Debt Proceeds | - | | | | | - | - |
| Total Sun Splash Waterpark Fund Sources | <u>\$ 2,962,355</u> | <u>\$ 435,425</u> | | <u>\$ -</u> | | <u>\$ 3,397,780</u> | <u>\$ 435,425</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 2,460,091 | \$ 435,425 | B2g | | | \$ 2,895,516 | \$ 435,425 |
| Debt Service | - | | | | | - | - |
| Transfers Out | 502,264 | | | | | 502,264 | - |
| Reserves | - | 148,415 | B1r | | | - | - |
| | | | | (148,415) | B2g | | |
| Appropriations & Reserves Sun Splash Waterpark Fund | <u>\$ 2,962,355</u> | <u>\$ 583,840</u> | | <u>\$ (148,415)</u> | | <u>\$ 3,397,780</u> | <u>\$ 435,425</u> |
| PARK & RECREATION PROGRAMS FUND | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ - | \$ 240,268 | B1s | | | \$ 240,268 | \$ 240,268 |
| Reserves | | | | | | | |
| Intergovernmental | 480,947 | | | | | 480,947 | - |
| Charges for Service | 3,614,357 | | | | | 3,614,357 | - |
| Fines & Forfeitures | 800 | | | | | 800 | - |
| Miscellaneous | 266,399 | | | | | 266,399 | - |
| Interfund Transfers | 4,371,917 | 371,865 | B2f | | | 4,743,782 | 371,865 |
| Debt Proceeds | - | | | | | - | - |
| Total P&R Programs Fund Sources | <u>\$ 8,734,420</u> | <u>\$ 612,133</u> | | <u>\$ -</u> | | <u>\$ 9,346,553</u> | <u>\$ 612,133</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 8,734,420 | \$ 612,133 | B2f | | | \$ 9,346,553 | \$ 612,133 |
| Debt Service | - | | | | | - | - |
| Transfers Out | - | | | | | - | - |
| Reserves | - | 240,268 | B1s | (240,268) | B2f | - | - |
| Appropriations & Reserves Park Programs Fund | <u>\$ 8,734,420</u> | <u>\$ 852,401</u> | | <u>\$ (240,268)</u> | | <u>\$ 9,346,553</u> | <u>\$ 612,133</u> |
| NEIGHBORHOOD STABILIZATION (NSP/HUD) FUND | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ - | | | | | \$ - | \$ - |
| Revenues: | | | | | | | |
| Intergovernmental | | | | | | - | - |
| Miscellaneous | - | | | | | - | - |
| Interfund Transfers | - | | | | | - | - |
| Total Neighborhood Stabilization Fund (NSP/HUD) Sources | <u>\$ -</u> | <u>\$ -</u> | | <u>\$ -</u> | | <u>\$ -</u> | <u>\$ -</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ - | | | | | \$ - | \$ - |
| Debt Service | - | | | | | - | - |
| Transfers Out | - | | | | | - | - |
| Reserves | - | | | | | - | - |
| Appropriations & Reserves Neighborhood Stabilization Fund (NSP/HUD) | <u>\$ -</u> | <u>\$ -</u> | | <u>\$ -</u> | | <u>\$ -</u> | <u>\$ -</u> |
| COMMUNITY DEVELOPMENT BLOCK GRANT FUND (CDBG) | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ - | | | | | \$ - | \$ - |
| Revenues: | | | | | | | |
| Intergovernmental | 940,159 | | | | | 940,159 | - |
| Miscellaneous | | | | | | - | - |
| Interfund Transfers | - | | | | | - | - |
| Total Community Development Block Grant Fund Sources | <u>\$ 940,159</u> | <u>\$ -</u> | | <u>\$ -</u> | | <u>\$ 940,159</u> | <u>\$ -</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 921,056 | | | | | \$ 921,056 | \$ - |
| Debt Service | - | | | | | - | - |
| Transfers Out | 19,103 | | | | | 19,103 | - |
| Reserves | - | | | | | - | - |
| Appropriations & Reserves Community Development Block Grant Fund | <u>\$ 940,159</u> | <u>\$ -</u> | | <u>\$ -</u> | | <u>\$ 940,159</u> | <u>\$ -</u> |

CITY OF CAPE CORAL
FY 2017 BUDGET - FUND LEVEL SUMMARY
ATTACHMENT A TO ORDINANCE 20-17

| | ADOPTED ORD 46-16 | BA #1 INCREASE | REF #1 | BA #1 (DECREASE) | REF #2 | AMEND BUDGET #1 - ORD 20-17 | BA #1 NET CHANGE |
|--|----------------------|---------------------|--------|---------------------|--------|--------------------------------|---------------------|
| DEBT SERVICE FUND | | | | | | | |
| <u>SOURCES</u> | | | | | | | |
| Balances Brought Forward | \$ 1,322,637 | \$ 6,109,565 | B1z | | | \$ 7,432,202 | \$ 6,109,565 |
| Revenues: | | | | | | | |
| Miscellaneous | 3,707,194 | | | | | 3,707,194 | - |
| Interfund Transfers | 17,243,408 | | | | | 17,243,408 | - |
| Total Debt Service Fund Sources | <u>\$ 22,273,239</u> | <u>\$ 6,109,565</u> | | <u>\$ -</u> | | <u>\$ 28,382,804</u> | <u>\$ 6,109,565</u> |
| <u>USES</u> | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 2,980 | | | | | \$ 2,980 | \$ - |
| Debt Service | 21,355,352 | | | | | 21,355,352 | - |
| Transfers Out | - | | | | | - | - |
| Reserves | 914,907 | 6,109,565 | B1z | | | 7,024,472 | 6,109,565 |
| Appropriations & Reserves Debt Service Fund | <u>\$ 22,273,239</u> | <u>\$ 6,109,565</u> | | <u>\$ -</u> | | <u>\$ 28,382,804</u> | <u>\$ 6,109,565</u> |
| CAPITAL PROJECTS FUNDS | | | | | | | |
| FIRE STATION CONSTRUCTION CAPITAL PROJECT FUND | | | | | | | |
| <u>SOURCES</u> | | | | | | | |
| Balances Brought Forward | \$ - | | | | | \$ - | \$ - |
| Revenues: | | | | | | | |
| Intergovernmental | - | | | | | - | - |
| Miscellaneous | - | | | | | - | - |
| Interfund Transfers | - | | | | | - | - |
| Debt Proceeds | 2,569,610 | | | | | 2,569,610 | - |
| Total Fire Station Capital Project Fund Sources | <u>\$ 2,569,610</u> | <u>\$ -</u> | | <u>\$ -</u> | | <u>\$ 2,569,610</u> | <u>\$ -</u> |
| <u>USES</u> | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 2,569,610 | | | | | \$ 2,569,610 | \$ - |
| Debt Service | - | | | | | - | - |
| Transfers Out | - | | | | | - | - |
| Reserves | - | | | | | - | - |
| Appropriations & Reserves Fire Station Construction Cap Fund | <u>\$ 2,569,610</u> | <u>\$ -</u> | | <u>\$ -</u> | | <u>\$ 2,569,610</u> | <u>\$ -</u> |
| TRANSPORTATION CAPITAL PROJECTS FUND | | | | | | | |
| <u>SOURCES</u> | | | | | | | |
| Balances Brought Forward | \$ - | | | | | \$ - | \$ - |
| Revenues: | | | | | | | |
| Intergovernmental | 797,900 | | | (2,009) J2 | | 795,891 | (2,009) |
| Miscellaneous | - | | | | | - | - |
| Interfund Transfers | 8,166,000 | | | | | 8,166,000 | - |
| Debt Proceeds | - | | | | | - | - |
| Total Transportation Capital Project Fund Sources | <u>\$ 8,963,900</u> | <u>\$ -</u> | | <u>\$ (2,009)</u> | | <u>\$ 8,961,891</u> | <u>\$ (2,009)</u> |
| <u>USES</u> | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 8,849,693 | | | (2,009) J2 | | \$ 8,847,684 | \$ (2,009) |
| Debt Service | - | | | | | - | - |
| Transfers Out | 114,207 | | | | | 114,207 | - |
| Reserves | - | | | | | - | - |
| Appropriations & Reserves Transportation Capital Fund | <u>\$ 8,963,900</u> | <u>\$ -</u> | | <u>\$ (2,009)</u> | | <u>\$ 8,961,891</u> | <u>\$ (2,009)</u> |
| PUBLIC WORKS CAPITAL PROJECT FUND | | | | | | | |
| <u>SOURCES</u> | | | | | | | |
| Balances Brought Forward | \$ - | | | | | \$ - | \$ - |
| Revenues: | | | | | | | |
| Miscellaneous | - | | | | | - | - |
| Interfund Transfers | - | | | | | - | - |
| Debt Proceeds | 4,700,000 | | | | | 4,700,000 | - |
| Total Public Works Capital Project Fund Sources | <u>\$ 4,700,000</u> | <u>\$ -</u> | | <u>\$ -</u> | | <u>\$ 4,700,000</u> | <u>\$ -</u> |
| <u>USES</u> | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 4,700,000 | | | | | \$ 4,700,000 | \$ - |
| Debt Service | - | | | | | - | - |
| Transfers Out | - | | | | | - | - |
| Reserves | - | | | | | - | - |
| Appropriations & Reserves Public Works Capital Fund | <u>\$ 4,700,000</u> | <u>\$ -</u> | | <u>\$ -</u> | | <u>\$ 4,700,000</u> | <u>\$ -</u> |
| ENTERPRISE FUNDS | | | | | | | |
| WATER & SEWER UTILITY FUND | | | | | | | |
| <u>SOURCES</u> | | | | | | | |
| Balances Brought Forward | \$ 50,092,569 | \$ 24,454,318 | B1t | | | \$ 74,546,887 | \$ 24,454,318 |
| Revenues: | | | | | | | |

CITY OF CAPE CORAL
FY 2017 BUDGET - FUND LEVEL SUMMARY
ATTACHMENT A TO ORDINANCE 20-17

| | ADOPTED ORD 46-16 | BA #1 INCREASE | REF #1 | BA #1 (DECREASE) | REF #2 | AMEND BUDGET #1 - ORD 20-17 | BA #1 NET CHANGE |
|---|-----------------------|----------------------|--------|-----------------------|--------|--------------------------------|-----------------------|
| Licenses, Permits, Franchise, Impact Fees & Special Assessments | 46,905,174 | | | | | 46,905,174 | - |
| Charges for Service | 80,538,056 | | | | | 80,538,056 | - |
| Internal Service Charges | 609,840 | | | | | 609,840 | - |
| Intergovernmental | - | | | | | - | - |
| Fines & Forfeitures | 773,574 | | | | | 773,574 | - |
| Miscellaneous | 1,208,073 | | | | | 1,208,073 | - |
| Debt Proceeds | 53,330,060 | | | | | 53,330,060 | - |
| Interfund Transfers | 76,315,856 | | | | | 76,315,856 | - |
| Total Water & Sewer Utility Fund Sources | <u>\$ 309,773,202</u> | <u>\$ 24,454,318</u> | | <u>\$ -</u> | | <u>\$ 334,227,520</u> | <u>\$ 24,454,318</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 129,807,650 | \$ 2,676,197 | B2i | | | \$ 132,483,847 | \$ 2,676,197 |
| Debt Service | 51,130,365 | | | | | 51,130,365 | - |
| Transfers Out | 76,412,490 | | | | | 76,412,490 | - |
| Reserves | 52,422,697 | 24,454,318 | B1t | | | 74,200,818 | 21,778,121 |
| | | | | (2,676,197) | B2i | | |
| Appropriations & Reserves Water & Sewer Utility Fund | <u>\$ 309,773,202</u> | <u>\$ 27,130,515</u> | | <u>\$ (2,676,197)</u> | | <u>\$ 334,227,520</u> | <u>\$ 24,454,318</u> |
| STORMWATER UTILITY FUND | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ 9,937,715 | | | \$ (3,839,740) | B1u | \$ 6,097,975 | \$ (3,839,740) |
| Revenues: | | | | | | | |
| Licenses, Permits, Franchise, Impact Fees & Special Assessments | 3,660 | | | | | 3,660 | - |
| Intergovernmental | - | | | | | - | - |
| Charges for Service | 14,112,848 | | | | | 14,112,848 | - |
| Fines & Forfeitures | 54,664 | | | | | 54,664 | - |
| Miscellaneous | 108,862 | | | | | 108,862 | - |
| Interfund Transfers | - | | | | | - | - |
| Debt Proceeds | 2,500,000 | | | | | 2,500,000 | - |
| Total Stormwater Utility Fund Sources | <u>\$ 26,717,749</u> | <u>\$ -</u> | | <u>\$ (3,839,740)</u> | | <u>\$ 22,878,009</u> | <u>\$ (3,839,740)</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 16,861,868 | \$ 908,789 | B2h | | | \$ 17,770,657 | \$ 908,789 |
| Debt Service | 443,000 | | | | | 443,000 | - |
| Transfers Out | - | | | | | - | - |
| Reserves | 9,412,881 | | | (3,839,740) | B1u | 4,664,352 | (4,748,529) |
| | | | | (908,789) | B2h | | |
| Appropriations & Reserves Stormwater Utility Fund | <u>\$ 26,717,749</u> | <u>\$ 908,789</u> | | <u>\$ (4,748,529)</u> | | <u>\$ 22,878,009</u> | <u>\$ (3,839,740)</u> |
| YACHT BASIN FUND | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ 877,561 | | | \$ (584,560) | B1v | \$ 293,001 | \$ (584,560) |
| Revenues: | | | | | | | |
| Charges for Service | 539,127 | | | | | 539,127 | - |
| Miscellaneous | 1,200 | | | | | 1,200 | - |
| Interfund Transfers | - | | | | | - | - |
| Total Yacht Basin Fund Sources | <u>\$ 1,417,888</u> | <u>\$ -</u> | | <u>\$ (584,560)</u> | | <u>\$ 833,328</u> | <u>\$ (584,560)</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 411,490 | \$ 41,940 | B2j | | | \$ 453,430 | \$ 41,940 |
| Debt Service | - | | | | | - | - |
| Transfers Out | 115,000 | | | | | 115,000 | - |
| Reserves | 891,398 | | | (584,560) | B1v | 264,898 | (626,500) |
| | | | | (41,940) | B2j | | |
| Appropriations & Reserves Yacht Basin Fund | <u>\$ 1,417,888</u> | <u>\$ 41,940</u> | | <u>\$ (626,500)</u> | | <u>\$ 833,328</u> | <u>\$ (584,560)</u> |
| GOLF COURSE FUND | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ - | | | | | \$ - | \$ - |
| Revenues: | | | | | | | |
| Charges for Service | 2,535,545 | | | | | 2,535,545 | - |
| Miscellaneous | 16,500 | | | | | 16,500 | - |
| Interfund Transfers | 474,911 | | | | | 474,911 | - |
| Total Golf Course Fund Sources | <u>\$ 3,026,956</u> | <u>\$ -</u> | | <u>\$ -</u> | | <u>\$ 3,026,956</u> | <u>\$ -</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 3,026,956 | | | | | \$ 3,026,956 | \$ - |
| Debt Service | - | | | | | - | - |
| Transfers Out | - | | | | | - | - |
| Reserves | - | | | | | - | - |
| Appropriations & Reserves Golf Course Fund | <u>\$ 3,026,956</u> | <u>\$ -</u> | | <u>\$ -</u> | | <u>\$ 3,026,956</u> | <u>\$ -</u> |
| CHARTER SCHOOL OPERATING FUND | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ 4,083,012 | \$ 1,207,044 | B5 | | | \$ 5,290,056 | \$ 1,207,044 |

CITY OF CAPE CORAL
FY 2017 BUDGET - FUND LEVEL SUMMARY
ATTACHMENT A TO ORDINANCE 20-17

| | ADOPTED ORD 46-16 | BA #1 INCREASE | REF #1 | BA #1 (DECREASE) | REF #2 | AMEND BUDGET #1 - ORD 20-17 | BA #1 NET CHANGE |
|---|----------------------|---------------------|--------|---------------------|------------|--------------------------------|---------------------|
| Revenues: | | | | | | | |
| Intergovernmental | 22,662,513 | 366,470 | B5 | | | 23,028,983 | 366,470 |
| Charges for Service | 1,334,531 | | | (702,131) | B5 | 632,400 | (702,131) |
| Miscellaneous | 222,475 | 153,573 | B5 | | | 376,048 | 153,573 |
| Total Charter School Operating Fund Sources | <u>\$ 28,302,531</u> | <u>\$ 1,727,087</u> | | <u>\$ (702,131)</u> | | <u>\$ 29,327,487</u> | <u>\$ 1,024,956</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 24,199,519 | \$ 299,246 | B5 | | | \$ 24,498,765 | \$ 299,246 |
| Debt Service | - | | | | | - | - |
| Other | - | | | | | - | - |
| Reserves | 4,103,012 | 725,710 | B5 | | | 4,828,722 | 725,710 |
| Appropriations & Reserves Charter School Operating Fund | <u>\$ 28,302,531</u> | <u>\$ 1,024,956</u> | | <u>\$ -</u> | | <u>\$ 29,327,487</u> | <u>\$ 1,024,956</u> |
| INTERNAL SERVICE FUNDS (ISF) | | | | | | | |
| WORKERS COMP INSURANCE FUND | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ 5,790,531 | | | \$ (951,145) | B1w | \$ 4,839,386 | \$ (951,145) |
| Revenues: | | | | | | | |
| Internal Service Charges | - | | | | | - | - |
| Miscellaneous | 3,549,874 | | | | | 3,549,874 | - |
| Interfund Transfers | - | | | | | - | - |
| Total Workers Compensation Insurance Fund Sources | <u>\$ 9,340,405</u> | <u>\$ -</u> | | <u>\$ (951,145)</u> | | <u>\$ 8,389,260</u> | <u>\$ (951,145)</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 3,387,756 | \$ 43,089 | B2i | | | \$ 3,430,845 | \$ 43,089 |
| Debt Service | - | | | | | - | - |
| Transfers Out | - | | | | | - | - |
| Reserves | 5,952,649 | | | (951,145) | B1w B2l | 4,958,415 | (994,234) |
| Appropriations & Reserves Workers Compensation Insurance Fund | <u>\$ 9,340,405</u> | <u>\$ 43,089</u> | | <u>\$ (994,234)</u> | | <u>\$ 8,389,260</u> | <u>\$ (951,145)</u> |
| PROPERTY LIABILITY INSURANCE FUND | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ 2,087,990 | | | \$ (286,281) | B1x | \$ 1,801,709 | \$ (286,281) |
| Revenues: | | | | | | | |
| Charges for Service | - | | | | | - | - |
| Internal Service Charges | 3,855,633 | | | | | 3,855,633 | - |
| Miscellaneous | - | | | | | - | - |
| Interfund Transfers | - | | | | | - | - |
| Total Property Liability Insurance Fund Sources | <u>\$ 5,943,623</u> | <u>\$ -</u> | | <u>\$ (286,281)</u> | | <u>\$ 5,657,342</u> | <u>\$ (286,281)</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 3,859,054 | | | | | \$ 3,859,054 | \$ - |
| Debt Service | - | | | | | - | - |
| Transfers Out | - | | | | | - | - |
| Reserves | 2,084,569 | | | (286,281) | B1x | 1,798,288 | (286,281) |
| Appropriations & Reserves Property Liability Insurance Fund | <u>\$ 5,943,623</u> | <u>\$ -</u> | | <u>\$ (286,281)</u> | | <u>\$ 5,657,342</u> | <u>\$ (286,281)</u> |
| FACILITIES INTERNAL SERVICE | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ - | | | | | \$ - | \$ - |
| Revenues: | | | | | | | |
| Internal Service Charges | 4,663,561 | 57,193 | B2k | | | 4,720,754 | 57,193 |
| Miscellaneous | - | | | | | - | - |
| Interfund Transfers | - | | | | | - | - |
| Total Internal Service Fund Sources | <u>\$ 4,663,561</u> | <u>\$ 57,193</u> | | <u>\$ -</u> | | <u>\$ 4,720,754</u> | <u>\$ 57,193</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 4,663,561 | \$ 57,193 | B2k | | | \$ 4,720,754 | \$ 57,193 |
| Debt Service | - | | | | | - | - |
| Transfers Out | - | | | | | - | - |
| Reserves | - | | | | | - | - |
| Appropriations & Reserves Facilities Internal Service Fund | <u>\$ 4,663,561</u> | <u>\$ 57,193</u> | | <u>\$ -</u> | | <u>\$ 4,720,754</u> | <u>\$ 57,193</u> |
| FLEET INTERNAL SERVICE | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ - | | | | | \$ - | \$ - |
| Revenues: | | | | | | | |
| Internal Service Charges | 4,609,537 | 446,802 | B2l | | | 5,056,339 | 446,802 |
| Miscellaneous | - | | | | | - | - |
| Interfund Transfers | - | | | | | - | - |
| Total Fleet Internal Service Fund Sources | <u>\$ 4,609,537</u> | <u>\$ 446,802</u> | | <u>\$ -</u> | | <u>\$ 5,056,339</u> | <u>\$ 446,802</u> |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 4,609,537 | \$ 446,802 | B2l | | | \$ 5,056,339 | \$ 446,802 |
| Debt Service | - | | | | | - | - |
| Transfers Out | - | | | | | - | - |
| Reserves | - | | | | | - | - |

CITY OF CAPE CORAL
FY 2017 BUDGET - FUND LEVEL SUMMARY
ATTACHMENT A TO ORDINANCE 20-17

| | ADOPTED ORD 46-16 | BA #1 INCREASE | REF #1 | BA #1 (DECREASE) | REF #2 | AMEND BUDGET #1 - ORD 20-17 | BA #1 NET CHANGE |
|--|-----------------------|---------------------------|--------|-----------------------------|--------|--|-----------------------------|
| Appropriations & Reserves Fleet Internal Service Fund | \$ 4,609,537 | \$ 446,802 | | \$ - | | \$ 5,056,339 | \$ 446,802 |
| SELF INSURED HEALTH PLAN INTERNAL SERVICE | | | | | | | |
| SOURCES | | | | | | | |
| Balances Brought Forward | \$ 408,276 | \$ 3,508,793 | B1y | | | \$ 3,917,069 | \$ 3,508,793 |
| Revenues: | | | | | | | |
| Internal Service Charges | 17,797,040 | | | | | 17,797,040 | - |
| Miscellaneous | 140,000 | | | | | 140,000 | - |
| Interfund Transfers | - | | | | | - | - |
| Total Self Insured Health Plan Internal Service Fund Sources | \$ 18,345,316 | \$ 3,508,793 | | \$ - | | \$ 21,854,109 | \$ 3,508,793 |
| USES | | | | | | | |
| Personnel, Operating, Capital Expenditures | \$ 15,286,005 | | | | | \$ 15,286,005 | \$ - |
| Debt Service | - | | | | | - | - |
| Transfers Out | - | | | | | - | - |
| Reserves | 3,059,311 | 3,508,793 | B1y | | | 6,568,104 | 3,508,793 |
| Appropriations & Reserves Self Insured Health Plan Int Serv Fund | \$ 18,345,316 | \$ 3,508,793 | | \$ - | | \$ 21,854,109 | \$ 3,508,793 |
| TOTAL FY 2017 BUDGET | \$ 698,974,062 | \$ 78,139,785 | | \$ (19,752,182) | | \$ 757,361,665 | \$ 58,387,603 |
| TOTAL FY 2017 REVENUE (SOURCES) BUDGET | \$ 698,974,062 | \$ 65,392,605 | | \$ (7,005,002) | | \$ 757,361,665 | \$ 58,387,603 |
| TOTAL FY 2017 EXPENDITURE (USES) BUDGET | \$ 698,974,062 | \$ 78,139,785 | | \$ (19,752,182) | | \$ 757,361,665 | \$ 58,387,603 |
| FUND TYPE SUMMARY | | | | | | | |
| | AS ADOPTED | BA #1 INCREASE | | BA #1 (DECREASE) | | AMEND BUDGET #1 - ORD ##-17 | BA #1 NET CHANGE |
| General Fund | \$ 195,691,726 | \$ 15,575,265 | | \$ - | | \$ 211,266,991 | \$ 15,575,265 |
| Special Revenue | 52,634,819 | 13,513,582 | | (639,136) | | 65,509,265 | 12,874,446 |
| Debt Service | 22,273,239 | 6,109,565 | | - | | 28,382,804 | 6,109,565 |
| Capital Project | 16,233,510 | - | | (2,009) | | 16,231,501 | (2,009) |
| Enterprise | 369,238,326 | 26,181,405 | | (5,126,431) | | 390,293,300 | 21,054,974 |
| Internal Service | 42,902,442 | 4,012,788 | | (1,237,426) | | 45,677,804 | 2,775,362 |
| Total | \$ 698,974,062 | \$ 65,392,605 | | \$ (7,005,002) | | \$ 757,361,665 | \$ 58,387,603 |
| ANNUAL OPERATING | \$ 604,821,244 | \$ 64,974,778 | | \$ (7,002,993) | | \$ 711,683,861 | \$ 12,711,808 |
| MULTI YEAR GRANT PROGRAMS & CAPITAL PROJECTS | 94,152,818 | 417,827 | | (2,009) | | 45,677,804 | 45,675,795 |
| TOTAL BUDGET | \$ 698,974,062 | \$ 65,392,605 | | \$ (7,005,002) | | \$ 757,361,665 | \$ 58,387,603 |

| Reference | Description | Amount |
|--|--|---------|
| CAPITAL PROJECTS AND MULTI-YEAR BUDGETS | | |
| Items Previously Approved by City Council | | |
| City Council Approved - February 22, 2016 | | |
| J1 | General Fund - Increase Budget | |
| | City Council accepted Local Agency Program Agreement (LAP) between the Florida Department of Transportation and the City to conduct traffic signal timing studies at various intersections within the City, at no cost to the City. | |
| | Increase Sources: Intergovernmental Revenue | 250,000 |
| | Increase Uses: Operating Expenditures | 250,000 |
| City Council Approved June 6, 2016 | | |
| J2a | Transportation Capital Project Fund - Decrease Budget | |
| | City Council accepted Local Agency Program Agreement (LAP) between the Florida Department of Transportation and the City for installation of sidewalks on the west side of Skyline Boulevard from Gleason Parkway to SW 26th St. The Grant Amount is \$215,534 and the adopted budget included this project at \$216,543. This adjustment brings the budget in line with the executed agreement. | |
| | Decrease Sources: Intergovernmental Revenue | (1,009) |
| | Decrease Uses: Capital Outlay | (1,009) |
| J2b | Transportation Capital Project Fund - Decrease Budget | |
| | City Council accepted Local Agency Program Agreement (LAP) between the Florida Department of Transportation and the City for installation of sidewalks on the west side of Skyline Boulevard from Veterans Parkway to Trafalgar Parkway. The Grant Amount is \$256,518 and the adopted budget included this project at \$257,518. This adjustment brings the budget in line with the executed agreement. | |
| | Decrease Sources: Intergovernmental Revenue | (1,000) |
| | Decrease Uses: Capital Outlay | (1,000) |
| City Council Approved August 1, 2016 | | |
| J3 | General Fund - Increase Budget | |
| | City Council accepted Edward Byrne Memorial Justice Assistance Grant (JAG) - Countywide-State Solicitation Department for the purchase of equipment. Resolution 143-15 | |
| | Increase Sources: Police Department Public Safety Federal Grant | 45,019 |
| | Increase Uses: Operating Expenditures - Equipment | 45,019 |
| City Council Approved August 22, 2016 | | |
| J4 | General Fund - Increase Budget | |
| | City Council accepted 2016-2017 Program-Funded State and Local Task Force Agreement (TFA) - between the United States Department of Justice, Drug Enforcement Administration (DEA), and the City of Cape Coral. Reimbursement of overtime costs to the City by DEA for one investigator assigned to the Task Force. Resolution 149-16 | |
| | Increase Sources: Police Department Public Safety Federal Grant | 17,753 |
| | Increase Uses: Payroll | 17,753 |
| City Council Approved September 19, 2016 | | |
| J5 | General Fund - Increase Budget | |
| | City Council accepted Victims of Crime Act (VOCA) Grant Funding. Resolution 176-16 | |

FY 2017 Budget Amendment #1 to Attachment B Ord. 20-17

| Reference | Description | Amount |
|------------------|---|---------------|
| | Increase Sources: Police Department Public Safety Federal Grant | 105,055 |
| | Increase Uses: Payroll | 105,055 |
| | SUBTOTAL CAPITAL PROJECT & MULTI-YEAR BUDGETS CHANGES | |
| | Sources | 415,818 |
| | Uses | 415,818 |

OPERATING BUDGET

B1 Balance Forward Adjustments Based on FY 2016 Year-End Actuals

B1a General Fund - Increase in Budget

| | |
|---|------------|
| Increase Sources: Balance Brought Forward | 15,157,438 |
| Increase Uses: Undesignated Reserves | 15,157,438 |

B1b Five Cent Gas Tax -Increase in Budget

| | |
|---|-----------|
| Increase Sources: Balance Brought Forward | 4,716,368 |
| Increase Uses: Reserves | 4,716,368 |

B1c Six Cent Gas Tax - Increase in Budget

| | |
|---|-----------|
| Increase Sources: Balance Brought Forward | 3,328,141 |
| Increase Uses: Reserves | 3,328,141 |

B1d Road Impact Fee Fund - Increase in Budget

| | |
|---|---------|
| Increase Sources: Balance Brought Forward | 127,062 |
| Increase Uses: Reserves | 127,062 |

B1e Police Impact Fee Fund - Increase in Budget

| | |
|---|---------|
| Increase Sources: Balance Brought Forward | 450,232 |
| Increase Uses: Reserves | 450,232 |

B1f ALS Impact Fee Fund - Increase in Budget

| | |
|---|--------|
| Increase Sources: Balance Brought Forward | 25,917 |
| Increase Uses: Reserves | 25,917 |

B1g Fire Impact Fee Fund - Increase in Budget

| | |
|---|---------|
| Increase Sources: Balance Brought Forward | 113,252 |
| Increase Uses: Reserves | 113,252 |

B1h Do The Right Thing Fund -Increase in Budget

| | |
|---|--------|
| Increase Sources: Balance Brought Forward | 17,470 |
| Increase Uses: Operating Expenditures | 17,470 |

B1i Police Confiscation- State Fund -Increase in Budget

| | |
|---|---------|
| Increase Sources: Balance Brought Forward | 127,774 |
| Increase Uses: Reserves | 127,774 |

B1j Police Confiscation - Federal Fund -Increase in Budget

| | |
|---|--------|
| Increase Sources: Balance Brought Forward | 58,978 |
| Increase Uses: Reserves | 58,978 |

FY 2017 Budget Amendment #1 to Attachment B Ord. 20-17

| Reference | Description | Amount |
|------------------|--|---------------|
| B1k | Criminal Justice Education - Increase in Budget | |
| | Increase Sources: Balance Brought Forward | 9,969 |
| | Increase Uses: Operating Expenditures (Training) | 9,969 |
| B1l | Alarm Fee Fund -Increase in Budget | |
| | Increase Sources: Balance Brought Forward | 18,608 |
| | Increase Uses: Undesignated Reserves | 18,608 |
| B1m | All Hazards Fund -Decrease in Budget | |
| | Decrease Sources: Balance Brought Forward | (50,017) |
| | Decrease Uses: Undesignated Reserves | (50,017) |
| B1n | Del Prado Parking Lot Fund -Decrease in Budget | |
| | Decrease Sources: Balance Brought Forward | (78,172) |
| | Decrease Uses: Undesignated Reserves | (78,172) |
| B1o | Building Fund -Increase in Budget | |
| | Increase Sources: Balance Brought Forward | 1,334,358 |
| | Increase Uses: Reserves | 1,334,358 |
| B1p | Park Impact Fee Fund -Increase in Budget | |
| | Increase Sources: Balance Brought Forward | 1,561,766 |
| | Increase Uses: Capital Outlay | 1,561,766 |
| B1q | Lot Mowing Fund -Decrease in Budget | |
| | Decrease Sources: Balance Brought Forward | (496,114) |
| | Decrease Uses: Reserves | (496,114) |
| B1r | Waterpark Fund -Increase in Budget | |
| | Increase Sources: Balance Brought Forward | 148,415 |
| | Increase Uses: Reserves | 148,415 |
| B1s | Parks & Rec Program Fund -Increase in Budget | |
| | Increase Sources: Balance Brought Forward | 240,268 |
| | Increase Uses: Reserves | 240,268 |
| B1t | Water & Sewer Fund - Increase in Budget | |
| | Increase Sources: Balances Brought Forward Operations Fund | 1,100,961 |
| | Increase Sources: Balances Brought Forward Impact & CIAC Funds | 23,353,357 |
| | Increase Uses: Reserves | 24,454,318 |
| B1u | Stormwater Fund - Decrease in Budget | |
| | Decrease Sources: Balances Brought Forward | (3,839,740) |
| | Decrease Uses: Reserves | (3,839,740) |
| B1v | Yacht Basin Fund -Decrease in Budget | |
| | Decrease Sources: Balances Brought Forward | (584,560) |
| | Decrease Uses: Reserves | (584,560) |
| B1w | Workers Comp Fund -Decrease in Budget | |
| | Decrease Sources: Balances Brought Forward | (951,145) |
| | Decrease Uses: Reserves | (951,145) |

FY 2017 Budget Amendment #1 to Attachment B Ord. 20-17

| Reference | Description | Amount |
|------------------|--|---------------|
| B1x | Property/Liability Insurance Fund -Decrease in Budget | |
| | Decrease Sources: Balances Brought Forward | (286,281) |
| | Decrease Uses: Reserves | (286,281) |
| B1y | Self Insurance Fund -Increase in Budget | |
| | Increase Sources: Balances Brought Forward | 3,508,793 |
| | Increase Uses: Reserves | 3,508,793 |
| B1z | Debt Service Fund - Increase in Budget | |
| | Increase Sources: Balances Brought Forward | 6,109,565 |
| | Increase Uses: Reserves | 6,109,565 |

REBUDGETING OF FY 2016 ENCUMBRANCES - VARIOUS FUNDS

| | | |
|------------|---|-------------|
| B2 | Rebudget FY 2016 Funds to Cover Projects Budgeted and Started in FY 2015 & FY 2016 | |
| B2a | General Fund - No Change in Budget | |
| | Decrease Uses: Government Services Undesignated Reserves | (7,221,767) |
| | Increase Uses: Operating & Capital Expenditures with Departments | |
| | City Manager | 62,063 |
| | City Attorney | 30,000 |
| | City Auditor | 37,350 |
| | ITS | 647,437 |
| | City Clerk | 713 |
| | Finance | 126,958 |
| | Human Resources | 34,850 |
| | DCD | 13,201 |
| | Police | 164,709 |
| | Fire | 274,445 |
| | Public Works | 470,585 |
| | Parks & Recreation | 1,566,892 |
| | Government Services | 3,792,564 |
| B2b | General Fund Donations Bike/Pedestrian - No Change in Budget | |
| | Decrease Uses: Reserves | (12,461) |
| | Increase Uses: Operating Expenditures | 12,461 |
| B2c | Building - No Change in Budget | |
| | Decrease Uses: Reserves | (407,151) |
| | Increase Uses: Operating Expenditures | 407,151 |
| B2d | Lot Mowing Fund - No Change in Budget | |
| | Decrease Uses: Reserves | (999,941) |
| | Increase Uses: Operating Expenditures | 999,941 |
| B2e | All Hazards Fund - No Change in Budget | |
| | Decrease Uses: Reserves | (82,436) |
| | Increase Uses: Operating Expenditures | 82,436 |
| B2f | P&R Program Fund - Increase in Budget | |
| | Increase Sources: Transfer In | 371,865 |
| | Decrease Uses: Reserves | (240,268) |
| | Increase Uses: Operating& Capital Expenditures | 612,133 |
| | General Fund - No Change in Budget | |
| | Decrease Uses: Reserves | (371,865) |
| | Increase Uses: Transfer Out | 371,865 |

FY 2017 Budget Amendment #1 to Attachment B Ord. 20-17

| Reference | Description | Amount |
|------------|--|-------------|
| B2g | Waterpark Fund - Increase in Budget | |
| | Increase Sources: Transfer in General Fund | 287,010 |
| | Decrease Uses: Reserves | (148,415) |
| | Increase Uses: Operating & Capital Expenditures | 435,425 |
| | General Fund - No Change in Budget | |
| | Decrease Uses: Reserves | (287,010) |
| | Increase Uses: Transfer Out | 287,010 |
| B2h | Stormwater Fund - No Change in Budget | |
| | Decrease Uses: Reserves | (908,789) |
| | Increase Uses: Operating Expenditures | 908,789 |
| B2i | Water & Sewer Fund - No Change in Budget | |
| | Decrease Uses: Reserves | (2,676,197) |
| | Increase Uses: Operating & Capital Expenditures | 2,676,197 |
| B2j | Yacht Basin Fund - No Change in Budget | |
| | Decrease Uses: Reserves | (41,940) |
| | Increase Uses: Capital Outlay | 41,940 |
| B2k | Facilities Internal Service Fund -Increase in Budget | |
| | Increase Sources: Internal Service Charges | 57,193 |
| | Increase Uses: Operating & Capital Expenditures | 57,193 |
| B2l | Fleet Internal Service Fund -Increase in Budget | |
| | Increase Sources: Internal Service Charges | 446,802 |
| | Increase Uses: Operating & Capital Expenditures | 446,802 |
| B2m | Workers Comp Insurance Internal Service Fund - No Change in Budget | |
| | Increase Uses: Operating & Capital Expenditures | 43,089 |
| | Decrease Uses: Undesignated Reserves | (43,089) |
| B3 | General Fund - No Change in Budget | |
| | Reclass Budget of Rolling Stock from Government Services to the Department Level | |
| | Decrease Uses: Government Services Capital Outlay | (4,102,602) |
| | Increases Uses: Capital Expenditures with Departments | |
| | City Clerk | 25,000 |
| | DCD | 97,240 |
| | Police | 1,262,397 |
| | Fire | 1,770,784 |
| | Public Works | 499,681 |
| | Parks & Recreation | 447,500 |
| B4 | Community Redevelopment Trust Fund | |
| | Adjust balance forward based of FY 2016 Year-end Actual. Adjust Final CRA values were \$14,844 lower than TIP Revenue Projections for FY 2017 resulting in a decrease in AdValorem Taxes and General Fund Transfer in to reflect Actual Receipt Value. | |
| | CRA | |
| | Increase Sources: Balance Brought Forward | 576,129 |
| | Increase Uses: Capital Outlay | 576,129 |
| | Decrease Sources: Tax Increment - Original - Lee County | (5,044) |
| | Decrease Sources: Tax Increment - Expanded - Lee County | (1,807) |
| | Decrease Sources: Transfer In - City of Cape Coral | (7,982) |
| | Decrease Uses: Capital Outlay | (14,833) |

FY 2017 Budget Amendment #1 to Attachment B Ord. 20-17

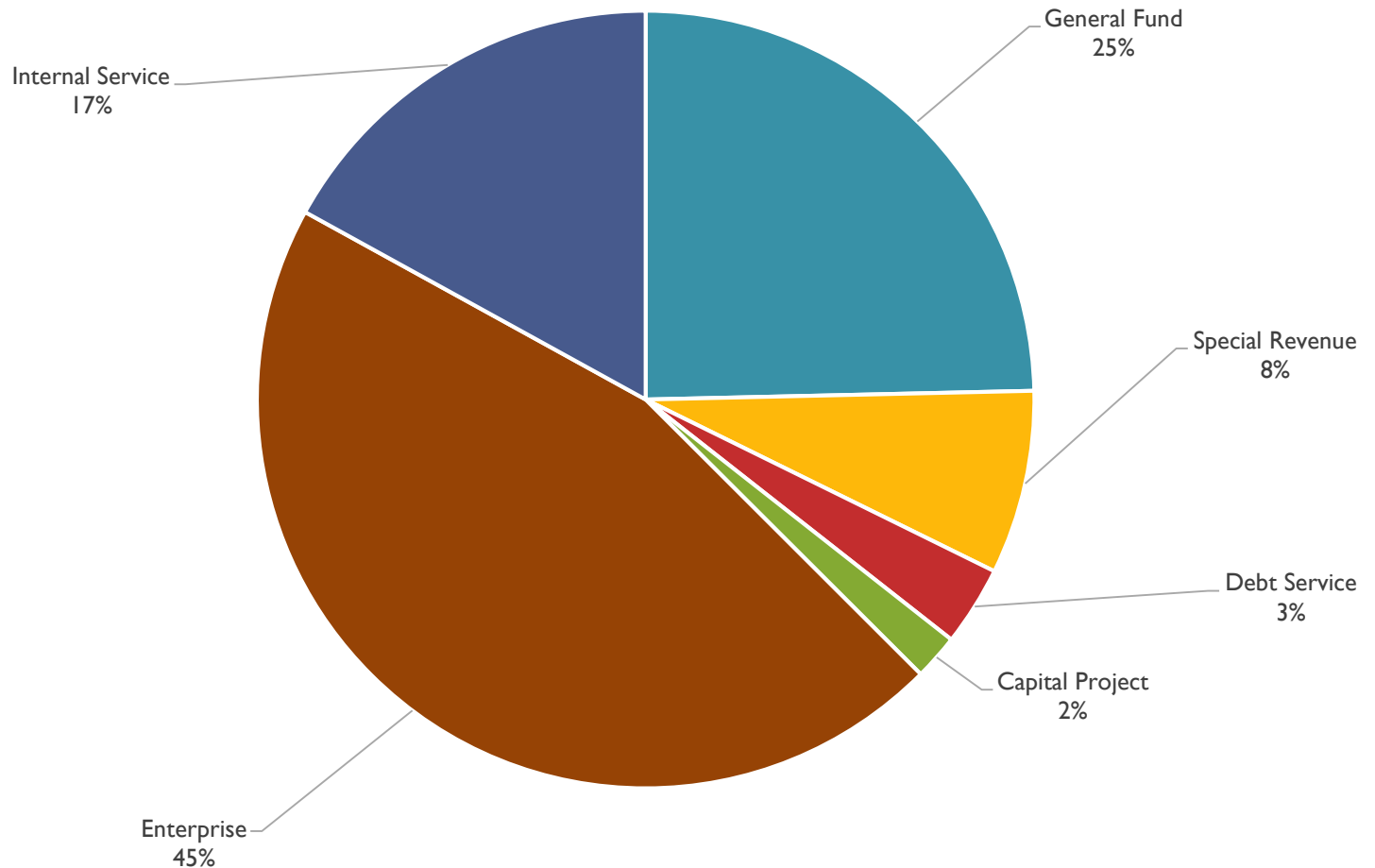
| Reference | Description | Amount |
|------------------|---|-------------------|
| | General Fund | |
| | Decrease Uses: Transfer Out - CRA | (7,982) |
| | Increase Uses: Undesignated Reserves | 7,982 |
| B5 | Charter School Operating Fund - Increase in Budget | |
| | The Charter School Governing Board approved Amendment #1 to their operating budget on March 6, 2017. This change is being incorporated into the City's total budget Increase of \$1,024,956 to adopted budget of \$28,302,531 for an amended total budget of \$29,327,487 | |
| | Increase Sources: Balances Brought Forward | 1,207,044 |
| | Decrease Sources: Intergovernmental FEFP | (501,405) |
| | Increase Sources: Intergovernmental Capital Outlay | 118,744 |
| | Increase Sources: Charges for Service | 47,000 |
| | Increase Sources: Miscellaneous Revenue | 153,573 |
| | Decrease Uses: Payroll | (237,645) |
| | Increase Uses: Operating | 88,651 |
| | Increase Uses: Capital Outlay | 448,240 |
| | Increase Uses: Undesignated Reserves | 725,710 |
| | SUBTOTAL OPERATING BUDGET CHANGES | |
| | Sources | 57,971,785 |
| | Uses | 57,971,785 |
| | TOTAL BUDGET AMENDMENT #1 | |
| | Sources | 58,387,603 |
| | Uses | 58,387,603 |

Ordinance 20-17
Intro: May 1, 2017

FY 2017 Budget Amendment #1
Public Hearing: May 15, 2017

- Purpose: Amend FY 2017 Operating Budget as Adopted on September 22, 2016 Ordinance 46-16
- City will typically have 2 budget amendments annually
- **Amended Budget has NO impact on taxpayers**
- Summary
 - Amendment of \$58,387,603 represent 8.35% change
 - True up of Balances Brought Forward
 - Single largest adjustment
 - \$57.0 million or 98% of the total amendment

Distribution of Amendment by Fund Type



Summary by Fund Type

| | ADOPTED ORD 46-16 | Budget Amendment #1 Ord.20-17 | BA #! Increase / (Decrease) | Budget Percentage Change from Adopted |
|------------------|----------------------|-------------------------------------|--------------------------------|--|
| General Fund | \$ 195,691,726 | \$ 211,266,991 | \$ 15,575,265 | 7.96% |
| Special Revenue | 52,634,819 | 65,509,265 | 12,874,446 | 24.46% |
| Debt Service | 22,273,239 | 28,382,804 | 6,109,565 | 27.43% |
| Capital Project | 16,233,510 | 16,231,501 | (2,009) | -0.01% |
| Enterprise | 369,238,326 | 390,293,300 | 21,054,974 | 5.70% |
| Internal Service | 42,902,442 | 45,677,804 | 2,775,362 | 6.47% |
| Total | \$ 698,974,062 | \$ 757,361,665 | \$ 58,387,603 | 8.35% |

SUMMARY OF FY 2017 BUDGET AMENDMENT #1 - ALL FUNDS

| | |
|--|------------------------------|
| FY 2017 Adopted Budget Ord 46-16 | \$ 698,974,062 |
| Additional Sources/Uses | 58,387,603 |
| FY 2017 Amended Budget Ord. 20-17 | <u>\$ 757,361,665</u> |

WHERE THE MONEY COMES FROM

Additional Sources

| | | |
|---|----------------------|--|
| Balances Forward | \$ 57,005,836 | FY 2016 Year End Balance |
| New Revenue | | |
| Taxes | (6,851) | |
| Charges for Service | 47,000 | Charter School Budget Amendment #1 |
| Intergovernmental Funds (Grants/Shared Revenue) | 33,157 | General Fund Grants \$415,818 Charter School (\$382,661) |
| Miscellaneous | 153,573 | Charter School Budget Amendment #1 |
| Permits, Franchise, Impact, Spec Assmt | - | |
| Internal Service Charges | 503,995 | Fleet & Facilities Charges for Service |
| Subtotal Revenue | 730,874 | |
| Other Financing Sources | | |
| Interfund Transfers (In) | 650,893 | Primarily P&R Programs & Waterpark encumbrance rollover |
| Debt Proceeds | - | |
| Subtotal Other Financing Sources | 650,893 | |
| Total Additional Sources Budget Amendment #2 | <u>\$ 58,387,603</u> | |

HOW THE SOURCES ARE DISTRIBUTED

Additional Uses

Expenditures

| | | |
|---|----------------------|---|
| Personnel | (237,645) | Charter School Budget Amendment #1 |
| Operating | 5,600,949 | Primarily FY 2015-2016 Encumbrance Rollover |
| Capital Outlay | 9,868,349 | Primarily FY 2015-2016 Encumbrance Rollover |
| Debt Service | - | |
| Subtotal Expenditures | \$ 15,231,653 | |
| Other Financing Uses | | |
| Interfund Transfers (Out) | 650,893 | Primarily P&R Programs & Waterpark encumbrance rollover |
| Reserves | 42,505,057 | Net change in budgeted reserves after all adjustments |
| Total Additional Uses Budget Amendment #2 | <u>\$ 58,387,603</u> | |

SUMMARY OF FY 2017 BUDGET AMENDMENT #1

GENERAL FUND

| | |
|--|---------------------------|
| FY 2017 Adopted Budget Ord 46-16 | \$ 195,691,726 |
| Additional Sources/Uses | 15,575,265 |
| FY 2017 Amended Budget Ord. 20-17 | <u>211,266,991</u> |

WHERE THE MONEY COMES FROM

Additional Sources

| | | |
|---|----------------------|--|
| Balances Forward | \$ 15,157,438 | FY 2016 Year End Balance |
| New Revenue | | |
| Intergovernmental Funds (Grants/Shared Revenue) | 417,827 | Grants \$250,000 Public Works and \$167,827 Police |
| Charges for Service | - | |
| Miscellaneous | - | |
| Permits,Franchise,Impact, Spec Assmt | - | |
| Subtotal Revenue | 417,827 | |
| Other Financing Sources | | |
| Interfund Transfers (In) | - | |
| Debt Proceeds | - | |
| Subtotal Other Financing Sources | - | |
| Total Additional Sources Budget Amendment #1 | <u>\$ 15,575,265</u> | |

HOW THE SOURCES ARE DISTRIBUTED

Additional Uses

Expenditures

| | | |
|---|----------------------|---|
| Personnel | - | |
| Operating | 3,539,467 | Primarily FY 2015-2016 Encumbrance Roll Overs |
| Capital Outlay | 4,112,588 | Primarily FY 2015-2016 Encumbrance Roll Overs |
| Debt Service | - | |
| Subtotal Expenditures | \$ 7,652,055 | |
| Other Financing Uses | | |
| Interfund Transfers (Out) | 650,893 | Primarily General Fund to P&R Programs and Waterpark Encumbrance Rollover |
| Reserves | | |
| Unassigned | 7,272,317 | Net change in budget reserves after all adjustments |
| Subtotal Reserves | 7,272,317 | |
| Total Additional Uses Budget Amendment #1 | <u>\$ 15,575,265</u> | |

CITY OF CAPE CORAL
SUMMARY OF FY 2017 BUDGET AMENDMENT CHANGES #1 AS PER ORDINANCE 20-17

| | GENERAL FUND | SPECIAL REVENUE | DEBT SERVICE | CAPITAL PROJECT | ENTERPRISE FUNDS | INTERNAL SERVICE | TOTAL ALL FUNDS |
|--|-----------------|--------------------|-----------------|--------------------|---------------------|---------------------|--------------------|
| SOURCE OF FUNDS | | | | | | | |
| Estimated Revenue | | | | | | | |
| Taxes | | | | | | | |
| CRA Fund 2016 TIF Revenue final values lower then projections (B4) | \$ - | \$ (6,851) | \$ - | \$ - | \$ - | \$ - | \$ (6,851) |
| Subtotal Taxes | - | (6,851) | - | - | - | - | (6,851) |
| Sales and Use Taxes | | | | | | | |
| | - | - | - | - | - | - | - |
| Licenses, Permits, Franchise, & Special Assessments | | | | | | | |
| Subtotal Licenses, Permits, Franchise, & Special Assessments | - | - | - | - | - | - | - |
| Charges for Service | | | | | | | |
| Charter School Fund BA #1 (B5) | - | - | - | - | 47,000 | - | 47,000 |
| Subtotal Charges for Service | - | - | - | - | 47,000 | - | 47,000 |
| Intergovernmental Revenues | | | | | | | |
| General Fund: Public Works LAP and DOT Traffic Signal Timing Study Grant (J1) | 250,000 | - | - | - | - | - | 250,000 |
| General Fund: Public Works LAP and DOT Sidewalk Skyline Blvd West side Grant (J2a) | - | - | - | (1,009) | - | - | (1,009) |
| General Fund: Public Works LAP and DOT Sidewalk Skyline Blvd East side Grant (J2b) | - | - | - | (1,000) | - | - | (1,000) |
| General Fund: 2016 JAG Grant (J3) | 45,019 | - | - | - | - | - | 45,019 |
| General Fund: Police TFA 2016-2017 Grant (J4) | 17,753 | - | - | - | - | - | 17,753 |
| Charter School Fund BA #1 FEFP Funding (B5) | - | - | - | - | (501,405) | - | (501,405) |
| Charter School Fund BA #1 Capital Outlay Funding (B5) | - | - | - | - | 118,744 | - | 118,744 |
| Subtotal Intergovernmental Revenues | 417,827 | - | - | (2,009) | (382,661) | - | 33,157 |
| Fines & Forfeitures | | | | | | | |
| | - | - | - | - | - | - | - |
| Miscellaneous Revenue | | | | | | | |
| Charter School Fund Budget Amendment #1 (B5) | - | - | - | - | 153,573 | - | 153,573 |
| Subtotal Miscellaneous Revenue | - | - | - | - | 153,573 | - | 153,573 |
| Licenses & Permits | | | | | | | |
| | - | - | - | - | - | - | - |
| Internal Service Charges | | | | | | | |
| Internal Service - Facilities Fund Encumbrance Rollover (B2k) | - | - | - | - | - | 57,193 | 57,193 |
| Internal Service - Fleet Fund Encumbrance Rollover (B2k) | - | - | - | - | - | 446,802 | 446,802 |
| Subtotal Internal Service Charges | - | - | - | - | - | 503,995 | 503,995 |
| Total Estimated Revenue | 417,827 | (6,851) | - | (2,009) | (182,088) | 503,995 | 730,874 |
| Transfers In | | | | | | | |
| CRA Fund from General Fund 2016 TIF Revenue final values lower then projections (B4) | - | (7,982) | - | - | - | - | (7,982) |
| Parks & Rec Programs Fund from General Fund for FY 2016 Encumbrance Rollover(B2f) | - | 371,865 | - | - | - | - | 371,865 |
| WaterPark Fund from General Fund for FY 2016 Encumbrance Rollover(B2g) | - | 287,010 | - | - | - | - | 287,010 |
| Subtotal Transfers In | - | 650,893 | - | - | - | - | 650,893 |
| Note/Debt Proceeds | | | | | | | |
| Subtotal Note/Debt Proceeds | - | - | - | - | - | - | - |
| Balances Brought Forward | | | | | | | |

CITY OF CAPE CORAL
SUMMARY OF FY 2017 BUDGET AMENDMENT CHANGES #1 AS PER ORDINANCE 20-17

| | GENERAL FUND | SPECIAL REVENUE | DEBT SERVICE | CAPITAL PROJECT | ENTERPRISE FUNDS | INTERNAL SERVICE | TOTAL ALL FUNDS |
|---|-------------------|--------------------|------------------|--------------------|---------------------|---------------------|--------------------|
| Balance Forward Adjustment General Fund (B1a) | 15,157,438 | - | - | - | - | - | 15,157,438 |
| Balance forward adjustment Five Cent Gas Tax Fund (B1b) | - | 4,716,368 | - | - | - | - | 4,716,368 |
| Balance forward adjustment Six Cent Gas Tax Fund (B1c) | - | 3,328,141 | - | - | - | - | 3,328,141 |
| Balance forward adjustment Road Impact Fee Fund (B1d) | - | 127,062 | - | - | - | - | 127,062 |
| Balance forward adjustment Police Impact Fee Fund (B1e) | - | 450,232 | - | - | - | - | 450,232 |
| Balance forward adjustment ALS Impact Fee Fund (B1f) | - | 25,917 | - | - | - | - | 25,917 |
| Balance forward adjustment Fire Impact Fee Fund (B1g) | - | 113,252 | - | - | - | - | 113,252 |
| Balance forward adjustment Do-The-Right-Thing Fund (B1h) | - | 17,470 | - | - | - | - | 17,470 |
| Balance forward adjustment Police Confiscation-State Fund (B1i) | - | 127,774 | - | - | - | - | 127,774 |
| Balance forward adjustment Police Confiscation-Federal Fund (B1J) | - | 58,978 | - | - | - | - | 58,978 |
| Balance forward adjustment Police Criminal Justice Education Fund (B1k) | - | 9,969 | - | - | - | - | 9,969 |
| Balance forward adjustment Alarm Fee Fund (B1l) | - | 18,608 | - | - | - | - | 18,608 |
| Balance forward adjustment All Hazards Fund (B1m) | - | (50,017) | - | - | - | - | (50,017) |
| Balance forward adjustment Del Prado Parking Lot Fund (B1n) | - | (78,172) | - | - | - | - | (78,172) |
| Balance forward adjustment Building Fund (B1o) | - | 1,334,358 | - | - | - | - | 1,334,358 |
| Balance forward adjustment Park Impact Fee Fund (B1p) | - | 1,561,766 | - | - | - | - | 1,561,766 |
| Balance forward adjustment Lot Mowing Fund (B1q) | - | (496,114) | - | - | - | - | (496,114) |
| Balance forward adjustment Waterpark Fund (B1r) | - | 148,415 | - | - | - | - | 148,415 |
| Balance forward adjustment Parks & Rec Program Fund (B1s) | - | 240,268 | - | - | - | - | 240,268 |
| Balance forward adjustment Water & Sewer Fund Operations (B1t) | - | - | - | - | 1,100,961 | - | 1,100,961 |
| Balance forward adjustment Water & Sewer Fund Impact & CIAC (B1t) | - | - | - | - | 23,353,357 | - | 23,353,357 |
| Balance forward adjustment Stormwater Fund (B1u) | - | - | - | - | (3,839,740) | - | (3,839,740) |
| Balance forward adjustment Yacht Basin Fund (B1v) | - | - | - | - | (584,560) | - | (584,560) |
| Balance forward adjustment Workers Comp Fund (B1w) | - | - | - | - | - | (951,145) | (951,145) |
| Balance forward adjustment Property Liability Fund (B1x) | - | - | - | - | - | (286,281) | (286,281) |
| Balance forward adjustment IS Self Insurance Fund (B1y) | - | - | - | - | - | 3,508,793 | 3,508,793 |
| Balance forward adjustment Debt Service Fund (B1z) | - | - | 6,109,565 | - | - | - | 6,109,565 |
| Balance forward adjustment CRA Fund (B4) | - | 576,129 | - | - | - | - | 576,129 |
| Balance forward adjustment Charter School (B5) | - | - | - | - | 1,207,044 | - | 1,207,044 |
| | - | - | - | - | - | - | - |
| Subtotal Balances Forward | 15,157,438 | 12,230,404 | 6,109,565 | - | 21,237,062 | 2,271,367 | 57,005,836 |
| TOTAL SOURCES (REVENUES, TRANSFERS IN & BALANCES FORWARD) | 15,575,265 | 12,874,446 | 6,109,565 | (2,009) | 21,054,974 | 2,775,362 | 58,387,603 |
| Less Transfers In | | | | | | | (650,893) |
| Net Budget Adjustment | | | | | | | 57,736,710 |
| USE OF FUNDS | | | | | | | |
| Estimated Expenditures: | | | | | | | |
| General Government | | | | | | | |
| General Fund: Govt Services Donations to Bike/Ped Program (B2b) | 12,461 | - | - | - | - | - | 12,461 |
| General Fund: City Manager FY 2016 Encumbrance Rollover (B2a) | 62,063 | - | - | - | - | - | 62,063 |
| General Fund: City Attorney FY 2016 Encumbrance Rollover (B2a) | 30,000 | - | - | - | - | - | 30,000 |
| General Fund: City Auditor FY 2016 Encumbrance Rollover (B2a) | 37,350 | - | - | - | - | - | 37,350 |
| General Fund: City Clerk FY 2016 Encumbrance Rollover (B2a) | 713 | - | - | - | - | - | 713 |
| General Fund: Financial Services FY 2016 Encumbrance Rollover (B2a) | 126,958 | - | - | - | - | - | 126,958 |
| General Fund: Human Resources FY 2016 Encumbrance Rollover (B2a) | 34,850 | - | - | - | - | - | 34,850 |
| General Fund: ITS FY 2016 Encumbrance Rollover (B2a) | 647,437 | - | - | - | - | - | 647,437 |
| General Fund: Govt Services FY 2016 Encumbrance Rollover (B2a) | 3,792,564 | - | - | - | - | - | 3,792,564 |
| General Fund: City Clerk FY 2017 Rolling Stock (B3a) | 25,000 | - | - | - | - | - | 25,000 |
| General Fund: Govt Services FY 2017 Rolling Stock (B3a) | (4,102,602) | - | - | - | - | - | (4,102,602) |
| | - | - | - | - | - | - | - |
| Subtotal General Government Expenditures | 666,794 | - | - | - | - | - | 666,794 |
| Public Safety | | | | | | | |
| General Fund: Police 2016 JAG Grant (J3) | 45,019 | - | - | - | - | - | 45,019 |

CITY OF CAPE CORAL
SUMMARY OF FY 2017 BUDGET AMENDMENT CHANGES #1 AS PER ORDINANCE 20-17

| | GENERAL FUND | SPECIAL REVENUE | DEBT SERVICE | CAPITAL PROJECT | ENTERPRISE FUNDS | INTERNAL SERVICE | TOTAL ALL FUNDS |
|--|-----------------|--------------------|-----------------|--------------------|---------------------|---------------------|--------------------|
| General Fund: Police TFA 2016-2017 Grant (J4) | 17,753 | - | - | - | - | - | 17,753 |
| Do-The-Right-Thing Fund Adjust for Balances Forward (B1h) | - | 17,470 | - | - | - | - | 17,470 |
| Police Criminal Justice Education Fund Adjust for Balance Forward (B1K) | - | 9,969 | - | - | - | - | 9,969 |
| General Fund: Fire FY 2016 Encumbrance Rollover (B2a) | 274,445 | - | - | - | - | - | 274,445 |
| General Fund: Police FY 2016 Encumbrance Rollover (B2a) | 164,709 | - | - | - | - | - | 164,709 |
| General Fund: DCD FY 2016 Encumbrance Rollover (B2a) | 13,201 | - | - | - | - | - | 13,201 |
| Building Fund FY 2016 Encumbrance Rollover (B2c) | - | 407,151 | - | - | - | - | 407,151 |
| All Hazards Fund: FY 2016 Encumbrance Rollover (B2e) | - | 82,436 | - | - | - | - | 82,436 |
| General Fund: DCD FY 2017 Rolling Stock (B3a) | 97,240 | - | - | - | - | - | 97,240 |
| General Fund: Police FY 2017 Rolling Stock (B3a) | 1,262,397 | - | - | - | - | - | 1,262,397 |
| General Fund: Fire FY 2017 Rolling Stock (B3a) | 1,770,784 | - | - | - | - | - | 1,770,784 |
| | - | - | - | - | - | - | - |
| Subtotal Public Safety Expenditures | 3,750,603 | 517,026 | - | - | - | - | 4,267,629 |
| Physical Environment | | | | | | | |
| Lot Mowing Fund FY 2016 Encumbrance Rollover (B2d) | - | 999,941 | - | - | - | - | 999,941 |
| Stormwater Fund FY 2016 Encumbrance Rollover (B2h) | - | - | - | - | 908,789 | - | 908,789 |
| Water & Sewer Fund FY 2016 Encumbrance Rollover (B2i) | - | - | - | - | 2,676,197 | - | 2,676,197 |
| | - | - | - | - | - | - | - |
| Subtotal Physical Environment Expenditures | - | 999,941 | - | - | 3,584,986 | - | 4,584,927 |
| Transportation | | | | | | | |
| General Fund: Public Works LAP and DOT Traffic Signal Timing Study Grant (J1) | 250,000 | - | - | - | - | - | 250,000 |
| General Fund: Public Works LAP and DOT Sidewalk Skyline Blvd West side Grant (J2a) | - | - | - | (1,009) | - | - | (1,009) |
| General Fund: Public Works LAP and DOT Sidewalk Skyline Blvd East side Grant (J2b) | - | - | - | (1,000) | - | - | (1,000) |
| General Fund: Public Works FY 2016 Encumbrance Rollover (B3a) | 470,585 | - | - | - | - | - | 470,585 |
| General Fund: Public Works FY 2017 Rolling Stock (B3) | 499,681 | - | - | - | - | - | 499,681 |
| | - | - | - | - | - | - | - |
| Subtotal Transportation Expenditures | 1,220,266 | - | - | (2,009) | - | - | 1,218,257 |
| Economic Environment | | | | | | | |
| CRA Fund Rebudget FY 2016 Encumbrance Rollover (B4) | - | 561,296 | - | - | - | - | 561,296 |
| | - | - | - | - | - | - | - |
| Subtotal Economic Environment Expenditures | - | 561,296 | - | - | - | - | 561,296 |
| Culture/Recreation | | | | | | | |
| General Fund: Parks & Rec FY 2016 Encumbrance Rollover (B2a) | 1,566,892 | - | - | - | - | - | 1,566,892 |
| P&R Program Fund FY 2015 Encumbrance Rollover (B2f) | - | 612,133 | - | - | - | - | 612,133 |
| Waterpark Fund FY 2016 Encumbrance Rollover (B2g) | - | 435,425 | - | - | - | - | 435,425 |
| Yacht Basin Fund FY 2016 Encumbrance Rollover (B2j) | - | - | - | - | 41,940 | - | 41,940 |
| General Fund: Parks & Rec FY 2017 Rolling Stock (B3) | 447,500 | - | - | - | - | - | 447,500 |
| Charter School Fund Budget Amendment #1 Payroll (B5) | - | - | - | - | (237,645) | - | (237,645) |
| Charter School Fund Budget Amendment #1 Operating (B5) | - | - | - | - | 88,651 | - | 88,651 |
| Charter School Fund Budget Amendment #1 Capital Outlay (B5) | - | - | - | - | 448,240 | - | 448,240 |
| | - | - | - | - | - | - | - |
| Subtotal Culture/Recreation Expenditures | 2,014,392 | 1,047,558 | - | - | 341,186 | - | 3,403,136 |
| Debt Service | | | | | | | |
| Subtotal Debt Service | - | - | - | - | - | - | - |
| Internal Services | | | | | | | |
| IS Facilities Fund FY 2016 Encumbrance Rollover (B2k) | - | - | - | - | - | 57,193 | 57,193 |
| IS Fleet Fund FY 2016 Encumbrance Rollover (B2l) | - | - | - | - | - | 446,802 | 446,802 |
| IS Workers Comp Insurance FY 2016 Encumbrance Rollover (B2m) | - | - | - | - | - | 43,089 | 43,089 |
| | - | - | - | - | - | - | - |

CITY OF CAPE CORAL
SUMMARY OF FY 2017 BUDGET AMENDMENT CHANGES #1 AS PER ORDINANCE 20-17

| | GENERAL FUND | SPECIAL REVENUE | DEBT SERVICE | CAPITAL PROJECT | ENTERPRISE FUNDS | INTERNAL SERVICE | TOTAL ALL FUNDS |
|--|------------------|--------------------|------------------|--------------------|---------------------|---------------------|--------------------|
| Subtotal Internal Services | - | - | - | - | - | 547,084 | 547,084 |
| Total Expenditures | 7,652,055 | 3,125,821 | - | (2,009) | 3,926,172 | 547,084 | 15,249,123 |
| Transfers out | | | | | | | |
| General Fund to CRA 2016 TIF Revenue final values lower then projections (B4) | 7,982 | - | - | - | - | - | 7,982 |
| General Fund to Parks & Rec Programs Encumbrance Rollover (B2f) | 371,865 | - | - | - | - | - | 371,865 |
| General Fund to WaterPark Encumbrance Rollover (B2g) | 287,010 | - | - | - | - | - | 287,010 |
| | - | - | - | - | - | - | - |
| Subtotal Transfers Out | 666,857 | - | - | - | - | - | 666,857 |
| Reserves | | | | | | | |
| General Fund to CRA 2016 TIF Revenue final values lower then projections (B4) | (7,982) | - | - | - | - | - | (7,982) |
| Balance Forward Adjustment General Fund Undesignated (B1a) | 15,157,438 | - | - | - | - | - | 15,157,438 |
| Balance forward adjustment Five Cent Gas Tax Fund (B1b) | - | 4,716,368 | - | - | - | - | 4,716,368 |
| Balance forward adjustment Six Cent Gas Tax Fund (B1c) | - | 3,328,141 | - | - | - | - | 3,328,141 |
| Balance forward adjustment Road Impact Fee Fund (B1d) | - | 127,062 | - | - | - | - | 127,062 |
| Balance forward adjustment Police Impact Fee Fund (B1e) | - | 450,232 | - | - | - | - | 450,232 |
| Balance forward adjustment ALS Impact Fee Fund (B1f) | - | 25,917 | - | - | - | - | 25,917 |
| Balance forward adjustment Fire Impact Fee Fund (B1g) | - | 113,252 | - | - | - | - | 113,252 |
| Balance forward adjustment Police Confiscation-State Fund (B1i) | - | 127,774 | - | - | - | - | 127,774 |
| Balance forward adjustment Police Confiscation-Federal Fund (B1J) | - | 58,978 | - | - | - | - | 58,978 |
| Balance forward adjustment Alarm Fee Fund (B1l) | - | 18,608 | - | - | - | - | 18,608 |
| Balance forward adjustment All Hazards Fund (B1m) | - | (50,017) | - | - | - | - | (50,017) |
| Balance forward adjustment Del Prado Parking Lot Fund (B1n) | - | (78,172) | - | - | - | - | (78,172) |
| Balance forward adjustment Building Fund (B1o) | - | 1,334,358 | - | - | - | - | 1,334,358 |
| Balance forward adjustment Park Impact Fee Fund (B1p) | - | 1,561,766 | - | - | - | - | 1,561,766 |
| Balance forward adjustment Lot Mowing Fund (B1q) | - | (496,114) | - | - | - | - | (496,114) |
| Balance forward adjustment Waterpark Fund (B1r) | - | 148,415 | - | - | - | - | 148,415 |
| Balance forward adjustment Parks & Rec Program Fund (B1s) | - | 240,268 | - | - | - | - | 240,268 |
| Balance forward adjustment Water & Sewer Fund Operations (B1t) | - | - | - | - | 1,100,961 | - | 1,100,961 |
| Balance forward adjustment Water & Sewer Fund Impact & CIAC (B1t) | - | - | - | - | 23,353,357 | - | 23,353,357 |
| Balance forward adjustment Stormwater Fund (B1u) | - | - | - | - | (3,839,740) | - | (3,839,740) |
| Balance forward adjustment Yacht Basin Fund (B1v) | - | - | - | - | (584,560) | - | (584,560) |
| Balance forward adjustment Workers Comp Fund (B1w) | - | - | - | - | - | (951,145) | (951,145) |
| Balance forward adjustment Property Liability Fund (B1x) | - | - | - | - | - | (286,281) | (286,281) |
| Balance forward adjustment IS Self Insurance Fund (B1y) | - | - | - | - | - | 3,508,793 | 3,508,793 |
| Balance forward adjustment Debt Service Fund (B1z) | - | - | 6,109,565 | - | - | - | 6,109,565 |
| General Fund FY 2016 Encumbrance Rollover (B2a) | (7,221,767) | - | - | - | - | - | (7,221,767) |
| Balance Forward General Fund Donations Bike/Pedestrian (B2b) | (12,461) | - | - | - | - | - | (12,461) |
| All Hazards Fund FY 2016 Encumbrance Rollover (B2e) | - | (82,436) | - | - | - | - | (82,436) |
| Lot Mowing Fund FY 2016 Encumbrance Rollover (B2d) | - | (999,941) | - | - | - | - | (999,941) |
| Building Fund FY 2016 Encumbrance Rollover (B2c) | - | (407,151) | - | - | - | - | (407,151) |
| P&R Programs Fund FY 2016 Encumbrance Rollover (B2f) | - | (240,268) | - | - | - | - | (240,268) |
| Waterpark Fund FY 2016 Encumbrance Rollover (B2g) | - | (148,415) | - | - | - | - | (148,415) |
| Water & Sewer FY 2016 Encumbrance Roll over (B2i) | - | - | - | - | (2,676,197) | - | (2,676,197) |
| Stormwater Fund FY 2016 Encumbrance Roll over (B2h) | - | - | - | - | (908,789) | - | (908,789) |
| Yacht Basin Fund FY 2016 Encumbrance Roll over (B2j) | - | - | - | - | (41,940) | - | (41,940) |
| IS Workers Comp Fund FY 2016 Encumbrance Roll over (B2m) | - | - | - | - | - | (43,089) | (43,089) |
| General Fund Transfer to Parks & Rec Programs FY 16 Encumbrance Rollover (B2f) | (371,865) | - | - | - | - | - | (371,865) |
| General Fund Transfer to WaterPark FY 16 Encumbrance Rollover (B2g) | (287,010) | - | - | - | - | - | (287,010) |
| Charter School Fund Budget Amendment #1 (B5) | - | - | - | - | 725,710 | - | 725,710 |
| | - | - | - | - | - | - | - |
| Subtotal Reserves | 7,256,353 | 9,748,625 | 6,109,565 | - | 17,128,802 | 2,228,278 | 42,471,623 |

CITY OF CAPE CORAL
SUMMARY OF FY 2017 BUDGET AMENDMENT CHANGES #1 AS PER ORDINANCE 20-17

| | GENERAL FUND | SPECIAL REVENUE | DEBT SERVICE | CAPITAL PROJECT | ENTERPRISE FUNDS | INTERNAL SERVICE | TOTAL ALL FUNDS |
|--|-----------------|--------------------|-----------------|--------------------|---------------------|---------------------|----------------------|
| TOTAL USES (APPROPRIATED EXPENDITURES, TRANSFERS, & RESERVES) | \$ 15,575,265 | \$ 12,874,446 | \$ 6,109,565 | \$ (2,009) | \$ 21,054,974 | \$ 2,775,362 | \$ 58,387,603 |
| Less Transfers Out | | | | | | | (666,857) |
| Net Budget Adjustment | | | | | | | <u>\$ 57,720,746</u> |

| | |
|----------------------|---|
| Item Number: | B.(4) |
| Meeting Date: | 5/1/2017 |
| Item Type: | ORDINANCES/RESOLUTIONS - Introductions |

**AGENDA
REQUEST FORM
CITY OF CAPE
CORAL**



TITLE:

Ordinance 21-17 Set Public Hearing Date for May 15, 2017

REQUESTED ACTION:

Approve or Deny

STRATEGIC PLAN INFO:

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

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

SUMMARY EXPLANATION AND BACKGROUND:

Because the Cape Coral Charter School Authority does not have the ability to issue debt, the City of Cape Coral previously financed and purchased school buses for the purpose of leasing them to the Charter School Authority. Chapter 26 of the Code of Ordinances provides that the Charter School Authority has the right to lease real and/or personal property if the lease is first approved by the City.

LEGAL REVIEW:

Dolores D. Menendez, City Attorney
John Naclerio, Assistant City Attorney

EXHIBITS:

Ordinance 21-17

PREPARED BY:

Division- Department- City
 Attorney

SOURCE OF ADDITIONAL INFORMATION:

ATTACHMENTS:

| Description | Type |
|--------------------|-------------|
| ▫ Ordinance 21-17 | Ordinance |

ORDINANCE 21 - 17

AN ORDINANCE OF THE CITY OF CAPE CORAL APPROVING THE SCHOOL BUS LEASE AGREEMENT BETWEEN THE CAPE CORAL CHARTER SCHOOL AUTHORITY AND THE CITY OF CAPE CORAL; A COPY OF THE LEASE AGREEMENT IS ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, because the Cape Coral Charter School Authority does not have the ability to issue debt, the City of Cape Coral previously financed and purchased school buses for the purpose of leasing them to the Charter School Authority; and

WHEREAS, pursuant to Chapter 26, Cape Coral Charter School Authority, Section 26-15, Powers and Duties of Charter School Authority, Superintendent and City, the Charter School Authority has the right to lease real and/or personal property for the use of charter school(s) and charter school facilities, if the lease is first approved by the city; and

WHEREAS, the City Council desires to approve the School Bus Lease Agreement between the Cape Coral Charter School Authority and the City of Cape Coral.

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

SECTION 1. The City Council hereby approves the School Bus Lease Agreement between the Cape Coral Charter School Authority and the City of Cape Coral and authorizes the City Manager to execute the Lease Agreement. A copy of the Lease Agreement is attached hereto as Exhibit A

SECTION 2. 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 3. 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 _____, 2017.

MARNI L. SAWICKI, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

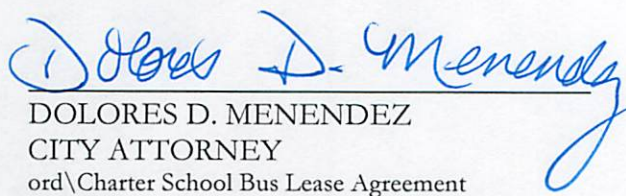
SAWICKI _____
BURCH _____
CARIOSCIA _____
STOUT _____

LEON _____
ERBRICK _____
WILLIAMS _____
COSDEN _____

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____, 2017.

REBECCA VAN DEUTEKOM
CITY CLERK

APPROVED AS TO FORM:


DOLORES D. MENENDEZ
CITY ATTORNEY
ord\Charter School Bus Lease Agreement

**SCHOOL BUS LEASE AGREEMENT BETWEEN THE CITY OF CAPE CORAL CHARTER SCHOOL
AUTHORITY AND THE CITY OF CAPE CORAL**

This Lease is entered into on this ____ day of _____, 2017, by and between the City of Cape Coral Charter School Authority, a public body corporate, (Authority) and the City of Cape Coral, a duly existing and organized Florida municipal corporation, (City). The purpose of this Lease is to set forth the terms and conditions upon which the City will allow the Authority the use of school buses owned by the City to transport the Authority's Charter School students and for other approved purposes. In order to accomplish this purpose, and in consideration of the mutual undertakings described below, the City and the Authority do hereby agree and promise as follows:

1. The City will lease to the Authority the buses listed and identified in Exhibit A attached hereto and incorporated herein. The City will charge the Authority a lease fee for the buses which amount shall be the sum the City pays for the debt service for the identified buses, including all debt service related costs. A description of the debt service is attached hereto and incorporated herein as Exhibit B. The lease fee may be paid monthly, quarterly, semi-annually, or annually as determined by the City and as billed by the City so that all of the funds from the Authority will be received by the debt service payment date. The Authority will be solely responsible for all insurance, maintenance, repair or replacement of any buses identified in this Lease, including any and all safety checks or requirements imposed by State or Federal statute, rule, or regulation. Such maintenance may be provided by third parties and the City expressly grants the Authority the right to enter into third party agreements for the repair or maintenance of the buses covered by this Lease. Additional Buses may be added, replaced, or substituted as the case may be by adding the additional, replacement, or substituted buses to Exhibit A without the necessity of otherwise amending this Lease. All terms and conditions of the Lease will automatically apply to any additional, replacement, or substituted buses.

2. The Authority will make use of the buses as described in the introductory paragraph above for the purposes of transporting the Authority's students, administrators, faculty and staff to and from the charter schools operated by the Authority and for any school related function. The Authority will ensure that the buses will be used and operated in complete compliance with all applicable traffic, safety and other laws and governmental regulations relating to the operation of school buses. The Authority may use the buses for out-of-county trips within the state of Florida. The Authority, upon agreement with the City, may provide bus service to the City or its various departments such as in the summer when the school buses are not needed for charter school purposes. The City shall pay an agreed upon fee to the Authority for such use. The Authority may provide bus service to other groups or entities for a fee which fee shall be received by and used by the Authority, provided that such use does not impede or interfere with the Authority's needs. Prior to any such use, the Authority governing Board must grant its approval and written approval must be obtained from the City Manager and Risk Manager.

3. Until the City's outstanding debt service and related costs are paid in full, title and ownership of the buses are, and will remain at all times, solely vested with the City. The Authority will take no action nor perform any act which is inconsistent with the City's ownership, and the Authority will not sell, lease or allow the use of the buses by any person or entity not specifically described herein. Neither will the Authority use as security, pledge or lien the buses, nor will the Authority allow the creation of such a lien.

4. Upon payment in full of all outstanding debt service and related costs, City will transfer title and ownership of the buses to the Authority for the nominal cost of one dollar (\$1.00) per bus. The City will cooperate with the Authority should the Authority decide to acquire additional, or replacement, buses. All costs of any

transaction will be borne solely by the Authority.

5. The Authority will have monthly safety inspections of the buses conducted, as specified in Florida Administrative Code (FAC Chapter 6A-3.0171) as it may be amended from time to time. The Authority, solely at its own expense, may contract with a third party for this and other necessary services.

6. The Authority will be responsible for fueling the buses at its own expense and may enter into agreements with third parties to provide fuel.

7. In the event of a bus breakdown, the Authority will be responsible, at its own expense to arrange for towing services.

8. Insurance against bodily injury liability, property damage, and personal injury with a combined single limit of not less than one million dollars (\$1,000,000) per occurrence, shall be provided at the expense of the Authority. In addition, insurance against damage to the leased vehicles, up to and including total loss, resulting from collision or comprehensive perils shall be provided by and at the expense of the Authority. Such insurance may include deductible amounts; however, the payment of any such deductible amount shall remain the responsibility of the Authority. The policy or policies of insurance provided by the Authority hereunder shall name the City as additional insured. At all times during the term of this Lease, the Authority shall cause to have prepared and presented to the City's Risk Manager a current certificate of insurance evidencing all coverages provided for herein. It is understood and agreed by all parties to this Lease that Florida law requires the insurance coverage of City, as Lessor, to be primary coverage unless the Authority, as Lessee, designates its insurance coverage to be primary coverage. Therefore, in entering into and executing this Lease, the Authority specifically acknowledges and agrees that the insurance coverage provided by the Authority hereunder shall be designated the primary coverage and, as such, shall assume responsibility for the payment of personal injury and property damage claims arising from the operation of the vehicles leased hereunder. During the term of this lease or any renewals thereof the Authority and City may mutually agree to modify the insurance requirement to reflect changed conditions. Such modifications may be accomplished without having to otherwise amend this lease. The new insurance policies and certificates of insurance will be incorporated in the lease as if fully set forth in the lease and will serve to amend the lease to the extent of any changed or modified insurance. Changes to insurance coverage must be approved by the Authority Board, the City Manager and Risk Manager.

9. The buses to be provided hereunder will be operated only by persons having all of the required certification, licensure, and skills required by law or Authority policy. The Authority will provide to the City or any other governmental authority having jurisdiction over school bus operators a list of all persons who will operate the buses upon the execution of this Lease and will notify the City Risk Manager, or designee, of any additions, deletions or changes to the list prior to the effective date of such addition, deletion, or change to the list. The Authority will provide for each person listed all information which the City may require to determine the operator's fitness to operate a school bus, including but not limited to fingerprints, background information such as driving records, and licensure. The City will have the unrestricted right to deem as unsuitable any person on the list provided, and in the event of such rejection by the City, that person immediately will be removed from the list of approved operators. The Authority will not allow any person not contained on the list to operate the buses. The Authority will coordinate and schedule the attendance of Authority bus operators at mandatory yearly state required training. The right of rejection by the City of bus operators will not take effect until the expiration of any contract between such operator and the Authority to allow for any new or renewed contract between the Authority and operator to provide for immediate termination of operator upon City or other governmental

entity objection, if the current contract does not already provide for a right of rejection.

10. In consideration of the services described above, the Authority will remit payment for services within 30 days of the billing date. Payment may be mailed or submitted electronically as agreed by the parties. If mailed or delivered the payments will be mailed or delivered to:

City of Cape Coral
Attn: Accounting Manager
1015 Cultural Park Blvd.
Cape Coral, FL 33990

11. This Lease will commence upon execution by both parties hereto and terminate on October 1, 2021. The City may terminate the Lease by providing the Authority 180 days' written notice. The Authority may terminate the Lease by providing the City 180 days' written notice. The foregoing termination periods may be modified by written agreement of the parties. Both parties shall act in good faith and endeavor to terminate the Lease so as to not cause undue hardship to the other party. Termination of the Lease does not relieve the Authority of paying the City in full for any debt remaining on the buses or fulfilling its other obligations unless otherwise agreed to in writing by the parties. The City may terminate this Lease with shorter notice or without any notice whatsoever in the event that the Authority breaches any part of this Lease, or the City of Cape Coral's charter is revoked or is otherwise terminated, or the Authority ceases operation of its charter schools. The Authority may terminate this Lease at any time immediately upon receipt of written notice of the termination, but in the event of such termination, the Authority will continue to abide by the terms of this Lease until the City is in possession of the buses. In the event that there remains any outstanding debt service or related costs, the buses will be returned to the possession of the City immediately upon the effective date of any termination of this Lease.

12. Subject to the limitations as set out in Florida Statutes §768.28, the Authority shall defend, hold harmless and indemnify City from and against any and all claims, actions, damages, liability, cost and expense, including those arising from bodily injury, death and/or property damage or any other lawful expense, including, but not limited to, attorney's fees and court costs, brought by third parties arising from the act or omission of the Authority, its agents, employees, or contractors under this Lease. The provisions of this paragraph are not intended to abrogate the sovereign immunity of Authority beyond that set forth in Section 768.28, Florida Statutes.

13. Notices to be provided under this Lease will be sent in the following manner, and to these persons:
Notices to the City: Will be hand delivered or sent by certified mail to:

A. John Szerlag
City Manager
City of Cape Coral
1015 Cultural Park Blvd.
Cape Coral, FL 33990

Notices to the Authority: Will be hand delivered or sent by certified mail to:

Superintendent
City of Cape Coral Charter School Authority
3519 Oasis Blvd.
Cape Coral, Florida 33914

Notices will be considered received when the person identified above has actually received the notices.

14. The foregoing constitutes the entire agreement between the parties and this Lease will not be amended or changed except by writing executed by authorized representative of the parties or as otherwise provided herein. There are no promises or undertakings between the parties not set forth herein.

FOR CITY:

City of Cape Coral, Florida

Signature: _____

Typed Name: A. John Szerlag

Title: City Manager

Date: _____

FOR CHARTER SCHOOL AUTHORITY:

City of Cape Coral, Charter School Authority

Signature: 

Typed Name: Jessica Cosden

Title: Chair Person

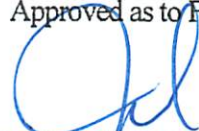
Date: 3.31.17

Approved as to Form:



By: Dolores D. Menendez
City Attorney

Approved as to Form:

 3/31/17

By: John E. Naclerio III
Assistant City Attorney

| Tag# | Bus # | Description | Serial Number |
|-------|-------|-------------|-------------------|
| 26842 | 1106 | School Bus | 4DRBUSKN7B8376098 |
| 26843 | 1103 | School Bus | 4DRBUSKN1B8376100 |
| 26844 | 1105 | School Bus | 4DRBUSKN4B8376091 |
| 26845 | 1101 | School Bus | 4DRBUSKNXB8376094 |
| 26846 | 1110 | School Bus | 4DRBUSKN6B8376092 |
| 26847 | 1109 | School Bus | 4DRBUSKN5B8376097 |
| 26848 | 1107 | School Bus | 4DRBUSKN9B8376099 |
| 26849 | 1104 | School Bus | 4DRBUSKN2B8353893 |
| 26850 | 1102 | School Bus | 4DRBUSKN4B8353894 |
| 26851 | 1113 | School Bus | 4DRBUSKN6B8353895 |
| 26852 | 1111 | School Bus | 4DRBUSKN8B8353896 |
| 26853 | 1114 | School Bus | 4DRBUSKNXB8353897 |
| 26854 | 111 | School Bus | 4DRBUSKN8B8376093 |
| 26900 | 1108 | School Bus | 4DRBUSKN3B8376096 |
| 26901 | 1115 | School Bus | 4DRBUSKN2B8376090 |
| 27924 | 1401 | School Bus | 4DRBUC8N2GB717914 |
| 27925 | 1402 | School Bus | 4DRBUC8N2GB717915 |
| 27926 | 1403 | School Bus | 4DRBUC8N2GB717916 |
| 27927 | 1404 | School Bus | 4DRBUC8N2GB717917 |

EXHIBIT A

**Capitla Lease, Series 2012
Property Schedule No. 2
Debt Service
closed 3/30/2012
Charter School Buses**

| FY | | Principal | Interest | Total | FISCAL YEAR TOTAL | | | Remaining Principal |
|-------|----------|--------------|-----------|--------------|-------------------|-----------|--------------|------------------------|
| | | | | | Principal | Interest | Total | |
| 2012 | | | | | | | | 1,342,755.00 |
| | 7/1/2012 | 41,186.59 | 5,668.29 | 46,854.88 | 41,186.59 | 5,668.29 | 46,854.88 | 1,301,568.41 |
| 2013 | 1/1/2013 | 81,811.88 | 10,868.10 | 92,679.98 | | | | 1,219,756.53 |
| | 7/1/2013 | 82,495.01 | 10,184.97 | 92,679.98 | 164,306.89 | 21,053.06 | 185,359.95 | 1,137,261.52 |
| 2014 | 1/1/2014 | 83,183.85 | 9,466.13 | 92,679.98 | | | | 1,054,077.67 |
| | 7/1/2014 | 83,878.43 | 8,801.55 | 92,679.98 | 167,082.28 | 18,297.68 | 185,359.98 | 970,199.24 |
| 2015 | 1/1/2015 | 84,578.81 | 8,101.16 | 92,679.97 | | | | 885,820.43 |
| | 7/1/2015 | 85,285.05 | 7,394.93 | 92,679.98 | 169,863.86 | 15,496.09 | 185,359.95 | 800,335.38 |
| 2016 | 1/1/2016 | 85,997.18 | 6,682.80 | 92,679.98 | | | | 714,338.20 |
| | 7/1/2016 | 86,715.25 | 5,964.72 | 92,679.97 | 172,712.43 | 12,647.52 | 185,359.95 | 627,622.95 |
| 2017 | 1/1/2017 | 87,439.33 | 5,240.65 | 92,679.98 | | | | 540,183.62 |
| | 7/1/2017 | 88,169.45 | 4,510.53 | 92,679.98 | 175,608.78 | 9,751.18 | 185,359.98 | 452,014.17 |
| 2018 | 1/1/2018 | 88,905.66 | 3,774.32 | 92,679.98 | | | | 363,108.51 |
| | 7/1/2018 | 89,648.02 | 3,031.96 | 92,679.98 | 178,553.68 | 6,806.27 | 185,359.95 | 273,460.49 |
| 2019 | 1/1/2019 | 90,398.58 | 2,283.40 | 92,679.98 | | | | 183,063.91 |
| | 7/1/2019 | 91,151.40 | 1,528.58 | 92,679.98 | 181,547.98 | 3,811.98 | 185,359.98 | 91,912.51 |
| 2020 | 1/1/2020 | 91,912.51 | 767.47 | 92,679.98 | 91,912.51 | 767.47 | 92,679.98 | (0.00) |
| Total | | 1,342,755.00 | 94,299.56 | 1,437,054.56 | 1,342,755.00 | 94,299.56 | 1,437,054.56 | |

EXHIBIT B

Special Obligation Revenue Bonds, Series 2015
Debt Service
Closed 05/14/2015
Charter School Buses

| <u>FY</u> | | <u>Principal</u> | <u>Interest</u> | <u>Total Prin & Interest</u> | <u>FISCAL YEAR TOTAL</u> | | | <u>Remaining Principal</u> |
|-----------|-----------|------------------|-----------------|--------------------------------------|--------------------------|-----------------|--------------|--------------------------------|
| | | | | | <u>Principal</u> | <u>Interest</u> | <u>Total</u> | |
| | | | | | | | | 362,712.00 |
| 2015 | 10/1/2015 | 19,584.00 | 5,869.08 | 25,453.08 | 19,584.00 | 5,869.08 | 25,453.08 | 343,128.00 |
| 2016 | 4/1/2016 | | 7,515.36 | 7,515.36 | | | | |
| | 10/1/2016 | 51,816.00 | 7,515.36 | 59,331.36 | 51,816.00 | 15,030.72 | 66,846.72 | 291,312.00 |
| 2017 | 4/1/2017 | | 6,738.12 | 6,738.12 | | | | |
| | 10/1/2017 | 53,448.00 | 6,738.12 | 60,186.12 | 53,448.00 | 13,476.24 | 66,924.24 | 237,864.00 |
| 2018 | 4/1/2018 | | 5,669.16 | 5,669.16 | | | | |
| | 10/1/2018 | 55,488.00 | 5,669.16 | 61,157.16 | 55,488.00 | 11,338.32 | 66,826.32 | 182,376.00 |
| 2019 | 4/1/2019 | | 4,559.40 | 4,559.40 | | | | |
| | 10/1/2019 | 57,936.00 | 4,559.40 | 62,495.40 | 57,936.00 | 9,118.80 | 67,054.80 | 124,440.00 |
| 2020 | 4/1/2020 | | 3,111.00 | 3,111.00 | | | | |
| | 10/1/2020 | 60,792.00 | 3,111.00 | 63,903.00 | 60,792.00 | 6,222.00 | 67,014.00 | 63,648.00 |
| 2021 | 4/1/2021 | | 1,591.20 | 1,591.20 | | | | |
| | 10/1/2021 | 63,648.00 | 1,591.20 | 65,239.20 | 63,648.00 | 3,182.40 | 66,830.40 | - |
| Total | | 362,712.00 | 64,237.56 | 426,949.56 | 362,712.00 | 64,237.56 | 426,949.56 | |

EXHIBIT B Continued

| | |
|----------------------|----------------------------|
| Item Number: | 10.A. |
| Meeting Date: | 5/1/2017 |
| Item Type: | UNFINISHED BUSINESS |

**AGENDA REQUEST
FORM**
CITY OF CAPE CORAL



TITLE:

Water Quality - Update

REQUESTED ACTION:

STRATEGIC PLAN INFO:

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

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

SUMMARY EXPLANATION AND BACKGROUND:

LEGAL REVIEW:

EXHIBITS:

Water Quality Memo

PREPARED BY:

Division- Department-

SOURCE OF ADDITIONAL INFORMATION:

ATTACHMENTS:

| Description | Type |
|---|-----------------|
| <input type="checkbox"/> Water Quality Memo | Backup Material |

MEMORANDUM

CITY OF CAPE CORAL
PUBLIC WORKS DEPARTMENT

TO: Mayor Sawicki and Council Members

FROM: John Szerlag, City Manager *JS*
Paul Clinghan, Public Works Director *PRC*
Connie Jarvis, Environmental Resources Manager *AM*

DATE: April 28, 2017

SUBJECT: Lake Okeechobee Level and Release Information 04/28/2017

As of Thursday, April 27, 2017, the elevation of Lake Okeechobee was 11.72 feet. Inflows into the lake were 216 cfs, total outflows were not available. Current discharges at S-77 were 304 cfs, and 115 cfs at S-79.

Salinities in the river near Fort Myers were 17.23 PSU. Salinities at Shell Point were 33.13 PSU. Red tide was not detected in the nearshore Lee County waters.

In the Lee County weekly check, the presence of blue green algae was noted at the Alva boat ramp.

The Corps is continuing pulsed releases for an average flow of 300 cfs based on current hydrologic conditions. This decrease in flows has led to a minimum flow and salinity (MFL) violation at Fort Myers.

Attached is a map showing the position of Caloosahatchee River Locks.

PC/CJ:ol (Weekly Lake Okeechobee Level and Release Information 04/28/2017)
Attachment; Caloosahatchee River Locks map

| | |
|----------------------|----------------------------|
| Item Number: | 10.B. |
| Meeting Date: | 5/1/2017 |
| Item Type: | UNFINISHED BUSINESS |

**AGENDA REQUEST
FORM**
CITY OF CAPE CORAL



TITLE:

Legislative Issues - Update

REQUESTED ACTION:

STRATEGIC PLAN INFO:

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

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

SUMMARY EXPLANATION AND BACKGROUND:

LEGAL REVIEW:

EXHIBITS:

PREPARED BY:

Division- Department-

SOURCE OF ADDITIONAL INFORMATION:

Item Number: 11.A.
Meeting Date: 5/1/2017
Item Type: NEW BUSINESS

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Presentation of the FY2016 Comprehensive Annual Financial Report (CAFR)

REQUESTED ACTION:

Informational

STRATEGIC PLAN INFO:

1. Will this action result in a Budget Amendment? No
2. 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

PLANNING & ZONING/HEARING EXAMINER/STAFF RECOMMENDATIONS:

SUMMARY EXPLANATION AND BACKGROUND:

Presentation of the FY2016 Comprehensive Annual Financial Report (CAFR).

LEGAL REVIEW:

EXHIBITS:

CAFR presentation
City of Cape Coral CAFR 2016

PREPARED BY:

Suzanne Lopez Division- Administration Department- Financial Services

SOURCE OF ADDITIONAL INFORMATION:

Oscar Claudio, CPA, Acting City Auditor
Victoria Bateman, CPA, CGFM, Financial Services Director
Martin Redovan, CPA, Principal, Clifton Larson Allen

ATTACHMENTS:

| Description | Type |
|--------------------------------|-----------------|
| ▣ CAFR Presentation | Backup Material |
| ▣ City of Cape Coral CAFR 2016 | Backup Material |



PRESENTATION OF THE COMPREHENSIVE ANNUAL FINANCIAL REPORT

**FOR THE FISCAL YEAR ENDED
SEPTEMBER 30, 2016**

CITY OF CAPE CORAL

- The City's financial statements have been audited by CliftonLarsonAllen, a firm of licensed certified public accountants.
- The auditor has issued an unqualified ("Clean") opinion that the City's financial statements are fairly presented in conformity with Generally Accepted Accounting Principles of the United States (GAAP).

CITY OF CAPE CORAL

- There were **NO** Management Letter findings or recommendations.
- Regarding compliance with federal and state grants, there were **NO** findings or questioned costs.
- The full report is accessible on the City of Cape Coral's website.

http://www.capecoral.net/departments/financial_services/currentpreviousCAFRs.php#.WPY1hYjyvct

FINANCIAL HIGHLIGHTS

City of Cape Coral, Florida
Summary of Net Position
(in millions)

| | Governmental Activities | | Business-type Activities | | Total | |
|--------------------------------------|------------------------------------|-----------------|-------------------------------------|-----------------|-----------------|-----------------|
| | 2016 | 2015 | 2016 | 2015 | 2016 | 2015 |
| Current and other assets | \$ 146.3 | \$ 138.9 | \$ 145.0 | \$ 138.3 | \$ 291.3 | \$ 277.2 |
| Capital assets | 423.5 | 421.1 | 995.3 | 1,004.9 | 1,418.8 | 1,426.0 |
| Total assets | <u>569.8</u> | <u>560.0</u> | <u>1,140.3</u> | <u>1,143.2</u> | <u>1,710.1</u> | <u>1,703.2</u> |
| Deferred outflow on pension | 38.0 | 27.8 | 8.8 | 5.7 | 46.8 | 33.5 |
| Deferred outflow on refunding bonds | 2.5 | 2.7 | 4.2 | 4.5 | 6.7 | 7.2 |
| Total deferred outflows of resources | <u>40.5</u> | <u>30.5</u> | <u>13.0</u> | <u>10.2</u> | <u>53.5</u> | <u>40.7</u> |
| Current and other liabilities | 12.5 | 13.5 | 15.8 | 18.7 | 28.3 | 32.2 |
| Noncurrent liabilities | 464.2 | 454.7 | 690.1 | 705.8 | 1,154.3 | 1,160.5 |
| Total liabilities | <u>476.7</u> | <u>468.2</u> | <u>705.9</u> | <u>724.5</u> | <u>1,182.6</u> | <u>1,192.7</u> |
| Deferred inflow on pension | 2.2 | 6.3 | 0.2 | 1.2 | 2.4 | 7.5 |
| Deferred inflow on refunding bonds | - | - | - | - | - | - |
| Total deferred inflows of resources | <u>2.2</u> | <u>6.3</u> | <u>0.2</u> | <u>1.2</u> | <u>2.4</u> | <u>7.5</u> |
| Net position: | | | | | | |
| Net investment in capital assets | 215.6 | 206.0 | 375.0 | 361.7 | 590.6 | 567.7 |
| Restricted | 49.4 | 39.2 | 89.9 | 92.6 | 139.3 | 131.8 |
| Unrestricted | (133.6) | (129.2) | (17.7) | (26.6) | (151.3) | (155.8) |
| Total net position | <u>\$ 131.4</u> | <u>\$ 116.0</u> | <u>\$ 447.2</u> | <u>\$ 427.7</u> | <u>\$ 578.6</u> | <u>\$ 543.7</u> |

FINANCIAL HIGHLIGHTS

- City-wide net position increased \$34.9M
- City-wide unrestricted net position is reported as negative \$151.3M in comparison to negative \$134.7M in the prior year.
- Governmental activities reported an increase in net position of \$15.4M.
- Governmental activities reported negative unrestricted net position of \$133.6M in comparison to negative \$129.2M in the prior year.
- Business type activities reported an increase in net position of \$19.5M.
- Business type activities reported negative unrestricted net position of \$17.7M in comparison to \$26.6M in the prior year.

PENSION PLAN FUNDING STATUS

SEPTEMBER 30, 2016

| | General Employees' Pension Plan | Police Officers' Pension Plan | Firefighters' Pension Plan |
|---|--|--|---------------------------------------|
| Total pension liability | \$ 303,869,461 | \$ 170,169,493 | \$ 196,822,130 |
| Plan fiduciary net position | (224,525,234) | (140,211,969) | (148,103,521) |
| Net pension liability | <u>\$ 79,344,227</u> | <u>\$ 29,957,524</u> | <u>\$ 48,718,609</u> |
| Net position as a percentage of the total pension liability | 73.89% | 82.40% | 75.25% |

GENERAL FUND STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

| | 9/30/2016 | 9/30/2015 | Change |
|---|----------------|----------------|----------------|
| REVENUES | | | |
| Taxes | \$ 113,925,753 | \$ 116,432,984 | \$ (2,507,231) |
| Special assessments | 20,808,145 | 13,301,256 | 7,506,889 |
| Licenses and permits | 863,016 | 30,410 | 832,606 |
| Intergovernmental | 3,680,801 | 3,815,246 | (134,445) |
| Charges for services | 6,040,709 | 5,975,919 | 64,790 |
| Fines and forfeitures | 704,935 | 683,829 | 21,106 |
| Rent and royalties | 399,255 | 409,062 | (9,807) |
| Interest income | 507,553 | 494,208 | 13,345 |
| Contributions and donations | 4,025 | 11,050 | (7,025) |
| Other revenue | 639,024 | 1,840,566 | (1,201,542) |
| Total revenues | 147,573,216 | 142,994,530 | 4,578,686 |
| EXPENDITURES | | | |
| Personnel and operating | 125,055,366 | 115,770,191 | 9,285,175 |
| Capital outlay | 6,838,868 | 6,623,613 | 215,255 |
| Total expenditures | 131,894,234 | 122,393,804 | 9,500,430 |
| Excess revenues over (under) expenditures | 15,678,982 | 20,600,726 | (4,921,744) |
| OTHER FINANCING SOURCES (USES) | | | |
| Transfers in | 3,793,832 | 3,453,247 | 340,585 |
| Transfers out | (23,892,888) | (17,601,574) | (6,291,314) |
| Issuance of debt | - | 11,684,152 | (11,684,152) |
| Proceeds on sale of capital assets | 140,967 | 318,911 | (177,944) |
| Total other financing sources (uses) | (19,958,089) | (2,145,264) | (17,812,825) |
| Net change in fund balances | (4,279,107) | 18,455,462 | (22,734,569) |
| Fund balances - beginning | 54,824,284 | 36,368,822 | 18,455,462 |
| Fund balances - ending | \$ 50,545,177 | \$ 54,824,284 | \$ (4,279,107) |

MAJOR CHANGES FROM PRIOR YEAR IN GENERAL FUND STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE

- Revenue increased \$4.6M
 - Tax receipts decreased \$2.5M
 - Special assessments increased \$7.5M
 - Other revenue increased \$1.2M
- Expenditures increased \$9.5M
 - Personnel & operating increased \$9.3M
 - Capital Outlay increased \$215K

GENERAL FUND BUDGET VS. ACTUAL

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|------------------|----------------|-------------------|------------------------|
| | Original | Final | (Budgetary Basis) | Final Budget |
| | | | | Positive (Negative) |
| REVENUES | | | | |
| Taxes | \$ 114,052,346 | \$ 114,052,346 | \$ 113,925,753 | \$ (126,593) |
| Special assessments | 19,604,430 | 20,526,042 | 20,808,145 | 282,103 |
| Licenses and permits | 957,850 | 957,850 | 863,016 | (94,834) |
| Intergovernmental | 3,633,352 | 4,087,299 | 3,680,801 | (406,498) |
| Charges for services | 5,449,210 | 5,887,977 | 6,040,709 | 152,732 |
| Fines and forfeitures | 846,750 | 846,750 | 704,935 | (141,815) |
| Rent and royalties | 394,200 | 394,200 | 399,255 | 5,055 |
| Interest income | 294,500 | 294,500 | 507,553 | 213,053 |
| Contributions and donations | - | 2,500 | 4,025 | 1,525 |
| Other revenue | 430,950 | 496,218 | 779,991 | 283,773 |
| Cash balances brought forward | 45,747,982 | 61,262,271 | - | (61,262,271) |
| Total revenues | 191,411,570 | 208,807,953 | 147,714,183 | (61,093,770) |
| EXPENDITURES | | | | |
| Personnel and operating | 127,333,472 | 132,908,495 | 125,055,366 | (7,853,129) |
| Capital outlay | 7,350,762 | 13,709,493 | 6,838,868 | (6,870,625) |
| Total expenditures | 134,684,234 | 146,617,988 | 131,894,234 | (14,723,754) |
| Excess (deficiency) of revenues over (under) expenditures | 56,727,336 | 62,189,965 | 15,819,949 | (46,370,016) |
| OTHER FINANCE SOURCES (USES) | | | | |
| Transfers in | 3,730,409 | 3,837,227 | 3,793,832 | (43,395) |
| Transfers out | (24,211,242) | (24,923,366) | (23,892,888) | 1,030,478 |
| Reserves | (36,246,503) | (41,103,826) | - | 41,103,826 |
| Total other financing sources (uses) | (56,727,336) | (62,189,965) | (20,099,056) | 42,090,909 |
| Net change in fund balance | - | - | (4,279,107) | (4,279,107) |
| Budgetary fund balance - beginning | 54,824,284 | 54,824,284 | 54,824,284 | - |
| Budgetary fund balance - ending | \$ 54,824,284 | \$ 54,824,284 | \$ 50,545,177 | \$ (4,279,107) |

OTHER FINANCIAL INFORMATION

Special Revenue Funds requiring subsidy:

- Water Park \$350K
 - Needed to support Operations
 - FY2015 subsidy was \$829K
 - \$90k for Operations
 - \$739k for Tot Spot Improvements
 - FY2017 subsidy is budgeted at \$465K
- Parks and Recreation Fund \$3.2M
 - FY2015 subsidy was \$3.2M
 - FY2017 subsidy is budgeted at \$4.3M
 - Program revenues were 51% of program expenditures
 - For FY2017, budgeted program revenues are anticipated to cover 50% of program expenditures

SUMMARY OF PRIOR FINDINGS AND MANAGEMENT LETTER COMMENTS

| Prior Year Findings | | Current Year Status | | |
|---------------------|---------------------------------------|---------------------|-------------------|-------------|
| Finding Reference # | Comment | Cleared | Partially Cleared | Not Cleared |
| 2015-001 | Audit Adjustments | X | | |
| 2015-002 | Subrecipient Monitoring | X | | |
| 2015-003 | Allowable Costs-CDBG | X | | |
| 2015-004 | Allowable Costs-SHIP | X | | |
| MLC 2014-001 | Permit Fee Modification | X | | |
| MLC 2015-001 | Purchases Exceeded Approved Amount | X | | |
| MLC 2015-002 | Review of Stormwater Assessment Rolls | X | | |



The City of Cape Coral
Comprehensive Annual Financial Report
Fiscal Year Ended September 30, 2016

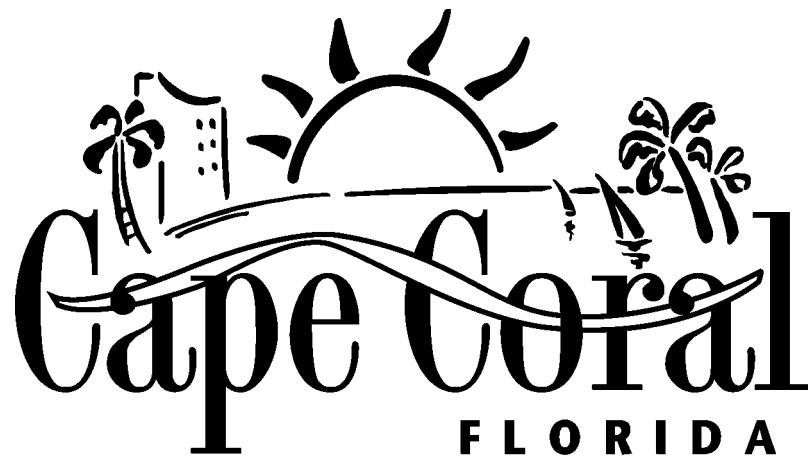
COMPREHENSIVE ANNUAL FINANCIAL REPORT

City of Cape Coral, Florida
For the Fiscal Year Ended
September 30, 2016



Prepared by:

Financial Services Department



CITY OF CAPE CORAL, FLORIDA

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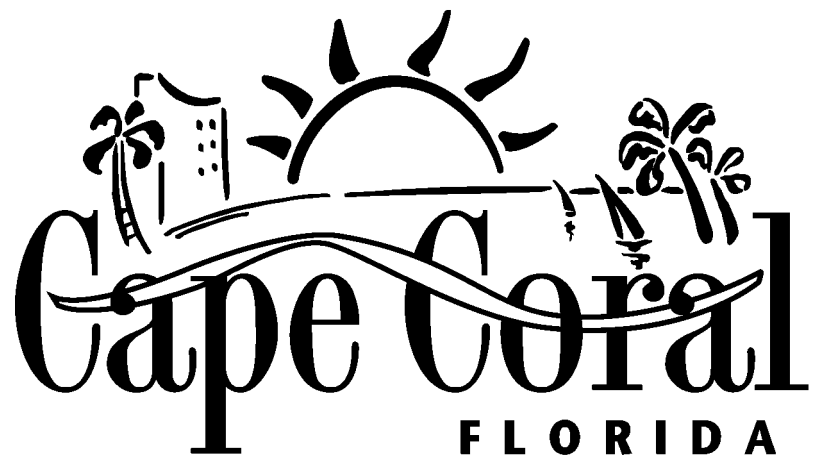
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Introductory Section



March 31, 2017

Honorable Mayor and Members of City Council
City of Cape Coral, Florida

Dear Mayor and Members of City Council:

We are pleased to present to you the Comprehensive Annual Financial Report (CAFR) of the City of Cape Coral, Florida (the City) for the fiscal year ended September 30, 2016. Chapter 218.39, Florida Statutes and the City Charter require that a complete set of financial statements be published within nine months of fiscal year end and presented in conformance with accounting principles generally accepted in the United States of America (GAAP) and audited in accordance with auditing standards generally accepted in the United States of America and those standards applicable to audits performed in accordance with *Government Auditing Standards* by licensed independent certified public accountants.

Responsibility for both the accuracy of the presented data and the completeness and fairness of the presentation, including all disclosures, rests with the management of the City. We believe the data, as presented, is accurate in all material respects and is presented in a manner designed to fairly set forth the financial position and the results of operations of the City, on a Government-wide and Fund basis. All disclosures necessary to enable the reader to gain an understanding of the City's financial activities have been included.

Management of the City is responsible for establishing and maintaining internal controls designed to ensure that the assets of the City are protected from loss, theft or misuse and to ensure that sufficient, reliable, adequate accounting data is compiled for the preparation of financial statements in conformity with accounting principles generally accepted in the United States of America. Internal accounting controls have been designed to provide reasonable rather than absolute assurance that the financial statements will be free from material misstatement. The concept of reasonable assurance recognizes that the cost of a control should not exceed the benefits likely to be derived and the evaluation of costs and benefits requires estimates and judgments by management. We believe that the City's internal controls adequately safeguard assets and provide reasonable assurance of properly recorded financial transactions.

In addition, the City maintains budgetary controls, the objective of which is to ensure compliance with legal provisions embodied in the annual budget approved by the City Council. The City also maintains an encumbrance system that is employed as an extension of formal budgetary integration in all fund types.

In compliance with the laws of the State of Florida, the City's financial statements have been audited by CliftonLarsonAllen LLP, a firm of licensed certified public accountants. The independent auditor has issued an unqualified opinion that the City's financial statements for the fiscal year ended September 30, 2016 are fairly presented in conformity with GAAP. The independent auditors' report is presented as the first component of the financial section of this report.

Management's discussion and analysis (MD&A) immediately follows the independent auditors' report and provides a narrative introduction, overview, and analysis of the basic financial statements. The MD&A complements this letter of transmittal and should be read in conjunction with it.

PROFILE OF THE CITY

The City of Cape Coral, incorporated in 1970, is located on the southwest coast of Florida in Lee County, approximately 125 miles south of Tampa, at the mouth of the Caloosahatchee River. The City is the second largest city in Florida land-area wise, encompassing 120 square miles and has an estimated population of 168,425 making it the most populated city in Southwest Florida and tenth most populous in the state.



The City is principally a residential, recreational and vacation community, and is one of the nation's first master-planned, pre-platted communities. In addition to broad boulevards and paved streets, the City is interlaced with over 400 miles of waterways. These canals provide home sites with access to the Intra-coastal Waterway and the Gulf of Mexico. City-owned recreational facilities include numerous parks, a youth center, a municipal golf course, a yacht club, a waterpark, and an ecological preserve. Because the tax burden rests mostly on residential properties, the City is actively seeking more aggressive economic development to encourage new construction and expansions to more equitably balance the tax burden between residential and commercial properties.

The City operates under a Council/City Manager form of government. Legislative authority is vested in an elected City Council consisting of eight members elected at large on a nonpartisan basis from districts. The City Council is responsible for all policy-making functions of the government and retains the services of a City Attorney, City Auditor and City Manager. The City Manager is responsible for the administration of the City.

The City provides a comprehensive range of municipal services including general government, public safety (police and fire), public works, community development, planning, utilities, transportation, economic development, and parks and recreation. In evaluating the City as a reporting entity, we have included all component units for which the City Council is financially responsible. The Community Redevelopment Agency (CRA) is blended with the financial statements presented for the Primary Government because the component unit exclusively serves the City. The Cape Coral Charter School Authority is a discretely presented component unit. The City of Cape Coral Health Facilities Authority does not meet the criteria established by GAAP for inclusion in this report. Additional information on all three of these entities can be found in the notes to the financial statements (see Note I). For additional information concerning the City, please visit our website at www.capecoral.net.

The City Council is required to adopt a final budget no later than the close of the preceding fiscal year to which the budget applies. Amendments to the City's operating budget in which appropriations are increased or decreased, or transfers between funds, must be approved by City Council via ordinance changes and include public input. The City Charter authorizes the City Manager to transfer appropriations within an operating department of the general fund and within the fund as a whole for all other funds. Transfers are reviewed and processed by the budget staff and approved by the City Manager when required by administrative policy.

LOCAL ECONOMY

New housing and commercial development in Cape Coral continues to grow at a rapid pace. New single family residential building permits were up by 36.6% over last year with a total dollar volume of \$383.9 million. The population continues to rise and has increased by over 3.3% since the 2010 U.S. census.

The number of new commercial building permits increased by 17.7% from 2015 to 2016 and the commercial tax base has increased from 8% to 12% of total tax base in Cape Coral. Forbes reports that the Cape Coral MSA had a 25.7% increase in new jobs since 2010, one of the highest rates in the U.S. Forbes also projects that Cape Coral will be one of the fastest growing cities in the U.S. over the next decade.

Caldwell & Kerr Advertising has relocated its headquarters to Cape Coral bringing in 175 jobs. They will be adding a full production studio on site and expect to double their employment level by the end of 2017. Florida Cancer Specialists are building a new \$5 million 27,000 square foot facility on Pine Island Road. A new 36,000 square foot conference center is under construction at the Westin Resort. The \$15 million project is scheduled to open by early 2018. Two new car dealerships are coming to Pine Island Road in 2017.

Cape Coral has been growing its manufacturing base and is adding the new 25 acre Kismet Industrial Park in 2017. A new German company, ESA Tubing Inc. is establishing their U.S. operations in Cape Coral and hiring 15 employees. They expect to begin operations in January 2017. Two new assisted living facilities are under construction or in permitting right now. Gulf Coast Village's new \$11.5 Palmview ALF/Memory Care Project is under construction. This is phase one of an overall \$79 million development on a former city owned parking lot. Liberty Village will begin construction on its \$7 million facility in early 2017.

Entrada, a new gated community in the NE Cape by DR Horton is in permitting. This development features 740 single family residences. The City is developing an Economic Development Master Plan for the future commercial buildout of the City.

The total taxable assessed property value in Cape Coral was \$10,330,956,745; \$11,120,507,186; and \$12,044,983,615 in fiscal years 2015, 2016 and 2017 respectively. The total taxable assessed property value increased 7.65% from fiscal year 2015 to 2016, and increased 8.31% from fiscal year 2016 to 2017. The total includes new construction of \$114,639,280, \$185,037,351, and \$232,341,287 in fiscal years 2015, 2016, and 2017 respectively.

The change in the taxable value of property on an annual basis is always a primary concern for the City as the receipts from the related ad valorem taxes provides the majority of the general fund's operating revenue. Fiscal year 2016 general fund ad valorem receipts of \$75,239,444 represents 51% of the total revenue sources for the general fund. Although ad valorem receipts are still the single largest source, the percentage of all sources had previously been approximately 62%. The General Fund's reliance on ad valorem taxes has been reduced through efforts to achieve revenue diversity which has been a primary focus of the City's strategic Plan. The City's revenue diversification initiative included the adoption of the Fire Service Assessment implemented in 2014 and generated \$21.7 million along with the Public Service Tax, which generated \$7.3 million during fiscal year 2016.

Growth in the City of Cape Coral is expected to continue this rising development trend over the next five years primarily due to the following factors:

- ◆ Significant, remaining undeveloped residential and commercial property.
- ◆ Population estimates have Cape Coral over 168,425, which is 3.3% higher than our 2010 population of 163,095 (U.S. Census, December 2, 2015) and growing. During the winter season, it is estimated that our population climbs over 200,000 with our part-time residents and renters joining us. With new housing starts at a rate that's over 36.6% higher than our 2015 levels along with increased commercial development continuing to grow as well, Cape Coral is poised for strong growth. These numbers will continue to drive housing, commercial development, investment and jobs which brings continued stabilization to Cape Coral's.
- ◆ Major transportation improvements included the widening of Burnt Store Road which started in 2015. The widening will occur in three phases, the north portion of Burnt Store Road will be completed first, then the middle and finally the southern phase. The Florida Department of transportation is overseeing this work as Burnt Store Road is a State road.
- ◆ The Utilities Expansion Program (UEP) is moving forward, as SW 6&7 is completed and North 2 bidding is underway with construction slated to start in the spring of 2017 with completion approximately two (2) years later. The City has applied for the State Revolving Fund (SRF) loan for North 2 construction estimated to cost about \$220 million. The City has currently been placed on the priority list, has submitted the loan application for the SSRF loan, and is awaiting approval which is anticipated to occur in March.

LONG-TERM FINANCIAL PLANNING

A significant measure of the City's financial strength is the level of its fund balances (i.e. the accumulation of revenues exceeding expenditures). The general fund's fund balance decreased by \$4,279,107 or 7.8% from prior year primarily due to vehicle and equipment purchases that were approved in fiscal year 2015 but not actually acquired until fiscal year 2016. The City planned on building reserves during the previous fiscal year in anticipation of funding capital acquisitions in subsequent years.

The City Council takes the responsibility of being stewards of the public's funds very seriously and has adopted the following Fund Balance policy. *Reserve funds shall not be routinely used to fund recurring expenditures. Fund balances should be maintained at fiscally sound levels in all funds.*

STRATEGIC PLANNING

Mission Statement

The City of Cape Coral will meet our community's needs through the efficient and professional delivery of quality services, with pride and integrity, in an open, honest spirit of teamwork, respecting the self-worth of the individual and the environment.

The Strategic Plan acts as an overall umbrella within which our other tools, such as the Capital Improvement Plan (CIP), Comprehensive Plan, and many master plans are coordinated.

The City of Cape Coral Asset Improvement Program (AIP) is a comprehensive program that integrates the CIP, capital equipment needs, vehicle needs, major maintenance projects, and the funding required for these capital elements into an overall financial management plan. The AIP budgetary process encompasses the integration of revenues and expenditures, along with program policy issues included in the City's long-range planning process. This structured plan is designed to promote orderly growth patterns and capital improvements in compliance with the capital improvement element of the Comprehensive Plan. The City's

ability to finance these programs and remain in compliance with the Comprehensive Plan will be a major directive in future City budgets.

RELEVANT FINANCIAL POLICIES

The City has adopted a comprehensive set of financial management policies in the areas of operating management, debt management, accounts management, financial planning, and economic resources. These policies were reviewed and approved by the City Council on September 26, 2011 and were amended on October 26, 2015 and December 12, 2016 respectively as Resolution 129-15 and Resolution 216-16.

The City maintains a prudent cash management and investment program in order to meet daily cash requirements, increase the amount available for investment, and earn the maximum rate of return on invested funds commensurate with appropriate security.

The City maintains sufficient reserves in accordance with established policy of no less than two months of regular general fund operating expenditures.

The City complies with its comprehensive debt management policy. The City has not issued any short-term debt to finance current operations.

MAJOR INITIATIVES

The millage rate for General Fund operations for FY 2016 was 6.9570; the FY 2017 Adopted rate was reduced by 0.207 to 6.75 as planned for during FY 2015 as part of the three year rolling budget.

The current five year CIP for all funds includes approximately \$94.4 million of capital improvements scheduled in FY2017, of which \$53.3 million is for the UEP, \$21.8 million for utility facilities, \$9.5 million for transportation, \$2.5 million for stormwater, and \$7.3 million for fire station and fleet maintenance facility construction.

The UEP was restarted in FY 2012, the Southwest 6 and 7 areas are substantially completed. This included construction of water, sewer, and irrigation service capacity to nearly 7,000 lots including 3,500 households. The North 2 project is currently in the bidding phase with Construction starting in the spring of 2017 estimated costs right around \$220 million, the majority of which is financed through the State Revolving Fund (SRF) loan program. The North 2 area will provide water, sewer and irrigation service capacity to 8,700 lots including 3,300 households.

In August 2013, City Council established a supplemental dedicated funding source for the provision of fire protection services and facilities through the imposition of non-ad valorem special assessment (Fire Service Assessment). The assessment was validated by the Circuit Court of the Twentieth Judicial Circuit in December 2013 and upheld on appeal by the Florida Supreme Court in May 2015.

AWARDS

The Government Finance Officers Association of the United States and Canada (GFOA) has awarded a Certificate of Achievement for Excellence in Financial Reporting to the City of Cape Coral for its comprehensive annual financial report for the fiscal year ended September 30, 2015. This is the 30th consecutive year that the City has achieved this prestigious award.

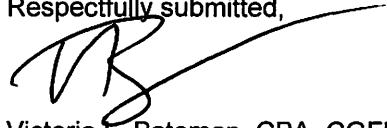
In order to be awarded a Certificate of Achievement, a government must publish an easily readable and efficiently organized comprehensive annual financial report. This report must satisfy both accounting principles generally accepted in the United States of America and applicable legal requirements.

A Certificate of Achievement for Excellence is valid for a period of one year only. We believe that our current comprehensive annual financial report continues to meet the Certificate of Achievement Program's requirements, and we are submitting it to the GFOA to determine its eligibility for another certificate.

ACKNOWLEDGMENTS

The preparation of this report could not be accomplished without the efficient and dedicated service of the Financial Services Department staff. Their continuing effort toward improving the accounting and financial reporting systems improves the quality of information reported to the City Council, State and Federal Agencies, and the citizens of the City of Cape Coral. We sincerely appreciate and commend them for their contributions.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'VB', with a long horizontal line extending to the right.

Victoria L. Bateman, CPA, CGFM
Financial Services Director



Government Finance Officers Association

**Certificate of
Achievement
for Excellence
in Financial
Reporting**

Presented to

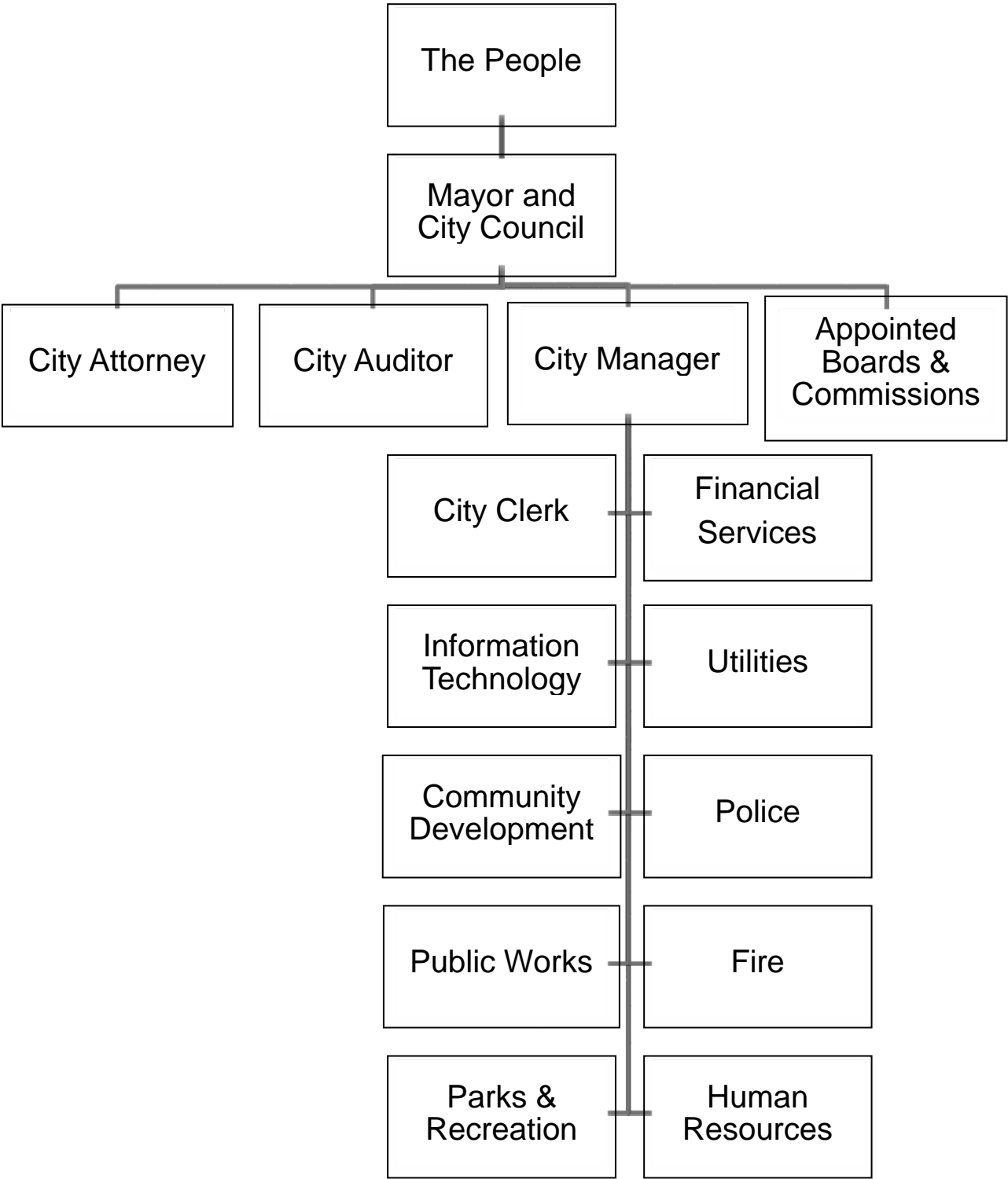
**City of Cape Coral
Florida**

For its Comprehensive Annual
Financial Report
for the Fiscal Year Ended

September 30, 2015

Executive Director/CEO

ORGANIZATIONAL CHART



CITY OF CAPE CORAL, FLORIDA

List of City Officials**

Mayor Marni L. Sawicki

City Council

James D. Burch, District No. 1

John M. Carioscia Sr., District No. 2

Marilyn Stout, District No. 3

Richard Leon, District No. 4

Rana M. Erbrick, District No. 5

Rick Williams, District No. 6

Jessica Cosden, District No. 7

City Administration

A. John Szerlag, City Manager

Michael Ilczyszyn, Assistant City Manager

Connie Barron, Public Affairs Manager

Victoria L. Bateman, CPA, CGFM, Financial Services Director

Vincent Cautero, AICP, Community Development Director

Margaret Krym, CIA, CGAP, City Auditor

Michelle Hoffmann, Information Technology Services Director

Dolores Menendez, City Attorney

David Newlan, Chief of Police

Paul Clinghan, Public Works Director

Stephen H. Pohlman, CPRP, Parks & Recreation Director

Jeffrey Pearson, Utilities Director

Dana Brunett, Economic Development Manager

Rebecca vanDeutekom, MMC, City Clerk

Donald Cochran, Fire Chief/Emergency Management Director

Lisa Sonogo, Human Resources Director

**City officials reflect current members as of date of printing.

Financial Section

INDEPENDENT AUDITORS' REPORT

Honorable Mayor and
Members of the City Council
City of Cape Coral, Florida

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Cape Coral, Florida (City), as of and for the year ended September 30, 2016, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. The financial statements of the Pension Trust Funds were not audited in accordance with *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors' judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Honorable Mayor and
Members of the City Council
City of Cape Coral, Florida

Opinions

In our opinion the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City as of September 30, 2016, and the respective changes in financial position and cash flows, where applicable, thereof, for the year then ended in conformity with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that management's discussion and analysis (MD&A), budgetary comparison schedules for the general fund and community redevelopment agency fund, and pension and other postemployment benefit schedules as listed in the table of contents be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The introductory section, combining and individual nonmajor fund financial statements, and budget and actual schedules and statistical section, as listed in the table of contents, are presented for purposes of additional analysis and are not a required part of the basic financial statements. The schedule of expenditures of federal awards and state financial assistance, as required by Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements for Federal Awards* and Chapter 10.550, *Local Governmental Entity Audits*, Rules of the Auditor General of the State of Florida, is also presented for purposes of additional analysis and is also not a required part of the basic financial statements.

The combining and individual nonmajor fund financial statements and budget and actual schedules and the schedule of expenditures of federal awards and state financial assistance are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Honorable Mayor and
Members of the City Council
City of Cape Coral, Florida

The introductory section and the statistical section have not been subjected to the auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

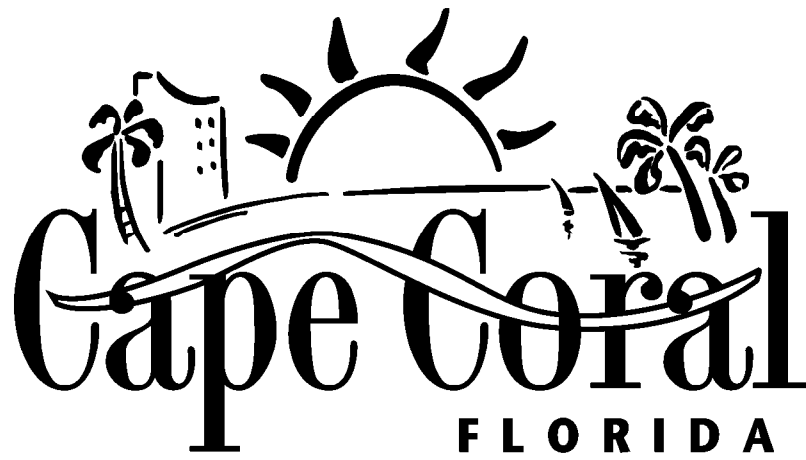
Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated March 29, 2017, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the result of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.

A handwritten signature in black ink that reads "CliftonLarsonAllen LLP". The signature is written in a cursive, flowing style.

CliftonLarsonAllen LLP

Fort Myers, Florida
March 29, 2017



Management's Discussion & Analysis

MANAGEMENT'S DISCUSSION AND ANALYSIS

The City of Cape Coral's (the City) Management's Discussion and Analysis (MDA) is designed to focus on the current year's activities, resulting changes and current known facts. Please read this section in conjunction with the City's financial statements (beginning on page 19) and letter of transmittal.

The MDA provides an overview and analysis of the financial activities of the City for the fiscal year ended September 30, 2016. It is designed to (a) assist the reader in focusing on significant financial issues, (b) provide an overview of the City's financial activity, (c) identify changes in the City's financial position, (d) identify any material deviations from the financial plan (the approved budget), and (e) identify individual fund issues or concerns.

HIGHLIGHTS

Financial Highlights

- At the close of fiscal year 2016, the City's assets and deferred outflows of resources exceeded liabilities and deferred inflows of resources by \$578.6 million (net position). Governmental and business-type assets and deferred outflow of resources exceeded liabilities by \$131.4 million and \$447.2 million, respectively.
- The City's total net position increased by \$34.9 million or 6.4%, in comparison to the prior year.
- The City had negative \$151.3 million of unrestricted net position.
- Total revenues increased \$17.9 million or 5.8% in comparison to the prior year.
- Total expenses decreased \$4.1 million or 1.4% in comparison to the prior year.
- The City's governmental activities net position totaled \$131.4 million, which is an increase of \$15.4 million or 13.3% in comparison to the prior year. Unrestricted net position for governmental activities was negative \$133.6 million.
- The City's business-type activities reported total net position of \$447.2 million, which is an increase of \$19.5 million or 4.6% in comparison to the prior year. Unrestricted net position for business-type activities was negative \$17.7 million.

OVERVIEW OF THE FINANCIAL STATEMENTS

This MDA is intended to serve as an introduction to the City's basic financial statements. The basic financial statements include the government-wide financial statements, fund financial statements and notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements.

Government-wide Financial Statements

The *government-wide financial statements* (statement of net position and statement of activities) are designed to provide a broad overview of the City, in a manner similar to a private-sector business.

The *Statement of Net Position* presents information on all of the City's assets, deferred outflows, liabilities, and deferred inflows, with the difference reported as net position. Net position may serve as a useful indicator of whether the financial position of the City is improving.

The *Statement of Activities* reflects the expenses of a given function, which are offset by program revenues. Program revenues are defined as charges for services, operating grants and contributions, and capital grants and contributions directly associated with a given function.

Governmental activities are supported by taxes and intergovernmental revenues whereas the business-type activities are primarily supported by user fees and charges for services. The governmental activities of the City include general government, public safety, public works, parks and recreation, and community development. The business-type activities of the City reflect private sector type operations where the fee for service typically covers all or most of the cost of operation, including depreciation. The business type activities include water and sewer operations, stormwater utility, yacht basin, and the golf course.

The government-wide financial statements include not only the City of Cape Coral itself (known as the primary government), but also a legally separate Charter School Authority, reported as a component unit. Separate financial statements are issued for the Cape Coral Charter School Authority which can be obtained through the Financial Services Department of the City of Cape Coral, 1015 Cultural Park Blvd., Cape Coral, FL 33990.

The government-wide financial statements can be found on pages 19-20 of this report.

Fund Financial Statements

Government resources are allocated to and accounted for in individual funds, based upon the purposes for which they are to be spent and the means by which spending activities are controlled. The accounts of the City are organized on the basis of funds, each of which is considered a separate accounting entity. The operations for each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenue, and expenditures or expenses, as appropriate. All of the funds of the City can be divided into three categories: governmental funds, proprietary funds and fiduciary funds.

Governmental Funds. *Governmental Fund* Financial Statements (see pages 21-24) are prepared on the modified accrual basis using current financial resources measurement focus. Under the modified accrual basis, revenues are recognized when they become measurable and available as net current assets.

The total columns on the Governmental Funds and Proprietary Funds Financial Statements are not the same as the Governmental Activities column and the Business-type column on the Government-wide Financial Statement. The Governmental Funds Total column requires reconciliation because of the different measurement focus (current financing resources versus total economic resources) which is reflected on the page following each statement (see pages 22 and 24). The flow of current financial resources will reflect bond proceeds and interfund transfers as other financial sources as well as capital expenditures and bond principal payments as expenditures. The reconciliation will eliminate these transactions and incorporate the capital assets and long-term obligations (bonds and others) into the Governmental Activities column in the Government-wide Statements. The Proprietary Funds total column requires reconciliation because the internal service fund is consolidated as part of the governmental activities, but a portion of the internal service funds is for business-type activities. This reconciliation is a result of the surplus elimination (see pages 26-27).

Four of the City's governmental funds, the General Fund, the Transportation Capital Improvements Fund, the Community Redevelopment Agency, and the Debt Service Fund are considered major funds and are shown separately on the financial statements. All other governmental funds are combined into a single column on the governmental funds financial statements. Individual fund data for the nonmajor funds is found in the combining statements as supplemental financial data (see pages 120-127).

The City adopts an annual appropriated budget for the General Fund and special revenue funds. Budgetary comparison statements for the general fund and community redevelopment agency are presented on pages 103-105 of the required supplementary information and other governmental funds are presented on pages 128-152 of the combining statements.

Proprietary Funds. The City maintains two different types of *proprietary funds*, enterprise and internal service. Enterprise funds are used to report the same functions presented as business-type activities in the government-wide financial statements. Internal service funds are used to accumulate and allocate costs internally among the City's various functions. Because the internal service funds predominantly benefit governmental rather than business-type functions, they have been included within governmental activities in the government-wide financial statements.

Proprietary fund financial statements (see pages 25-29), like government-wide financial statements, are prepared on the full accrual basis. Proprietary funds record both operating and non-operating revenues and expenses. Operating revenues are those that are obtained from the operations of the proprietary fund.

The proprietary fund financial statements provide separate information for the Water and Sewer Fund and for the Stormwater Fund, which are considered major funds. All other enterprise funds are combined into a single column on the proprietary fund financial statements, as well as the internal service funds reported in a single column. Individual fund data for the non-major enterprise funds and for the internal service funds is found in the combining statements as supplemental financial data (see pages 154-159).

Fiduciary Funds. The *Fiduciary Fund* financial statements (see page 30) are not presented as part of the Government-wide Financial Statements because the resources of these funds are not available to support the City's programs. Fiduciary (Pension Trust, Private-Purpose Trust and Agency) Funds represent trust responsibilities of the

government; however, these assets are restricted as to purpose and do not represent discretionary assets of the government.

Notes to the Financial Statements. The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to the financial statements can be found on pages 31-102 of this report.

Other information. In addition to the basic financial statements and accompanying notes, this report also presents required supplementary information including budgetary comparison information and the funding progress for pension and other post-employment benefits (OPEB) programs. Required supplementary information can be found on pages 103-116 of this report.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

The Government-wide Financial Statements are designed so that the user can determine if the City is in a better or worse financial condition from the prior year. The City's overall financial condition has remained stable.

City of Cape Coral, Florida Summary of Net Position (in millions)

| | Governmental Activities | | Business-type Activities | | Total | |
|--------------------------------------|----------------------------|-----------------|-----------------------------|-----------------|-----------------|-----------------|
| | 2016 | 2015 | 2016 | 2015 | 2016 | 2015 |
| Current and other assets | \$ 146.3 | \$ 138.9 | \$ 145.0 | \$ 138.3 | \$ 291.3 | \$ 277.2 |
| Capital assets | 423.5 | 421.1 | 995.3 | 1,004.9 | 1,418.8 | 1,426.0 |
| Total assets | <u>569.8</u> | <u>560.0</u> | <u>1,140.3</u> | <u>1,143.2</u> | <u>1,710.1</u> | <u>1,703.2</u> |
| Deferred outflow on pension | 38.0 | 27.8 | 8.8 | 5.7 | 46.8 | 33.5 |
| Deferred outflow on refunding bonds | 2.5 | 2.7 | 4.2 | 4.5 | 6.7 | 7.2 |
| Total deferred outflows of resources | <u>40.5</u> | <u>30.5</u> | <u>13.0</u> | <u>10.2</u> | <u>53.5</u> | <u>40.7</u> |
| Current and other liabilities | 12.5 | 13.5 | 15.8 | 18.7 | 28.3 | 32.2 |
| Noncurrent liabilities | 464.2 | 454.7 | 690.1 | 705.8 | 1,154.3 | 1,160.5 |
| Total liabilities | <u>476.7</u> | <u>468.2</u> | <u>705.9</u> | <u>724.5</u> | <u>1,182.6</u> | <u>1,192.7</u> |
| Deferred inflow on pension | 2.2 | 6.3 | 0.2 | 1.2 | 2.4 | 7.5 |
| Deferred inflow on refunding bonds | - | - | - | - | - | - |
| Total deferred inflows of resources | <u>2.2</u> | <u>6.3</u> | <u>0.2</u> | <u>1.2</u> | <u>2.4</u> | <u>7.5</u> |
| Net position: | | | | | | |
| Net investment in capital assets | 215.6 | 206.0 | 375.0 | 361.7 | 590.6 | 567.7 |
| Restricted | 49.4 | 39.2 | 89.9 | 92.6 | 139.3 | 131.8 |
| Unrestricted | (133.6) | (129.2) | (17.7) | (26.6) | (151.3) | (155.8) |
| Total net position | <u>\$ 131.4</u> | <u>\$ 116.0</u> | <u>\$ 447.2</u> | <u>\$ 427.7</u> | <u>\$ 578.6</u> | <u>\$ 543.7</u> |

Net investment in capital assets is the largest portion of net position. This represents capital assets (land, buildings, improvements, equipment, infrastructure, and construction in progress), net of accumulated depreciation, and the outstanding related debt used to acquire the assets. Unamortized bond insurance costs "follow the debt" in calculating net asset components for the statement of net position. That is, if debt is capital-related, the unamortized amounts are included in the calculation of net investment in capital assets. If the debt is restricted for a specific purpose and the proceeds are unspent, the net proceeds affect restricted net position. If the debt proceeds are not restricted for capital or other purposes, the unamortized costs are included in the calculation of unrestricted net position.

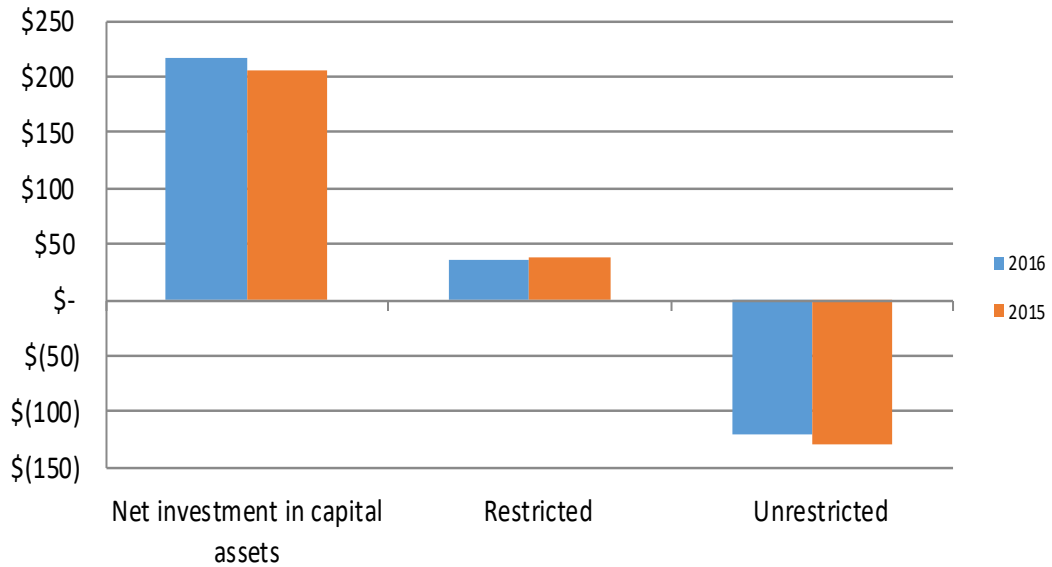
The investment in capital assets balance of \$590.6 million increased \$22.9 million or 4.0% in comparison to the prior year. The City uses capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

The restricted net position balance of \$139.3 million (24.1% of total net position) decreased \$7.5 million or 5.7% in comparison to the prior year. This balance represents resources subject to external restrictions on their use.

The unrestricted net position balance improved from a negative \$155.8 million to a negative \$151.3 million which is a change of \$4.5 million from the prior year.

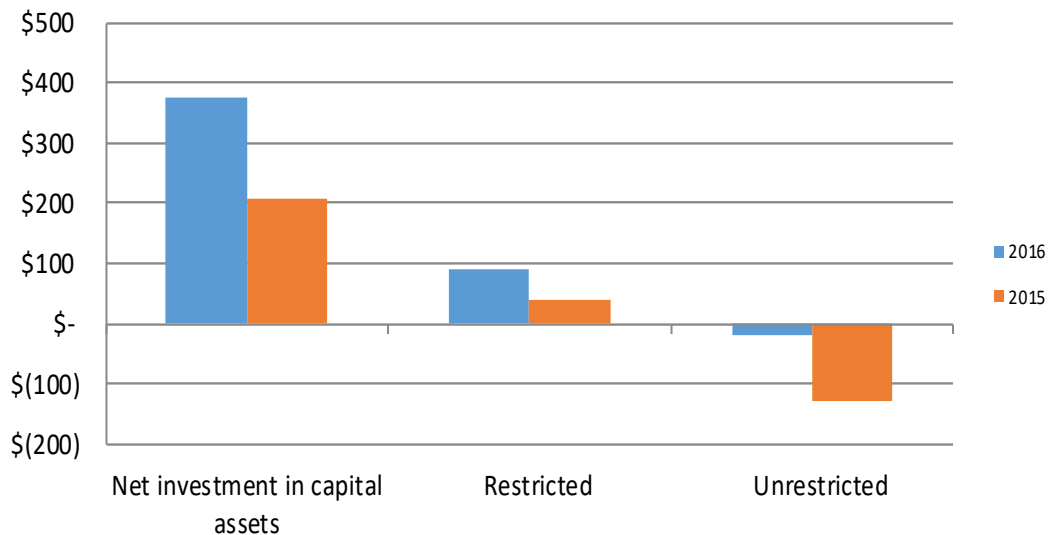
Net Position Governmental Activities

Millions



Net Position Business Type Activities

Millions

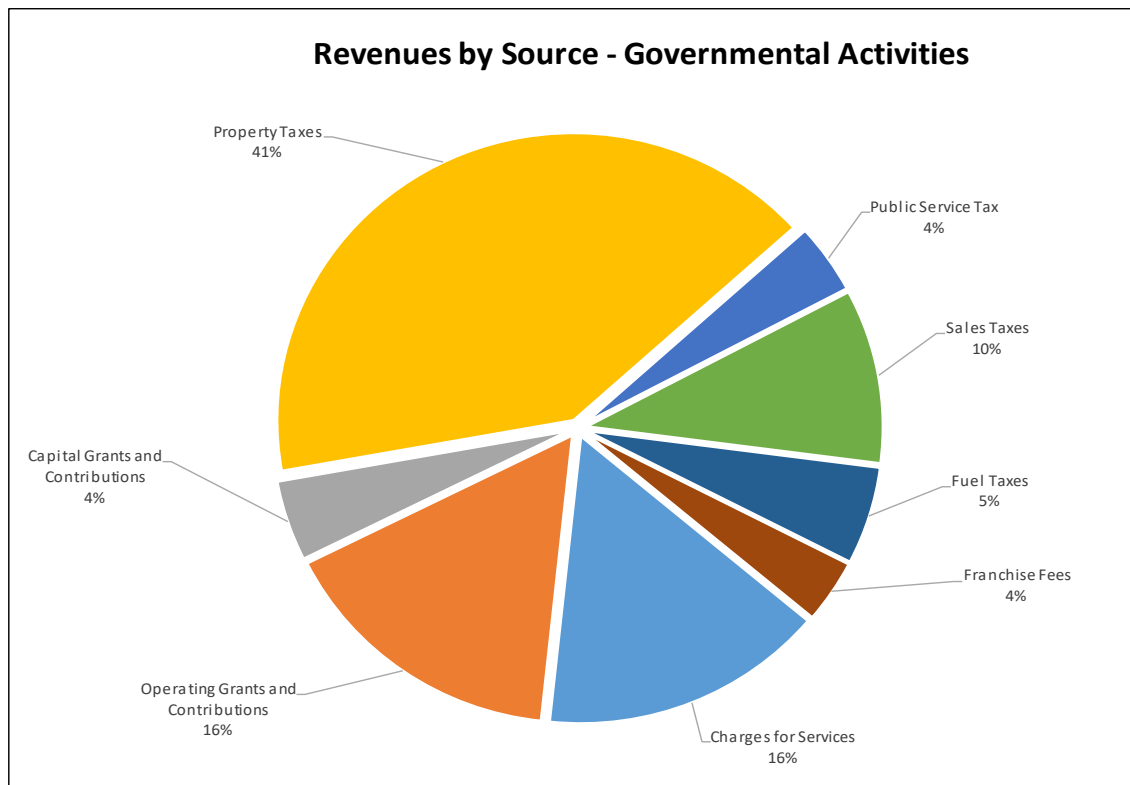


City of Cape Coral, Florida
Summary of Changes in Net Position
(in millions)

| | Governmental Activities | | Business-type Activities | | Total | |
|---|------------------------------------|-----------------|-------------------------------------|-----------------|-----------------|-----------------|
| | 2016 | 2015 | 2016 | 2015 | 2016 | 2015 |
| REVENUES: | | | | | | |
| Program Revenues: | | | | | | |
| Charges for Services | \$ 28.9 | \$ 31.5 | \$ 95.9 | \$ 91.7 | \$ 124.8 | \$ 123.2 |
| Operating Grants and Contributions | 29.6 | 15.8 | 1.1 | 0.2 | 30.7 | 16.0 |
| Capital Grants and Contributions | 8.4 | 9.5 | 27.7 | 22.4 | 36.1 | 31.9 |
| Property Taxes | 76.3 | 78.3 | - | - | 76.3 | 78.3 |
| Public Service Tax | 7.3 | 7.2 | - | - | 7.3 | 7.2 |
| Sales Taxes | 18.2 | 18.4 | - | - | 18.2 | 18.4 |
| Fuel Taxes | 10.2 | 9.7 | - | - | 10.2 | 9.7 |
| Franchise Fees | 6.6 | 6.6 | - | - | 6.6 | 6.6 |
| Communication Taxes | 5.2 | 5.5 | - | - | 5.2 | 5.5 |
| Interest Income | 1.0 | 1.1 | 9.8 | 10.4 | 10.8 | 11.5 |
| Total Revenues | 191.7 | 183.6 | 134.5 | 124.7 | 326.2 | 308.3 |
| EXPENSES: | | | | | | |
| Program Activities | | | | | | |
| Governmental Activities: | | | | | | |
| General Government | 51.6 | 52.3 | - | - | 51.6 | 52.3 |
| Public Safety | | | | | | |
| Police | 37.9 | 37.8 | - | - | 37.9 | 37.8 |
| Fire | 29.9 | 34.1 | - | - | 29.9 | 34.1 |
| Building | 3.8 | 3.1 | - | - | 3.8 | 3.1 |
| Public Works | 18.2 | 18.1 | - | - | 18.2 | 18.1 |
| Parks and Recreation | 18.0 | 17.0 | - | - | 18.0 | 17.0 |
| Community Development | 7.0 | 5.6 | - | - | 7.0 | 5.6 |
| Interest and fiscal charges | 9.6 | 10.2 | - | - | 9.6 | 10.2 |
| Business-type Activities: | | | | | | |
| Water and Sewer | - | - | 99.1 | 101.1 | 99.1 | 101.1 |
| Stormwater | - | - | 13.0 | 13.3 | 13.0 | 13.3 |
| Yacht Club | | | 0.4 | 0.3 | 0.4 | 0.3 |
| Golf Course | - | - | 2.8 | 2.5 | 2.8 | 2.5 |
| Total Expenses | 176.0 | 178.2 | 115.3 | 117.2 | 291.3 | 295.4 |
| Increase in Net Position Before Transfers | 15.7 | 5.4 | 19.2 | 7.5 | 34.9 | 12.9 |
| Transfers, net | (0.3) | 0.2 | 0.3 | (0.2) | - | - |
| Change in Net Position | 15.4 | 5.6 | 19.5 | 7.3 | 34.9 | 12.9 |
| Net Position - beginning | 116.0 | 110.4 | 427.7 | 420.4 | 543.7 | 530.8 |
| Net Position - ending | \$ 131.4 | \$ 116.0 | \$ 447.2 | \$ 427.7 | \$ 578.6 | \$ 543.7 |

Governmental Activities

The net position of the City's governmental activities increased by \$15.4 million; the net investment in capital assets for governmental activities increased by \$9.6 million.



Total revenues for governmental activities increased \$8.1 million or 4.4%, in comparison to prior year. Outlined below are the explanations for the significant revenue changes within governmental activities.

Charges for services decreased \$2.6 million or 8.3%. The primary reason for this change is because the City received settlement revenues from Lee County Electric Cooperative of \$2.6 million and no settlement revenues were received in FY16. In addition, with the implementation of self-funded health insurance, the City no longer receives health insurance profit sharing from the insurance provider since all revenues now go directly to the City through the internal service fund. Building permit revenue continued to increase resulting in revenue growth of \$1.5 million or 31.8% over FY15 due to an increase in single family home permits issued. In FY15 the City issued 937 single family home permits and in FY16 the City issued 1,280 single family home permits. Building permit revenue was \$4.6 million in FY15 and \$6.1 million in FY16.

Operating grants and contributions increased by \$13.8 million or 87.3%. The major factor that contributed to this change is the Fire Service Assessment revenues which increased by \$7.8 million or 56% over FY15. This increase is attributable to an increase in property values as well as an increase in the recovery rate to 64% as opposed to the 38% rate in FY15. Deferred revenues increased by \$1.2 million due to grant funding related to the transportation sidewalk disbursement requests not received within 60 days of fiscal year end. In addition, revenues for CDBG and SHIP that were classified as capital grants in FY15 were classified as operating grants in FY16 due to a change in accounting resulting in an additional \$1.4 million.

Capital grants and contributions decreased \$1.1 million or 11.6%. The primary reason for this change is CDBG and SHIP revenues that were classified as capital grants in FY15 were classified as operating grants in FY16 due to a change in accounting which resulted in a decrease in revenue of \$1.4 million. In addition, in FY15 \$1.7 million was received for transportation capital projects and only \$0.2 million was received in FY16. Revenue of \$1.2 million was recorded as a deferred revenue instead of a capital grant due to grant funding related to the transportation sidewalk disbursement requests not being received within 60 days of fiscal year end. Impact fees and special assessments increased by \$2.7 million in conjunction with the increase in FY16 of 343 single family home building permits issued.

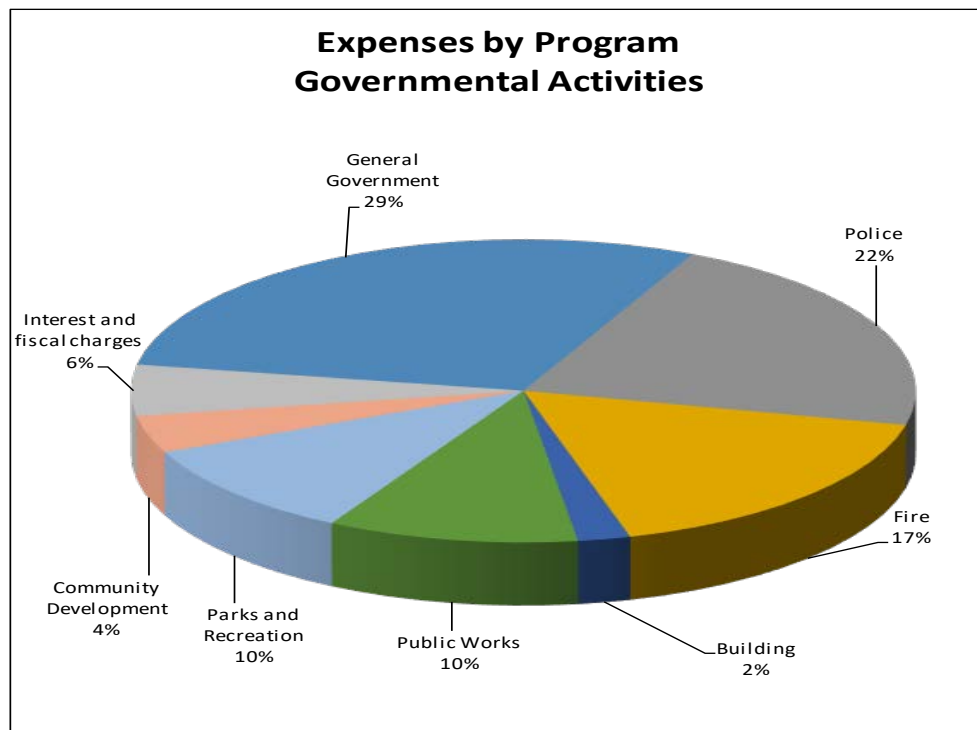
Property taxes decreased \$2.0 million or 2.6%. Taxable assessed property valuation of \$11,120,507,186 for fiscal year 2016 represents a 7.6% increase from the previous fiscal year. The millage rate was reduced by .75 mills, bringing the rate from 7.707 to 6.957 or a 10% decrease resulting in an overall reduction in property taxes. This is was a strategic decision to diversify the City's revenues sources and reduce over-reliance on property taxes as a revenue stream.

A public service tax (currently at 7.0%) on electricity is charged to residents and business owners who purchase electricity. The revenue from this tax increased .1 million or 1.4% due to an increase in electricity consumption as the population grows.

Fuel taxes increased \$.5 million or 5.2%. Fuel taxes are based on the number of gallons sold irrespective of the unit cost per gallon. An increase in gallons sold, resulting in increased revenue can be explained by lower fuel prices and population growth.

Franchise fees remained unchanged at \$6.6 million. Franchise fees are levied on a corporation or individual by the City in return for granting a privilege or permitting the use of public property subject to regulations. The City receives franchise fees for electricity, solid waste, and natural gas.

Communication taxes decreased \$.3 million or 5.5%. In fiscal year 2001, the communications services tax replaced all local taxes on telephone and cable services. The communication tax rate of 5.2% has been in effect since January 1, 2010.



Total expenses for governmental activities decreased \$2.2 million or 1.2% in comparison to the prior year. Outlined below are the explanations for the most significant expense changes within governmental activities.

General Government expenses decreased \$.7 million or 1.3%. The primary reasons are a change in pension related balances of \$5.0 million and retirement costs increased by \$1.2 million or 5.0% due to personnel costs that increased by \$.9 million or 12.8% resulting from employees that were given raises and new positions being added. Equipment purchases increased by \$1.0 million or 171.0% due to an increase in computer equipment to support new positions, the upgrade old equipment, and purchases of safety equipment for fleet vehicles.

Public Safety – Fire expenses decreased \$4.2 million or 12.3%. The primary reason for this decrease is due to a decrease in expense related to pensions of \$3.8 million.

Public Safety – Building expenses increased \$.7 million or 22.6%. The primary reason is due to a \$.3 million or 16.0% increase in personnel costs. Twelve full-time equivalent employees have been added during this year to accommodate

the increase in building permits. Expenses related to pensions increased by \$.1 million. Overtime expenses increased by \$.1 million or 50% over FY15 due to a shortage of building inspectors. Inspectors worked overtime to keep up with increasing number of permits while new staff was trained.

Public Works expenses increased \$.1 million or .6%. The primary reason is due to a \$.3 million or 12.3% increase in personnel costs as employees were given raises and new positions were added.

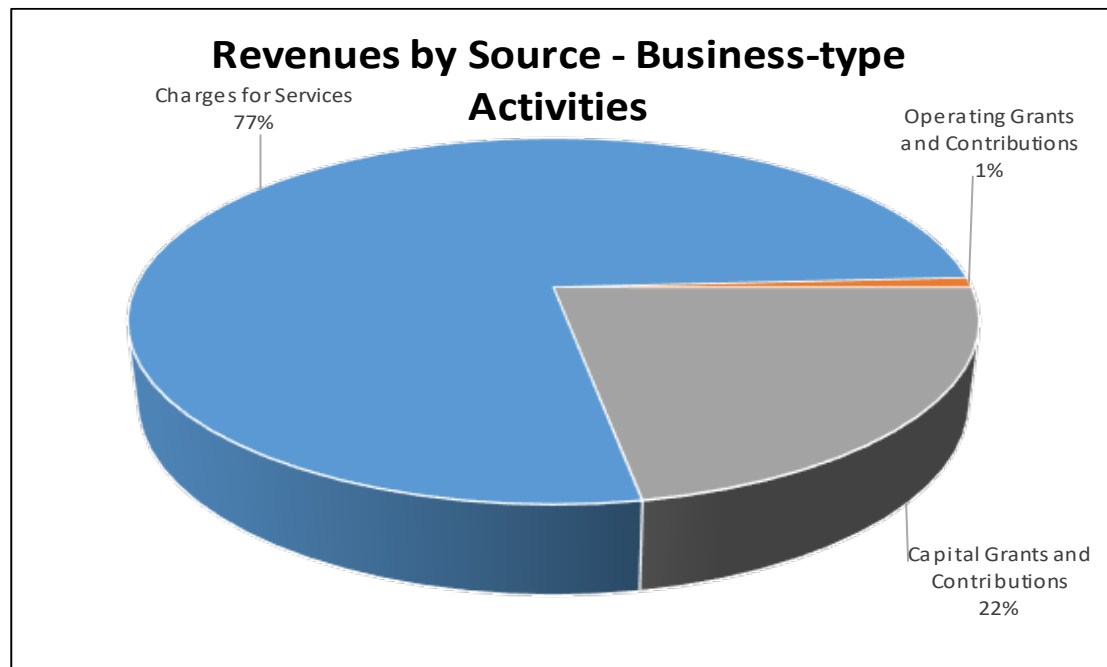
Community Development expenses increased \$1.4 million or 25.0%. The primary reason is due to an increase in pension related expenses of \$.7 million. Additionally, Residential Construction Mitigation Program increased \$.4 million and personnel costs increased by \$.2 million or 7.6% over FY15 as employees were given raises.

Parks and Recreation expenses increased \$1.0 million or 5.9%. The primary reason is due to an increase in personnel costs of \$.5 million or 7.0% resulting from raises. Additionally, pension related expenses increased by \$.3 million. Parks Maintenance and repairs increased by \$.1 million or 100.0% over FY15.

Interest and fiscal charges decreased \$.6 million or 5.9%. This decrease is primarily a result of scheduled debt payments.

Business-type Activities

The net position of the City's business-type activities increased by \$19.5 million or 4.6%. The increase in the business-type activities' net investment in capital assets is \$13.3 million, or 3.7% in comparison to prior year.

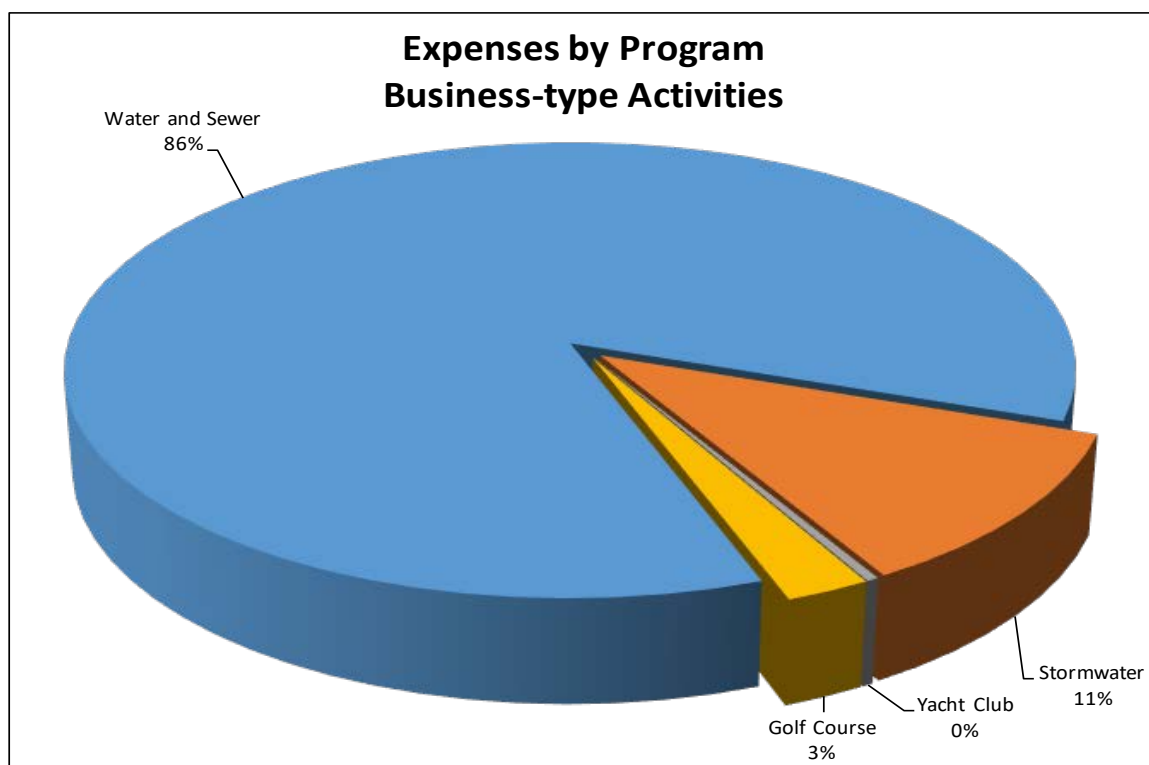


Charges for services reported in business-type activities increased \$4.2 million or 4.6%. The primary reason for the increase is due to the portion of the SW 6/7 Utility Extension Program (UEP) area that was released and connected to the system in the prior fiscal year has now started to post charges to water, sewer and irrigation in the current fiscal year.

Operating grants and contributions reported in business-type activities increased \$0.9 million or 450.0% due to an increase in the gain on sale of capital assets from updating the general ledger to balance to the fixed assets subsidiary ledger by function.

Capital grants and contributions, reported in business-type activities increased \$5.3 million or 23.7%. The primary reason for this change was, in FY15 an allowance for uncollectible was recorded for the first time for balances dating back to 2004 for the utility extension tax billed assessment areas. The FY16 allowance for uncollectible adjustments represented only a one year adjustment to revenue. There was also a \$0.7 million increase in Capital Improvement Special Assessment charges. Lastly there was a \$1.3 million increase in Impact and CIAC revenues due to additional impact permits because of a continued increase in construction permits.

Interest income reported in business-type activities decreased \$0.6 million or 5.8% due to the change in fair value of investments.



Water and sewer expenses reported in business-type activities decreased \$2.0 million or 2.0%. The primary reasons for the decrease was a result of a debt refunding in FY15 in which our payment terms went from semi-annual to quarterly; therefore, reducing our principal and interest over the current year.

Stormwater expenses reported in business-type activities decreased \$.3 million or 2.3%. The decrease in stormwater expenses is a result of an increase in salaries and wages of \$.5 million due to raises and new positions that were added to improve the operations of the City, an increase in depreciation due to the reclassification of fixed assets in the general ledger and then a decrease of \$.9 million largely due to Stormwater Master Plan expenses for UEP that we incurred in FY15 and not in FY16.

Other Enterprise funds expenses increased \$.4 million or 14.3% due to a \$.2 million increase in salaries, wages and employee benefits resulting from raises and a \$.2 million increase in contractual services, materials and supplies for the Golf Course where multiple renovations and improvements to the grounds including the parking lots and driveways, chemicals for fairways and greens and an overall update to the facilities occurred.

FINANCIAL ANALYSIS OF THE CITY'S FUNDS

As noted earlier, the City uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Governmental Funds

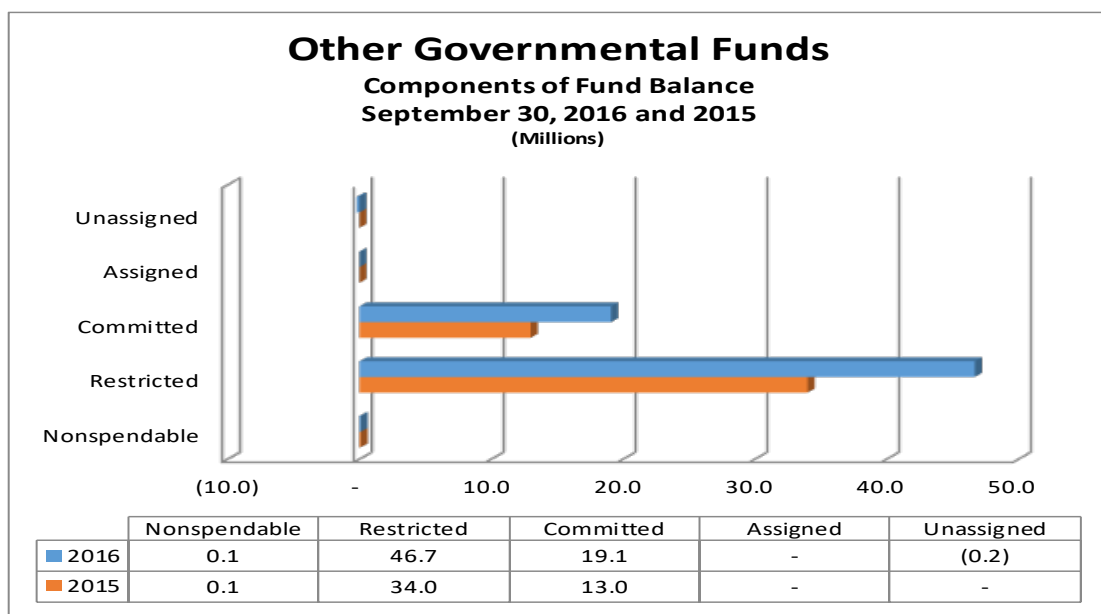
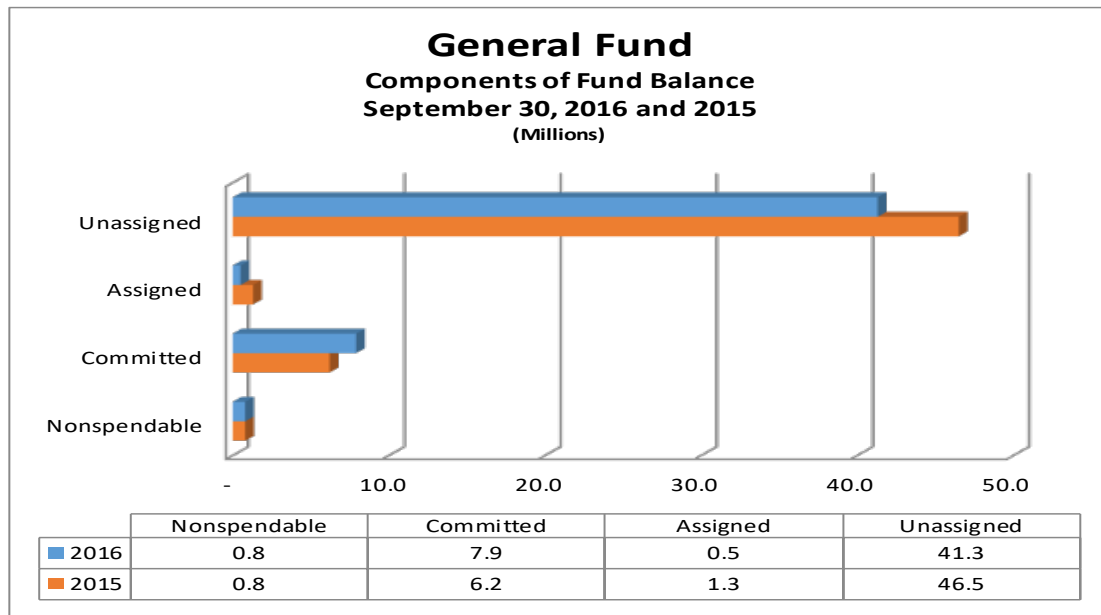
Governmental funds are comprised of the general fund, special revenue funds, debt service fund and the capital projects funds. Governmental funds use the current financial resources measurement focus that provides information on near-term inflows, outflows, and balances of spendable resources. The following funds are the City's major governmental funds.

The *General Fund* is the chief operating fund of the City. It is used to account for all financial resources, except those required to be accounted for in another fund. At the end of the current fiscal year, unassigned fund balance of the general fund was \$41.3 million, while total fund balance reached \$50.5 million. The fund balance of the City's general fund decreased by \$4.3 million during the current fiscal year or 7.8%.

The *Transportation Capital Improvements Fund* is used to account for road improvements and related items including road resurfacing and median landscaping. This fund has a total fund balance of \$23.1 million. The fund balance decreased by \$3.2 million or 11.8% in comparison to prior year.

The *Community Redevelopment Agency Fund* is used to account for monies received from tax incremental revenue by certain taxing authorities in the community redevelopment area. This fund has a fund balance of \$2.4 million, an increase of \$.7 million or 37.6% compared to the prior year. The increase in fund balance is due to an increase in revenue in FY16 and a decrease in capital outlay.

The *Debt Service Fund* is used to account for the accumulation of resources for, and payment of general long-term debt principal and interest. This fund has a total fund balance of \$7.4 million, a decrease of \$3.6 million or 32.7% compared to prior year.



Proprietary Funds

The City's proprietary funds are comprised of the enterprise funds and internal service funds. An enterprise fund is used to account for activities for which a fee is charged to external users for goods and services. These funds provide the same type of information found in the business-type activities in the government-wide financial statements, but in more detail. The following are the major enterprise funds:

Water and Sewer Fund. This fund is used to account for the activities of the City's water and sewer utility programs.

Stormwater Fund. This fund is used to account for the activities of the City's stormwater drainage program in compliance with the Environmental Protection Agency, and local and state regulations.

General Fund Budgetary Highlights

Original budget compared to final budget. The budgetary comparison schedule can be found on pages 103-104. Two budget amendments were adopted by City Council for fiscal year 2016. Major changes to the budget as a result of those amendments include:

Revenues

- Balances brought forward in the amount of \$7,023,952 were utilized to fulfill capital purchases not completed by the end of FY 2015.
- Intergovernmental revenue was increased by \$396,971 to include various grants that were received.

Expenses

- Capital Outlay was increased by \$3,985,689 as a result of rolling over for capital outlay items from FY 2015 as well as new authorizations for the purchase of replacement rolling stock.
- Overall reserves were increased by \$15,514,289 as a result of balances being brought forward from FY 2015.

Final budget compared to actual results. A review of actual results compared to the appropriations in the final budget highlights the following:

Revenues

- Sales tax revenue was \$428,150 or 3.17% higher than originally budgeted. The established budget is based upon 95% of the state estimate for distribution of the half cent sales tax revenue sharing program forecast.
- State Shared Sales tax revenue was \$481,601 or 12.91% higher than originally budgeted.
- Franchise fees were (\$396,838) or 5.65% lower than had been forecasted as a result of reduction in the power cost adjustment on electric bills.
- Communications service tax revenue was (\$915,986) or 15.05% lower than had been forecasted and is primarily attributed to fewer home telephone systems as younger consumers rely only on their cellular devices.
- Fuel tax revenue is a component part of the state's municipal revenue sharing program was \$42,632 or 3.05% higher than originally budgeted. Estimated revenue is conservatively budgeted at 95% of the state distribution.
- Fines and forfeitures revenue was less than expected at (\$141,815) or 16.75%. This revenue line item includes several different fines and fees including ordinance violation fines, filing fees, tax billed penalties, etc.
- Interest revenue was \$213,053 or 72.34% more than budgeted as a result of an increase in cash balance accounts.
- Revenues of \$438,767 were realized for off-duty Police Officers from extended bar hour activities.

Expenditures

- Capital Outlay expenditures were \$6,838,868 or 50.12% less than budgeted primarily due to the backlog of capital expenditure efforts created from the late release of funding in FY 2015 from the Fire Service Assessment revenues.
- Expenditures of \$412,616 resulted in off-duty Police Officers utilized in extended bar hour activities.

CAPITAL ASSETS AND DEBT ADMINISTRATION

Capital Assets

The following schedule reflects the City's net capital assets as of September 30, 2016 and 2015:

| | Governmental Activities | | Business-type Activities | | Total | |
|--------------------------------------|----------------------------|-----------------|-----------------------------|-------------------|-------------------|-------------------|
| | 2016 | 2015 | 2016 | 2015 | 2016 | 2015 |
| Land | \$ 150.7 | \$ 150.6 | \$ 32.7 | \$ 32.5 | \$ 183.4 | \$ 183.1 |
| Buildings | 88.5 | 91.8 | 314.4 | 323.6 | 402.9 | 415.4 |
| Building Improvements | 3.0 | 2.7 | 1.6 | 2.0 | 4.6 | 4.7 |
| Improvements other than buildings | 29.3 | 31.3 | 137.9 | 144.8 | 167.2 | 176.1 |
| Equipment | 13.5 | 8.7 | 9.1 | 8.2 | 22.6 | 16.9 |
| Intangible computer software | 0.3 | 0.7 | - | - | 0.3 | 0.7 |
| Infrastructure | 131.8 | 131.1 | 375.0 | 387.3 | 506.8 | 518.4 |
| Construction in progress | 6.4 | 4.2 | 124.6 | 106.5 | 131.0 | 110.7 |
| Total capital assets | <u>\$ 423.5</u> | <u>\$ 421.1</u> | <u>\$ 995.3</u> | <u>\$ 1,004.9</u> | <u>\$ 1,418.8</u> | <u>\$ 1,426.0</u> |

The City's total capital assets decreased by \$7.2 million, or .5%, during the current fiscal year. The overall decrease is primarily a result of \$44.8 million of increased capital purchases and depreciation expense of \$50.4 million.

Major capital asset purchases and projects during the current fiscal year included the following:

- Police equipment
- Fire equipment
- Local road resurfacing
- Lift station improvements
- Sidewalk improvements
- Utility Extension Project improvements in the Southwest 6 & 7 area

Additional information on the City's capital assets can be found in Note 5: Capital Assets.

Long Term Debt

Three major rating institutions (Moody's, Fitch and Standard & Poor's) have periodically evaluated the City's financial management, economic conditions and administrative practices. Based on their evaluations, the following ratings were achieved on the last issue of each type. The insured rating is based on the credit worthiness of the company insuring the bonds, whereas an underlying rating is based upon the credit worthiness of the issuer or security which is actually pledged for the repayment of the bonds.

During fiscal year 2016, the major rating institutions reaffirmed various ratings. Below is a summary of the bonds which were reviewed.

| | |
|--------------------|---|
| Fitch: | Special Assessments Bonds "BBB+" |
| Standard & Poor's: | Special Obligation Refunding Bonds "AA-/Stable" |

In May 2016, Fitch reaffirmed the BBB+ rating for Water and Sewer Special Assessment Debt. The report reflected the following key rating driver is the Back-up Pledge. The water and sewer system is able to cover any potential debt service deficiencies of the special assessment bonds which hold Fitch rating of "A" on water and sewer system bonds.

At September 30, 2016, the City had \$833.9 million of outstanding debt (excluding compensated absences and other post employment benefits). Revenue bonds, which are secured solely by specified revenue sources, had an outstanding balance of \$642.1 million, or 77%, of the total outstanding debt. Special assessment debt which is collateralized by special assessments levied against the benefited property owners, had an outstanding balance of \$109.0 million, or 13.1%, of the total outstanding debt. Notes payable, which are collateralized by the net revenues of the water and sewer system, impact fees, and special assessment revenue, had an outstanding balance of \$81.7 million, or 9.8%, of the total outstanding debt. Capital leases, which are collateralized by the related equipment, had an outstanding balance \$1.1 million, or .1% of the total outstanding debt.

The following is a schedule of outstanding debt as of September 30, 2016 and 2015:

| | Governmental Activities | | Business-type Activities | | Total | |
|---|------------------------------------|-----------------|-------------------------------------|-----------------|-----------------|-----------------|
| | 2016 | 2015 | 2016 | 2015 | 2016 | 2015 |
| Revenue Bonds | \$ 194.5 | \$ 203.7 | \$ 447.6 | \$ 457.9 | \$ 642.1 | \$ 661.6 |
| Special Assessment Debt with Governmental Commitment | 1.4 | 1.5 | 107.6 | 118.9 | 109.0 | 120.4 |
| Notes Payable | 12.1 | 13.7 | 69.6 | 68.9 | 81.7 | 82.6 |
| Capital Leases | 1.1 | 1.6 | - | - | 1.1 | 1.6 |
| Total | \$ 209.1 | \$ 220.5 | \$ 624.8 | \$ 645.7 | \$ 833.9 | \$ 866.2 |

The City's total debt decreased by \$32.3 million, or 3.7%, during the current fiscal year. The Governmental Activities overall decreased of 11.4 million or 5.2% is due to scheduled debt payments. The Business-type overall decrease of \$20.9 million is due to \$18.8 million in scheduled debt payments and \$2.1 million of special assessment debt redemptions.

The ratio of net bonded debt to assessed valuation is not applicable since the City of Cape Coral did not have any outstanding general obligation bonds at September 30, 2016.

Pursuant to the Balanced Budget and Emergency Deficit Control Act, as amended, the President of the United States ordered that certain automatic spending cuts be implemented pursuant to calculations provided by the United States Office of Management and Budget (OMB) in its Report to the Congress on sequestration dated March 1, 2013. These included automatic across-the-board cuts in certain categories of federal spending for the from March 1, 2013 and will be applied unless and until a law is enacted that cancels or otherwise impacts the sequester, at which time the sequestration reduction rate is subject to change. The cuts include mandatory reductions in the amounts scheduled to be paid by the federal government to issuers of Build America Bonds. The Internal Revenues Service announced on October 1, 2013, that payments to issuers of Direct-Pay bonds from the budget accounts associated with these bonds are subject to reduction. In May 2010, the City issued \$33,815,000 of Federally Taxable Build America Bonds. As a result of this act the City's reimbursement was reduced by \$55,364 in FY2016. The reduction in FY2017 is expected to be 6.8% or \$55,364.

Additional information on the City's long-term debt and debt coverage can be found in Note 8: Long-term Liabilities and Note 14: Future Revenues that are Pledged.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGET

The State of Florida operates primarily using sales, gasoline and corporate income taxes. Local governments (cities, counties, and school boards) rely primarily on property and a limited array of permitted other taxes (sales, gasoline, communication services, business licensing, etc.) and fees (franchise, impact, etc.) for their governmental activities. There are a limited number of state-shared revenues and recurring and non-recurring (one-time) grants from both the state and federal governments. Other sources of revenue for both the business-type and governmental activities are charges for service whereby the user pays a related fee or charge associated with the service. As the annual budget is developed, the resources available to support the City's operations are closely examined. A primary goal of the City is the continuation of current service levels.

The following factors were considered in preparing the City's budget for the 2017 fiscal year:

- The FY 2017 budget was again developed as part of a three-year rolling budget and included FY 2018 and 2019 with only FY 2017 being formally approved by the City Council. Approval of the public service tax and imposition of the special assessment for fire services beginning in FY 2014 laid the foundation for addressing Economic / Financial Stability which is one of the primary goals of the strategic plan. The other goals of the strategic plan, Economic Development, Redevelopment, Infrastructure Improvements, Public Safety, and Improved City Image, all have some level of dependency upon the City's ability to achieve Economic / Financial Stability.

- The FY 2017 budget provides continued funding of the capital and infrastructure needs of governmental activities which was reestablished in FY 2014. Not unlike the neglect of capital improvement needs, the organizational infrastructure had also been ignored. After seven years of pay freezes and pay reductions, the FY 2015 budget provided funding to start addressing employee pay issues. Provisions for salary increases were included in the budget as efforts continue to restore the organization infrastructure through salary range adjustments as well as addressing pay parity issues.
- As a result of property tax and state-shared revenue increases beyond the amounts forecasted, the FY 2016 budget provided for a number of initiatives that support the strategic plan and the community as a whole. These initiatives include: an update to the land use and development regulations; reinstatement of street light funding for installing new street lights primarily focusing on school bus stops; additional funding for the downtown redevelopment agency for improvements to a city-owned parking lot; a community visioning plan; an update to the parks master plan; master planning of the Bimini Basin in the southeast area of the city and Seven Islands in the northwest area; and funding for a federal lobbyist. Many of these initiatives have been carried forward into the FY 2017 budget as the projects progress through their various stages of completion.
- The FY 2017 – 2019 rolling budget was adopted with an operating millage rate of 6.750 which was a decrease of 0.207 mills. This reduction was executed in conjunction with a fire service assessment recovery rate of 64%. The focus of the FY 2018 and 2019 budgets and beyond will be to continue revenue diversification and reducing the reliance upon ad valorem tax revenues. These changes have resulted in ad valorem taxes being less than 50% of the current revenue as opposed to 60-62% in previous years.
- The Water and Sewer budget was prepared to support the continuing operations of the existing utility facilities to include the water reclamation plants, reverse osmosis plants, and the existing collection, distribution, and transmission lines. The preparation of the annual budget is made in conjunction with the annual update of the rate sufficiency model which indicates no rate changes are required for the system.
- The stormwater utility fee is charged per equivalent residential unit (ERU). Based on the results of the Stormwater Cost Recovery study performed by an outside consultant, the rolling budget was adopted with an increase in the rate structure to \$87 per ERU and will be re-examined annually per resolution 122-16. The previous rate was \$80.
- Non-enterprise recreational programs are budgeted in a Special Revenue Fund. Each program is supported by a certain level of user fees. Program costs and projected revenues are evaluated annually to ensure the program costs are being recovered while maintaining a constant level of general fund support. Program fees will cover approximately 55% of the program expenditures.
- Impact Fee Funds: No new projects have been planned to be funded from impact fees for fiscal year 2017. Revenues will be used to satisfy annual debt requirements.
- Gas tax funds have been budgeted in accordance with revenue estimates provided by the State of Florida and will support local road resurfacing, signalization, and small scale intersection improvements.
- Water, sewer, and irrigation utility capital expansion fees are used to pay for the expansion of the City's utility system including the cost of transmission lines. These fees are also used to pay applicable debt service and/or will be used to offset the borrowing requirements associated with the expansion of the utility plants and related facilities.
- The Building Fund provides for 48.45 full-time equivalent positions. As a result of an increase in permitting activity no subsidy has been required by the General Fund since fiscal year 2010.

REQUEST FOR INFORMATION

The City's financial statements are designed to present users (citizens, taxpayers, customers, investors, and creditors) with a general overview of the City's finances and to demonstrate the City's accountability. Questions concerning any of the information provided in this report or requests for additional financial information should be directed to the City of Cape Coral, Office of the City Clerk, 1015 Cultural Park Blvd., Cape Coral, FL 33990.

Basic Financial Statements

STATEMENT OF NET POSITION

September 30, 2016

| | Primary Government | | | Component Unit |
|---|---------------------------|-----------------------|-----------------------|---------------------------|
| | Governmental | Business-type | | Cape Coral Charter |
| | Activities | Activities | Total | School Authority |
| ASSETS | | | | |
| Cash and investments | \$ 136,843,555 | \$ 30,380,350 | \$ 167,223,905 | \$ 5,659,550 |
| Interest receivable | 167,313 | 42,123 | 209,436 | - |
| Accounts receivable, net | 1,551,957 | 8,451,153 | 10,003,110 | 44,845 |
| Assessments receivable, net | 588 | - | 588 | - |
| Intergovernmental receivable | 8,370,070 | 69,800 | 8,439,870 | 69,107 |
| Due from component unit | 34,667 | - | 34,667 | - |
| Internal balances | (1,131,402) | 1,131,402 | - | - |
| Inventories | 125,287 | 1,778,419 | 1,903,706 | - |
| Prepaid items | 222,827 | 1,846 | 224,673 | 53,877 |
| Unamortized bond insurance | 151,159 | 3,541,778 | 3,692,937 | - |
| Restricted: | | | | |
| Cash and investments | - | 96,312,181 | 96,312,181 | - |
| Interest receivable | - | 227,810 | 227,810 | - |
| Accounts receivable, net | - | 1,053,068 | 1,053,068 | - |
| Intergovernmental receivable | - | 123,796 | 123,796 | - |
| Assessments receivable | - | 1,991,104 | 1,991,104 | - |
| Capital assets (net of accumulated depreciation): | | | | |
| Land and construction in progress | 157,133,931 | 157,300,407 | 314,434,338 | - |
| Other capital assets, net of depreciation | 266,400,117 | 837,953,533 | 1,104,353,650 | 1,321,351 |
| Total assets | <u>569,870,069</u> | <u>1,140,358,770</u> | <u>1,710,228,839</u> | <u>7,148,730</u> |
| DEFERRED OUTFLOWS OF RESOURCES | | | | |
| Deferred charge on refunding | 2,502,124 | 4,192,913 | 6,695,037 | - |
| Deferred charge of pension contributions | - | - | - | 772,266 |
| Deferred outflows of pension earnings | 12,266,294 | 3,086,109 | 15,352,403 | 1,997 |
| Deferred outflows of pension assumptions | 21,207,252 | 4,497,340 | 25,704,592 | 489,935 |
| Deferred outflows of pension experience | 4,537,307 | 1,218,281 | 5,755,588 | 317,637 |
| Total deferred outflows of resources | <u>40,512,977</u> | <u>12,994,643</u> | <u>53,507,620</u> | <u>1,581,835</u> |
| LIABILITIES | | | | |
| Accounts payable and other accrued liabilities | 5,599,980 | 3,502,604 | 9,102,584 | 154,663 |
| Retainage payable | 258,632 | 1,310,386 | 1,569,018 | - |
| Accrued payroll | 2,792,790 | 431,637 | 3,224,427 | 341,898 |
| Accrued interest payable | 553,462 | 1,228,599 | 1,782,061 | - |
| Deposits | 398,720 | 2,693,001 | 3,091,721 | - |
| Intergovernmental payable | 205,657 | - | 205,657 | 18,918 |
| Unearned revenue | 2,710,675 | 6,626,148 | 9,336,823 | 21,844 |
| Noncurrent liabilities: | | | | |
| Due within one year | 14,086,779 | 24,942,858 | 39,029,637 | 482,737 |
| Due in more than one year | 450,153,906 | 665,189,319 | 1,115,343,225 | 7,878,096 |
| Total liabilities | <u>476,760,601</u> | <u>705,924,552</u> | <u>1,182,685,153</u> | <u>8,898,156</u> |
| DEFERRED INFLOWS OF RESOURCES | | | | |
| Deferred charge on refunding | 11,353 | - | 11,353 | - |
| Deferred inflows of pension earnings | - | - | - | 718,445 |
| Deferred inflows of pension experience | 2,206,270 | 203,518 | 2,409,788 | 71,359 |
| Total deferred inflows of resources | <u>2,217,623</u> | <u>203,518</u> | <u>2,421,141</u> | <u>789,804</u> |
| NET POSITION | | | | |
| Net investment in capital assets | 215,610,383 | 374,994,099 | 590,604,482 | 359,546 |
| Restricted for: | | | | |
| Community redevelopment agency | 2,403,644 | - | 2,403,644 | - |
| Public safety | 4,911,025 | - | 4,911,025 | - |
| Parks and recreation | 3,372,122 | - | 3,372,122 | - |
| Public works | 13,111,194 | - | 13,111,194 | - |
| Debt service | 7,817,226 | 9,497,725 | 17,314,951 | - |
| Community development | 7,245,137 | - | 7,245,137 | - |
| Capital improvements | 10,529,368 | 74,472,250 | 85,001,618 | - |
| Renewal and replacement | - | 5,967,221 | 5,967,221 | - |
| Unrestricted | (133,595,277) | (17,705,952) | (151,301,229) | (1,316,941) |
| Total net position | <u>\$ 131,404,822</u> | <u>\$ 447,225,343</u> | <u>\$ 578,630,165</u> | <u>\$ (957,395)</u> |

The accompanying notes to the financial statements are an integral part of this statement.

City of Cape Coral, Florida
STATEMENT OF ACTIVITIES
For the Year Ended September 30, 2016

| Functions/Programs | Program Revenues | | | Net (Expense) Revenue and Changes in Net Position | | |
|-------------------------------------|------------------|----------------------|---|---|-------------------------|--------------------------|
| | Expenses | Charges for Services | Operating Grants and Contributions | Capital Grants and Contributions | Primary Government | |
| | | | | | Governmental Activities | Business-type Activities |
| Primary governmental activities: | | | | | | |
| Governmental activities: | | | | | | |
| Public safety: | | | | | | |
| Police | \$ 51,588,399 | \$ 11,008,789 | \$ 506,752 | \$ 31,668 | \$ (40,041,190) | \$ - |
| Fire | 37,862,679 | 1,244,054 | 1,748,546 | 833,600 | (34,036,479) | - |
| Building | 29,941,799 | 288,432 | 23,039,940 | 6,771 | (6,606,656) | - |
| Public works | 3,804,593 | 6,411,115 | - | - | 2,606,522 | - |
| Parks and recreation | 18,268,298 | 3,151,358 | 1,614,423 | 5,979,541 | (7,522,976) | - |
| Community development | 17,997,257 | 5,397,864 | 561,186 | 1,565,227 | (10,472,980) | - |
| Interest on long-term debt | 6,979,622 | 1,408,377 | 2,088,305 | - | (3,482,940) | - |
| Total governmental activities | 9,641,749 | - | - | - | (9,641,749) | - |
| | 176,084,396 | 28,909,989 | 29,559,152 | 8,416,807 | (109,198,448) | - |
| Business-type activities: | | | | | | |
| Water and sewer | 99,123,629 | 80,067,263 | 802,440 | 27,669,127 | - | 9,415,201 |
| Stormwater | 13,029,277 | 13,123,358 | 239,412 | - | - | 333,493 |
| Yacht basin | 372,349 | 588,539 | - | - | - | 216,190 |
| Golf course | 2,790,829 | 2,126,888 | 80,816 | - | - | (583,125) |
| Total business-type activities | 115,316,084 | 95,906,048 | 1,122,668 | 27,669,127 | - | 9,381,759 |
| Total primary government | \$ 291,400,480 | \$ 124,816,037 | \$ 30,681,820 | \$ 36,085,934 | \$ (109,198,448) | \$ (99,816,689) |
| Component unit: | | | | | | |
| Cape Coral Charter School Authority | \$ 22,775,696 | \$ 709,472 | \$ 1,871,590 | \$ 588,201 | \$ - | \$ - |
| | | | | | | \$ (19,606,433) |
| General revenues: | | | | | | |
| Taxes: | | | | | | |
| | | | Florida education finance program | | \$ - | \$ - |
| | | | Property taxes, levied for general purpose | | - | - |
| | | | Property taxes, other (CRA and All Hazards) | | 75,239,444 | 21,156,371 |
| | | | Public service tax | | 1,094,755 | - |
| | | | Sales | | 7,250,872 | - |
| | | | Fuel | | 18,136,627 | - |
| | | | Alcohol and beverage | | 10,222,671 | - |
| | | | Franchise | | 67,005 | - |
| | | | Communication | | - | - |
| | | | Interest income | | 5,168,297 | - |
| | | | Transfers, net | | 1,044,202 | 14,827 |
| | | | Total general revenues and transfers | | 9,846,901 | 10,891,103 |
| | | | Change in net position | | 282,857 | - |
| | | | Net position - beginning | | 10,129,758 | - |
| | | | Net position - ending | | 19,511,517 | 21,171,198 |
| | | | | | 34,876,184 | 1,564,765 |
| | | | | | 543,753,981 | (2,522,160) |
| | | | | | \$ 447,225,343 | \$ (957,395) |

The accompanying notes to the financial statements are an integral part of this statement.

City of Cape Coral, Florida

BALANCE SHEET
GOVERNMENTAL FUNDS
September 30, 2016

| | General | Transportation Capital Improvements | Community Redevelopment Agency | Debt Service Fund | Other Governmental Funds | Total Governmental Funds |
|--|----------------------|---|--------------------------------------|-------------------------|--------------------------------|--------------------------------|
| ASSETS | | | | | | |
| Cash and investments | \$ 50,848,144 | \$ 23,766,722 | \$ 2,402,167 | \$ 7,432,202 | \$ 34,590,795 | \$ 119,040,030 |
| Interest receivable | 72,110 | 29,176 | 3,171 | 1,416 | 44,449 | 150,322 |
| Accounts receivable, net | 1,394,681 | - | 76 | - | 53,176 | 1,447,933 |
| Assessments receivable, net | 422 | - | - | - | 166 | 588 |
| Intergovernmental receivable | 3,312,086 | 1,385,930 | - | 937,070 | 2,734,984 | 8,370,070 |
| Due from other funds | 126,244 | - | - | - | - | 126,244 |
| Advances to other funds | 659,921 | - | - | - | - | 659,921 |
| Inventories | 38,180 | - | - | - | 87,107 | 125,287 |
| Prepaid items | 144,507 | - | 403 | - | 585 | 145,495 |
| Total assets | <u>\$ 56,596,295</u> | <u>\$ 25,181,828</u> | <u>\$ 2,405,817</u> | <u>\$ 8,370,688</u> | <u>\$ 37,511,262</u> | <u>\$ 130,065,890</u> |
| LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCES | | | | | | |
| Liabilities: | | | | | | |
| Accounts payable and other accrued liabilities | 2,583,901 | 632,597 | 228 | - | 717,764 | 3,934,490 |
| Accrued retainage | - | 258,632 | - | - | - | 258,632 |
| Accrued payroll | 2,427,768 | 12,122 | 1,542 | - | 278,439 | 2,719,871 |
| Due to other funds | - | - | - | - | 126,244 | 126,244 |
| Deposits | 107,527 | - | - | - | 291,193 | 398,720 |
| Intergovernmental payables | 92,284 | - | - | - | 113,373 | 205,657 |
| Unearned revenue | 716,580 | - | - | - | 1,994,095 | 2,710,675 |
| Advances from other funds | - | - | - | - | 95,012 | 95,012 |
| Total liabilities | <u>5,928,060</u> | <u>903,351</u> | <u>1,770</u> | <u>-</u> | <u>3,616,120</u> | <u>10,449,301</u> |
| Deferred inflows of resources: | | | | | | |
| Unavailable revenue - grant reimbursement | 11,659 | 1,240,120 | - | - | 1,093,439 | 2,345,218 |
| Unavailable revenue - taxes | - | - | - | - | 838 | 838 |
| Unavailable revenue - other | 111,399 | - | - | - | - | 111,399 |
| Deferred inflow - lease | - | - | - | 937,070 | - | 937,070 |
| Total deferred inflows of resources | <u>123,058</u> | <u>1,240,120</u> | <u>-</u> | <u>937,070</u> | <u>1,094,277</u> | <u>3,394,525</u> |
| Fund balances: | | | | | | |
| Nonspendable | 842,608 | - | 403 | - | 87,692 | 930,703 |
| Restricted | - | 9,289,248 | 2,403,644 | 7,433,618 | 27,545,200 | 46,671,710 |
| Committed | 7,946,254 | 13,749,109 | - | - | 5,325,363 | 27,020,726 |
| Assigned | 469,442 | - | - | - | - | 469,442 |
| Unassigned | 41,286,873 | - | - | - | (157,390) | 41,129,483 |
| Total fund balances | <u>50,545,177</u> | <u>23,038,357</u> | <u>2,404,047</u> | <u>7,433,618</u> | <u>32,800,865</u> | <u>116,222,064</u> |
| Total liabilities, deferred inflows of resources, and fund balances | <u>\$ 56,596,295</u> | <u>\$ 25,181,828</u> | <u>\$ 2,405,817</u> | <u>\$ 8,370,688</u> | <u>\$ 37,511,262</u> | <u>\$ 130,065,890</u> |

The accompanying notes to the financial statements are an integral part of this statement.

City of Cape Coral, Florida

**RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS
TO THE STATEMENT OF NET POSITION**

September 30, 2016

| | | |
|--|----|-------------|
| Fund balances - total governmental funds | \$ | 116,222,064 |
|--|----|-------------|

Amounts reported for governmental activities in the statement of net position are different because:

Capital assets used in governmental activities are not financial resources and therefore are not reported in the funds.

| | | | |
|--------------------------|----|----------------------|-------------|
| Capital assets | \$ | 589,563,326 | |
| Accumulated depreciation | | <u>(166,967,614)</u> | 422,595,712 |

| | |
|--|-----------|
| Internal service funds are used by the City to charge costs of workers compensation insurance, property and casualty insurance, and Self-funded Health Insurance to individual funds. The assets and liabilities of internal service funds are included in governmental activities in the statement of net position. | (583,904) |
|--|-----------|

| | |
|---|---------|
| Unamortized bond insurance is not current financial resources and therefore is not reported in the funds. | 151,159 |
|---|---------|

| | |
|---|---------------|
| Net pension liabilities are not due and payable in the current period and, therefore, are not reported as fund liabilities. | (121,728,311) |
|---|---------------|

| | |
|--|-----------|
| Debt interest payable that will not be liquidated with current financial resources is not reported in the funds. | (553,462) |
|--|-----------|

Deferred outflows of resources are not recognized in the governmental funds; however, they are recorded in the statement of net position under full accrual accounting.

| | | | |
|--|----|-------------------|------------|
| Gain on refunding of debt | \$ | 2,502,124 | |
| Pension earnings, experience and assumptions | | <u>36,518,765</u> | 39,020,889 |

Deferred inflows are not recognized in the governmental funds; however they are recorded in the statement of net position under full accrual accounting.

| | | | |
|---------------------------------|----|--------------------|-----------|
| Loss on refunding of debt | \$ | (11,353) | |
| Lease | | 937,070 | |
| Grant reimbursement | | 2,345,218 | |
| Other | | 112,237 | |
| Pension earnings and experience | | <u>(2,171,769)</u> | 1,211,403 |

Long-term liabilities, including bonds payable, are not due and payable in the current period and therefore are not reported as fund liabilities.

| | | | |
|---|----|--------------------|---------------------------|
| Bonds, notes, and capital leases payable | \$ | (209,030,590) | |
| OPEB obligation | | (111,355,210) | |
| Compensated absences | | <u>(4,544,928)</u> | <u>(324,930,728)</u> |
| Total net position of governmental activities | \$ | | <u><u>131,404,822</u></u> |

The accompanying notes to the financial statements are an integral part of this statement.

STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
GOVERNMENTAL FUNDS
For the Year Ended September 30, 2016

| | General | Transportation Capital Improvements | Community Redevelopment Agency | Debt Service Fund | Other Governmental Funds | Total Governmental Funds |
|--|----------------------|---|--------------------------------------|-------------------------|--------------------------------|--------------------------------|
| REVENUES | | | | | | |
| Taxes: | | | | | | |
| Property | \$ 75,239,444 | \$ - | \$ 410,949 | \$ - | \$ 682,968 | \$ 76,333,361 |
| Public service | 7,250,872 | - | - | - | - | 7,250,872 |
| Sales | 18,136,627 | - | - | - | - | 18,136,627 |
| Fuel | 1,441,409 | - | - | - | 8,798,909 | 10,240,318 |
| Alcohol and beverage | 67,005 | - | - | - | - | 67,005 |
| Franchise | 6,622,099 | - | - | - | - | 6,622,099 |
| Communication | 5,168,297 | - | - | - | - | 5,168,297 |
| Special assessments | 20,808,145 | - | - | - | 122,740 | 20,930,885 |
| Licenses and permits | 863,016 | - | - | - | 6,388,718 | 7,251,734 |
| Intergovernmental | 3,680,801 | 216,378 | - | - | 3,070,252 | 6,967,431 |
| Charges for services | 6,040,709 | - | - | - | 7,979,382 | 14,020,091 |
| Fines and forfeitures | 704,935 | - | - | - | 136,895 | 841,830 |
| Impact fees | - | - | - | - | 8,510,926 | 8,510,926 |
| Rent and royalties | 399,255 | - | 1,000 | 3,703,030 | 7,016 | 4,110,301 |
| Interest income | 507,553 | 145,108 | 16,400 | 71,007 | 220,923 | 960,991 |
| Contributions and donations | 4,025 | 45,805 | - | - | 192,897 | 242,727 |
| Other revenue | 639,024 | 68 | 76 | - | 1,287,045 | 1,926,213 |
| Total revenues | <u>147,573,216</u> | <u>407,359</u> | <u>428,425</u> | <u>3,774,037</u> | <u>37,398,671</u> | <u>189,581,708</u> |
| EXPENDITURES | | | | | | |
| Current: | | | | | | |
| General government | 45,508,938 | - | - | 2,961 | 67,303 | 45,579,202 |
| Public safety: | | | | | | |
| Police | 34,329,227 | - | - | - | 416,184 | 34,745,411 |
| Fire | 26,122,494 | - | - | - | 451,905 | 26,574,399 |
| Building | - | - | - | - | 3,405,018 | 3,405,018 |
| Public works | 9,294,791 | 397,019 | - | - | 2,630,942 | 12,322,752 |
| Parks and recreation | 5,837,980 | - | - | - | 9,443,606 | 15,281,586 |
| Community development | 3,961,936 | - | 140,711 | - | 2,606,436 | 6,709,083 |
| Capital outlay | 6,838,868 | 11,265,306 | 2,400 | - | 1,282,600 | 19,389,174 |
| Debt service: | | | | | | |
| Principal | - | - | - | 11,292,837 | - | 11,292,837 |
| Interest and fiscal charges | - | - | - | 9,713,574 | 9,188 | 9,722,762 |
| Total expenditures | <u>131,894,234</u> | <u>11,662,325</u> | <u>143,111</u> | <u>21,009,372</u> | <u>20,313,182</u> | <u>185,022,224</u> |
| Excess revenues over (under) expenditures | <u>15,678,982</u> | <u>(11,254,966)</u> | <u>285,314</u> | <u>(17,235,335)</u> | <u>17,085,489</u> | <u>4,559,484</u> |
| OTHER FINANCING SOURCES (USES) | | | | | | |
| Transfers in | 3,793,832 | 8,150,000 | 788,808 | 13,641,920 | 4,677,566 | 31,052,126 |
| Transfers out | (23,892,888) | (111,277) | (416,848) | (5,674) | (10,230,959) | (34,657,646) |
| Proceeds on sale of capital assets | 140,967 | 2,900 | - | - | 6,110 | 149,977 |
| Total other financing sources (uses) | <u>(19,958,089)</u> | <u>8,041,623</u> | <u>371,960</u> | <u>13,636,246</u> | <u>(5,547,283)</u> | <u>(3,455,543)</u> |
| Net change in fund balances | (4,279,107) | (3,213,343) | 657,274 | (3,599,089) | 11,538,206 | 1,103,941 |
| Fund balances - beginning | <u>54,824,284</u> | <u>26,251,700</u> | <u>1,746,773</u> | <u>11,032,707</u> | <u>21,262,659</u> | <u>115,118,123</u> |
| Fund balances - ending | <u>\$ 50,545,177</u> | <u>\$ 23,038,357</u> | <u>\$ 2,404,047</u> | <u>\$ 7,433,618</u> | <u>\$ 32,800,865</u> | <u>\$ 116,222,064</u> |

The accompanying notes to the financial statements are an integral part of this statement.

City of Cape Coral, Florida

**RECONCILIATION OF THE STATEMENT OF REVENUES,
EXPENDITURES, AND CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDS
TO THE STATEMENT OF ACTIVITIES**

For the Year Ended September 30, 2016

Net change in fund balances - total governmental funds: \$ 1,103,941

Amounts reported for governmental activities in the statement of net position
are different because:

Governmental funds report capital outlays as expenditures. However, in the statement of activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense. This is the amount by which depreciation exceeded capital outlay in the current period.

| | | |
|----------------|---------------------|-----------|
| Capital outlay | \$ 19,389,174 | |
| Depreciation | <u>(14,763,822)</u> | 4,625,352 |

The net effect of various miscellaneous transactions on capital assets.

| | |
|-----------------------------------|-----------|
| Net disposition of capital assets | (983,287) |
|-----------------------------------|-----------|

| | |
|--|-----------|
| Changes to long-term compensated absences. | 2,094,872 |
|--|-----------|

The issuance of debt (e.g., bonds, leases) provides current financial resources to governmental funds, while the repayment of the principal of long-term debt consumes the current financial resources of the governmental funds. Neither transaction, however, has any effect on net position. Also, governmental funds report the effect of bond insurance costs, premiums, discounts, and similar items when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities. This amount is the net effect of these differences in the treatment of long-term debt and related items.

| | | |
|--|-----------------|------------|
| Principal debt payments - governmental funds | \$ 11,292,837 | |
| Debt issuance costs | <u>(19,023)</u> | 11,273,814 |

| | |
|--|-----------|
| Vehicle lease payments received from Charter School. | (255,035) |
|--|-----------|

| | |
|---|-----------|
| Certain revenues not considered available are not recognized in the governmental funds but are included in the statement of activities. | 1,549,904 |
|---|-----------|

| | |
|--|-----------|
| Changes in net pension obligations are reported only in the statement of activities. | 1,759,749 |
|--|-----------|

| | |
|--|-----------|
| Internal service funds are used by the City to charge costs of workers compensation insurance, property and casualty insurance, fleet and facilities charges, and self insurance. The net revenues of internal service funds is recorded within governmental activities. | 4,627,838 |
|--|-----------|

Some expenses reported in the statement of activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds.

| | | |
|--|-----------------|---------------------|
| OPEB obligation | \$ (10,513,493) | |
| Net change in accrued interest on long-term debt | <u>81,012</u> | <u>(10,432,481)</u> |

| | |
|--|----------------------|
| Change in net position - governmental activities | <u>\$ 15,364,667</u> |
|--|----------------------|

The accompanying notes to the financial statements are an integral part of this statement.

STATEMENT OF NET POSITION
PROPRIETARY FUNDS
September 30, 2016

| | Business-type Activities - Enterprise Funds | | | | Governmental Activities - Internal Service Funds |
|--|--|-------------------|-------------------------------|---------------|---|
| | Water and Sewer | Stormwater | Other Enterprise Funds | Total | |
| ASSETS | | | | | |
| Current assets: | | | | | |
| Cash and investments | \$ 17,979,561 | \$ 11,651,170 | \$ 749,619 | \$ 30,380,350 | \$ 17,803,525 |
| Interest receivable | 26,367 | 14,857 | 899 | 42,123 | 16,991 |
| Accounts receivable, net | 8,441,687 | 9,097 | 369 | 8,451,153 | 138,691 |
| Intergovernmental receivable | - | 69,800 | - | 69,800 | - |
| Inventories | 1,732,162 | - | 46,257 | 1,778,419 | - |
| Prepaid items | 1,816 | 30 | - | 1,846 | 77,332 |
| Restricted: | | | | | |
| Cash and investments | 96,312,181 | - | - | 96,312,181 | - |
| Interest receivable | 227,810 | - | - | 227,810 | - |
| Intergovernmental receivable | 123,796 | - | - | 123,796 | - |
| Assessments receivable, net | 3,368 | - | - | 3,368 | - |
| Total restricted assets | 96,667,155 | - | - | 96,667,155 | - |
| Total current assets | 124,848,748 | 11,744,954 | 797,144 | 137,390,846 | 18,036,539 |
| Noncurrent assets: | | | | | |
| Unamortized bond insurance | 3,541,778 | - | - | 3,541,778 | - |
| Restricted: | | | | | |
| Accounts receivable, net | 1,053,068 | - | - | 1,053,068 | - |
| Assessments receivable | 1,987,736 | - | - | 1,987,736 | - |
| Total restricted assets | 3,040,804 | - | - | 3,040,804 | - |
| Capital assets: | | | | | |
| Land | 24,522,078 | 6,355,077 | 1,817,726 | 32,694,881 | - |
| Buildings | 384,287,160 | 83,408 | 1,338,450 | 385,709,018 | 794,507 |
| Building improvements | 1,938,029 | 1,833,038 | 40,729 | 3,811,796 | 117,477 |
| Improvements other than buildings | 291,642,310 | 21,560,642 | 3,439,916 | 316,642,868 | 63,796 |
| Equipment | 29,109,276 | 7,427,275 | 755,506 | 37,292,057 | 1,591,118 |
| Infrastructure | 578,483,079 | 14,272,054 | 286,049 | 593,041,182 | - |
| Intangible computer software | - | - | - | - | 705,245 |
| Construction in progress | 120,561,959 | 4,043,567 | - | 124,605,526 | - |
| Less accumulated depreciation | (470,918,320) | (23,012,853) | (4,612,215) | (498,543,388) | (2,333,807) |
| Total capital assets, net | 959,625,571 | 32,562,208 | 3,066,161 | 995,253,940 | 938,336 |
| Total noncurrent assets | 966,208,153 | 32,562,208 | 3,066,161 | 1,001,836,522 | 938,336 |
| Total assets | 1,091,056,901 | 44,307,162 | 3,863,305 | 1,139,227,368 | 18,974,875 |
| DEFERRED OUTFLOWS OF RESOURCES | | | | | |
| Deferred charge on refunding | 4,192,913 | - | - | 4,192,913 | - |
| Deferred outflows of pension earnings | 2,267,039 | 711,754 | 107,316 | 3,086,109 | 523,164 |
| Deferred outflows of pension assumptions | 3,303,722 | 1,037,229 | 156,389 | 4,497,340 | 762,397 |
| Deferred outflows of pension experience | 894,942 | 280,974 | 42,365 | 1,218,281 | 206,527 |
| Total deferred outflows of resources | 10,658,616 | 2,029,957 | 306,070 | 12,994,643 | 1,492,088 |

The accompanying notes to the financial statements are an integral part of this statement.

STATEMENT OF NET POSITION
PROPRIETARY FUNDS (continued)
September 30, 2016

| | Business-type Activities - Enterprise Funds | | | | Governmental Activities - Internal Service Funds |
|---|--|-------------------|---------------------------------------|----------------|---|
| | Water and Sewer | Stormwater | Other Enterprise Funds | Total | |
| LIABILITIES | | | | | |
| Current liabilities: | | | | | |
| Accounts payable and other accrued liabilities | \$ 3,190,923 | \$ 142,040 | \$ 169,641 | \$ 3,502,604 | \$ 1,665,490 |
| Accrued retainage | 1,277,916 | 32,470 | - | 1,310,386 | - |
| Accrued payroll | 298,880 | 111,484 | 21,273 | 431,637 | 72,919 |
| Claims liability | - | - | - | - | 2,231,694 |
| Accrued interest payable | 1,228,599 | - | - | 1,228,599 | - |
| Deposits | 2,673,001 | - | 20,000 | 2,693,001 | - |
| Unearned revenue | 6,443,719 | - | 182,429 | 6,626,148 | - |
| Compensated absences | 239,689 | 77,461 | 11,532 | 328,682 | 48,713 |
| Debt: | | | | | |
| Revenue bonds | 9,960,000 | - | - | 9,960,000 | - |
| Special assessment debt | 9,520,000 | - | - | 9,520,000 | - |
| Notes | 5,134,176 | - | - | 5,134,176 | - |
| Total debt | 24,614,176 | - | - | 24,614,176 | - |
| Total current liabilities | 39,966,903 | 363,455 | 404,875 | 40,735,233 | 4,018,816 |
| Noncurrent liabilities: | | | | | |
| Advances from other funds | - | - | 564,909 | 564,909 | - |
| Compensated absences | 890,252 | 317,573 | 44,132 | 1,251,957 | 174,354 |
| OPEB obligation | 23,370,125 | 7,494,691 | 1,822,345 | 32,687,161 | 5,029,363 |
| Claims liability | - | - | - | - | 4,837,000 |
| Net pension liability | 22,795,596 | 7,156,849 | 1,079,082 | 31,031,527 | 5,260,522 |
| Debt: | | | | | |
| Revenue bonds | 437,706,810 | - | - | 437,706,810 | - |
| Special assessment debt | 98,067,751 | - | - | 98,067,751 | - |
| Notes | 64,444,113 | - | - | 64,444,113 | - |
| Total debt | 600,218,674 | - | - | 600,218,674 | - |
| Total noncurrent liabilities | 647,274,647 | 14,969,113 | 3,510,468 | 665,754,228 | 15,301,239 |
| Total liabilities | 687,241,550 | 15,332,568 | 3,915,343 | 706,489,461 | 19,320,055 |
| DEFERRED INFLOWS OF RESOURCES | | | | | |
| Deferred inflows of pension experience | 149,503 | 46,938 | 7,077 | 203,518 | 34,501 |
| Total deferred inflows of resources | 149,503 | 46,938 | 7,077 | 203,518 | 34,501 |
| NET POSITION | | | | | |
| Net investment in capital assets | 339,398,199 | 32,529,738 | 3,066,162 | 374,994,099 | 938,336 |
| Restricted for: | | | | | |
| Debt service | 9,497,725 | - | - | 9,497,725 | - |
| Capital improvements | 74,472,250 | - | - | 74,472,250 | - |
| Renewal and replacement | 5,967,221 | - | - | 5,967,221 | - |
| Unrestricted | (15,010,931) | (1,572,125) | (2,819,207) | (19,402,263) | 174,071 |
| Total net position | \$ 414,324,464 | \$ 30,957,613 | \$ 246,955 | \$ 445,529,032 | \$ 1,112,407 |
| Adjustments to reflect the consolidation of internal service fund activities related to enterprise funds. | | | | 1,696,311 | |
| Net position of business-type activities | | | | \$ 447,225,343 | |

The accompanying notes to the financial statements are an integral part of this statement.

**STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN FUND NET POSITION
PROPRIETARY FUNDS**

For the Year Ended September 30, 2016

| | Business-type Activities - Enterprise Funds | | | | Governmental Activities - Internal Service Funds |
|---|--|----------------------|---------------------------------------|-----------------------|---|
| | Water and Sewer | Stormwater | Other Enterprise Funds | Total | |
| OPERATING REVENUES | | | | | |
| Charges for services | \$ 78,983,576 | \$ 12,932,963 | \$ 2,709,890 | \$ 94,626,429 | \$ 27,169,868 |
| Other revenue | 1,083,687 | 190,395 | 5,537 | 1,279,619 | 772,128 |
| Total operating revenues | <u>80,067,263</u> | <u>13,123,358</u> | <u>2,715,427</u> | <u>95,906,048</u> | <u>27,941,996</u> |
| OPERATING EXPENSES | | | | | |
| Salaries, wages and employee benefits | 22,382,183 | 7,283,913 | 1,519,624 | 31,185,720 | 4,812,476 |
| Contractual services, materials and supplies | 19,522,505 | 4,020,135 | 1,512,578 | 25,055,218 | 7,703,226 |
| Claims and claims adjustments | - | - | - | - | 13,000,336 |
| Depreciation | 33,365,552 | 1,792,678 | 133,654 | 35,291,884 | 304,841 |
| Total operating expenses | <u>75,270,240</u> | <u>13,096,726</u> | <u>3,165,856</u> | <u>91,532,822</u> | <u>25,820,879</u> |
| Operating income (loss) | <u>4,797,023</u> | <u>26,632</u> | <u>(450,429)</u> | <u>4,373,226</u> | <u>2,121,117</u> |
| NONOPERATING REVENUES (EXPENSES) | | | | | |
| Interest income | 9,751,932 | 89,802 | 5,167 | 9,846,901 | 83,211 |
| Interest expense | (24,478,716) | - | - | (24,478,716) | - |
| Debt service costs | (244,099) | - | - | (244,099) | - |
| Gain (loss) on sale of capital assets | 802,440 | 239,412 | 80,816 | 1,122,668 | 40,400 |
| Total nonoperating revenues (expenses) | <u>(14,168,443)</u> | <u>329,214</u> | <u>85,983</u> | <u>(13,753,246)</u> | <u>123,611</u> |
| Income (loss) before contributions and transfers | <u>(9,371,420)</u> | <u>355,846</u> | <u>(364,446)</u> | <u>(9,380,020)</u> | <u>2,244,728</u> |
| Capital contributions | | | | | |
| Special assessments | 22,083,170 | - | - | 22,083,170 | - |
| Impact fees and contribution in aid of construction | 5,585,957 | - | - | 5,585,957 | - |
| Total capital contributions | <u>27,669,127</u> | <u>-</u> | <u>-</u> | <u>27,669,127</u> | <u>-</u> |
| Transfers | | | | | |
| Transfers in | - | 108,563 | 604,000 | 712,563 | 3,322,663 |
| Transfers out | (205,206) | (9,500) | (215,000) | (429,706) | - |
| Total transfers | <u>(205,206)</u> | <u>99,063</u> | <u>389,000</u> | <u>282,857</u> | <u>3,322,663</u> |
| Change in net position | 18,092,501 | 454,909 | 24,554 | 18,571,964 | 5,567,391 |
| Total net position - beginning | 396,231,963 | 30,502,704 | 222,401 | 426,957,068 | (4,454,984) |
| Total net position - ending | <u>\$ 414,324,464</u> | <u>\$ 30,957,613</u> | <u>\$ 246,955</u> | <u>\$ 445,529,032</u> | <u>\$ 1,112,407</u> |
| Change in net position of business-type activities | | | | \$ 18,571,964 | |
| Adjustments to reflect the consolidation of internal service fund activities related to enterprise funds. | | | | 939,553 | |
| Change in net position of business-type activities | | | | <u>\$ 19,511,517</u> | |

The accompanying notes to the financial statements are an integral part of this statement.

STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
For the Year Ended September 30, 2016

| | Business-type Activities - Enterprise Funds | | | | Governmental Activities - Internal Service Funds |
|--|--|----------------------|-------------------------------|-----------------------|---|
| | Water and Sewer | Stormwater | Other Enterprise Funds | Total | |
| CASH FLOWS FROM OPERATING ACTIVITIES: | | | | | |
| Cash received from customers | \$ 80,336,357 | \$ 13,301,824 | \$ 2,783,987 | \$ 96,422,168 | \$ 27,818,702 |
| Cash payments for claims | - | - | - | - | (13,041,642) |
| Cash payments to suppliers | (14,381,032) | (4,068,868) | (1,051,935) | (19,501,835) | (6,463,912) |
| Cash payments to employees | (21,927,890) | (7,275,644) | (1,592,254) | (30,795,788) | (4,840,684) |
| Cash payments for interfund services | (4,808,266) | - | (415,386) | (5,223,652) | - |
| Net cash provided (used) by operating activities | <u>39,219,169</u> | <u>1,957,312</u> | <u>(275,588)</u> | <u>40,900,893</u> | <u>3,472,464</u> |
| CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES: | | | | | |
| Transfers in | - | 108,563 | 604,000 | 712,563 | 3,322,663 |
| Transfers out | (205,206) | (9,500) | (215,000) | (429,706) | - |
| Net cash used by noncapital financing activities | <u>(205,206)</u> | <u>99,063</u> | <u>389,000</u> | <u>282,857</u> | <u>3,322,663</u> |
| CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES: | | | | | |
| Acquisition and construction of capital assets | (25,141,631) | (1,156,174) | (586,401) | (26,884,206) | (301,960) |
| Proceeds from sale of capital assets | 852,750 | 43,365 | (5,925) | 890,190 | 40,400 |
| Principal payments on long-term debt | (21,348,615) | - | - | (21,348,615) | - |
| Collection of special assessments | 30,272,755 | - | - | 30,272,755 | - |
| Impact fees and contribution in aid of construction | 5,824,408 | - | - | 5,824,408 | - |
| Interest paid | (24,556,400) | - | - | (24,556,400) | - |
| Net cash used by capital and related financing activities | <u>(34,096,733)</u> | <u>(1,112,809)</u> | <u>(592,326)</u> | <u>(35,801,868)</u> | <u>(261,560)</u> |
| CASH FLOWS FROM INVESTING ACTIVITIES: | | | | | |
| Investment Earnings | 1,279,515 | 91,859 | 5,359 | 1,376,733 | 76,417 |
| Net cash provided by investing activities | <u>1,279,515</u> | <u>91,859</u> | <u>5,359</u> | <u>1,376,733</u> | <u>76,417</u> |
| Net increase (decrease) in cash | 6,196,745 | 1,035,425 | (473,555) | 6,758,615 | 6,609,984 |
| Cash and investments - beginning | 108,094,997 | 10,615,745 | 1,223,174 | 119,933,916 | 11,193,541 |
| Cash and investments - ending | <u>\$ 114,291,742</u> | <u>\$ 11,651,170</u> | <u>\$ 749,619</u> | <u>\$ 126,692,531</u> | <u>\$ 17,803,525</u> |
| CLASSIFIED AS: | | | | | |
| Cash and investments | \$ 17,979,561 | \$ 11,651,170 | \$ 749,619 | \$ 30,380,350 | \$ 17,803,525 |
| Restricted cash and investments | 96,312,181 | - | - | 96,312,181 | - |
| Total cash and investments | <u>\$ 114,291,742</u> | <u>\$ 11,651,170</u> | <u>\$ 749,619</u> | <u>\$ 126,692,531</u> | <u>\$ 17,803,525</u> |

The accompanying notes to the financial statements are an integral part of this statement.

STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS (continued)
For the Year Ended September 30, 2016

| | Business-type Activities - Enterprise Funds | | | | Governmental Activities - Internal Service Funds |
|---|--|---------------------|---------------------------------------|----------------------|---|
| | Water and Sewer | Stormwater | Other Enterprise Funds | Total | |
| RECONCILIATION OF OPERATING INCOME (LOSS) TO NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES: | | | | | |
| Operating income (loss) | \$ 4,797,023 | \$ 26,632 | \$ (450,429) | \$ 4,373,226 | \$ 2,121,117 |
| Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities: | | | | | |
| Depreciation expense | 33,365,552 | 1,792,678 | 133,654 | 35,291,884 | 304,841 |
| (Increase) decrease in assets: | | | | | |
| Accounts receivable, net | 30,683 | 175,544 | 7 | 206,234 | (123,294) |
| Intergovernmental receivable | - | 2,922 | - | 2,922 | - |
| Inventories | 269,749 | - | (9,109) | 260,640 | - |
| Prepaid items | (70) | 275 | 5,955 | 6,160 | (6,051) |
| Increase (decrease) in liabilities: | | | | | |
| Accounts payable and other accrued liabilities | 63,528 | (49,008) | 48,411 | 62,931 | 1,245,365 |
| Accrued payroll | (537,450) | (164,023) | (41,963) | (743,436) | (98,738) |
| Compensated absences | (450,794) | (148,286) | (32,770) | (631,850) | (206,368) |
| OPEB obligation | 2,221,976 | 719,726 | 175,840 | 3,117,542 | 481,229 |
| Net Pension Liability | 2,264,388 | 527,203 | (55,594) | 2,735,997 | 493,456 |
| Change in Deferred inflows | 114,708 | 28,221 | (38,433) | 104,496 | 25,237 |
| Change in Deferred outflows | (3,158,536) | (954,572) | (79,710) | (4,192,818) | (723,024) |
| Claims liability | - | - | - | - | (41,306) |
| Deposits | 239,292 | - | - | 239,292 | - |
| Unearned revenue | (880) | - | 68,553 | 67,673 | - |
| Total adjustments | 34,422,146 | 1,930,680 | 174,841 | 36,527,667 | 1,351,347 |
| Net cash provided (used) by operating activities | <u>\$ 39,219,169</u> | <u>\$ 1,957,312</u> | <u>\$ (275,588)</u> | <u>\$ 40,900,893</u> | <u>\$ 3,472,464</u> |

Supplemental disclosure of noncash investing, capital and financing activities:

Water and Sewer decrease in fair value of investments of \$7,166.
Water and Sewer recognized \$4,192,913 of deferred loss.
Water and Sewer recognized \$3,541,778 capital asset contributions.
Water and Sewer had \$1,851,296 of capital related accounts payable.
Stormwater increase in fair value of investments of \$534.
Stormwater had \$17,558 of capital related accounts payable.
Other Enterprise Funds decrease in fair value of investments of \$509.
Other Enterprise Funds had \$15,598 of capital related accounts payable.
Internal Service Funds increase in fair value of investments of \$1,937.
Internal Service Funds had \$24,131 of capital related accounts payable.

The accompanying notes to the financial statements are an integral part of this statement.

City of Cape Coral, Florida

STATEMENT OF NET POSITION
FIDUCIARY FUNDS
September 30, 2016

| | Pension Trust Funds | Agency Funds |
|---|--------------------------------|-------------------------|
| ASSETS | | |
| Cash and cash equivalents | 15,100,229 | 2,829,029 |
| Receivables | | |
| Member contributions | 504 | - |
| Employer contributions | 248,061 | - |
| Due from brokers | 1,190,221 | - |
| Investment income | 398,665 | 3,682 |
| Total receivables | 1,837,451 | 3,682 |
| Intergovernmental receivable | | 35,785 |
| Investments, at fair value: | | |
| Certificates of deposit | 341,205 | - |
| US Government Obligations and | | |
| Federal Agency Guaranteed Securities | 25,115,926 | - |
| Mortgage Backed Securities | 10,199,291 | - |
| Collateralized Mortgage Obligations | 3,574,176 | - |
| Corporate Bonds | 20,153,524 | - |
| Municipal obligations | 278,626 | - |
| Stocks | 178,189,774 | - |
| Unit Investment Trusts | 1,982,690 | - |
| Mutual and ETF funds | | |
| Equity | 53,665,686 | - |
| Balanced | 26,847,644 | - |
| Pooled/common/commingled funds | | |
| Equity | 135,842,703 | - |
| Real Estate | 31,942,548 | - |
| Partnerships | 9,529,726 | - |
| Real Estate | 719,292 | - |
| Total investments | 498,382,811 | - |
| Prepaid expenses | 1,769 | - |
| Total assets | 515,322,260 | 2,868,496 |
| LIABILITIES | | |
| Accounts payable | 395,802 | |
| Due to broker for securities purchased | 2,075,957 | |
| Prepaid contributions | 9,777 | |
| Due to others | - | \$ 2,868,496 |
| Total liabilities | 2,481,536 | |
| NET POSITION RESTRICTED FOR PENSIONS | \$ 512,840,724 | |

City of Cape Coral, Florida

STATEMENT OF CHANGES IN NET POSITION
FIDUCIARY FUNDS
For the Year Ended September 30, 2016

| | Pension Trust Funds |
|---|--------------------------------|
| ADDITIONS | |
| Contributions: | |
| Employer | \$ 32,003,413 |
| Plan members | 7,062,422 |
| Member buybacks | 252,607 |
| State of Florida | 2,706,052 |
| Total contributions | 42,024,494 |
| Investment income (expenses) | |
| Investment income | 10,585,629 |
| Net appreciation (depreciation) in fair | |
| value of investments | 32,762,295 |
| Less: investment expenses | (1,992,075) |
| Net Investment Income (Loss) | 41,355,849 |
| Total additions | 83,380,343 |
| DEDUCTIONS | |
| Benefits and refunds | 26,533,541 |
| Administrative expenses | 444,484 |
| Total deductions from net pension | 26,978,025 |
| Net increase in net position | 56,402,318 |
| Net position - beginning | 456,438,406 |
| Net position - ending | \$ 512,840,724 |

The accompanying notes to the financial statements are an integral part of this statement.

Notes to Financial Statements

City of Cape Coral

NOTES TO THE FINANCIAL STATEMENTS

September 30, 2016

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NOTES TO THE FINANCIAL STATEMENTS

September 30, 2016

NOTE I. ORGANIZATION AND SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

1. Organization

The City of Cape Coral, Florida (the City) was incorporated in 1970 pursuant to the laws of Florida, Chapter 70-623. The City operates under the Council-Manager form of government, which is comprised of an elected City Council (eight members) including an elected mayor, and a City Manager appointed by the City Council. The City provides the following services: public safety (police and fire), recreation, cultural, community development, transportation, planning and zoning, water, wastewater, reclaimed water services, stormwater utility services, and general administrative services.

For financial reporting purposes, the accompanying financial statements include all the operations of the City for which the City is financially accountable. The City is financially accountable for organizations that make up its legal entity, as well as legally separate organizations that meet certain criteria. The criteria for inclusion in the reporting entity entails those cases where the City or its officials appoint a voting majority of an organization's governing body and is able to impose its will on the organization or there is a potential for the organization to provide specific financial benefits or burdens to the City.

The blended component unit, although a legally separate entity, in substance, is part of the government's operations. The discretely presented component unit is reported in a separate column in the government-wide financial statements to emphasize that it is legally separate from the government.

Blended component unit. The Cape Coral Community Redevelopment Agency (CRA) was created in 1986 by Ordinance 51-87 of the City of Cape Coral, Florida, pursuant to Section 163.356 of the Florida Statutes. The City Council appoints the CRA's Board of Directors. The CRA provides services for the benefit of the City. The CRA's projects result in capital assets (mainly infrastructure) being owned by the City. The CRA's transactions are recorded and reported by the City. The CRA does not publish individual component unit financial statements.

Discretely presented component unit. The Cape Coral Charter School Authority (Authority) was created for the purpose operating and managing, on behalf of the City, all charter schools for which a charter is held by the City. The powers of the Authority are exercised through a governing board, which is known as the Cape Coral Charter School Authority Board which provides governance of the charter schools. There are ten (10) members of the governing board. The members of the Board are as follows: a City Councilmember, a member from the business community, a member from the education community, and three (3) members from the community at large that shall be appointed by the City Council. Parent members from each school shall be chosen by and from parent organizations. The positions on the board for parents from each charter school are considered to be "ex officio" positions as non-voting members. According to Governmental Accounting Standards Board (GASB) Statement No. 61: *The Financial Reporting Entity: Omnibus*, the Authority is reported as a discretely presented component units because it is legally separate, the City Council appoints a majority of the Authority's board members, and the City can modify and approve the Authority's budget. In addition, all debt issuances must be approved by City Council.

The Cape Coral Charter School Authority was audited by independent auditors for the fiscal year ended June 30, 2016, and their report dated October 13, 2016, was previously issued under separate

cover. The financial statements for the Authority may be obtained through the Financial Services Department of the City of Cape Coral, 1015 Cultural Park Blvd., Cape Coral, FL 33990.

2. Related Organization

The City's officials are responsible for appointing the members of the Board of the City of Cape Coral Health Facilities Authority. The City's accountability for this organization does not extend beyond making these appointments; therefore, there is no blended or discrete financial presentation for this entity.

3. Summary of Significant Accounting Policies

The financial statements of the City have been prepared in accordance with accounting principles generally accepted in the United States of America (GAAP) as applied to governmental units. The Governmental Accounting Standards Board (GASB) is the standard-setting body for governmental accounting and financial reporting. The GASB periodically updates its codification of the existing Governmental Accounting and Financial Reporting Standards, which along with subsequent GASB pronouncements (Statements and Interpretations), constitutes GAAP for governmental units.

Basic Financial Statements

The basic financial statements include both government-wide (based on the City as a whole) and fund financial statements along with the notes to the financial statements. The focus of the financial statements is on either the City as a whole or major individual funds (within the fund financial statements). Both the government-wide and fund financial statements (within the basic financial statements) categorize primary activities as either governmental or business-type. In the Statement of Net Position, both the governmental and business-type activities columns are reflected on a full accrual, economic resource basis, which incorporates long-term assets and receivables as well as long-term debt and obligations. Government-wide financial statements report information on all of the non-fiduciary activities of the City.

The Statement of Activities demonstrates the degree to which the direct expenses of a given function are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function (Public Safety, Parks and Recreation, etc.). Program revenues are defined as charges for services, operating grants and contributions, and capital grants and contributions directly associated with a given function. Taxes and other items not properly included among program revenues are reported instead as general revenues.

The Statement of Activities reflects both the gross and net costs per function (Public Safety, Parks and Recreation, etc.) which are otherwise being supported by general government revenues (property taxes, franchise fees, gas taxes, etc.). The Statement of Activities reduces gross expenses (including depreciation) by related program revenues, operating and capital grants. The program revenues must be directly associated with the function.

As a general rule, the effect of interfund activity has been eliminated from the government-wide financial statements. Exceptions to this general rule are charges between the government's water and sewer, stormwater and various other functions of the government.

This government-wide focus is more on the sustainability of the City as an entity and the change in aggregate financial position resulting from the activities of the fiscal period.

Separate fund financial statements are provided for governmental funds, proprietary funds, and fiduciary funds, even though the latter are excluded from the government-wide financial statements. The emphasis of the fund financial statements is on the major funds. Major individual governmental funds and major individual enterprise funds are reported as separate columns and the nonmajor funds are summarized into a single column.

Measurement Focus and Basis of Accounting

The Government-wide Financial Statements are reported using the economic resources measurement focus and the accrual basis of accounting, as are the Proprietary Fund and Fiduciary Fund financial statements. Since by definition the fiduciary funds' assets are being held for the benefit of a third party (other local governments and other entities) and cannot be used to address activities or obligations of the government, these funds are not incorporated into the government-wide statements. Since agency funds report only assets and liabilities they do not have a measurement focus. They do, however, use the accrual basis of accounting to recognize receivables and payables.

The governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Since the governmental fund statements are presented on a different measurement focus and basis of accounting than the government-wide statements' governmental column, a reconciliation is presented which briefly explains the adjustments necessary to transform the fund based financial statements into the governmental activities of the government-wide presentation.

The focus of the GASB No. 34 model is on the City as a whole and the fund financial statements. The focus of the Fund Financial Statements is on the major funds of the governmental and business-type activities. Each presentation provides valuable information that can be analyzed to enhance the usefulness of the information.

Basis of accounting refers to when revenue and expenditures/expenses are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of the measurements made, regardless of the measurement focus applied.

The Government-wide Financial Statements and the Proprietary and Fiduciary Fund Financial Statements are presented on an accrual basis of accounting. The Governmental Funds in the Fund Financial Statements are presented on a modified accrual basis of accounting.

1. Accrual:

Under the accrual basis of accounting, revenues are recorded when earned and expenses are recorded when a liability is incurred.

Proprietary funds record both operating and non-operating revenues and expenses. Operating revenues are those that are obtained from the operations of the proprietary fund that include charges for services and user fees. Operating expenses represent the cost of operations, which includes depreciation. Non-operating revenues and expenses are not related to the operations of the proprietary fund and include interest earnings and gain and loss on sale of capital assets.

2. Modified Accrual:

Under the modified accrual basis of accounting, revenues are recorded when susceptible to accrual (i.e., both measurable and available). "Available" means collectible within the current period or soon enough thereafter to be used to pay liabilities of the current period. The City considers all revenues available if they are collected within 60 days after year-end. Primary revenue sources that have been treated as susceptible to accrual include intergovernmental revenue, franchise fees, communication taxes and charges for services, when material. Property taxes are accounted for when measurable and available as described in Note II. Grant revenue is considered earned and is accrued when all eligibility requirements are met.

In applying the "susceptible to accrual" concept to intergovernmental revenues pursuant to Governmental Accounting Standards Board (GASB) Statement No. 33, *Accounting and Financial Reporting for Non-exchange Transactions* (the City may act as either provider or recipient), the provider should recognize liabilities and expenses and the recipient should recognize receivables

and revenue when the applicable eligibility requirements including time requirements, are met. Resources transmitted before the eligibility requirements are met should, under most circumstances, be reported as advances by the provider and unearned revenue by recipient.

Expenditures are generally recognized under the modified accrual basis of accounting when the related fund liability is incurred, as under accrual accounting. Exceptions to this general rule include principal and interest on general obligation long-term debt, as well as expenditures related to compensated absences and claims and judgments which are recognized when due.

Basis of Presentation

The financial transactions of the City are recorded in individual funds. The operations for each fund are accounted for with a separate set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues, and expenditures/expenses. Resources are allocated to and accounted for in individual funds, based upon the purposes for which they are to be spent and the means by which spending activities are controlled.

GASB No. 34 sets forth minimum criteria (percentage of assets, liabilities, revenues or expenditures/expenses of either fund category or the governmental and enterprise combined) for the determination of major funds. The City's major funds are presented in separate columns on the governmental fund financial statement and the proprietary fund financial statement. The funds that do not meet the criteria of a major fund are considered nonmajor funds and are combined into a single column in the fund financial statements and detailed in the combining section.

The following major funds are used by the City:

1. Governmental Funds:

The focus of Governmental Fund measurement (in the Fund Financial Statements) is upon determination of financial position and changes in financial position (sources, uses, and balances of financial resources) rather than upon net income. The following is a description of the major Governmental Funds of the City:

- a. **General Fund** is the general operating fund of the City. It is used to account for all financial resources, except those required to be accounted for in another fund.
- b. **Transportation Capital Improvements Fund** is used to account for the following projects:
 - Road Resurfacing – paving residential streets.
 - Sidewalks – construction of sidewalks on Cape Coral Parkway, Wildwood Parkway, Sands Boulevard South, Palm Tree Boulevard, and SW 20th Avenue.
 - Other Transportation Capital Improvements – improvements to various roadways including miscellaneous road resurfacing, median curbing, turn lane improvements, and purchase of road widening right of way.
- c. **Community Redevelopment Agency Fund** is used to account for monies received from tax incremental revenue by certain taxing authorities in the community redevelopment area.
- d. **Debt Service Fund** is used to account for the accumulation of resources for, and payment of, general long-term debt principal and interest.

2. Proprietary Funds:

The City of Cape Coral maintains two different types of Proprietary Funds: Enterprise Funds and Internal Service Funds. Enterprise Funds are used to account for activity for which a fee is charged to external users for goods or services. In the government-wide financial statements the Enterprise Funds are presented as business-type activities. Internal Service Funds are used to

account for activity that provide goods or services to other funds, departments or agencies of the primary government and its component units on a cost-reimbursement basis. Four Internal Service Funds are utilized: 1) The Workers Compensation Insurance Fund is used to account for the self-insurance of workers compensation. 2) The Property and Casualty Insurance Fund is used to account for the City's risk management activity for auto liability, property and contents loss, and general liability. 3) The Facilities and Fleet Management Fund is used to account for the costs of operation for the repair and maintenance of city owned/leased vehicles, equipment and buildings. 4) The Self-funded Health Insurance Fund is used to account for the self-funded medical insurance plan. The Internal Service Funds have been included within governmental-type activities in the government-wide financial statements because they primarily benefit governmental funds.

The focus of Proprietary Fund measurement is based upon determination of operating income, changes in net position, financial position, and cash flows, which is similar to businesses. The following is a description of the major Proprietary Funds of the City:

- a. **Water and Sewer Fund** is used to account for the activities of the City's water and sewer utility programs. This includes special assessments, impact fees, contribution in aid of construction (CIAC), capital facility expansion charge (CFEC), etc. Activity for only water and sewer operations can be found in Note 13: Segment Information.
- b. **Stormwater Fund** is used to account for the activities of the City's Stormwater drainage program in compliance with the Environmental Protection Agency, and local and state regulations.

3. Other Funds:

Additionally, the City reports the following Funds:

- a. **Pension Trust Funds** are used to account for three defined benefit plans which accumulate resources for pension benefit payments to its employees/retirees.
- b. **Agency Funds** are used to account for the City's collection of school impact fees at the time of building permit issuance for the Lee County School Board and the collection of solid waste fees.

Assets, Liabilities and Net Position or Equity, Revenues, and Expenditures/Expenses

1. Cash and Investments

Section 218.415, Florida Statutes, limits the types of investments that a government can invest in unless specifically authorized in an investment policy. The City adopted Ordinance 63-13 on December 9, 2013 which amended the City's comprehensive investment policy. The investment policy applies to all cash and investments held or controlled by the City with the exception of Pension Funds and funds related to the issuance of debt. The investment policy allows the City to invest surplus funds. For accounting and investment purposes, the City maintains a pooled cash and investments account (the "Pool"). This gives the City the ability to invest large amounts of cash to maximize earning potential. Interest income is allocated based upon each funds proportionate balance in the pooled cash fund. All funds participate in the Pool. Each fund's individual equity in the Pool is considered to be a cash equivalent since the funds can deposit or effectively withdraw cash at any time without prior notice or penalty. This methodology is also used in the statement of cash flows for the Proprietary funds.

The City participates in three local government investment pools (LGIP), Florida PRIME administered by the Florida State Board of Administration (SBA), Florida Class administered by Public Trust Advisors, and Florida Asset Fund Trust (FLSAFE) administered by a five member board of trustees.

The SBA was created by Section 218.405, Florida Statutes and FLSAFE was created pursuant to Florida Statutes 163.01 and 218.415. The investment pools (Securities and Exchange Commission Rule 2a7-like external investment pools) operate under investment guidelines established by Section 215.47, Florida Statutes and are reported at amortized cost.

The City's investments are reported at fair value and are generally based on quoted market prices. The City measures and records its investment using fair value measurement guidelines established by the generally accepted accounting principles. The guidelines recognize a three-tier fair value hierarchy, as follows:

- Level 1: Quoted prices in active markets for identical assets
- Level 2: Significant other observable inputs
- Level 3: Significant unobservable inputs

Florida PRIME is considered a qualifying external investment pool that meets all of the necessary criteria to elect to measure all of the investments at amortized cost. Therefore, the fair value of the County's position in the pool is the same as the value of the pool shares. The Florida PRIME investments are not categorized because they are not evidenced by securities that exist in physical or book entry form. Throughout the year, and as of September 30, 2016, Florida PRIME contained certain floating and adjustable rate securities. These investments represented 27.6 percent of Florida PRIME's portfolio at September 30, 2016.

In accordance with Governmental Accounting Standards Board Statement No. 79, Certain External Investment Pools and Pool Participants, as a participant in a qualifying external investment pool, the County should disclose the presence of any limitations or restrictions on withdrawals (such as redemption notice periods, maximum transaction amounts, and the qualifying external investment pool's authority to impose liquidity fees or redemption gates) in notes to the financial statements.

With regard to redemption gates, Chapter 218.409(8)(a), Florida Statutes, states that "The principal, and any part thereof, of each account constituting the trust fund is subject to payment at any time from the moneys in the trust fund. However, the Executive Director may, in good faith, on the occurrence of an event that has a material impact on liquidity or operations of the trust fund, for 48 hours limit contributions to or withdrawals from the trust fund to ensure that the Board can invest moneys entrusted to it in exercising its fiduciary responsibility. Such action must be immediately disclosed to all participants, the Trustees, the Joint Legislative Auditing Committee, the Investment Advisory Council, and the Participant Local Government Advisory Council."

The Trustees shall convene an emergency meeting as soon as practicable from the time the Executive Director has instituted such measures and review the necessity of those measures. If the Trustees are unable to convene an emergency meeting before the expiration of the 48-hour moratorium on contributions and withdrawals, the moratorium may be extended by the Executive Director until the Trustees are able to meet to review the necessity for the moratorium. If the Trustees agree with such measures, the Trustees shall vote to continue the measures for up to an additional 15 days. The Trustees must convene and vote to continue any such measures before the expiration of the time limit set, but in no case may the time limit set by the Trustees exceed 15 days.

With regard to liquidity fees, Florida Statute 218.409(4) provides authority for the SBA to impose penalties for early withdrawal, subject to disclosure in the enrollment materials of the amount and purpose of such fees. At present, no such disclosure has been made.

As of September 30, 2016, there were no redemption fees or maximum transaction amounts, or any other requirements that serve to limit a participant's daily access to 100 percent of their account value.

Detailed information on allowable investments and actual holdings can be found in Note IV Detailed Note 1: Cash and Investments.

2. Receivables and Payables

During the course of operations, numerous transactions occur between individual funds for goods provided or services rendered. These receivables and payables are classified as “due from other funds” or “due to other funds”. Any balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as “internal balances.”

Accounts Receivable - The general fund accounts receivable includes gas, electric and solid waste franchise fees, public service tax, lot mowing fees, and other miscellaneous receivables.

The other governmental funds accounts receivables are for false alarm, lot mowing, seawall fees, child care meals, voluntary pre-kindergarten and school readiness, purchasing card rebate, and Community Development Block Grant (CDBG) program income due to current year closings in which the funds were not received until next year.

Assessments receivable - the City levies a special assessment against benefited property owners for construction of water, wastewater and irrigation utility extension, in certain areas of the City. The City also levies a special assessment against benefited property owners for the construction of seawalls and parking lot improvements. Beginning in FY2014 the City also adopted a fire services assessment to fund fire-rescue services. The City utilizes the uniform collection method for collecting the assessments. The receivable reported is the assessment amount that has a lien and is unpaid. Unbilled receivables totaled \$105,478 for governmental activities and \$213,651,001 for business-type activities.

Intergovernmental Receivable - The general fund intergovernmental receivable includes communication service tax, half cent revenue, recycling tipping fee, police task force reimbursements, occupational tax, firefighter's supplemental education, alcoholic beverage license, fuel tax rebate, fire pension surplus, grant reimbursements and a receivable due from component unit – Cape Coral Charter School Authority, at September 30, 2016 of \$34,667. The Cape Coral Charter School reports a receivable from the primary government at June 30, 2016 of \$7,709. The Cape Coral Charter School Authority also reports a payable to the primary government at June 30, 2016 of \$18,918.

The Transportation Capital Improvement Fund intergovernmental receivable is for pending reimbursements due from the State of Florida related to the local agency program agreement for sidewalk construction.

The Other Governmental Funds intergovernmental receivables are for pending receipt of the August and September 2016 fuel tax collections, Florida Medicaid reimbursement for special populations, reimbursement from the Florida Department of Environmental Protection, and collections due from the Lee County Tax Collector, the Lee County Clerk of Courts, Lee County Public Safety. In addition, grant reimbursements are receivables for the Community Development Block Grant (CDBG), Local Housing Assistance (S.H.I.P), and the Residential Construction Mitigation Programs.

Other governmental funds also has a payable, due to component unit – Cape Coral Charter School Authority, at September 30, 2016 of \$36,378.

All trade receivables are reported net of an allowance for uncollectible. Uncollectible is defined as any account that is greater than or equal to 120 days delinquent from the date of the invoice.

Noncurrent portions of interfund receivables classified as advances between funds, as reported in the fund financial statements, are offset equally by a non-spendable fund balance amount in applicable governmental funds which indicates that they do not constitute expendable available financial resources, and therefore, are not available for appropriation.

3. Inventories and Prepaid Items

Inventories, consisting primarily of expendable supplies held for consumption, are stated at either weighted average or cost (first-in, first-out method). The City utilizes the consumption method of accounting, which provides that expenditures are recognized when inventory is used. The General Fund maintains inventories for fuel; Water and Sewer maintains inventories of materials and parts; Parks and recreation programs maintain inventories consisting of concession and vending items, restaurant and food supplies, and items for resale. The Waterpark maintains a restaurant inventory and an inventory of items available for resale. The Golf Course also maintains a restaurant inventory and an inventory of items available for resale.

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements. The cost of prepaid items is recorded as expenditures/expenses when consumed rather than when purchased.

4. Capital Assets

Capital assets include property, buildings, improvement other than buildings, equipment, infrastructure and certain intangible assets. Infrastructure assets are defined as public domain capital assets such as roads, bridges, sidewalks, traffic signals, and similar items that are immovable and of value only to the governmental unit. Capital assets are reported in the government-wide financial statements in the applicable governmental or business-type activities columns, as well as the proprietary fund financial statements. Capital assets are defined by the City as assets with an initial, individual cost of \$5,000 or more and a useful life in excess of one year. Capital assets are recorded at historical cost or estimated historical cost, if actual historical cost is not available. Donated capital assets are recorded at estimated fair value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not capitalized, but are expensed as incurred.

Capital assets are depreciated using the straight-line method over the estimated useful lives of the related assets. The ranges of the useful lives are as follows:

| <u>Asset</u> | <u>Years</u> |
|-----------------------------------|--------------|
| Buildings | 20-40 |
| Building improvements | 10 |
| Improvements other than buildings | 10-20 |
| Equipment | 3-10 |
| Intangibles | 3 |
| Infrastructure | |
| Traffic signals | 15 |
| Parking Lots | 20 |
| Roads | 30 |
| Sidewalks | 30 |
| Bridges | 40 |
| Utility extension lines | 40 |

5. Deferred Outflows/Inflows of Resources

In addition to assets, the statement of financial position will sometimes include a separate section for deferred outflows of resources. This represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expenses/expenditures) until then.

In addition to liabilities, the statement of financial position will sometimes include a separate section for deferred inflows of resources. This separate financial statement element represents an acquisition

of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time.

The City has the following deferred outflows/inflows:

1. Deferred charge (gain) on refunding - reported in the government-wide statements of net position. A deferred charge on debt refunding results from the difference in the carrying value of refunded debt and its reacquisition price and amortized over the shorter of the life of the refunded or refunding debt.
2. Unavailable revenue - The two sources of unavailable revenue are recycling revenue and grant reimbursements. These amounts are deferred and recognized as inflow of resources in the period that the amounts become available
3. Pension related:
 - Pension earnings - Difference between projected and actual earnings on investments. These amounts will be recognized as reductions in pension expense in future years.
 - Pension experience – Differences between expected and actual experience with regard to economic or demographic factors. These amounts are amortized to pension expense over a closed period equal to the average of the expected remaining service lives of all employees that are provided with pensions.
 - Pension assumptions – Change in assumptions about future economic or demographic factors.

6. Compensated Absences

It is the City's policy to permit employees to accumulate earned but unused vacation benefits, which will be paid to employees upon separation from City service if they meet certain criteria. Compensated absences are accrued and reported in the proprietary funds and governmental-wide financial statements; and is a reconciling item between the governmental funds and the government-wide presentation.

7. Long-term Obligations

Long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type statement of net position.

8. Bond Discounts, Bond Premiums, Bond Issuance Costs, and Bond Insurance Costs

In governmental funds the face amount of debt issued is reported as other financing sources. Issuance costs, bond premiums and discounts, whether or not withheld from the actual debt proceeds received, are reported as other financing sources (uses).

In the government-wide financial statements and proprietary funds, bond premiums and discounts, and bond insurance costs, are amortized over the life of the bonds using the straight-line method, which does not result in a material difference from the effective interest method. The deferred gain and loss is amortized over the shorter of the original life or the life of the new debt. The face amount of the debt issued is reported net of bond premiums and discounts whereas insurance costs are recorded as other assets.

9. Utility Capital Expansion Fee (Impact Fee)

The City utilizes utility capital expansion fees as a means for funding capital expansion required to meet system demands resulting from growth. These fees are recorded as capital contributions revenue in the proprietary funds when charged.

10. Special Assessments

The City levies the following special assessments against benefited property owners: Governmental Activities – parking lot improvements, seawall construction, and fire rescue services; and Business-type Activities - construction of water, wastewater and irrigation utility extension.

11. Unearned Revenue

Unearned revenue recorded in the general fund relates to planned development project fees and planning and zoning fees collected at time of application that are not earned until next fiscal year, business taxes, and tower lease payments.

Unearned revenue recorded in the special revenue funds relates to fees collected at permit issue date for residential and commercial construction that are not earned until next fiscal year, lot mowing fees, and prepayment of parks and recreation class registration fees.

Water & Sewer has unearned revenue from water, sewer, and irrigation impact fees that have been collected from property owners in advance of the city installing services. Unearned revenue in the golf course fund is for golf course memberships, rain checks and gift certificates that will be redeemed in the next fiscal year.

12. Intergovernmental Allocation of Administrative Expenses

The general fund incurs certain administrative expenses for other funds, including accounting, legal, data processing, personnel administration, and other services. The governmental funds that received these services were charged \$1,261,071 for fiscal year 2016. These amounts are eliminated in the statement of activities. The enterprise funds that received these services were charged \$4,265,586 for fiscal year 2016. These amounts are recorded as revenue in the general fund and operating expenses in the enterprise funds.

13. State Pension Contributions

The State of Florida makes contributions from taxes on casualty insurance premiums. The State of Florida's contribution to the Municipal Police Officers' Plan for the year ended September 30, 2016 was \$1,256,353. The State of Florida's contribution to the Municipal Firefighters' Plan for the year ended September 30, 2016 was \$1,449,699. The City recognized these on-behalf payments from the State as revenues and expenditures in the governmental fund financial statements.

14. Fund Balance

Beginning with fiscal year 2011, the City implemented GASB Statement No. 54; Fund Balance Reporting and Governmental Fund Type Definitions. This Statement provides more clearly defined fund balance categories to make the nature and extent of the constraints placed on a government's fund balances more transparent. The following classifications describe the relative strength of the spending constraints.

Non-Spendable Fund Balance - Amounts that are (a) not in spendable form or (b) legally or contractually required to be maintained intact. "Not in spendable form" includes items that are not expected to be converted to cash (such as inventories and prepaid amounts) and items such as the long-term amount of loans and notes receivable, as well as property acquired for resale. The corpus (or principal) of a permanent fund is an example of an amount that is legally or contractually required to be maintained intact.

Restricted Fund Balance - Amounts that can be spent only for specific purposes stipulated by (a) external resource providers such as creditors (through debt covenants), grantors, contributors, or laws or regulations of other governments; or (b) imposed by law through constitutional provisions or enabling legislation.

Committed Fund Balance - Amounts that can be used only for the specific purposes determined by a formal action of the City Council, the City's highest level of decision making authority. Commitments may be changed or lifted only by the City Council taking the same formal action that imposed the constraint originally, which is by resolution.

Assigned Fund Balance - Portion that reflects a government's intended use of resources. Such intent has to be established by the Finance Director pursuant to the Financial Management Policies (Resolution 109-14) approved by City Council. Includes spendable fund balance amounts established by management of the City that are intended to be used for specific purposes that are neither considered restricted or committed.

Unassigned Fund Balance - Unassigned fund balance is the residual classification for the general fund. This classification represents a fund balance that has not been assigned to other funds and that has not been restricted, committed, or assigned to specific purposes within the general fund. Unassigned fund balance may also include negative balances for any governmental fund if expenditures exceed amounts restricted, committed, or assigned for those specific purposes.

Unrestricted Fund Balance - The total of committed fund balance, assigned fund balance, and unassigned fund balance.

The City uses restricted amounts to be spent first when both restricted and unrestricted fund balance is available unless there are legal documents/contracts that prohibit doing this, such as in grant agreements requiring dollar for dollar spending. Additionally, the City would first use committed fund balance, followed by assigned fund balance and then unassigned fund balance when expenditures are incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used.

In the general fund, the City strives to maintain an unassigned balance of two months operating expenditures of the general fund. This is the target that the unassigned fund balance should not fall below without establishing a replenishment plan. Detailed information on fund balances can be found in Note 12: Fund Balances.

15. Net Position

Net position of the government-wide and proprietary funds are categorized as net investment in capital assets, restricted or unrestricted. The first category represents net position related to capital assets. The restricted category represents the balance of assets restricted by requirements of revenue bonds and other externally imposed constraints or by legislation in excess of the related liabilities payable from restricted assets. The unrestricted net position category represents all other net assets that do not meet the definition of "restricted" or "net investment in capital assets".

16. Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make certain estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities as of the date of the financial statements, and the reported amounts of revenue and expenditures or expenses during the reporting period. Actual results could differ from those estimates.

NOTE II. PROPERTY TAXES

Property taxes are levied on November 1st of each year, and are due and payable upon receipt of the notice of levy. The Lee County, Florida Tax Collector's office bills and collects property taxes on behalf of the City. The total tax rate of 6.9570 mills per \$1,000 of assessed taxable property value consists of 6.9570 mills to finance general governmental services for the fiscal year ended September 30, 2016. Property tax revenue is recognized in the fiscal year for which the taxes are levied. On May 1 of each

year, unpaid taxes become a lien on the property. The past due tax certificates are sold at public auction prior to June 1, and the proceeds collected are remitted to the City.

No accruals for the property tax levy becoming due in November 2016 are included in the accompanying financial statements since such taxes are levied for the subsequent fiscal year and are not considered earned or available at September 30, 2016.

NOTE III. STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY

1) Compliance with Finance-Related Legal and Contractual Provisions

The City is not aware of any violations of finance-related legal and contractual provisions.

2) Deficit Fund Balance of Individual Funds

The following individual funds had deficit fund balances as of September 30, 2016:

Governmental activities:

| | |
|--|------------|
| City Centrum Fund ¹ | \$ (1,264) |
| Del Prado Mall Parking Lot Fund ² | (27,292) |
| Construction Mitigation Fund ³ | (128,834) |

¹ The deficit fund balance is a result of incurring ongoing maintenance expenses but earning no rental revenue at this time.

² The deficit fund balance is a result of combining the Del Prado Mall parking lot capital improvement fund into the Del Prado Mall parking lot special revenue fund due to the completion of construction. The deficit fund balance is anticipated to be recovered through future assessment collections for the Del Prado Mall parking lot.

³ The deficit fund balance is due to a grant reimbursement request submitted at year end that was not collected within 60 days after year-end and therefore reported as a deferred inflow of resources.

3) Expenditures in Excess of Appropriations

The following individual funds had excess expenditures over appropriations as of September 30, 2016.

Governmental activities:

| | |
|--|-------------|
| Road Impact Fee Fund ¹ | \$ (30,435) |
| Criminal Justice Education ² | (710) |
| City Centrum ³ | (13,543) |
| Residential Construction Mitigation Program ⁴ | (163,329) |

¹ Credit card fees were under budgeted.

² Travel expenses were under budgeted.

³ Facility charges were under budgeted.

⁴ Expenditures were budgeted in the year the funding is allocated and are not re-budgeted in subsequent years.

NOTE IV. DETAILED NOTES

1. Cash and Investments

As of September 30, 2016 the City had the following cash and investment amounts:

| Category | Fair Value |
|------------------------------------|-----------------------|
| Checking and savings accounts | \$ 28,691,100 |
| Cash on hand | 9,615 |
| Cash with fiscal agent | 9,145,527 |
| LGIP- Florida PRIME (SBA) | 61,153,216 |
| Intergovernmental Investment Pools | 43,710,301 |
| Money Market Funds | 219,957 |
| Investments | 123,435,399 |
| Total | <u>\$ 266,365,115</u> |

Reconciliation of cash and investments to the basic financial statements:

| | Cash and Investments | | |
|--|-----------------------|----------------------|-----------------------|
| | Unrestricted | Restricted | Total |
| Governmental Funds | \$ 119,040,030 | \$ - | \$ 119,040,030 |
| Business-Type Activities - Enterprise Funds | 30,380,350 | 96,312,181 | 126,692,531 |
| Governmental Activities - Internal Service Funds | 17,803,525 | - | 17,803,525 |
| Agency Funds | 2,829,029 | - | 2,829,029 |
| Total | <u>\$ 170,052,934</u> | <u>\$ 96,312,181</u> | <u>\$ 266,365,115</u> |

Governmental and Business-type Activities:

A. Cash and Cash Equivalents

The City maintains a cash and investment pool that is available for use by all funds except for monies legally restricted. Investment earnings are allocated to the individual funds based on the fund's percentage to the entire portfolio. The City's cash deposits are held by a bank that qualifies as a public depository under the Florida Security for Public Deposits Act as required by Chapter 280, Florida Statutes.

B. Investment Portfolio

Section 218.415, Florida Statutes, limits the types of investments that a government can invest in unless specifically authorized in an investment policy. The City adopts a comprehensive investment policy by ordinance that establishes permitted investments, asset allocation limits, issuer limits, credit rating requirements, and maturity limits to protect the City's cash and investment assets. The investment policy applies to all cash and investments held or controlled by the City with the exception of Pension Funds and funds related to the issuance of debt. Ordinance 63-13 amending the City's investment policy was adopted on December 9, 2013.

The City's investment policy allows for the following investments:

- Florida PRIME
- United States Government Securities unconditionally guaranteed by the United States Government
- United States Government Agencies issued or guaranteed by the United States Government agencies

- Federal Instrumentalities issued or guaranteed by United States Government sponsored agencies
- Non-Negotiable Interest Bearing Time Certificates of Deposit or Saving Accounts, in banks organized under the laws of the state and/or in national banks organized under the laws of the United States and doing business and situated in the State of Florida
- Repurchase Agreements
- Commercial Paper of any United States company that is rated at the time of purchase
- Bankers' Acceptances issued by a domestic bank or a federally chartered domestic office of a foreign bank
- State and/or Local Government Taxable and/or Tax-Exempt Debt
- Registered Investment Companies (Mutual Funds) that are registered under the Federal Investment Company Act of 1940 and operated in accordance with 17 C.F.R § 270.2a-7
- Intergovernmental Investment Pools that are authorized pursuant to the Florida Inter-local Cooperation Act, as provided in Section 163.01, Florida Statutes Intergovernmental Investment Pools
- Corporate Notes issued by corporations organized and operating within the United States or by depository institutions licensed by the United States
- Corporate Obligations issued by financial institutions that participate in the FDIC's Temporary Liquidity Guarantee Program and are fully insured by the FDIC a guaranteed by the United States Government
- Mortgage-Backed Securities (MBS) that are based on mortgages that are guaranteed by a government agency or GSE for payment
- Asset-Backed Securities (ABS) that are backed by financial assets
- Bond Funds

As of September 30, 2016, interest receivable on the City's investment portfolio amounted to \$440,928.

As of September 30, 2016, the City had the following investment types and effective duration presented in terms of years:

| Security Type | Fair Value | Weighted Average Duration (Years) |
|---|-----------------------|-----------------------------------|
| Corporate Notes | \$ 19,424,931 | 1.34 |
| Federal Agencies - Bond/Note | 44,822,728 | 1.81 |
| US Treasury - Bond/Note | 57,976,052 | 2.52 |
| Municipal - Bond/Note | 1,211,688 | 2.04 |
| LGIP- Florida PRIME (SBA) | 61,153,216 | 0.14 |
| Intergovernmental Investment Pool-FL CLASS | 42,651,313 | 0.15 |
| Intergovernmental Investment Pool - FL SAFE | 1,058,988 | 0.10 |
| Money Market Funds | 219,957 | 0.10 |
| Total Fair Value | <u>\$ 228,518,873</u> | |
| Portfolio Weighted Average Duration | | 1.20 |

C. Fair Value Measurements

Fair value is defined as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction. In determining this amount, three valuation techniques are available: Market approach — This uses prices generated for identical or similar assets or liabilities. The most common example is an investment in a public security traded in an active exchange such as the NYSE. Cost approach — This technique determines the amount required to replace the current asset. This approach may be ideal for valuing donations of capital assets or historical treasures. Income approach — This approach converts future amounts (such as cash flows) into a current discounted amount. Each of these valuation techniques requires inputs to calculate a fair value. Observable inputs should be maximized in fair value measures, and unobservable inputs should be minimized.

GASB 72 *Fair Value Measurement and Application* establishes a hierarchy of inputs to the valuation techniques above. This hierarchy has three levels:

Level 1 — Inputs are quoted prices in active markets for identical assets or liabilities.

Level 2 — These are quoted market prices for similar assets or liabilities, quoted prices for identical or similar assets or liabilities in markets that are not active, or other than quoted prices that are not observable.

Level 3 — These are unobservable inputs, such as a property valuation or an appraisal.

As of September 30, 2016, the City had the following investment measurements by security type:

| Security Type | Fair Value | Quoted Prices in Active Markets for Identical Assets (Level 1) | Significant Other Observable Inputs (Level 2) |
|---------------------------------------|-----------------------|---|--|
| Corporate Notes | \$ 19,424,931 | \$ - | \$ 19,424,931 |
| Federal Agencies - Bond/Note | 44,822,728 | - | 44,822,728 |
| US Treasuries - Bond/Note | 57,976,052 | 57,976,052 | - |
| Municipal Bond/Note | 1,211,688 | - | 1,211,688 |
| Intergovernmental Investment Pools | 43,710,301 | 43,710,301 | - |
| Total Investments by Fair Value Level | <u>\$ 167,145,700</u> | <u>\$ 163,059,526</u> | <u>\$ 65,459,347</u> |

Investment Measured at Amortized Cost

| | |
|--------------------|-------------------|
| LGIP | \$ 61,153,216 |
| Money Market Funds | 219,957 |
| | <u>61,373,173</u> |

| | |
|---|-----------------------|
| Total cash, cash equivalents, and investments | <u>\$ 228,518,873</u> |
|---|-----------------------|

D. Interest Rate Risk

The City's investment policy sets limits for investment maturities to match known cash needs and anticipated cash flow requirements. Investments of current operating funds shall have maturities of no longer than twenty-four (24) months. Investments of bond reserves, construction funds, and other non-operating funds, "core funds", shall have a term appropriate to the need for funds and in accordance with debt covenants, but in no event shall exceed five (5) years. The maturities of the underlying securities of a repurchase agreement will follow the requirements of the Master Repurchase Agreement.

The City utilizes "effective duration" as a measurement of interest rate risk and as of September 30, 2016 the investment portfolio had an effective duration of 1.20 years.

Included in the investment portfolio, the City has \$3,191,297 of Corporate Notes that have embedded options consisting of the option at the discretion of the issuer to call their obligation or pay a stated increase in the interest rate. These securities have various call dates, and mature on April 15, 2017, August 23, 2019, and November 05, 2017.

The dollar weighted average days to maturity (WAM) of Florida PRIME at September 30, 2016, is 50 days. Next interest rate reset dates for floating rate securities are used in the calculation of the WAM. The weighted average life (WAL) of Florida PRIME at September 30, 2016, is 70 days.

E. Credit Risk

The City's investment policy permits the following investments, which are limited to credit quality ratings from nationally recognized rating agencies as follows:

Florida PRIME

- Shall be rated AAAm by Standard & Poor's or the equivalent by another rating agency.

Commercial Paper

- Shall be rated, at the time of purchase, "Prime-1" by Moody's and "A-1" by Standard & Poor's (prime commercial paper).
- If the commercial paper is backed by a letter of credit ("LOC"), the long-term debt of the LOC provider must be rated "A" or better by at least two nationally recognized rating agencies.

Bankers' Acceptances

- At the time of purchase, the short-term paper is rated, at a minimum, "P-1" by Moody's Investors Services and "A-1" by Standard & Poor's.
- Issued by a domestic bank or a federally chartered domestic office of a foreign bank, which are eligible for purchase by the Federal Reserve System.

State and/or Local Government Taxable and/or Tax-Exempt Debt

- Rated at least a minimum "Aa" by Moody's and "AA" by Standard & Poor's for long-term debt, or rated at least "VMIG2" by Moody's or "A-2" by Standard & Poor's for short-term debt.

Registered Investment companies (Mutual Funds)

- Rated AAAm by Standard & Poor's or the equivalent by another rating agency.
- Are in open-end, no-load provided such funds are registered under the Federal Investment Company Act of 1940 and operated in accordance with 17 C.F.R. § 270.2a-7.
- In addition, the Financial Services Director may invest in other types of mutual funds provided such funds are registered under the Federal Investment Company Act of 1940, invest exclusively in the securities specifically permitted under this investment policy, and are similarly diversified.

Intergovernmental Investment Pools

- Rated AAAm by Standard & Poor's or the equivalent by another rating agency.
- Are authorized pursuant to the Florida Interlocal Cooperation Act, as provided in Section 163.01, Florida Statutes and provided that said funds contain no derivatives.

Corporate Notes

- Shall have a minimum long term debt rating of "A" by Moody's and "A" by Standard & Poor's.

Asset-backed securities (ABS)

- Shall be Double-A rated or better by Standard & Poor's, or the equivalent by another rating agency.

Bond funds

- Shall be Double-A rated or better by Standard & Poor's, or the equivalent by another rating agency.

As of September 30, 2016, the City had the following credit exposure as a percentage of total investments:

| Security Type | S&P Credit Rating | % of Portfolio |
|------------------------------------|----------------------|----------------|
| Corporate Notes | AAA | 0.08% |
| Corporate Notes | AA+ | 4.59% |
| Corporate Notes | AA- | 1.92% |
| Corporate Notes | AA | 0.66% |
| Corporate Notes | A+ | 1.26% |
| Federal Agencies - Bond/Note | AA+ | 19.61% |
| US Treasuries - Bond/Note | AA+ | 25.36% |
| Municipal Bond/Note | AA | 0.53% |
| Intergovernmental Investment Pools | AAAm | 19.13% |
| LGIP | AAAm | 26.76% |
| Money Market Funds | AAAm | 0.10% |
| Total | | <u>100.00%</u> |

As of September 30, 2016, the City's investment deposit in Florida Prime, Florida Class, and Florida Asset Fund Trust (FLSAFE) investment pool was \$61,153,216, \$42,651,313, and \$1,058,988, respectively. These qualify as 2a7-like external investment pools. As of September 30, 2016, all pools were rated AAAm by Standard & Poor's.

F. Custodial Credit Risk

The City's investment policy, pursuant to Section 218.415(18), Florida Statutes, requires securities, with the exception of certificates of deposits, shall be held with a third party custodian; and all securities purchased by, and all collateral obtained by the City should be properly designated as an asset of the City. The securities must be held in an account separate and apart from the assets of the financial institution. A third party custodian is defined as any bank depository chartered by the Federal Government, the State of Florida, or any other state or territory of the United States which has a branch or principal place of business in the State of Florida, or by a national association organized and existing under the laws of the United States which is authorized to accept and execute trusts and which is doing business in the State of Florida. Certificates of deposits will be placed in the provider's safekeeping department for the term of the deposit.

As of September 30, 2016, the City's investment portfolio was held with a third-party custodian as required by the City's investment policy.

G. Concentration of Credit Risk

The City's investment policy has established asset allocation and issuer limits on the following investments, which are designed to reduce concentration of credit risk of the City's investment portfolio.

Florida PRIME

- A maximum of 25% of available funds may be invested in Florida PRIME.

United States Government Securities

- A maximum of 100% of available funds may be invested in United States Government Securities.

United States Government Agencies

- A maximum of 50% of available funds may be invested in United State Government Agencies.
- No more than 25% of available funds may be invested in an individual United States Government agency.

Federal Instrumentalities

- A maximum of 80% of available funds may be invested in Federal Instrumentalities.

- No more than 25% of available funds may be invested in any one issuer.

Interest Bearing Time Deposit or Saving Accounts

- A maximum of 10% of available funds may be invested in non-negotiable interest bearing time certificates of deposit.
- No more than 5% of available funds may be deposited with any one issuer.

Repurchase Agreements

- A maximum of 25% of available funds may be invested in repurchase agreements excluding one (1) business day agreements and overnight sweep agreements.
- No more than 10% of available funds may be invested with any one institution.

Commercial Paper

- A maximum of 25% of available funds may be invested in prime commercial paper.
- No more than 10% of available funds may be invested with any one issuer.

Bankers' Acceptances

- A maximum of 25% of available funds may be directly invested in Bankers' acceptances.
- No more than 10% of available funds may be invested with any one issuer.

State and/or Local Government Taxable and/or Tax-Exempt Debt

- A maximum of 20% of available funds may be invested in taxable and tax-exempt debts.
- No more than 5% of available funds may be invested with any one issuer.

Registered Investment Companies (Mutual Funds)

- A maximum of 25% of available funds may be invested in mutual funds.
- No more than 10% of available funds may be invested with any one non-SEC Rule 2a-7 investment mutual fund.

Intergovernmental Investment Pools

- A maximum of 25% of available funds may be invested in intergovernmental investment pools.

Corporate Notes

- A maximum 25% of available funds may be directly invested in corporate notes.
- No more than 5% of available funds may be invested with any one issuer.

Corporate Obligations

- A maximum of 50% of available funds with may be directly invested in corporate obligations.
- No more than 25% of available funds may be invested with any one issuer.

Mortgage-Backed Securities (MBS)

- A maximum of 20% of available funds may be invested in mortgage-backed securities.
- No more than 5% of available funds may be invested with any one MBS.

Asset-Backed Securities (ABS)

- A maximum of 10% of available funds may be invested in asset-backed securities.
- No more than 5% of available funds may be invested with any one ABS.

Bond Funds

- A maximum of 25% of available funds may be invested in bond funds.
- No more than 10% of available funds may be invested with any one bond fund.

As of September 30, 2016, the City had the following issuer concentration based on fair value:

| Issuer | Fair Value | Percentage of Portfolio |
|---|-----------------------|-------------------------|
| American Honda Finance | \$ 995,010 | 0.44% |
| Apple Inc | 998,610 | 0.44% |
| Berkshire Hathaway | 1,508,700 | 0.66% |
| Chevron | 1,400,471 | 0.61% |
| Cola-Cola Company | 2,151,440 | 0.94% |
| Exxon Mobil | 2,264,448 | 0.99% |
| Fannie Mae (FNMA) | 3,064,705 | 1.34% |
| Federal Home Loan Bank (FHLB) | 6,268,550 | 2.74% |
| Freddie Mac (FHLMC) | 11,049,558 | 4.84% |
| Governmental National Mortgage Association (GNMA) | 24,439,913 | 10.69% |
| IBM | 2,249,708 | 0.98% |
| JPMorgan Chase Bank | 782,457 | 0.34% |
| Microsoft | 533,294 | 0.23% |
| Mississippi ST | 1,211,688 | 0.53% |
| Money Market Fund | 219,957 | 0.10% |
| Pepsico, INC | 1,425,513 | 0.62% |
| US Treasury | 57,976,053 | 25.39% |
| U.S. BanCorp | 1,604,656 | 0.70% |
| Walmart | 1,503,225 | 0.66% |
| Wells Fargo & Company | 2,007,400 | 0.88% |
| Florida Prime | 61,153,216 | 26.76% |
| Florida Class | 42,651,313 | 18.66% |
| FL Safe | 1,058,988 | 0.46% |
| Total | <u>\$ 228,518,873</u> | <u>100.00%</u> |

Pension Trust Funds:

The City has three defined benefit single-employer pension plans: General Employees', Police Officers', and Firefighters' (Pension Funds).

A. Cash and Cash Equivalents

At September 30, 2016, the carrying amount of the Pension Funds' cash and cash equivalents was \$15,441,434.

B. Investment Portfolio

Each Board of Trustees of the City's Pension Funds adopted a revised comprehensive investment policy, pursuant to Florida Statutes Section 112.661, that established permitted investments, asset allocation limits, issuer limits, credit rating requirements, and maturity limits to protect the Pension Funds' cash and investment assets.

The revised investment policies were adopted as follows: General Pension – September 11, 2014; Police Pension – February 23, 2016; and Fire Pension – November 24, 2015.

As of September 30, 2016, interest and dividend receivable on the Pension Funds' investment portfolio amounted to \$398,665.

As of September 30, 2016, the City's Pension Funds had the following investment types and effective duration presented in terms of years:

General Employees' Pension Investments

| Security Type | Fair Value | Percentage of Portfolio | Weighted Average Duration (years) |
|--------------------------------|-----------------------|--------------------------------|--|
| Cash and Cash Equivalents | \$ 4,970,964 | 2.21% | N/A |
| Investments: | | | |
| Stock | 76,720,545 | 34.18% | N/A |
| Unit investment trusts | 1,982,690 | 0.88% | N/A |
| Mutual Funds: | | | |
| Equity | 20,137,960 | 8.97% | N/A |
| Pooled/Common/Commingled Funds | 100,399,182 | 44.73% | N/A |
| Partnerships | 20,231,963 | 9.03% | N/A |
| Total Investments | <u>\$ 224,443,304</u> | <u>100.00%</u> | |

Police Officers' Pension Investments

| Security Type | Fair Value | Percentage of Portfolio | Weighted Average Duration (years) |
|---|-----------------------|--------------------------------|--|
| Cash and Cash Equivalents | \$ 4,326,082 | 3.08% | N/A |
| Investments: | | | |
| Certificates of deposit | 173,075 | 0.12% | 1.50 |
| U.S. Government Obligations and Federal agency securities | 12,128,146 | 8.64% | 3.42 |
| Mortgage Backed Securities | 4,643,017 | 3.31% | 2.93 |
| Collateralized Mortgage Obligations | 1,765,958 | 1.26% | 5.26 |
| Corporate Bonds | 8,906,883 | 6.35% | 6.2 |
| Stocks | 50,432,567 | 35.93% | N/A |
| Municipal obligations | 126,648 | 0.09% | 23.67 |
| Mutual Funds: | | | |
| Balanced | 12,799,873 | 9.12% | N/A |
| Equity | 16,346,725 | 11.65% | N/A |
| Pooled/Common/Commingled Funds: | | | |
| Equity | 12,730,288 | 9.07% | N/A |
| Real Estate | 15,971,274 | 11.38% | N/A |
| Total Investments | <u>\$ 140,350,536</u> | <u>100.00%</u> | |

Firefighters' Pension Investments

| Security Type | Fair Value | Percentage of Portfolio | Weighted Average Duration (years) |
|--|-----------------------|-------------------------|-----------------------------------|
| Cash and Cash Equivalents | \$ 5,803,074 | 3.90% | N/A |
| Investments: | | | |
| Certificates of deposit | 168,130 | 0.11% | 1.50 |
| U.S Government Obligations and Federal Agency Securities | 12,987,780 | 8.73% | 8.73 |
| Mortgage Backed Securities | 5,556,274 | 3.74% | 2.87 |
| Collateralized Mortgage Obligations | 1,808,218 | 1.22% | 3.78 |
| Corporate Bonds | 11,246,641 | 7.56% | 6.03 |
| Stock | 51,036,662 | 34.32% | N/A |
| Municipal obligations | 151,978 | 0.10% | 23.67 |
| Mutual Funds: | | | |
| Balanced | 14,047,771 | 9.45% | N/A |
| Equity | 17,181,001 | 11.55% | N/A |
| Pooled/Common/Commingled Funds: | | | |
| Equity | 12,730,288 | 8.56% | N/A |
| Real Estate | 15,971,274 | 10.76% | N/A |
| Total Investments | <u>\$ 148,689,091</u> | <u>100.00%</u> | |

C. Interest Rate Risk

The investment policies for the pension funds do not address interest rate risk. The Pension Funds utilize "effective duration" as a measurement of interest rate risk and as of September 30, 2016.

D. Credit Risk

The Pension Funds' investment policy permits the following investments, which are limited as described below.

Equity Securities

General Pension Funds:

- Investments in equity securities shall be limited to no more than 70% (at market) of the Fund's total asset value.
- All equity investments shall be limited to fully and easily negotiable equity securities.
- No more than 5% at cost value of an investment manager's equity portfolio may be invested in the shares of a single corporate issuer.
- No more than 15% at cost value of the plan's total assets may be invested in foreign equity securities. Investment in foreign companies is limited to those traded on a national exchange and /or American Depositary Receipts (ADRs).
- Investment in equity securities whose market capitalization is less than \$3 billion dollars shall be limited to 25% of the total equity portfolio.
- Investment in those corporations whose stock has been publicly traded for less than one year are limited to 15% of the equity portfolio.
- Equities may be managed through the purchase of open-end, no-load mutual funds or commingled funds as long as these funds in aggregate adhere to the equity guidelines herein.

Police and Fire Pension Funds:

- Investments in equity securities shall be limited to no more than 70% at market value of the Fund's total asset value.
- All equity investments shall be limited to fully and easily negotiable equity securities.
- No more than 5% at cost value of an investment manager's equity portfolio may be invested in the shares of a single corporate issuer.
- Investments in stocks of foreign companies shall be limited to 25% (at market) of the total investment portfolio.
- No more than 25% of the equity securities (at market valuation) are to be invested in small or mid-cap stocks. The Board defines small and mid-cap stocks the stocks whose market capitalization is less than \$5 billion dollars.

Fixed Income Securities

General Pension Fund:

The fixed income portfolio shall comply with the following guidelines:

- The average credit quality of the bond portfolio shall be "BBB" or higher.
- Must be issued by a corporation organized under the laws of the United States, any state or organized territory of the United States, or the District of Columbia.

Investments in all corporate fixed income securities shall be limited to:

- The portfolio must have at least 70% of securities purchased at cost be those securities rated "BAA" or higher by Moody's or "BBB" or higher by Standard & Poor's rating services .
- No more than 30% at cost can be invested in non-investment grade/non-US fixed income commingled vehicles.
- Securities issued by a corporation organized under the laws of the United States, any state or organized territory of the United States, or the District of Columbia. no more than 10% at cost of an investment manager's total fixed income portfolio shall be invested in the securities of any single corporate issuer.
- Investments in Collateralized Mortgage Obligations (CMO's) shall be limited to 20% of the market value of the investment managers' total portfolio and shall be restricted to issues which meet all of the following criteria:
- The portfolio must have at least 90% at cost of all issues backed by mortgage securities issued, guaranteed, or fully insured by the Government National Mortgage Association (GNMA), the Federal Home Loan Mortgage Corporation (FHLMC), the Federal National Mortgage Association (FNMA) or that are rated "AAA" by Moody's or "AAA" by Standard & Poor's rating services.
- No more than 10% at cost of issues can be rated below "AAA" by Moody's or "AAA" by Standard & Poor's rating services.
- There is no limit imposed on investments in fixed income securities issued directly by the United States Government or any agency or instrumentality thereof.
- Fixed income securities may be managed through the purchase of open-end, no-load mutual funds or commingled funds as long as these funds in aggregate adhere to the fixed income guidelines herein.

- All approved institutions and dealers transacting in repurchase agreements are required to execute and perform as stated in the Master Repurchase Agreement. All repurchase agreement transactions shall adhere to the requirements of the Master Repurchase Agreement. The Board shall determine the approximate maturity date based on cash flow needs and market conditions, analyze and select one or more optimal types of investment, and competitively bid the security in question when feasible and appropriate. Except as otherwise required by law, the most economically advantageous bid must be selected.

Police and Fire Pension Funds:

The fixed income portfolio shall comply with the following guidelines:

- The average credit quality of the bond portfolio shall be "A" or higher.
- The duration of the fixed income portfolio shall not exceed 135% of the duration of the market index. The market index is defined as the Barclays Aggregate Bond index.

Investments in all corporate fixed income securities shall be limited to:

- Those securities rated below "BBB" shall not exceed 15% of the entire fixed income portfolio.
- Securities issued by a corporation organized under the laws of the United States, any state or organized territory of the United States, or the District of Columbia.
- No more than 5% at cost of an investment manager's total fixed income portfolio shall be invested in the securities of any single corporate issuer.

Cash Equivalent Securities

The fund may invest only in the following short term investment vehicles:

General Pension Fund:

- The money market of Short Term Investment Fund (STIF) provided by the Plan's custodian.
- Direct obligations of the United States Government with a maturity of one year or less.
- Commercial paper with a maturity of 270 days or less that is rated A-1 by Standard & Poor's or P-1 by Moody's.
- Bankers Acceptances by the largest 50 banks in the United States (in terms of total assets).

Police and Fire Pension Funds:

- The money market of Short Term Investment Fund (STIF) provided by the Plan's custodian.
- Direct obligations of the United States Government with a maturity of one year or less.
- Commercial paper with a maturity of 270 days or less that is rated A-1 by Standard & Poor's or P-1 by Moody's.
- Bankers Acceptances by the largest 50 banks in the United States (in terms of total assets).

Real Estate

General Pension Fund:

- The Real Estate portion of the Fund's asset may be invested in pooled Real Estate vehicles, limited partnerships, or other types of Real Estate investments as determined by the Board in consultation with Investment Consultant.

- Investment in real estate shall be limited to no more than 15% (at market) of the Fund's total asset value.

Police and Fire Pension Funds:

- All real estate investments shall be made through participation in diversified commingled funds of real properties.
- Investments in real estate shall not exceed 15% (at market valuation) of the value of the total Fund assets.
- Experienced and professional real property investment managers shall manage all real estate investments.

As of September 30, 2016, the Pension Funds had the following credit exposure as a percentage of total fixed income investments:

| Standard & Poor's Credit Rating | General Employees' | Police Officers' | Firefighters' |
|--|-------------------------------|-----------------------------|----------------------|
| AAA | N/A | 1.74% | 2.08% |
| AA+ | N/A | 67.29% | 64.86% |
| AA | N/A | 2.43% | 1.93% |
| AA- | N/A | 2.95% | 2.70% |
| A+ | N/A | 1.95% | 2.10% |
| A | N/A | 6.86% | 6.94% |
| A- | N/A | 3.11% | 5.67% |
| BBB+ | N/A | 8.46% | 8.91% |
| BBB | N/A | 2.19% | 2.26% |
| BBB- | N/A | 0.42% | 0.42% |
| not rated | 100.00% | 2.60% | 2.13% |
| Total | 100.00% | 100.00% | 100.00% |

The following lists investments that represent 5% or more of the Plan's fiduciary net position as of September 30, 2016:

General Employees' Pension Investments

| Investment | Amount |
|---|----------------------|
| Manning & Napier Fund Inc. - Overseas Series Fund | \$ 19,619,919 |
| Pyramis Commingled Pool | 53,235,463 |
| Wells Fargo Emerging Markets Equity Fund | 13,577,626 |
| Total | <u>\$ 86,433,088</u> |

Police Officers Pension Investments

| Investment | Amount |
|---|----------------------|
| American Core Reality Fund, LLC | \$ 15,971,274 |
| Rhumbine Russell 1000 Pooled Index Fund | 12,730,288 |
| Total | <u>\$ 28,701,562</u> |

Firefighters' Pension Investments

| Investment | Amount |
|---|----------------------|
| American Core Reality Fund, LLC | \$ 15,971,274 |
| Rhumbine Russell 1000 Pooled Index Fund | 12,730,288 |
| Total | <u>\$ 28,701,562</u> |

E. Fair Value Measurement

The Plan categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The Plan had the following recurring fair value measurements comprised of investments as of September 30, 2016:

General Employees' Pension Investments

| | | Fair Value Measurements Using | | |
|---|-----------------------|--|---|--|
| | Fair Value | Quoted Prices in Active Markets for Identical Assets (Level 1) | Significant Other Observable Inputs (Level 2) | Significant Unobservable Inputs (Level 3) |
| Investment by Fair Value Level | | | | |
| Investments: | | | | |
| Stocks | \$ 76,720,545 | \$ 76,720,545 | \$ - | \$ - |
| Unit Investment Trust | 1,982,690 | 1,982,690 | - | - |
| Mutual Funds: | | | | |
| Equity | 20,137,960 | 20,137,960 | - | - |
| | <u>\$ 98,841,195</u> | <u>\$ 98,841,195</u> | <u>\$ -</u> | <u>\$ -</u> |
| Investment Measured at Net Asset Value (NAV) | | | | |
| Pooled/common/commingled funds | \$ 100,399,182 | | | |
| Partnerships | 20,231,963 | | | |
| Total Investments Measured at the NAV | <u>120,631,145</u> | | | |
| Total Investments Measured at Fair Value | <u>\$ 219,472,340</u> | | | |
| Investments Measured at Amortized Cost | | | | |
| Money Market Funds | <u>4,970,964</u> | | | |
| Total cash, cash equivalents, and investments | \$ 224,443,304 | | | |

Police Officers' Pension Investments

| | | Fair Value Measurements Using | | |
|--|-----------------------|--|---|--|
| | | Quoted Prices in Active Markets for Identical Assets (Level 1) | Significant Other Observable Inputs (Level 2) | Significant Unobservable Inputs (Level 3) |
| | Fair Value | | | |
| Investment by Fair Value Level | | | | |
| Investments: | | | | |
| Certificates of Deposit | \$ 173,075 | \$ - | \$ 173,075 | \$ - |
| U.S. Government Obligations and Federal Agency Securities | 12,128,146 | - | 12,128,146 | - |
| Mortgage Backed Securities | 4,643,017 | - | 4,643,017 | - |
| Coolateralized Mortgage Obligations | 1,765,958 | - | 1,765,958 | - |
| Corporate Bonds | 8,906,883 | - | 8,906,883 | - |
| Stocks | 50,432,567 | 50,432,567 | - | - |
| Municipal Obligations | 126,648 | - | 126,648 | - |
| Mutual Funds: | | | | |
| Balanced | 12,799,873 | 12,799,873 | - | - |
| Equity | 16,346,725 | 16,346,725 | - | - |
| | <u>\$ 107,322,892</u> | <u>\$ 79,579,165</u> | <u>\$ 27,743,727</u> | <u>\$ -</u> |
| Investment Measured at Net Asset Value (NAV) | | | | |
| Pooled/common/commingled funds | | | | |
| Equity Index Fund | \$ 12,730,288 | | | |
| Real Estate Commingled Fund | 15,971,274 | | | |
| Total Investments Measured at the NAV | <u>28,701,562</u> | | | |
| Total Investments Measured at Fair Value | <u>136,024,454</u> | | | |
| Investments Measured at Amortized Cost | | | | |
| Money Market Funds | <u>4,326,082</u> | | | |
| Total cash, cash equivalents, and investments | \$ 140,350,536 | | | |

Firefighters' Pension Investments

| | | Fair Value Measurements Using | | |
|---|-----------------------|--|---|--|
| | | Quoted Prices in Active Markets for Identical Assets (Level 1) | Significant Other Observable Inputs (Level 2) | Significant Unobservable Inputs (Level 3) |
| Investment by Fair Value Level | Fair Value | | | |
| Investments: | | | | |
| Certificates of Deposit | \$ 168,130 | \$ - | \$ 168,130 | \$ - |
| U.S. Government Obligations and | | | | |
| Federal Agency Securities | 12,987,780 | - | 12,987,780 | - |
| Mortgage Backed Securities | 5,556,274 | - | 5,556,274 | - |
| Coolateralized Mortgage Obligations | 1,808,218 | - | 1,808,218 | - |
| Corporate Bonds | 11,246,641 | - | 11,246,641 | - |
| Stocks | 51,036,662 | 51,036,662 | - | - |
| Municipal Obligations | 151,978 | - | 151,978 | - |
| Mutual Funds: | | | | |
| Balanced | 14,047,771 | 14,047,771 | - | - |
| Equity | 17,181,001 | 17,181,001 | - | - |
| | <u>\$ 114,184,455</u> | <u>\$ 82,265,434</u> | <u>\$ 31,919,021</u> | <u>\$ -</u> |
| Investment Measured at Net Asset Value (NAV) | | | | |
| Pooled/common/commingled funds | | | | |
| Equity Index Fund | \$ 12,730,288 | | | |
| Real Estate Commingled Fund | 15,971,274 | | | |
| Total Investments Measured at the NAV | <u>28,701,562</u> | | | |
| Total Investments Measured at Fair Value | <u>142,886,017</u> | | | |
| Investments Measured at Amortized Cost | | | | |
| Money Market Funds | <u>5,803,074</u> | | | |
| Total cash, cash equivalents, and investments | <u>\$ 148,689,091</u> | | | |

Debt and equity securities classified as Level 1 of the fair value hierarchy are valued using prices quoted in active markets for those securities. Debt Securities classified as Level 2 of the fair value hierarchy are valued using quoted prices for similar assets in active markets. The pricing methodology involves the use of evaluation models such as matrix pricing., which is based on the securities relationship to benchmark quoted prices.

Other information for investment measured at the NAV or its equivalent follows:

General Employees' Pension Investments

| | Fair Value | Unfunded Commitments | Redemption Frequency | Notice Period |
|--------------------------------------|--------------------|-------------------------|-------------------------|---------------|
| Pooled/Common/Commingled Funds | | | | |
| Equity | \$ 13,577,626 | \$ - | Daily | 3 Days |
| Fixed Income | 53,235,463 | - | Daily | 5 Days |
| Private Equity | 6,421,277 | 4,885,529 | N/A | N/A |
| Real Estate | 27,164,816 | 2,544,769 | Quarterly | 45 Days |
| Partnerships | | | | |
| Alternative | 9,529,726 | - | Quarterly | 90 Days |
| GTAA | 9,982,945 | - | Monthly | 30 Days |
| Real Estate | 719,292 | 330,194 | N/A | N/A |
| Total Investment Measured at the NAV | <u>120,631,145</u> | | | |

Police Officers' Pension Investments

| | Fair Value | Unfunded Commitments | Redemption Frequency | Notice Period |
|--------------------------------------|----------------------|-------------------------|-------------------------|---------------|
| Pooled/Common/Commingled Funds | | | | |
| Equity Index Fund | \$ 12,730,288 | \$ - | Monthly | Daily |
| Real Estate | 15,971,274 | 19,035 | Quarterly | Daily |
| Total Investment Measured at the NAV | <u>\$ 28,701,562</u> | | | |

Firefighters' Pension Investments

| | Fair Value | Unfunded Commitments | Redemption Frequency | Notice Period |
|--------------------------------------|----------------------|-------------------------|-------------------------|---------------|
| Pooled/Common/Commingled Funds | | | | |
| Equity Index Fund | \$ 12,730,288 | \$ - | Monthly | Daily |
| Real Estate | 15,971,274 | 19,035 | Quarterly | Daily |
| Total Investment Measured at the NAV | <u>\$ 28,701,562</u> | | | |

Equity Index Fund

The investment objective of the Rhumblin Russell 1000 Pooled Index Trust is to match the return of the Russell 1000 Index through investments in substantially all of the stocks contained in that index.

Real Estate Fund

The American Core Realty Fund is an open-end diversified core real estate commingled fund whose primary objective is to provide returns that are attractive relative to other assets classes with stable income and the potential for market appreciation. The Fund invests primarily in core institutional quality industrial, multi-family, office, and retail properties located throughout the United States, and is diversified by product type, geographic, and economic exposure in order to mitigate investment risk.

F. Custodial Credit Risk

The Pension Funds' investment policy, pursuant to Section 112.661(10), Florida Statutes, states that securities, should be held with a third-party custodian; and all securities purchased by, and all collateral obtained by the Pension Funds should be properly designated as an asset of the Pension Fund.

As of September 30, 2016, the Pension Funds' investment portfolio was held with a third-party custodian as required by Florida Statutes.

G. Concentration of Credit Risk

The Pension Funds' investment policy has established asset allocation and issuer limits on the following investments, which are designed to reduce concentration of credit risk of the Pension Funds' investment portfolio.

Equity Securities

General Pension Fund:

- A maximum of 70% at market value of the Funds' total asset value may be invested in equity securities.
- All equity investments shall be limited to fully and easily negotiable equity securities.
- No more than 5% at cost value of an investment manager's equity portfolio may be invested in a single corporate issuer.
- No more than 15% at cost value of the plan's total assets may be invested in foreign equity securities.
- 25% of the total equity portfolio may be invested in equity securities whose market capitalization is less than \$3 billion.
- No more than 15% of the equity portfolio may be invested in those corporations whose stock has been publicly traded for less than one year.
- Equities may be managed through the purchase of open-end, no-load mutual funds or commingled funds as long as these funds in aggregate adhere to the equity guidelines herein.

Police and Fire Pension Funds:

- Investments in equity securities shall be limited to no more than 70% at market value of the Fund's total asset value.
- All equity investments shall be limited to fully and easily negotiable equity securities.
- No more than 5% at cost value of an investment manager's equity portfolio may be invested in a single corporate issuer.
- Investments in stocks of foreign companies shall be limited to 25% (at market) of the total investment portfolio.
- No more than 25% of the equity securities (at market) are to be invested in small or mid-cap stocks. The Board defines small and mid-cap stocks whose market capitalization is less than \$5 billion.

Fixed Income Securities

General Pension Fund:

- The average credit quality of the bond portfolio shall be "BBB" or higher.
- The duration of the fixed income portfolio shall not exceed 150% of the duration of the market index. The market Index is defined as the Barclays Aggregate Bond Index.
- At Least 70% of securities purchased at cost must be rated "BAA" or higher by Moody's or "BBB" or higher by Standard & Poor's rating services.
- No more than 30% at cost can be invested in non-investment grade/non-US fixed income commingled vehicles.
- No more than 10% at cost of an investment manager's total fixed income portfolio shall be invested in the securities of any single corporate issuer.
- No more than 20% of the market value of the investment manager's portfolio shall be invested in collateralized mortgage obligations (CMO's) with the following restrictions:
 - At least 90% at cost of all issues backed by mortgage securities issued, guaranteed, or fully insured by the Government National Mortgage Association (GNMA), the Federal

- Home Loan Mortgage Corporation (FHLMC), the Federal nation Mortgage Association (FNMA) or that are rated “AAA” by Moody’s or ‘AAA” by Standard & Poor’s rating services.
- No more than 10% at cost of issues can be rated below “AAA” by Moody’s or “AAA” by Standard & Poor’s rating services.
- No limit on fixed income securities issued directly by the United States Government or any agency or instrumentality thereof.
- Fixed income securities may be managed through the purchase of open-end, no-load mutual funds as long as these funds in aggregate adhere to the fixed income guidelines herein.
- All approved institutions and dealers transacting in repurchase agreements are required to execute and perform as stated in the Master Repurchase Agreement. All repurchase agreement transactions shall adhere to the requirements of the Master Repurchase Agreement. The Board shall determine the approximate maturity date based on cash flow needs and market conditions, analyze and select one or more optimal types of investment, and competitively bid the security in question when feasible and appropriate. Except as otherwise required by law, the most economically advantageous bid must be selected.

Police and Fire Pension Funds:

- The fixed income portfolio shall comply with the following guidelines:
 - The average credit quality of the bond portfolio shall be “A” or higher.
 - The duration of the fixed income portfolio shall not exceed 135% of the duration of the market index. The market index is defined as the Barclays Aggregate Bond Index.
- Investment in all corporate fixed income securities shall be limited to:
 - Those securities rate below “BBB” shall not exceed 15% of the entire fixed income portfolio.
 - Securities issued by a corporation organized under the laws of the United States, any state or organized territory of the United States, or the District of Columbia.
 - No more than 5% at cost of an investment manager’s total fixed income portfolio shall be invested in the securities of any single corporate issuer.
- Private security Collateralized Mortgage Obligations (CMOs) shall be limited to 15% of the market value of the investment managers’ total fixed income portfolio. Agency CMOs may be purchased without restriction.
- Futures contracts may be used on a non-leveraged basis for duration adjustment and yield curve -positioning purposes.
- There is no limit imposed on investments in fixed income securities issued directly by the United Stated Government or any agency or instrumentality thereof.

Real Estate

General Pension:

- The Real Estate portion of the Fund’s assets may be invested in pooled Real Estate vehicles, limited partnerships, or other types of Real Estate Investments as determined by the Board in consultation with the Investment Consultant.
- Limited to no more than 15% (at market) of the Funds’ total asset value.

Police and Fire Pension Funds:

- Investments in real estate shall not exceed 15% (at market valuation) of the total Fund assets.
- All real estate investments shall be made through participation in diversified commingled fund of real properties. These funds shall be broadly diversified as to property type and location.
- Experienced and professional real property investment managers shall manage all real estate investments.

Hedge Fund of Funds

General Pension:

- For purposes of this policy the term “hedge fund investments” means and includes investments in both U.S. and non-U.S. private investment companies and funds (including fund of funds) which invest directly and indirectly primarily in the liquid global securities and derivatives markets using various investment strategies including, but not limited to, such strategies and styles as “market neutral”, “arbitrage”, “long bias equity”, “distressed securities”, “event driven”, “opportunistic” and “absolute return” strategies, both on a leveraged and unleveraged basis. These investment strategies and styles share in common the characteristic of low correlation to traditional investments and are used to diversify overall portfolio risk.
- The Manager will invest the assets with multiple investment managers through fund of fund private investment companies, each of which in turn will invest in and allocate to a portfolio of hedge fund vehicles with various investment strategies and objectives. These fund of funds may be broadly diversified or occupy a specific niche.
- Limited to no more than 10% (at market) of the Funds’ total asset value.

Cash Equivalent Securities

General Pension:

- Limited to no more than 10% (at market) of the Funds’ total asset value.

2. Restricted Cash and Investments

Restricted cash and investments of the proprietary funds represent resources to be restricted for capital improvements, debt service, renewal and replacement, and deposits.

| | Water and Sewer |
|---------------------------------------|----------------------------|
| Debt service | \$ 31,448,632 |
| Capital improvements | 56,428,879 |
| Renewal and replacement | 5,967,221 |
| Deposits | 2,467,449 |
| Total restricted cash and investments | <u>\$ 96,312,181</u> |

3. Accounts and Assessments Receivable

Governmental activities:

| | General Fund | Transportation Capital Improvements | Community Redevelopment Agency | Debt Service Fund | Other Governmental Funds | Total |
|---|-------------------------|--|---|----------------------------------|---|---------------------|
| Unrestricted: | | | | | | |
| Interest | \$ 72,110 | \$ 29,176 | \$ 3,171 | \$ 1,416 | \$ 44,449 | \$ 150,322 |
| Gross assessments receivable ¹ | 104,709 | - | - | - | 106,521 | 211,230 |
| Less: allowance for uncollectibles | (104,287) | - | - | - | (106,355) | (210,642) |
| Intergovernmental | 3,312,086 | 1,385,930 | - | 937,070 | 2,734,984 | 8,370,070 |
| Gross accounts receivable | 1,509,542 | - | 76 | - | 463,343 | 1,972,961 |
| Less: allowance for uncollectibles | (114,861) | - | - | - | (410,167) | (525,028) |
| Total net receivables | <u>\$ 4,779,299</u> | <u>\$ 1,415,106</u> | <u>\$ 3,247</u> | <u>\$ 938,486</u> | <u>\$ 2,832,775</u> | <u>\$ 9,968,913</u> |

¹ During FY2001, the City changed the method of collecting for new special assessments. The amortized assessment is collected pursuant to the Uniform Assessment Collection Act under Florida Statutes 197.3632 and 197.3635. The Uniform Assessment Collection Act authorizes the collection of non-ad valorem assessments on the same bill as ad valorem taxes. The uniform collection method offers the City the greatest assurance of collecting all of its billed special assessment revenue. For financial statement reporting, the receivable is recorded at the time of the levy which is each year when the assessment is billed on the tax roll and the enforceable legal claim arises. The total original tax billed assessment for all projects is \$1,217,856. As of September 30, 2016, the unbilled amount is \$105,478.

Business-type activities:

| | Water and Sewer | Stormwater | Other Enterprise Funds | Total | Governmental Activities - Internal Service Funds |
|---|--------------------------|------------|------------------------------|---------------|---|
| Unrestricted: | | | | | |
| Interest | \$ 26,367 | \$ 14,857 | \$ 899 | \$ 42,123 | \$ 16,991 |
| Intergovernmental | - | 69,800 | - | 69,800 | - |
| Gross accounts receivable | 9,283,880 ¹ | 196,227 | 369 | 9,480,476 | 138,691 |
| Less: allowance for uncollectibles | (842,193) ² | (187,130) | - | (1,029,323) | - |
| Total net unrestricted | 8,468,054 | 93,754 | 1,268 | 8,563,076 | 155,682 |
| Restricted: | | | | | |
| Interest | 227,810 | - | - | 227,810 | - |
| Intergovernmental | 123,796 | - | - | 123,796 | - |
| Gross accounts receivable | 1,420,491 ⁴ | - | - | 1,420,491 | - |
| Less: allowance for uncollectibles | (367,423) ² | - | - | (367,423) | - |
| Gross assessments receivable ^{3,4} | 4,454,550 ⁴ | - | - | 4,454,550 | - |
| Less: allowance for uncollectibles | (2,463,446) ² | - | - | (2,463,446) | - |
| Total net restricted | 3,395,778 | - | - | 3,395,778 | - |
| Total net receivables | \$ 11,863,832 | \$ 93,754 | \$ 1,268 | \$ 11,958,854 | \$ 155,682 |

¹ Includes unbilled receivables of \$3,697,148.

² The City bills users for water and sewer services monthly; before the end of each fiscal year the allowance for uncollectibles is adjusted to include all unpaid balances over 180 days past due. City policy states all finaled accounts 90 days past due are sent to a collection agency.

³ During FY2001, the City changed the method of collecting for new special assessments. The amortized assessment is collected pursuant to the Uniform Assessment Collection Act under Florida Statutes 197.3632 and 197.3635. The Uniform Assessment Collection Act authorizes the collection of non-ad valorem assessments on the same bill as ad valorem taxes. The uniform collection method offers the City the greatest assurance of collecting all of its billed special assessment revenue. For financial statement reporting, the receivable is recorded at the time of the levy which is each year when the assessment is billed on the tax roll and the enforceable legal claim arises. The total assessment for all projects is \$413,606,665. As of September 30, 2016, the unbilled amount is \$213,651,001.

⁴ The City has a law firm under contract to assist in collection of delinquent utility assessment, impact fee loans, CIAC fee loans, and stormwater utility accounts. The firm specializes in such services and is working on foreclosing on delinquent utility assessment and stormwater accounts. The City monitors the accounts on a monthly basis. As of September 30, 2016, the delinquent amounts were \$23,968 for assessments, \$77,086 for impact loans, and \$290,336 for CIAC loans.

4. Interfund Receivables, Payables and Transfers

The composition of interfund balances as of September 30, 2016 is as follows:

Due to/from other funds:

| Receivable Fund | Payable Fund | Purpose for Balance | Amount |
|-----------------|--|------------------------------|------------|
| General | Other governmental funds (Residential Construction Mitigation Grant) | Awaiting grant reimbursement | \$ 126,244 |

Advances to/from other funds:

| Receivable Fund | Payable Fund | Purpose for Balance | Amount |
|--------------------------|--|---|------------|
| General | Other governmental funds (Del Prado Mall Parking Lot) ¹ | Del Prado Mall parking lot improvements | \$ 95,012 |
| | Other enterprise funds (Golf Course) ² | Operations | 564,909 |
| | | | 659,921 |
| Total Governmental Funds | | | \$ 786,165 |

¹ Original advance was for the transportation capital improvement project for the construction of the parking lot and alley. Assessment collections repay the advance.

² Golf Course fees will repay the advance.

Interfund Transfers:

| Transfers Out | Transfers In | | | | | | |
|------------------------|------------------------|-------------------------------------|--------------------------------|---------------------------|----------------------------|-----------------------|--------------------------|
| | General Fund | Transportation Capital Improvements | Community Redevelopment Agency | Debt Service Fund | Other Governmental Funds | Stormwater | Other Enterprise Funds |
| General Fund | \$ - | \$ 7,800,000 ² | \$ 788,808 ⁵ | \$ 6,830,275 ⁶ | \$ 4,556,642 ¹¹ | \$ - | \$ 604,000 ¹⁶ |
| Transportation Capital | - | - | - | 111,277 ⁷ | - | - | - ¹⁷ |
| CRA | - | - | - | 416,848 ⁸ | - | - | - |
| Debt Service Fund | - | - | - | - | 5,674 ¹² | - | - |
| Other Governmental | 3,793,832 ¹ | 250,000 ³ | - | 6,186,877 ⁹ | 250 ¹³ | - | - |
| Water and Sewer | - | - | - | 96,643 ¹⁰ | - | 108,563 ¹⁵ | - |
| Stormwater | - | - | - | - | - | - | - |
| Other Enterprise | - | 100,000 ⁴ | - | - | - | - | 9,500 ¹⁸ |
| Total | \$ 3,793,832 | \$ 8,150,000 | \$ 788,808 | \$ 13,641,920 | \$ 4,677,566 | \$ 108,563 | \$ 3,322,663 |
| | | | | | | | \$ 23,892,888 |
| | | | | | | | 111,277 |
| | | | | | | | 416,848 |
| | | | | | | | 5,674 |
| | | | | | | | 10,230,959 |
| | | | | | | | 205,206 |
| | | | | | | | 9,500 |
| | | | | | | | 215,000 |
| | | | | | | | \$ 35,087,352 |

- 1 Various Other governmental funds transferred \$1,221,046 to the general fund for reimbursement of budgetary established levels for administrative services.
- Other governmental fund (Gas Tax) transferred \$2,411,786 to the general fund for budgetary established levels to support public works services division's operations.
- Other governmental fund (All Hazards) transferred \$160,000 to the general fund for reimbursement of incentive pays for hazmat response.
- Other governmental fund (Police Confiscation State) transferred \$1,000 to the general fund for reimbursement of the candlelight ceremony to honor victims and families that have experienced trauma or death.
- 2 General fund transferred \$6,900,000 to the transportation capital improvements fund to support local road resurfacing.
- General fund transferred \$500,000 to the transportation capital improvements fund to support alley resurfacing.
- General fund transferred \$400,000 to the transportation capital improvements fund to support median landscaping.
- 3 Other governmental fund (Five Cent Gas Tax) transferred \$150,000 to the transportation capital improvements fund to support the cost of sidewalk installation.
- Other governmental fund (Six Cent Gas Tax) transferred \$100,000 to the transportation capital improvements fund for paving in the North 2 Utility Extension Area.
- 4 Other enterprise funds (Yacht Basin) transferred \$100,000 to the transportation capital improvements fund to support median improvements on Coronado south of the yacht club.
- 5 General fund transferred \$688,808 to the community redevelopment agency for established tax increment financing (TIF) funding plus an additional \$100,000 for additional improvements.
- 6 General fund transferred \$6,830,275 to the debt service fund for annual debt service payments.
- 7 Transportation capital improvements fund transferred \$111,277 of remaining project funds from the Santa Barbara Boulevard widening project to debt service fund for the annual interest payment on the State Infrastructure Bank Loan for the widening of Pine Island Road.
- 8 Community redevelopment agency transferred \$416,848 to the debt service fund for annual debt service payments.
- 9 Other governmental fund (Road Impact) transferred \$5,650,816 to the debt service fund for annual debt service payments.
- Other governmental fund (Fire Impact) transferred \$339,865 to the debt service fund for annual debt service payments.
- Other governmental fund (Building) transferred \$22,099 to the debt service fund for annual debt service payments.
- Other governmental fund (Waterpark) transferred \$174,097 to the debt service fund for annual debt service payments.
- 10 Water & sewer fund transferred \$96,643 to the debt service fund for annual debt service payments.
- 11 General fund transferred \$350,000 to other governmental fund (Waterpark) for budgetary established support of annual operations.
- General fund transferred \$3,225,000 to other governmental fund (Parks & Recreation Programs) for budgetary established support of annual operations.
- General fund transferred \$325,000 to other governmental fund (Public Works Capital Projects) for the sign shop replacement.
- General fund transferred \$331,569 to other governmental fund (Public Safety Capital Projects) for the design of fire station #11.
- General fund transferred \$300,000 to other governmental fund (Computer Capital Projects) for the finance ERP system.
- General fund transferred \$1,000 to other governmental fund (City Center) for budgetary established support of annual operations.
- General fund transferred \$24,073 to other governmental fund (CDBG) as additional support to the program plan expenditures as recommended by CDBG Advisory Committee.
- Debt Service fund transferred \$1,604 to other governmental fund (Road Impact) for remaining debt service funds allocated back to the funding source.
- Debt Service fund transferred \$4,070 to other governmental fund (Park Impact) for remaining debt service funds allocated back to the funding source.
- 13 Other governmental fund (Police Confiscation State) transferred \$250 to other governmental fund (Do The Right Thing) to support the city wide educational event Water Safety Day.
- 14 Other enterprise funds (Yacht Basin fund) transferred \$115,000 to other governmental funds (Parks & Recreation Programs) as operating subsidy to the shared facilities at the Yacht Club area.
- 15 Water & sewer fund transferred \$108,563 from state revolving loan grant for southwest 6 / 7 utility work to stormwater fund for their cost of improvements in the southwest 6 / 7 utility extension area.
- 16 General fund transferred \$554,000 to other enterprise funds (Golf Course) for budgetary established support of annual operations.
- General fund transferred \$50,000 to other enterprise funds (Golf Course) for the renovation of holes #6 and #18 grounds, tree maintenance program, and chemicals for the grounds.
- 17 General fund transferred \$3,313,163 to the internal service funds (Self-Insured Health Plan) for the actuarial required reserve.
- 18 Stormwater fund transferred \$9,500 to the internal service fund (Fleet) for capital related items.

5. Capital Assets

Capital asset activity for the year ended September 30, 2016 was as follows:

| | Beginning Balance | Increases | Decreases | Ending Balance |
|--|----------------------|--------------|----------------|-------------------|
| Governmental activities: | | | | |
| Capital assets, not being depreciated: | | | | |
| Land | | | | |
| Governmental | \$ 150,642,657 | \$ 71,981 | \$ - | \$ 150,714,638 |
| Construction in progress | | | | |
| Governmental | 4,176,757 | 7,124,948 | (4,882,412) | 6,419,293 |
| Total capital assets, not being depreciated | 154,819,414 | 7,196,929 | (4,882,412) | 157,133,931 |
| Capital assets, being depreciated: | | | | |
| Buildings | | | | |
| Governmental | 129,612,541 | - | (204,910) | 129,407,631 |
| Internal Service | 794,507 | - | - | 794,507 |
| Building improvements | | | | |
| Governmental | 4,415,796 | 598,265 | (5,931) | 5,008,130 |
| Internal Service | 117,477 | - | - | 117,477 |
| Improvements other than buildings | | | | |
| Governmental | 59,540,156 | 529,301 | (9,348) | 60,060,109 |
| Internal Service | 63,796 | - | - | 63,796 |
| Equipment | | | | |
| Governmental | 41,765,893 | 8,704,604 | (5,948,393) | 44,522,104 |
| Internal Service | 1,534,011 | 273,413 | (216,306) | 1,591,118 |
| Intangible computer software | | | | |
| Governmental | 2,876,267 | - | - | 2,876,267 |
| Internal Service | 705,245 | - | - | 705,245 |
| Infrastructure | | | | |
| Governmental | 184,154,470 | 7,328,118 | (927,434) | 190,555,154 |
| Total capital assets, being depreciated | 425,580,159 | 17,433,701 | (7,312,322) | 435,701,538 |
| Less accumulated depreciation for: | | | | |
| Buildings | | | | |
| Governmental | (38,221,538) | (3,111,562) | 92,697 | (41,240,403) |
| Internal Service | (421,024) | (26,469) | - | (447,493) |
| Building improvements | | | | |
| Governmental | (1,760,932) | (301,446) | 5,931 | (2,056,447) |
| Internal Service | (98,028) | (2,830) | - | (100,858) |
| Improvements other than buildings | | | | |
| Governmental | (28,219,851) | (2,592,896) | 8,633 | (30,804,114) |
| Internal Service | (55,020) | (2,426) | - | (57,446) |
| Equipment | | | | |
| Governmental | (33,223,635) | (2,748,442) | 4,586,025 | (31,386,052) |
| Internal Service | (1,329,873) | (82,404) | 216,307 | (1,195,970) |
| Intangible computer software | | | | |
| Governmental | (2,572,922) | (127,948) | - | (2,700,870) |
| Internal Service | (341,328) | (190,712) | - | (532,040) |
| Infrastructure | | | | |
| Governmental | (53,039,902) | (5,881,528) | 141,702 | (58,779,728) |
| Total accumulated depreciation | (159,284,053) | (15,068,663) | 5,051,295 | (169,301,421) |
| Total capital assets, being depreciated, net | 266,296,106 | 2,365,038 | (2,261,027) | 266,400,117 |
| Governmental activities capital assets, net | \$ 421,115,520 | \$ 9,561,967 | \$ (7,143,439) | \$ 423,534,048 |

(continued on next page)

| | Beginning Balance | Increases | Decreases | Ending Balance |
|--|----------------------|----------------|----------------|-------------------|
| Business-type activities: | | | | |
| Capital assets, not being depreciated: | | | | |
| Land | | | | |
| Water and Sewer | \$ 24,393,063 | \$ 129,015 | \$ - | \$ 24,522,078 |
| Stormwater | 6,355,077 | - | - | 6,355,077 |
| Other enterprise funds | 1,817,726 | - | - | 1,817,726 |
| Total land | 32,565,866 | 129,015 | - | 32,694,881 |
| Construction in progress | | | | |
| Water and Sewer | 102,843,340 | 22,493,215 | (4,774,596) | 120,561,959 |
| Stormwater | 3,653,091 | 497,585 | (107,109) | 4,043,567 |
| Total construction in progress | 106,496,431 | 22,990,800 | (4,881,705) | 124,605,526 |
| Total capital assets, not being depreciated | 139,062,297 | 23,119,815 | (4,881,705) | 157,300,407 |
| Capital assets, being depreciated: | | | | |
| Buildings | | | | |
| Water and Sewer | 384,266,064 | 21,096 | - | 384,287,160 |
| Stormwater | 6,699 | 76,709 | - | 83,408 |
| Other enterprise funds | 1,168,652 | 169,798 | - | 1,338,450 |
| Total buildings | 385,441,415 | 267,603 | - | 385,709,018 |
| Building improvements | | | | |
| Water and Sewer | 1,938,029 | - | - | 1,938,029 |
| Stormwater | 1,833,038 | - | - | 1,833,038 |
| Other enterprise funds | 40,729 | - | - | 40,729 |
| Total building improvements | 3,811,796 | - | - | 3,811,796 |
| Improvements other than buildings | | | | |
| Water and Sewer | 288,990,327 | 2,651,983 | - | 291,642,310 |
| Stormwater | 21,560,642 | - | - | 21,560,642 |
| Other enterprise funds | 3,461,007 | - | (21,091) | 3,439,916 |
| Total improvements other than buildings | 314,011,976 | 2,651,983 | (21,091) | 316,642,868 |
| Equipment | | | | |
| Water and Sewer | 28,659,189 | 2,713,353 | (2,263,266) | 29,109,276 |
| Stormwater | 5,912,166 | 1,872,405 | (357,296) | 7,427,275 |
| Other enterprise funds | 699,971 | 234,582 | (179,047) | 755,506 |
| Total equipment | 35,271,326 | 4,820,340 | (2,799,609) | 37,292,057 |
| Infrastructure | | | | |
| Water and Sewer | 577,647,299 | 835,780 | - | 578,483,079 |
| Stormwater | 14,272,054 | - | - | 14,272,054 |
| Other enterprise funds | - | 286,049 | - | 286,049 |
| Total Infrastructure | 591,919,353 | 1,121,829 | - | 593,041,182 |
| Total capital assets, being depreciated | 1,330,455,866 | 8,861,755 | (2,820,700) | 1,336,496,921 |
| Less accumulated depreciation for: | | | | |
| Buildings | | | | |
| Water and Sewer | (61,053,947) | (9,359,333) | (11,421) | (70,424,701) |
| Stormwater | (2,049) | (3,226) | (49,248) | (54,523) |
| Other enterprise funds | (810,661) | (32,670) | (16,375) | (859,706) |
| Total buildings | (61,866,657) | (9,395,229) | (77,044) | (71,338,930) |
| Building improvements | | | | |
| Water and Sewer | (1,297,609) | (203,080) | - | (1,500,689) |
| Stormwater | (484,196) | (178,161) | - | (662,357) |
| Other enterprise funds | (56,233) | (3,029) | - | (59,262) |
| Total building improvements | (1,838,038) | (384,270) | - | (2,222,308) |
| Improvements other than buildings | | | | |
| Water and Sewer | (158,805,828) | (8,759,650) | - | (167,565,478) |
| Stormwater | (7,299,536) | (731,443) | - | (8,030,979) |
| Other enterprise funds | (3,120,970) | (45,795) | 20,179 | (3,146,586) |
| Total improvements other than buildings | (169,226,334) | (9,536,888) | 20,179 | (178,743,043) |
| Equipment | | | | |
| Water and Sewer | (22,180,213) | (2,017,017) | 2,052,720 | (22,144,510) |
| Stormwater | (4,167,399) | (614,388) | (694,674) | (5,476,461) |
| Other enterprise funds | (673,549) | (52,160) | 179,048 | (546,661) |
| Total equipment | (27,021,161) | (2,683,565) | 1,537,094 | (28,167,632) |
| Infrastructure | | | | |
| Water and Sewer | (196,114,768) | (13,026,472) | (141,702) | (209,282,942) |
| Stormwater | (8,523,073) | (265,460) | - | (8,788,533) |
| Total Infrastructure | (204,637,841) | (13,291,932) | (141,702) | (218,071,475) |
| Total accumulated depreciation | (464,590,031) | (35,291,884) | 1,338,527 | (498,543,388) |
| Total capital assets, being depreciated, net | 865,865,835 | (26,430,129) | (1,482,173) | 837,953,533 |
| Business-type activities capital assets, net | \$ 1,004,928,132 | \$ (3,310,314) | \$ (6,363,878) | \$ 995,253,940 |

(continued on next page)

Depreciation expense was charged to functions/programs of the primary government as follows:

Governmental activities:

| | |
|--|----------------------|
| General Government | \$ 5,351,689 |
| Public Safety: | |
| Police | 1,061,924 |
| Fire | 1,371,190 |
| Public Works | 4,762,299 |
| Community Development | 56,429 |
| Parks and Recreation | 2,160,291 |
| Internal Service | 304,841 |
| Total depreciation expense - governmental activities | <u>\$ 15,068,663</u> |

Business-type activities:

| | |
|---|----------------------|
| Water and Sewer | \$ 33,365,552 |
| Stormwater | 1,792,678 |
| Other enterprise funds | 133,654 |
| Total depreciation expense - business-type activities | <u>\$ 35,291,884</u> |

6. Construction Project Interest Cost

Governmental Accounting Standards Board Statement No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements* requires that the difference between interest expense on debt and interest earnings on reinvested debt proceeds be capitalized.

| | |
|----------------------|----------------------------|
| | Water and Sewer |
| Actual interest cost | \$ 966,352 |
| Less Interest | - |
| Interest Capitalized | <u>\$ 966,352</u> |

7. Accounts Payable and Other Accrued Liabilities

Accounts payable and other accrued liabilities at September 30, 2016 are as follows:

Governmental activities:

| | General Fund | Transportation Capital Improvements | Community Redevelopment Agency | Other Governmental Funds | Total |
|--|---------------------|--|---|---|---------------------|
| Accounts payable and other accrued liabilities | \$ 2,583,901 | \$ 632,597 | \$ 228 | \$ 717,764 | \$ 3,934,490 |
| Retainage payable | - | 258,632 | - | - | 258,632 |
| Total | <u>\$ 2,583,901</u> | <u>\$ 891,229</u> | <u>\$ 228</u> | <u>\$ 717,764</u> | <u>\$ 4,193,122</u> |

Business-type activities:

| | Water and Sewer | Stormwater | Other Enterprise Funds | Total | Governmental Activities - Internal Service Funds |
|--|----------------------------|-------------------|---------------------------------------|---------------------|---|
| Accounts payable and other accrued liabilities | \$ 3,190,923 | \$ 142,040 | \$ 169,641 | \$ 3,502,604 | \$ 1,665,490 |
| Retainage payable | 1,277,916 | 32,470 | - | 1,310,386 | - |
| Total | <u>\$ 4,468,839</u> | <u>\$ 174,510</u> | <u>\$ 169,641</u> | <u>\$ 4,812,990</u> | <u>\$ 1,665,490</u> |

The following is a summary of changes in the City's Bonded and other indebtedness for the year ended September 30, 2016:

* The Community Redevelopment Agency's portion of the Special Obligation Revenue Bond, Series 2012 is \$2,997,820.

68

Long-term Debt at September 30, 2016 is comprised of the following:

General Long-term Debt

Revenue Bonds

| | |
|--|---------------|
| \$35,380,000 Special Obligation Revenue Bonds, Series 2007, issued to finance the cost of acquisition, construction and equipping of the City's charter schools. Principal and interest on the obligations is secured by the non-ad valorem funds budgeted and appropriated by City Council. Principal is paid annually through July 2037 with interest paid semiannually at rates ranging from 4.0% to 5.5%. | \$ 29,455,000 |
| \$28,200,000 Capital Improvement Revenue Bond, Series 2008, issued to finance and refinance the cost of acquisition, construction and equipping of a new police headquarters facility. Principal and interest on the obligations is secured by the half-cent sales tax. Principal is paid annually through October 2028 with interest paid semiannually at 5.67%. | 24,960,000 |
| \$6,185,000 Gas Tax Revenue Bonds, Series 2010A issued to finance and refinance the cost of acquisition, construction, and reconstruction of transportation improvements. Principal and interest on the obligations is secured by gas tax revenues and non-ad valorem funds budgeted and appropriated by City Council. Principal is paid annually through October 2019 with interest paid semiannually at rates ranging from 3.0% to 4.375%. | 2,285,000 |
| \$33,815,000 Gas Tax Revenue Bonds, (Federally Taxable Build America Bonds - Direct Payment), Series 2010B issued to finance and refinance the cost of acquisition, construction, and reconstruction of transportation improvements. Principal and interest on the obligations is secured by gas tax revenues and non-ad valorem funds budgeted and appropriated by City Council. Principal is paid annually through from October 2020 to October 2030 with interest paid semiannually at rates ranging from 5.849% to 7.147%. | 33,815,000 |
| \$17,690,000 Special Obligation Revenue Bonds, Series 2011 issued to finance and refinance the cost of acquisition, construction, and equipping of various capital improvements to the City's Charter Schools. Principal and interest on the obligations is secured by non-ad valorem funds budgeted and appropriated by City Council. Principal is paid annually from July 2013 to July 2040 with interest paid semiannually at rates ranging from 2.25% to 6.0%. | 16,350,000 |
| \$17,669,950 Special Obligation Revenue Bonds, Series 2012 issued to refund \$12,928,555 of outstanding Series 2009 Special Obligation Revenue Notes plus accrued interest due on 4/01/2012 and \$4,500,000 of commercial paper obligations issued to finance and refinance the acquisition, construction and equipping of various capital improvements with the City. The City refunded the 2009 Series to reduce its debt service payment over 13 years by \$1,978,440 and to obtain an economic gain (difference between the present values of the debt service payments on the old and new debt) of \$1,696,880. Principal and interest on the new obligation is secured by non-ad valorem funds budgeted and appropriated by City Council. Principal is paid annually through October 2024 with interest paid semiannually at rate of 2.43%. The Community Redevelopment Agency's portion is \$3,661,640. | 11,482,190 |
| \$5,300,000 Capital Improvement Refunding Revenue Bonds, Series 2014, issued to refund a portion of the City's outstanding Capital Improvement Revenue Bonds, Series 2005. The City refunded the 2005 Series to reduce its debt service payment over 11 years by \$355,537 and to obtain an economic gain (difference between the present values of the debt service payments on the old and new debt) of \$316,378. Principal and interest on the obligations is secured by gas tax revenues and non-ad valorem funds budgeted and appropriated by City Council. Principal is paid annually through October 2023 with interest paid semiannually at 2.31%. | 4,700,000 |
| \$21,433,000 Gas Tax Refunding Revenue Bonds, Series 2014, issued to refund all of the City's outstanding Gas Tax Revenue Bonds, Series 2009. The City refunded the 2009 Series to reduce its debt service payment over 10 years by \$1,921,763 and to obtain an economic gain (difference between the present values of the debt service payments on the old and new debt) of \$1,724,892. Principal and interest on the obligations is secured by gas tax revenues and non-ad valorem funds budgeted and appropriated by City Council. Principal is paid annually through October 2023 with interest paid semiannually at 2.20%. | 16,752,000 |

\$51,790,000 Special Obligation Revenue Note, Series 2015 was issued to refund a portion of the City's Special Obligation Revenue, Series 2006 and finance the cost of acquisition and equipping various vehicles for Police, Fire, Code Compliance, Public Works, Parks and Recreation, and the acquisition and installation of certain equipment. The City refunded the 2006 Series to reduce its debt service payment over 22 years by \$6,919,935 and to obtain an economic gain (difference between the present values of the debt service payments on the old and new debt) of \$4,976,052. Principal and interest on the obligations is secured by non-ad valorem funds budgeted and appropriated by City Council. Principal is paid annually from October 2015 to October 2036 with interest paid semiannually at rates ranging from 2.0% to 5.0%.

50,915,000

190,714,190

Less unamortized discount

(260,114)

Plus unamortized premium

4,016,728

\$ 194,470,804

Notes Payable

\$13,675,000 Special Obligation Revenue Note, Series 2015 was issued to refund the City's outstanding Capital Improvement Revenue Bonds, Series 2005 and to finance the acquisition of various equipment and vehicles. The City refunded the 2005 Series to reduce its debt service payment over 10 years by \$878,414 and to obtain an economic gain (difference between the present values of the debt service payments on the old and new debt) of \$803,758. Principal and interest on the obligations is secured by non-ad valorem funds budgeted and appropriated by City Council. Principal is paid annually from October 2016 to October 2024 with interest paid semiannually at a rate of 2.1%.

\$ 12,092,000

Special Assessment

\$1,500,000 Fire Protection Assessment Revenue Note, Series 2015 issued for the purpose of financing the acquisition of certain facilities, vehicles and other equipment of the City relating to fire protection and suppression services. Principal and interest on the obligations is secured by non-ad valorem funds budgeted and appropriated by City Council. Principal is paid annually from February 2016 to February 2021 with interest paid semiannually at a rate of 1.65%.

\$ 1,405,000

Capital Leases

\$2,315,707 capital lease issued to finance the acquisition of various police and fire vehicles, and information technology equipment. The lease is collateralized by the related equipment. The lease requires semiannual debt service payments including principal and interest accruing at 1.482% through October 2017.

\$ 435,163

\$1,342,755 capital lease with U.S. Bancorp Government Leasing and Finance was issued to finance the acquisition of school buses for the City's Charter Schools. The lease is collateralized by the related equipment which has been subleased to the Cape Coral Charter School Authority. The lease requires semiannual debt service payments including principal and interest accruing at 1.482% through January 2020.

627,623

\$ 1,062,786

Proprietary Funds - Long-term Debt

Revenue Bonds

\$175,000,000 Water and Sewer Refunding Revenue Bonds, Series 2011, issued to refund on a current basis all of the City's outstanding Water and Sewer Revenue Bonds, Series 2009 and to refinance certain commercial paper obligations which were issued to finance, on an interim basis, a portion of the acquisition, construction and equipping of certain capital improvements to the City's water, wastewater, and irrigation water system. The bonds are secured by a pledge of and lien upon the water and sewer system's net revenues as defined by the Bond Resolution, and expansion fees. Principal is paid annually until 2041 with interest paid semiannually at rates ranging from 3.0% to 5.0%. The Series 2011 Bonds are issued in parity with the City's Water and Sewer Revenue Bonds, Series 2006, Water and Sewer Refunding Revenue Bonds, Series 2011A, and Water and Sewer Refunding Revenue Bonds, Series 2013, Water and Sewer Refunding Revenue Bonds, Series 2015, and Water and Sewer Refunding Revenue Bonds, Series 2015A.

\$ 166,185,000

\$106,560,000 Water and Sewer Refunding Revenue Bonds, Series 2011A, issued to refinance \$107,438,000 of commercial paper obligations issued to finance on an interim basis, a portion of the cost of the acquisition, construction, and equipping of certain capital improvements to the City's water, wastewater, and irrigation water system. The bonds are secured by a pledge of and lien upon the water and sewer system's net revenues as defined by the Bond Resolution, and expansion fees. Principal is paid annually until 2042 with interest paid semiannually at rates ranging from 3.0% to 5.0%. The Series 2011A Bonds are issued in parity with the City's Water and Sewer Revenue Bonds, Series 2006, Water and Sewer Refunding Revenue Bonds, Series 2011, Water and Sewer Refunding Revenue Bonds, Series 2015, and Water and Sewer Refunding Revenue Bonds, Series 2015A.

100,845,000

\$10,440,000 Water and Sewer Refunding Revenue Bond, Series 2013, issued to refund on a current basis \$10,970,000 of outstanding Series 2003 Water and Sewer Refunding Revenue Bonds. The City refunded the 2003 Series to reduce its debt service payment over 5 years by \$1,121,727 and to obtain an economic gain (difference between the present values of the debt service payments on the old and new debt) of \$1,080,589. The bonds are secured by a pledge of and lien upon the water and sewer system's net revenues as defined by the Bond Resolution, and expansion fees. Principal is paid annually until 2018 with interest paid semiannually at 1.39%. The Series 2013 Bonds are issued in parity with the City's Water and Sewer Revenue Bonds, Series 2006, and Water and Sewer Refunding Revenue Bonds, Series 2011, and Water and Sewer Refunding Revenue Bonds, Series 2011A, Water and Sewer Refunding Revenue Bonds, Series 2015, and Water and Sewer Refunding Revenue Bonds, Series 2015A.

4,265,000

\$72,415,000 Water and Sewer Refunding Revenue Bond, Series 2015, issued to refund a portion of the Series 2006 Water and Sewer Refunding Revenue Bonds. The bonds are secured by a pledge of and lien upon the water and sewer system's net revenues as defined by the Bond Resolution. The City refunded the 2006 Series to reduce its debt service payment over 21 years by \$5,429,134 and to obtain an economic gain (difference between the present values of the debt service payments on the old and new debt) of \$3,716,201. Principal is paid annually until 2036 with interest paid semiannually rates ranging from 4.0% to 5.0%. The Series 2015 Bonds are issued in parity with the City's Water and Sewer Revenue Bonds, Series 2006, and Water and Sewer Refunding Revenue Bonds, Series 2011, and Water and Sewer Refunding Revenue Bonds, Series 2011A, and Water and Sewer Refunding Revenue Bonds, Series 2013, Water and Sewer Refunding Revenue Bonds, Series 2015, and Water and Sewer Refunding Revenue Bonds, Series 2015A.

72,415,000

\$94,740,000 Water and Sewer Refunding Revenue Bond, Series 2015A, issued to refund a portion of the Series 2006 Water and Sewer Refunding Revenue Bonds. The bonds are secured by a pledge of and lien upon the water and sewer system's net revenues as defined by the Bond Resolution. The City refunded the 2003 Series to reduce its debt service payment over 21 years by \$15,191,723 and to obtain an economic gain (difference between the present values of the debt service payments on the old and new debt) of \$10,103,869. Principal and interest is paid quarterly until 2029. Interest rates range from 2.21% to 3.0%. The Series 2015A Bonds are issued in parity with the City's Water and Sewer Revenue Bonds, Series 2006, and Water and Sewer Refunding Revenue Bonds, Series 2011, and Water and Sewer Refunding Revenue Bonds, Series 2011A, and Water and Sewer Refunding Revenue Bonds, Series 2013, and Water and Sewer Refunding Revenue Bonds, Series 2015.

93,310,000

437,020,000

10,646,810

Plus unamortized premium

\$ 447,666,810

Notes Payable

\$13,856,923 State Revolving Fund Loan Agreement #7516P payable to the State with principal and interest payable semiannually at 3.19% beginning October 2004. The security is a lien on the net revenues of the water and sewer system and impact fees and is junior and subordinate to the water and sewer revenue bonds.

\$ 1,196,325

\$7,224,652 State Revolving Fund Loan Agreement #7516L 01 (Pine Island Water) payable to the State with principal and interest payable semiannually at 2.93% beginning December 2003. The security is a lien on the net revenues of the water and sewer system and impact fees and is junior and subordinate to the water and sewer revenue bonds.

308,464

\$35,848,122 State Revolving Fund Loan Agreement #7516L 02 (Southwest 1 Water) payable to the State with principal and interest payable semiannually at 2.93% beginning June 2005. The security is a lien on the net revenues of the water and sewer system and impact fees and is junior and subordinate to the water and sewer revenue bonds.

1,466,875

\$16,668,746 State Revolving Fund Loan Agreement DW#360103 (Southwest 6 & 7 Drinking Water) payable to the State with principal and interest payable semiannually at 2.12% beginning 6 months after the completion of the construction project, which is estimated to be February 2016. The current principal amount includes actual draws and a 2% loan service fee. The security is a lien on the special assessment proceeds, sewer expansions fees, irrigation expansion fees, capital facility expansion charges and net revenues of the water and sewer system. The lien is junior and subordinate to the water and sewer revenue bonds.

11,944,353

\$72,349,275 State Revolving Fund Loan Agreement WW#360100 (Southwest 6 & 7 Clean Water) payable to the State with principal and interest payable semiannually at rates ranging from 1.93% to 2.42% beginning 6 months after the completion of the construction project, which is estimated to be February 2016. The current principal amount includes actual draws and capitalized interest. The security is a lien on the special assessment proceeds, sewer expansions fees, irrigation expansion fees, capital facility expansion charges and net revenues of the water and sewer system. The lien is junior and subordinate to the water and sewer revenue bonds.

54,662,272

\$ 69,578,289

Special Assessment Debt with Government Commitment

In order to fund construction of the City's water and wastewater utility expansion in certain areas of the City, the City has issued Special Assessment Improvement Debt. The City is acting as agent in the collection of the special assessments levied and in the payment of the Special Assessment Bonds outstanding. Such bonds are collateralized by special assessments levied against the benefited property owners. The City will assume responsibility in the event of default on the outstanding Special Assessment Bonds. Current year special assessment collections were sufficient to meet fiscal year 2016 debt service requirements.

Information regarding Special Assessment Debt outstanding at September 30, 2016 is presented below:

| | <u>Original Issue</u> | <u>Interest Rates</u> | <u>Final Maturity Date</u> | <u>Balance Outstanding</u> |
|---|---------------------------|---------------------------|------------------------------------|--------------------------------|
| Water Improvement Assessment Bonds, Series 2003 (Southwest 3) | \$ 8,295,000 | 3.875 - 4.750% | 2023 | \$ 1,825,000 |
| Wastewater and Irrigation Water Refunding Assessment Bonds, Series 2005 (Southwest 1, Pine Island, and Southwest 3 Areas) | 53,285,000 | 3.875 - 4.250% | 2022 | 12,645,000 |
| Utility Improvement Assessment Bonds, Series 2005 (Southwest 2) | 31,680,000 | 3.875 - 4.250% | 2025 | 13,740,000 |
| Utility Improvement Assessment Bonds, Series 2006 (Southeast 1) | 30,870,000 | 3.875 - 4.200.% | 2026 | 14,320,000 |
| Utility Improvement Assessment Bonds, Series 2007 (Southwest 4) | 67,955,000 | 3.875 - 5.000% | 2027 | 38,390,000 |
| Utility Improvement Assessment Bonds, Series 2007 (Southwest 5 and Surfside) | 57,855,000 | 3.875 - 4.750% | 2028 | 27,570,000 |
| | <u>\$ 249,940,000</u> | | | <u>108,490,000</u> |
| Less unamortized discount | | | | (1,164,476) |
| Plus unamortized premium | | | | 262,227 |
| Total Special Assessment Debt | | | | <u>\$ 107,587,751</u> |

Summary of Debt Service Requirements by Maturity

Governmental Activities

| Year ending September 30, | Revenue Bonds | | | | Notes Payable | | Special Assessment Debt | |
|------------------------------|----------------|---------------|---------------|--------------|---------------|-----------|-------------------------|----------|
| | Principal | Interest | Principal | Interest | Principal | Interest | Principal | Interest |
| 2017 | \$ 9,302,600 | \$ 8,970,781 | \$ 1,618,000 | \$ 253,932 | \$ 275,000 | \$ 20,914 | | |
| 2018 | 9,618,620 | 8,652,715 | 1,652,000 | 219,954 | 275,000 | 16,376 | | |
| 2019 | 9,951,410 | 8,319,220 | 1,689,000 | 185,262 | 280,000 | 11,798 | | |
| 2020 | 10,327,010 | 7,947,690 | 1,726,000 | 149,793 | 285,000 | 7,136 | | |
| 2021 | 10,704,420 | 7,547,115 | 1,760,000 | 113,547 | 290,000 | 2,393 | | |
| 2022 - 2026 | 55,270,130 | 31,008,809 | 3,647,000 | 135,030 | - | - | | |
| 2027 - 2031 | 49,835,000 | 15,246,760 | - | - | - | - | | |
| 2032 - 2036 | 29,190,000 | 5,673,361 | - | - | - | - | | |
| 2037 - 2041 | 6,515,000 | 777,900 | - | - | - | - | | |
| | 190,714,190 | 94,144,351 | 12,092,000 | 1,057,518 | 1,405,000 | 58,617 | | |
| Less unamortized discount | (260,114) | - | - | - | - | - | | |
| Plus unamortized premium | 4,016,728 | - | - | - | - | - | | |
| Total | \$ 194,470,804 | \$ 94,144,351 | \$ 12,092,000 | \$ 1,057,518 | \$ 1,405,000 | \$ 58,617 | | |

Business-type Activities

| Year Ending September 30, | Revenue Bonds | | Notes Payable | | Special Assessment Debt | |
|------------------------------|----------------|----------------|---------------|---------------|-------------------------|---------------|
| | Principal | Interest | Principal | Interest | Principal | Interest |
| 2017 | \$ 9,960,000 | \$ 18,888,604 | \$ 5,134,176 | \$ 1,053,077 | \$ 9,520,000 | \$ 4,694,673 |
| 2018 | 10,215,000 | 18,628,438 | 1,310,118 | 1,403,630 | 9,915,000 | 4,297,715 |
| 2019 | 10,760,000 | 18,310,854 | 3,176,019 | 1,334,995 | 10,315,000 | 3,887,110 |
| 2020 | 11,045,000 | 18,023,711 | 3,246,208 | 1,264,806 | 10,745,000 | 3,466,237 |
| 2021 | 11,405,000 | 17,664,738 | 3,317,984 | 1,193,029 | 10,700,000 | 3,006,652 |
| 2022 - 2026 | 62,910,000 | 82,436,043 | 16,924,462 | 4,848,292 | 47,313,450 | 8,444,626 |
| 2027 - 2031 | 74,895,000 | 70,354,051 | 17,424,053 | 3,052,619 | 9,981,550 | 596,507 |
| 2032 - 2036 | 93,470,000 | 51,632,900 | 19,045,269 | 1,134,749 | - | - |
| 2037 - 2041 | 123,770,000 | 26,316,000 | - | - | - | - |
| 2042 - 2046 | 28,590,000 | 1,429,500 | - | - | - | - |
| | 437,020,000 | 323,684,839 | 69,578,289 | 15,285,197 | 108,490,000 | 28,393,520 |
| Unamortized discount | - | - | - | - | (1,164,476) | - |
| Unamortized premium | 10,646,810 | - | - | - | 262,227 | - |
| Total | \$ 447,666,810 | \$ 323,684,839 | \$ 69,578,289 | \$ 15,285,197 | \$ 107,587,751 | \$ 28,393,520 |

Capital Leases - The capital leases are recorded at the present value of future minimum lease payments. The following schedule shows the present value of these payments at September 30, 2016.

| Fiscal Year | Governmental Activities |
|--------------------|--------------------------------|
| 2017 | \$ 625,360 |
| 2018 | 185,360 |
| 2019 | 185,360 |
| 2020 | 92,680 |
| Total Payments | 1,088,760 |
| Less interest | (25,974) |
| | <u>\$ 1,062,786</u> |

Changes in Long-Term Liabilities

Long-term liability activity for the year ended September 30, 2016 was as follows:

| | Beginning Balance | Additions | Reductions | Ending Balance | Due Within One Year |
|---|--------------------------|----------------------|------------------------|-----------------------|----------------------------|
| Governmental activities: | | | | | |
| Long-term debt | \$ 216,566,813 | \$ - | \$ (11,292,837) | \$ 205,273,976 | \$ 11,806,372 |
| Bond discount and premium | 3,975,897 | - | (219,283) | 3,756,614 | - |
| Total bonds and notes payable | 220,542,710 | - | (11,512,120) | 209,030,590 | 11,806,372 |
| Claims liability | 7,110,000 | 2,756,062 | (2,797,368) | 7,068,694 | 2,231,694 |
| Compensated absences ¹ | 7,037,954 | - | (2,269,959) | 4,767,995 | 48,713 |
| Net Pension Liability ² | 114,617,641 | 51,577,521 | (39,206,329) | 126,988,833 | - |
| OPEB obligation ³ | 105,389,852 | 11,051,716 | (56,995) | 116,384,573 | - |
| Total Governmental | <u>\$ 454,698,157</u> | <u>\$ 65,385,299</u> | <u>\$ (55,842,771)</u> | <u>\$ 464,240,685</u> | <u>\$ 14,086,779</u> |
| Business-type activities: | | | | | |
| Water and Sewer | | | | | |
| Long-term debt | \$ 635,465,322 | \$ 971,582 | \$ (21,348,615) | \$ 615,088,289 | \$ 24,614,176 |
| Bond discount and premium | 10,241,180 | 128,754 | (625,373) | 9,744,561 | - |
| Total bonds and notes payable | 645,706,502 | 1,100,336 | (21,973,988) | 624,832,850 | 24,614,176 |
| Compensated absences | 1,580,735 | - | (450,794) | 1,129,941 | 239,689 |
| Net Pension Liability | 20,531,208 | 8,650,131 | (6,385,743) | 22,795,596 | - |
| OPEB obligation | 21,148,149 | 3,286,009 | (1,064,033) | 23,370,125 | - |
| Total Water and Sewer | <u>688,966,594</u> | <u>13,036,476</u> | <u>(29,874,558)</u> | <u>672,128,512</u> | <u>24,853,865</u> |
| Stormwater | | | | | |
| Compensated absences | 543,320 | - | (148,286) | 395,034 | 77,461 |
| Net Pension Liability | 6,629,646 | 2,013,955 | (1,486,752) | 7,156,849 | - |
| OPEB obligation | 6,774,965 | 1,064,379 | (344,653) | 7,494,691 | - |
| Total Stormwater | <u>13,947,931</u> | <u>3,078,334</u> | <u>(1,979,691)</u> | <u>15,046,574</u> | <u>77,461</u> |
| Other Enterprise Funds | | | | | |
| Compensated absences | 88,434 | - | (32,770) | 55,664 | 11,532 |
| Net Pension Liability | 1,134,676 | - | (55,594) | 1,079,082 | - |
| OPEB obligation | 1,646,505 | 260,044 | (84,204) | 1,822,345 | - |
| Total Other Enterprise | <u>2,869,615</u> | <u>260,044</u> | <u>(172,568)</u> | <u>2,957,091</u> | <u>11,532</u> |
| Total Business-type | | | | | |
| Long-term debt | 635,465,322 | 971,582 | (21,348,615) | 615,088,289 | 24,614,176 |
| Bond discount, premium and deferred amount on refunds | 10,241,180 | 128,754 | (625,373) | 9,744,561 | - |
| Total bonds and notes payable | 645,706,502 | 1,100,336 | (21,973,988) | 624,832,850 | 24,614,176 |
| Compensated absences | 2,212,489 | - | (631,850) | 1,580,639 | 328,682 |
| Net Pension Liability | 28,295,530 | 10,664,086 | (7,928,089) | 31,031,527 | - |
| OPEB obligation | 29,569,619 | 4,610,432 | (1,492,890) | 32,687,161 | - |
| Total Business-type | <u>\$ 705,784,140</u> | <u>\$ 16,374,854</u> | <u>\$ (32,026,817)</u> | <u>\$ 690,132,177</u> | <u>\$ 24,942,858</u> |

¹ Compensated absences were liquidated as follows: General Fund 86%, Special Revenue Funds 10%, and Internal Service Funds 4%.

² Net pension liability is typically liquidated as follows: General Fund 72%, Special Revenue Funds 15%, Capital Projects Funds 2%, and Internal Service Funds 11%.

³ OPEB obligation is typically liquidated as follows: General Fund 84%, Special Revenue Funds 11%, Capital Projects Funds 1%, and Internal Service Funds 4%.

Bond Resolution – Resolutions for various debt obligations established certain funds and accounts and determined the order in which certain revenue is to be deposited into the funds and accounts. The City has also covenanted to budget and appropriate sufficient special revenue sources to pay the various debt obligations when due. All required balances at year end were maintained.

Any holder of bonds has the right to compel the performance of all duties required by the bond resolution, including the appointment of a receiver.

Conduit Debt Obligation – To provide financing of the construction of a new building that will house 80 residential-style assisted living suites and 48 memory support assisted living suites, as well as converting existing space to provide an additional skilled nursing dining space, 24 rental independent living units and 20 skilled nursing beds within the City, the City of Cape Coral Health Facilities Authority has issued a series of Senior Housing Revenue Bonds, Series 2015. These bonds do not constitute a debt or pledge of the full faith and credit of the City, and accordingly, they have not been reported in the accompanying financial statements. At September 30, 2016, Health Facility Revenue Bonds outstanding aggregated \$79,385,000.

9. Defeased Debt Issues

Financial Accounting Standard Board Statement No. 7, Advance Refundings Resulting in Defeasance of Debt, states when debt is defeased, it is no longer reported as a liability on the face of the balance sheet; only the new debt, if any, is reported as a liability.

Governmental Fund Debt:

| | |
|---|--------------|
| Special Obligation Revenue Bonds, Series 2006 | \$48,715,000 |
|---|--------------|

Enterprise Fund Debt:

| | |
|--|---------------|
| Water and Sewer Refunding Revenue Bonds, Series 2006 | \$163,230,000 |
|--|---------------|

10. Operating Leases

The City currently has various lease agreements for copiers, fax machines and golf carts. These leases are accounted for as operating leases. The leases are generally for a 3 or 5 year term and include renewal options. The following schedule reflects the operating lease obligations for governmental activities and business-type activities for the next three years. As of September 30, 2016 there are no operating lease commitments that extend beyond 2020. Lease expense for fiscal year 2016 reported in the Governmental Activities and the Business-type Activities were \$65,685 and \$85,370 respectively.

| Year Ending September 30, | Governmental Activities | Business-Type Activities | Total |
|------------------------------|----------------------------|-----------------------------|-------------------|
| 2017 | \$ 45,454 | \$ 85,779 | \$ 131,233 |
| 2018 | 23,923 | 80,259 | 104,182 |
| 2019 | 3,649 | 1,485 | 5,134 |
| 2020 | 129 | - | 129 |
| Total | <u>\$ 73,155</u> | <u>\$ 167,523</u> | <u>\$ 240,678</u> |

11. Construction and Other Significant Commitments

Construction Commitments. As of September 30, 2016 major outstanding construction commitments (in excess of \$1 million) were as follows:

| | <u>Spent To Date</u> | <u>Remaining Commitment</u> |
|---|--------------------------|---------------------------------|
| Governmental activities: | | |
| General Fund: | | |
| Lot Mowing Services ¹ | \$ 797,248 | \$ 362,752 |
| Transportation Fund: | | |
| Road Improvements ² | <u>2,716,269</u> | <u>3,846,020</u> |
| Total governmental activities | <u>3,513,517</u> | <u>4,208,772</u> |
| Business-type activities: | | |
| Water & Sewer Fund: | | |
| Bio Solids Centrifuge Installation ³ | 1,120,241 | 568,646 |
| CC Southwest WRF/WTP Warehouse ³ | 3,474,983 | 849,241 |
| Galvanized Pipe Replacement ³ | 2,659,897 | 686,577 |
| Lift Station Improvements ³ | - | 1,131,498 |
| Utility Extension Program: Area - Southwest 6 & 7 ⁴ | 61,600,886 | 6,365,160 |
| SW WTP Underground Injection ³ | 725,436 | 321,914 |
| Utility Extension Program: Area - North 2 ⁴ | 6,607,968 | 1,350,672 |
| Stormwater Utility Fund: | | |
| Drainage Improvements Southwest 6 & 7 Utility Area ⁴ | <u>2,634,988</u> | <u>429,630</u> |
| Total business-type activities | <u>78,824,399</u> | <u>11,703,338</u> |
| Total | <u>\$ 82,337,916</u> | <u>\$ 15,912,110</u> |

¹ Projects are being funded by lot mowing fees.

² Projects are being funded by the appropriation of General Fund reserves, gas taxes, and settlement proceeds.

³ Projects are being funded by water and sewer user fees.

⁴ Projects are being funded by State Revolving Fund loans with debt service being paid by special assessments and stormwater user fees.

Encumbrances. Encumbrances are commitments related to unperformed (executory) contracts for goods or services (i.e., purchase orders, contracts, and commitments). Encumbrance accounting is utilized to the extent necessary to assure effective budgetary control and accountability and to facilitate effective cash planning and control. At year end the amount of encumbrances expected to be honored upon performance by the vendor in the next year were as follows:

| | |
|-------------------------------------|---------------------|
| General Fund | \$ 5,843,354 |
| Transportation Capital Improvements | 702,139 |
| Community Redevelopment Agency | 235,620 |
| Nonmajor governmental funds | <u>2,253,251</u> |
| Total encumbrances | <u>\$ 9,034,364</u> |

12. Fund Balances

Fund balances for governmental funds at September 30, 2016 are as follows:

| | General | Transportation Capital Improvements | Community Redevelopment Agency | Debt Service Fund | Other Governmental Funds | Total Governmental Funds |
|--|-----------|---|--------------------------------------|-------------------------|--------------------------------|--------------------------------|
| Fund balances: | | | | | | |
| Nonspendable | | | | | | |
| Inventory | \$ 38,180 | \$ - | \$ - | \$ - | \$ 87,107 | \$ 125,287 |
| Prepaid items | 144,507 | - | 403 | - | 585 | 145,495 |
| Advance to other funds | 659,921 | - | - | - | - | 659,921 |
| Total Nonspendable | 842,608 | - | 403 | - | 87,692 | 930,703 |
| Restricted | | | | | | |
| Housing and community development | - | - | - | - | 1,687,678 | 1,687,678 |
| Building code enforcement | - | - | - | - | 4,464,019 | 4,464,019 |
| Law enforcement - forfeiture funds | - | - | - | - | 780,979 | 780,979 |
| Law enforcement - Do the Right Thing | - | - | - | - | 17,470 | 17,470 |
| Law enforcement training | - | - | - | - | 14,969 | 14,969 |
| Police projects | - | - | - | - | 1,882,255 | 1,882,255 |
| Fire projects | - | - | - | - | 2,214,514 | 2,214,514 |
| Seawalls | - | - | - | - | 228,239 | 228,239 |
| Parks projects | - | - | - | - | 3,372,122 | 3,372,122 |
| Chiquita boat lock | - | - | - | - | 87,907 | 87,907 |
| Community redevelopment | - | - | 2,403,644 | - | - | 2,403,644 |
| Santa Barbara Boulevard project | - | 2,792,047 | - | - | - | 2,792,047 |
| Del Prado Boulevard project | - | 3,162,958 | - | - | - | 3,162,958 |
| Access management/acquisition project | - | 1,006,195 | - | - | - | 1,006,195 |
| Other transportation projects | - | 2,328,048 | - | - | 12,795,048 | 15,123,096 |
| Debt service | - | - | - | 7,433,618 | - | 7,433,618 |
| Total Restricted | - | 9,289,248 | 2,403,644 | 7,433,618 | 27,545,200 | 46,671,710 |
| Committed | | | | | | |
| Computer equipment | 121,670 | - | - | - | - | 121,670 |
| Computer software | 72,424 | - | - | - | - | 72,424 |
| Disaster cleanup | 633,071 | - | - | - | - | 633,071 |
| Fire - building improvement | 4,127 | - | - | - | - | 4,127 |
| Fire - equipment lease | 75,415 | - | - | - | - | 75,415 |
| Fire - uniforms | 3,994 | - | - | - | - | 3,994 |
| Fleet - equipment | 94,057 | - | - | - | - | 94,057 |
| Fleet - small equipment | 135,518 | - | - | - | - | 135,518 |
| Fleet - vehicles | 1,005,411 | - | - | - | - | 1,005,411 |
| General government - professional services | 171,614 | - | - | - | - | 171,614 |
| Public works - professional services | 42,813 | - | - | - | - | 42,813 |
| Public works - roads maintenance | 115,566 | - | - | - | - | 115,566 |
| Public works - sidewalk maintenance | 6,178 | - | - | - | - | 6,178 |
| Law enforcement - alarm fees | - | - | - | - | 24,756 | 24,756 |
| Lot mowing program | - | - | - | - | 1,419,418 | 1,419,418 |
| Parks and recreation - parks programs | - | - | - | - | 179,661 | 179,661 |
| Parks and recreation - waterpark | - | - | - | - | 121,629 | 121,629 |
| Santa Barbara Boulevard project | - | 967,732 | - | - | - | 967,732 |
| Del Prado Boulevard project | - | 3,311,535 | - | - | - | 3,311,535 |
| Road resurfacing project | - | 8,424,236 | - | - | - | 8,424,236 |
| Chiquita Boulevard project | - | 828,693 | - | - | - | 828,693 |
| Other transportation projects | - | 216,913 | - | - | - | 216,913 |
| Parks projects | 516,349 | - | - | - | 141,565 | 657,914 |
| Fire projects | - | - | - | - | 540,018 | 540,018 |
| Capital projects | - | - | - | - | 113,089 | 113,089 |
| Chiquita boat lock | - | - | - | - | 993,236 | 993,236 |
| Public works projects | - | - | - | - | 917,353 | 917,353 |
| Academic village | - | - | - | - | 109,423 | 109,423 |
| Computer system | - | - | - | - | 765,215 | 765,215 |
| Economic development incentives | 544,737 | - | - | - | - | 544,737 |
| Council projects | 403,310 | - | - | - | - | 403,310 |
| Capital equipment | 1,500,000 | - | - | - | - | 1,500,000 |
| Facilities maintenance | 500,000 | - | - | - | - | 500,000 |
| Disaster reserve | 2,000,000 | - | - | - | - | 2,000,000 |
| Total Committed | 7,946,254 | 13,749,109 | - | - | 5,325,363 | 27,020,726 |

(continued on next page)

| | <u>General</u> | <u>Transportation Capital Improvements</u> | <u>Community Redevelopment Agency</u> | <u>Debt Service Fund</u> | <u>Other Governmental Funds</u> | <u>Total Governmental Funds</u> |
|--|----------------------|--|---|----------------------------------|---|---|
| Assigned | | | | | | |
| City manager - professional services | 36,405 | - | - | - | - | 36,405 |
| Economic development - professional services | 12,000 | - | - | - | - | 12,000 |
| Economic development - training | 2,500 | - | - | - | - | 2,500 |
| Finance - professional services | 13,000 | - | - | - | - | 13,000 |
| Finance - small equipment | 19,476 | - | - | - | - | 19,476 |
| Fire - building improvements | 45,880 | - | - | - | - | 45,880 |
| Fire - computer equipment | 20,450 | - | - | - | - | 20,450 |
| Fire - equipment repair and maintenance | 11,343 | - | - | - | - | 11,343 |
| Fire - medical supplies | 1,301 | - | - | - | - | 1,301 |
| Fire - professional services | 975 | - | - | - | - | 975 |
| Fire - safety equipment | 10,285 | - | - | - | - | 10,285 |
| Fire - small equipment | 2,931 | - | - | - | - | 2,931 |
| Fleet - small equipment | 4,155 | - | - | - | - | 4,155 |
| Government services - professional services | 95,592 | - | - | - | - | 95,592 |
| Information technology - equipment | 14,715 | - | - | - | - | 14,715 |
| Information technology - professional services | 8,750 | - | - | - | - | 8,750 |
| Information technology - software maintenance | 19,402 | - | - | - | - | 19,402 |
| Information technology - telephone service | 8,644 | - | - | - | - | 8,644 |
| Miscellaneous government expenses | 7,967 | - | - | - | - | 7,967 |
| Parks - equipment | 16,511 | - | - | - | - | 16,511 |
| Parks - equipment repair and maintenance | 16,096 | - | - | - | - | 16,096 |
| Parks - improvements | 59,313 | - | - | - | - | 59,313 |
| Planning - professional services | 12,000 | - | - | - | - | 12,000 |
| Public works - bridge maintenance | 2,364 | - | - | - | - | 2,364 |
| Public works - median maintenance | 3,945 | - | - | - | - | 3,945 |
| Public works - navigational aids | 20,175 | - | - | - | - | 20,175 |
| Public works - roads maintenance | 3,267 | - | - | - | - | 3,267 |
| Total Assigned | 469,442 | - | - | - | - | 469,442 |
| Unassigned | 41,286,873 | - | - | - | (157,390) | 41,129,483 |
| Total fund balances | <u>\$ 50,545,177</u> | <u>\$ 23,038,357</u> | <u>\$ 2,404,047</u> | <u>\$ 7,433,618</u> | <u>\$ 32,800,865</u> | <u>\$ 116,222,064</u> |

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13. Segment Information

The City issued revenue bonds to finance its water and sewer division. The water and sewer division and the special assessment funds are accounted for in a single fund in the financial statements. However, investors in the revenue bonds rely solely on the revenue generated by the water and sewer activity for repayment. Summary financial information for the water and sewer division is presented below:

Condensed Statement of Net Position

Assets:

| | |
|------------------------------|--------------------|
| Current assets | \$ 28,176,424 |
| Restricted assets | 45,571,886 |
| Noncurrent assets | 3,689,700 |
| Unamortized bond issue costs | 2,447,670 |
| Capital assets | <u>518,820,389</u> |
| Total assets | <u>598,706,069</u> |

Deferred Outflows of Resources

| | |
|--|------------------|
| Deferred outflows - Pension earnings | 2,267,039 |
| Deferred outflows - Pension assumption | 3,303,722 |
| Deferred outflows - Pension experience | <u>894,942</u> |
| Total deferred outflows | <u>6,465,703</u> |

Liabilities:

| | |
|------------------------|--------------------|
| Current liabilities | 16,082,996 |
| Noncurrent liabilities | 463,029,858 |
| Net Pension Liability | <u>22,795,596</u> |
| Total liabilities | <u>501,908,450</u> |

Deferred Inflows of Resources

| | |
|---------------------------------------|--------------------|
| Deferred expense on refunding bonds | (4,192,913) |
| Deferred inflows - pension experience | <u>149,503</u> |
| | <u>(4,043,410)</u> |

Net position:

| | |
|----------------------------------|-----------------------|
| Net investment in capital assets | 76,040,021 |
| Restricted for: | |
| Debt service | 601,934 |
| Renewal and replacement | 5,967,221 |
| Capital improvements | 37,329,766 |
| Unrestricted | <u>(12,632,210)</u> |
| Total net position | <u>\$ 107,306,732</u> |

(continued on next page)

Condensed Statement of Revenues, Expenses and Changes in Net Position

| | |
|--|------------------------------|
| Operating revenues | |
| Charges for services | \$ 78,983,575 |
| Other revenues | 703,674 |
| Total Operating revenues | <u>79,687,249</u> |
| Operating expenses | |
| Salaries, wages, and employee benefits | 22,382,183 |
| Contractual services, materials and supplies | 19,549,038 |
| Depreciation | 21,575,587 |
| Total operating expenses | <u>63,506,808</u> |
| Operating income | <u>16,180,441</u> |
| Nonoperating revenues (expenses) | |
| Interest income | 624,985 |
| Interest expense | (18,982,071) |
| Debt service cost | (117,178) |
| Gain (loss) on sale of capital assets | 108,363 |
| Total nonoperating revenues (expenses) | <u>(18,365,901)</u> |
| Income (loss) before contributions and transfers | <u>(2,185,460)</u> |
| Transfers in | 453,522 |
| Transfers out | <u>(301,375)</u> |
| Change in net position | (2,033,313) |
| Total net position - beginning | <u>109,340,045</u> |
| Total net position - ending | <u><u>\$ 107,306,732</u></u> |

Condensed Statement of Cash Flows

| | |
|--|-----------------------------|
| New cash provided (used) by: | |
| Operating activities | \$ 36,760,241 |
| Nonoperating financing activities | 152,147 |
| Capital and related financing activities | (41,427,867) |
| Investing activities | 653,171 |
| Net increase (decrease) | (3,862,308) |
| Beginning cash and investments | <u>67,353,640</u> |
| Ending cash and investments | <u><u>\$ 63,491,332</u></u> |

14. Future Revenues that are Pledged

The City has pledged various future revenue sources for various debt issues. For the water and sewer system, the City has pledged future water and sewer customer revenues, net of certain operating expenses. The following table provides a summary of the pledged revenues for the City's outstanding debt issues.

| Pledged Revenue | Total Principal and Interest Outstanding | Current Year Principal and Interest Paid | Current Year Revenue | Coverage |
|---------------------------------|---|---|-----------------------------|-----------------|
| Special Assessment ¹ | \$ 220,801,402 | \$ 14,739,040 | \$ 15,101,507 | 102.46% |
| Half-cent Sales Tax | 54,889,609 | 4,992,921 | 13,923,141 | 278.86% |
| Gas Tax | 79,505,595 | 5,764,469 | 8,798,909 | 152.64% |

¹ Includes \$245,270 collected for two (2) SRF loans that are funded by special assessment proceeds but have a pledge of water and sewer net revenues and impact fees.

| | | |
|---|------------|-------------------|
| Covenant to Budget and Appropriate Debt (000) | \$ 166,165 | |
| Historical Non Ad-Valorem Revenue Debt (000) | \$ 300,560 | |
| Legally Available Non-Ad Valorem Revenues (000) | | \$ 76,263 |
| Average of current and prior year | | \$ 76,166 (A) |
| Maximum Annual Debt Service (MADS) | | \$ 20,367 (B) |
| MADS coverage (A ÷ B) | | 3.74 |
| MADS required coverage | | 1.50 |
| Governmental Revenues | | \$ 189,582 (C) |
| Governmental Revenues percentage (B ÷ C) | | 10.74% |
| Required Coverage | | not to exceed 20% |

| | | |
|--|------------|-----------|
| Water & Sewer Debt (000) | \$ 762,068 | |
| Operating Revenue (000) | | \$ 79,687 |
| Operating Expenses (net of depreciation) (000) | | (41,931) |
| Net Operating Revenues (000) | | \$ 37,756 |
| Interest Income (000) | | 625 |
| Net Revenues Available for Debt Service (000) | | \$ 38,381 |
| Capital Expansion Fees (000) | | 10,915 |
| Net Revenues and Expansion Fees Available for Debt Service (000) | | \$ 49,296 |

Test 1

| | |
|---|-----------|
| Net Revenues Available for Debt Service (000) | \$ 38,381 |
| Annual Debt Service (Senior Lien) (000) | \$ 28,845 |
| Calculated Coverage Factor | 1.33 |
| Required Coverage | 1.00 |

Test 2

| | |
|---|-----------|
| Net Revenues & Expansion Fees (000) | \$ 49,296 |
| Annual Debt Service (Senior Lien) (000) | \$ 28,845 |
| Calculated Coverage Factor | 1.71 |
| Required Coverage | 1.00 |

Test 3

| | |
|---|-----------|
| Total Revenues after Senior Lien Debt Service (000) | \$ 19,672 |
| Annual Debt Service (Subordinate) (000) | \$ 416 |
| Calculated Coverage Factor | 47.29 |

15. Intergovernmental Revenue

Intergovernmental revenue as of September 30, 2016 is as follows:

Governmental activities:

| | General Fund | Transportation Capital Improvements | Other Governmental Funds | Total |
|---|---------------------|---|--------------------------------|---------------------|
| Operating Grants and State Shared Revenues | | | | |
| Parks and Recreation | \$ 108,852 | \$ - | \$ 462,528 | \$ 571,380 |
| Public Safety: Police | 511,118 | - | - | 511,118 |
| Public Safety: Fire | 75,545 | - | - | 75,545 |
| Public Works | 18 | - | 758,813 | 758,831 |
| Local shared revenue | 285,814 | - | - | 285,814 |
| State shared revenue | 2,623,700 | - | - | 2,623,700 |
| Federal disaster relief - Hurricane Charley | - | - | 103,800 | 103,800 |
| State disaster relief - Hurricane Charley | - | - | 5,735 | 5,735 |
| Capital Grants | | | | |
| Community Development | - | - | 1,651,469 | 1,651,469 |
| Parks and Recreation | - | - | - | - |
| Public Works | - | 216,378 | 87,907 | 304,285 |
| Inter-local Agreements | | | | |
| Public Works | 75,754 | - | - | 75,754 |
| Total | <u>\$ 3,680,801</u> | <u>\$ 216,378</u> | <u>\$ 3,070,252</u> | <u>\$ 6,967,431</u> |

16. Interest Income

Interest Income as of September 30, 2016 is as follows:

| | Governmental Funds | Enterprise Funds | Internal Service Funds | Total |
|---|-----------------------|---------------------|---------------------------|----------------------|
| Investment income | \$ 928,939 | \$ 1,421,443 | \$ 83,211 | \$ 2,433,593 |
| Interest on advances | 9,187 | 171,094 | - | 180,281 |
| Interest billed on assessment, contribution in aid of construction, and impact fee loans | 9,489 | 8,249,401 | - | 8,258,890 |
| Interest received from tax collector | 12,907 | 4,963 | - | 17,870 |
| Other | 469 | - | - | 469 |
| Total | <u>\$ 960,991</u> | <u>\$ 9,846,901</u> | <u>\$ 83,211</u> | <u>\$ 10,891,103</u> |

17. Other Revenue

| | General Fund | Transportation Capital Improvements | Community Redevelopment Agency | Other Governmental Funds | Total |
|---|-------------------|---|--------------------------------------|--------------------------------|--------------------|
| NSP Program Income | \$ - | \$ - | \$ - | \$ 563,562 | \$ 563,562 |
| State Housing Program Income (SHIP) | - | - | - | 147,091 | 147,091 |
| CDBG Program Income | - | - | - | 171,838 | 171,838 |
| Blue Cross Blue Shield Wellness Payment | 150,000 | - | - | - | 150,000 |
| School impact administrative fee | 60,048 | - | - | - | 60,048 |
| Lee County Electric Coop equity refund | 38,147 | - | 1 | 10,222 | 48,370 |
| Lee County Tax Collector Refund of Estimated Fee | 76,838 | - | - | 27,049 | 103,887 |
| Permissive use fees | 2,800 | - | - | - | 2,800 |
| Sales of surplus material | 3,952 | - | - | - | 3,952 |
| Purchase card rebate | 95,402 | - | 75 | 6,018 | 101,495 |
| Legal settlements | 694 | - | - | - | 694 |
| Police confiscation | - | - | - | 324,191 | 324,191 |
| Insurance recovery | 7,768 | - | - | - | 7,768 |
| Planning department reimbursements | 15,738 | - | - | - | 15,738 |
| Other | 187,637 | 68 | - | 37,074 | 224,779 |
| | <u>\$ 639,024</u> | <u>\$ 68</u> | <u>\$ 76</u> | <u>\$ 1,287,045</u> | <u>\$1,926,213</u> |

18. Building and Vehicle Leases

Building Leases

The City of Cape Coral has entered into four lease agreements with the Cape Coral Charter School Authority for the operation of two elementary, one middle school, and one high school. The current leases extend to 2020 for Oasis Elementary, and 2021 for Christa McAuliffe Elementary School and Oasis Middle School. The lease amount of all four leases shall be equal to the debt service, cost of commercial general liability insurance on the building, and one dollar. For fiscal year 2016, the lease payments totaled \$3,537,628, which included \$3,454,522 for debt service and \$83,106 for insurance. The insurance cost for fiscal year 2017 will be \$92,380. The insurance cost for subsequent years is not available.

The Charter School Authority accounts for this lease as an operating lease. The following schedule shows the debt portion of the lease payments that will be received from the Charter School Authority.

| Year Ending September 30, | Amount |
|------------------------------|----------------------|
| 2017 | \$ 3,452,910 |
| 2018 | 3,453,750 |
| 2019 | 3,456,150 |
| 2020 | 3,455,376 |
| 2021 | 3,456,350 |
| | <u>\$ 17,274,536</u> |

The construction cost of the charter school buildings was \$42,804,057, accumulated depreciation as of September 30, 2016 was \$11,439,788 for a net carrying amount of \$31,364,269.

The City has entered into an Interlocal Agreement with Lee County Emergency Medical Services for portions of various City owned fire stations. The lease amount for fire stations constructed prior to 2004 is \$2 per square foot per year. Lee County currently leases space in two fire stations under this arrangement.

Annual revenue from the lease is \$5,936. The agreement shall automatically renew on a yearly basis although either party may, upon written notice, terminate this agreement.

For fire stations constructed after 2004, the lease amount is based on the cost to construct the fire station divided by 25 years multiplied by the percentage of space occupied. Currently Lee County Emergency Medical Services is leasing space in three fire stations under this agreement. Annual revenue from the lease is \$62,775. The agreement shall automatically renew on a yearly basis although either party may, upon written notice, terminate this agreement. The cost of these buildings was \$10,339,690, accumulated depreciation as of September 30, 2016 was \$2,232,979 for a net carrying amount of \$8,106,711.

Vehicle Leases

The amount of the lease is the sum of the debt service for the buses, including all debt service related costs. For fiscal year 2016, the lease payments totaled \$255,035.

The following schedule shows the debt portion of the lease payments that will be received from the Charter School Authority.

| Year Ending September 30, | Amount |
|--------------------------------------|-------------------|
| 2017 | \$ 252,284 |
| 2018 | 252,186 |
| 2019 | 252,415 |
| 2020 | 159,694 |
| 2021 | 66,830 |
| | <u>\$ 983,409</u> |

NOTE V. OTHER INFORMATION

1. Risk Management

The City is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The City has two internal service funds (Risk Management Funds): the workers compensation insurance fund and the property and casualty insurance fund to account for and finance its uninsured risks of loss. Under this program, the funds provide coverage for up to a maximum of \$350,000 for each worker's compensation claim, \$25,000 for each general liability claim, and \$25,000 for each property damage claim. The City purchases commercial insurance for claims in excess of coverage provided by the funds and for all other risks of loss. Settled claims have not exceeded this commercial coverage in this fiscal year, nor has it had any settlements in excess of insurance coverage in the past three years.

The workers compensation internal service fund allocates the cost of providing claims servicing and claims payment by charging a premium to each applicable fund based on the State of Florida mandated per \$100 rate of salary by employee classification. The property and casualty insurance fund charges a premium to the applicable funds based on the value of capital assets in each fund.

The self-funded health insurance plan was implemented on January 1, 2016. Coverage under the Plan is a benefit available to employees and retirees of the City of Cape Coral. The coverage provides comprehensive medical benefits to the employees and their dependents. It is funded through contributions from the City, employees, and retirees. The coverage has specific and aggregate reinsurance coverages underwritten by Blue Cross and Blue Shield. Administration under the plan is handled by Blue Cross and Blue Shield of Florida.

The claims liabilities reported in the worker's compensation fund, property and casualty insurance fund, and self-funded health insurance fund at September 30, 2016 are based on requirements of Governmental Accounting Standards Board Statement No. 30, which requires that a liability for claims be reported if it is probable that a liability has been incurred at the date of the financial statements and the amount of the loss can be estimated. This includes claims that have been incurred but not reported (IBNR) and allocated loss adjustment expenses.

Changes in the funds' claims liability amount in fiscal years 2014, 2015 and 2016 were:

| | Beginning-of-Fiscal-Year Claims Liability | Current-Year Claims and Changes in Estimates | Claims Payments | End-of-Fiscal- Year Claims Liability |
|------------------------------|--|---|----------------------------|---|
| Workers Compensation | | | | |
| 2015 - 2016 | \$ 5,579,000 | \$ 1,785,122 | \$ (1,926,122) | \$ 5,438,000 |
| 2014 - 2015 | 5,405,000 | 1,928,683 | (1,754,683) | 5,579,000 |
| 2013 - 2014 | 5,372,000 | 2,106,347 | (2,073,347) | 5,405,000 |
| Property and Casualty | | | | |
| 2015 - 2016 | \$ 1,531,000 | \$ (24,718) | \$ (373,282) | \$ 1,133,000 |
| 2014 - 2015 | 1,522,000 | 555,285 | (546,285) | 1,531,000 |
| 2013 - 2014 | 1,710,000 | 491,494 | (679,494) | 1,522,000 |
| Self-funded Health Insurance | | | | |
| 2015 - 2016 | \$ - | \$ 11,239,932 | \$ (10,742,238) | \$ 497,694 |

2. Chiquita Boat Lock-South Spreader Waterway

During fiscal year 2013 the City was authorized for up to \$187,302 from the Gulf American Corporation (GAC) restricted account to fund repairs and upgrades to the City's Chiquita Boat Lock for the improvement in navigation safety and reliability needed due to the increase in boat traffic through the lock. The City has requested the funds on a reimbursement basis.

The City received \$87,907 in October 2016. At fiscal year year-end, the City recorded the revenue and a corresponding receivable for the reimbursement.

The City operates and maintains the Chiquita Boat Lock on the South Spreader Waterway. The Chiquita Boat Lock separates the southern half of the City's canal system from the open waters of the State at the Caloosahatchee River. The Chiquita Lock provides navigational access to canal front residents. The lock and canal system were constructed as part of a 1977 DER Consent Order with GAC Properties, the developers of Cape Coral.

The same Consent Order required the sum of \$1,000,000 to be placed into a restricted, interest bearing account for future environmental needs and projects for developmental concerns for Cape Coral in Lee County and Golden Gates Estates in Collier County. This GAC restricted account is within the Ecosystem Management and Restoration Trust Fund. In the past, approved funded projects have been infrastructure based and include park construction, storm water projects and previous repairs and upgrades on the Chiquita Lock.

3. Pension Plans

The City has three defined benefit single-employer pension plans:

- Municipal General Employees' Pension Plan
- Municipal Police Officers' Pension Plan
- Municipal Firefighters' Pension Plan

Assets are held separately and may be used only for the payment of benefits to the members of the respective plans. Each plan's financial statements are prepared using the accrual basis of accounting. Employee and employer contributions are recognized as revenues in the period in which employee contributions are due and a formal commitment has been made by the employer. Benefits and refunds are recognized when due and payable in accordance to the terms of each plan. The plans issue financial reports that include financial statements and required supplementary information. The reports may be obtained from the City of Cape Coral.

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City of Cape Coral, Florida

COMBINING STATEMENT OF NET POSITION
FIDUCIARY FUNDS
September 30, 2016

| | Pension Trust Funds | | | Total Pension Trust Funds |
|---|------------------------------------|----------------------------------|----------------------------|------------------------------------|
| | Municipal General Employees' | Municipal Police Officers' | Municipal Firefighters' | |
| ASSETS | | | | |
| Cash and cash equivalents | \$ 4,970,964 | \$ 4,326,191 | \$ 5,803,074 | \$ 15,100,229 |
| Receivables: | | | | |
| Member contributions | 104 | - | 400 | 504 |
| Employer contributions | 248,061 | - | - | 248,061 |
| Due from brokers | 258,246 | 509,290 | 422,685 | 1,190,221 |
| Investment income | 61,105 | 153,820 | 183,740 | 398,665 |
| Total receivables | 567,516 | 663,110 | 606,825 | 1,837,451 |
| Investments, at fair value: | | | | |
| Certificates of deposit | | 173,075 | 168,130 | 341,205 |
| US Government Obligations and Federal Agency Guaranteed Securities | - | 12,128,146 | 12,987,780 | 25,115,926 |
| Mortgage Backed Securities | - | 4,643,017 | 5,556,274 | 10,199,291 |
| Collateralized Mortgage Obligations | - | 1,765,958 | 1,808,218 | 3,574,176 |
| Corporate Bonds | - | 8,906,883 | 11,246,641 | 20,153,524 |
| Municipal obligations | - | 126,648 | 151,978 | 278,626 |
| Stocks | 76,720,545 | 50,432,567 | 51,036,662 | 178,189,774 |
| Unit Investment Trusts | 1,982,690 | - | - | 1,982,690 |
| Mutual and ETF funds | | | | |
| Equity | 20,137,960 | 16,346,725 | 17,181,001 | 53,665,686 |
| Balanced | - | 12,799,873 | 14,047,771 | 26,847,644 |
| Pooled/common/commingled funds | | | | |
| Equity | 110,382,127 | 12,730,288 | 12,730,288 | 135,842,703 |
| Real Estate | - | 15,971,274 | 15,971,274 | 31,942,548 |
| Partnerships | 9,529,726 | - | - | 9,529,726 |
| Real Estate | 719,292 | - | - | 719,292 |
| Total investments | 219,472,340 | 136,024,454 | 142,886,017 | 498,382,811 |
| Prepaid expenses | - | 1,769 | - | 1,769 |
| Total assets | 225,010,820 | 141,015,524 | 149,295,916 | 515,322,260 |
| LIABILITIES | | | | |
| Accounts payable | 180,806 | 102,204 | 112,792 | 395,802 |
| Due to broker for securities purchased | 304,780 | 693,280 | 1,077,897 | 2,075,957 |
| Prepaid contributions | - | 8,071 | 1,706 | 9,777 |
| Total liabilities | 485,586 | 803,555 | 1,192,395 | 2,481,536 |
| NET POSITION RESTRICTED FOR PENSIONS | \$ 224,525,234 | \$ 140,211,969 | \$ 148,103,521 | \$ 512,840,724 |

City of Cape Coral, Florida

STATEMENT OF CHANGES IN NET POSITION
FIDUCIARY FUNDS
For the Year Ended September 30, 2016

| | Pension Trust Funds | | | Total Pension Trust Funds |
|---|------------------------------------|----------------------------------|----------------------------|------------------------------------|
| | Municipal General Employees' | Municipal Police Officers' | Municipal Firefighters' | |
| ADDITIONS | | | | |
| Contributions: | | | | |
| Employer | \$ 16,703,284 | \$ 6,875,656 | \$ 8,424,473 | \$ 32,003,413 |
| Plan members | 4,110,347 | 1,659,424 | 1,292,651 | 7,062,422 |
| Member buybacks | 73,024 | - | 179,583 | 252,607 |
| State of Florida | - | 1,256,353 | 1,449,699 | 2,706,052 |
| Total contributions | 20,886,655 | 9,791,433 | 11,346,406 | 42,024,494 |
| Investment income (expense): | | | | |
| Investment income | 3,943,868 | 3,319,964 | 3,321,797 | 10,585,629 |
| Net appreciation (depreciation) in fair value of investments | 14,331,624 | 7,986,398 | 10,444,273 | 32,762,295 |
| Less: investment expenses | (832,752) | (533,166) | (626,157) | (1,992,075) |
| Net Investment Income (Loss) | 17,442,740 | 10,773,196 | 13,139,913 | 41,355,849 |
| Total additions to Net Position | 38,329,395 | 20,564,629 | 24,486,319 | 83,380,343 |
| DEDUCTIONS | | | | |
| Benefits and refunds | 12,979,936 | 6,393,638 | 7,159,967 | 26,533,541 |
| Administrative expenses | 178,584 | 112,950 | 152,950 | 444,484 |
| Total deductions from net position | 13,158,520 | 6,506,588 | 7,312,917 | 26,978,025 |
| Net increase in net position | 25,170,875 | 14,058,041 | 17,173,402 | 56,402,318 |
| Net position - beginning | 199,354,359 | 126,153,928 | 130,930,119 | 456,438,406 |
| Net position - ending | \$ 224,525,234 | \$ 140,211,969 | \$ 148,103,521 | \$ 512,840,724 |

(A) Defined Benefit Plans

(1) Municipal General Employees' Pension Plan

At September 30, 2016, the Plan's membership consisted of the following:

| | |
|---|--------------|
| Inactive plan members or beneficiaries currently receiving benefits | 677 |
| Inactive plan members entitled to but not yet receiving benefits | 134 |
| Active plan members | 791 |
| Total | <u>1,602</u> |

Plan Description – General Employees' Pension Plan

The City's Municipal General Employees' Pension Plan (Plan) is a defined benefit pension plan covering all full time general employees of the City. Participation in the Plan is required as a condition of employment. The Plan provides for pension and death benefits, and is subject to the provisions of the Florida Statutes and ordinance of the City of Cape Coral. Certain employees may opt-out and participate in the City's defined contribution plan instead.

The Plan, in accordance with the above statute, is governed by a five member pension board. The board is comprised as follows: two members must be legal residents of the City, and are appointed by City Council; two members must be participants in the Plan, and are elected by a majority of Plan participants; the final is elected by a majority of the other four board members. Each board member services a four year period. The board has engaged the services of a third party administrator, Pension Resource Center, to administer the Plan.

Benefits Provided - General Employees' Pension Plan

The plan provides retirement, termination, disability and death benefits.

Normal Retirement. Earlier of: 1) the attainment of age 60 or 2) the completion of 25 years of service, regardless of age. For members hired on and after October 1, 2013 the earlier of: 1) the attainment of age 62 with 10 years of credited service or 2) the completion of 27 years of service regardless of age.

Benefits terms provide for 2.50% of average final compensation times credited service for the first 20 years of credited service plus 2.75% of average final compensation times each year in excess of 20 years. Benefit accrues at 2.60% for the first 20 years for members who terminate with 20 or more years of credited services.

Early Retirement. Attainment of age 50 and completion of 10 years of credited service. Benefits are determined as for normal retirement and actuarially reduced.

Termination of Employment. Vesting schedule (for terminations prior to October 1, 2013):

| <u>Years of Service</u> | <u>Percentage Vested</u> |
|-------------------------|--------------------------|
| Less than 5 | 0 |
| 5 | 50 |
| 6 | 60 |
| 7 | 70 |
| 8 | 80 |
| 9 | 90 |
| 10 or more | 100 |

For terminations on and after October 1, 2013, a member shall be 100% vested upon the completion of 10 years of service. A member with more than 5 but less than 10 years as of October 1, 2013 shall retain their vested percentage as provided prior to the plan change.

Benefits:

Less than 5 years: refund of member contributions with 3.5% interest per annum.

5 or more years: refund of contributions, with interest or vested accrued benefit payable a normal (unreduced) or early (reduced) retirement date.

Death prior to benefit commencement: beneficiary will receive the actuarial equivalent of the participant's monthly retirement income on the ten year certain and life basis.

Pre-retirement death benefits are the actuarial equivalent of participant's accrued benefit payable to designated beneficiary as a ten year certain and life annuity or on such other basis as approved by the board.

Cost-of-Living-Adjustment: Benefit increased 3% annually beginning the first October 1st following one year of retirement. Members who did not elect the buy-up (pay and additional 1.6% in member contributions) will have a 2.5% cost of living adjustment beginning the third October 1st following retirement for benefits accrued on and after October 1, 2013.

Deferred Retirement Option Program: The plan provides a Deferred Retirement Option Plan (DROP) for member having satisfied the normal retirement requirements (earlier of age 60, or the completion of 25 years of credited service, regardless of age). When the DROP period ends, not to exceed 60 months, employment must be terminated. The member must make an election of 1) Actual net rate of investment return (total return net of brokerage commissions, management fees and transaction costs) credited for each fiscal quarter, or 2) 6.5% per annum compounded monthly. Members may elect to change form of return 2 times during each 12 month period of DROP participation. The DROP balance as September 30, 2016 is \$13,339,026.

Contributions - General Employees' Pension Plan

City of Cape Coral, Florida Code of Ordinances §2-123.5 requires all plan members to make contributions in the amount of 9.90% of salary (an additional 1.60% for members electing the buy-up option). The effective Member Contribution rate will vary each year as new members enter and members electing the buy up leave the plan. The City contributes at an actuarially determined rate.

Net Pension Liability of the City - General Employees' Pension Plan

The City's net pension liability was measured as of September 30, 2016, and the total pension liability used to calculate the net pension was determined by an actuarial valuation as of that date.

| | |
|--|----------------------|
| Total pension liability | \$ 303,869,461 |
| Plan fiduciary net position | <u>(224,525,234)</u> |
| City's net pension liability | <u>\$ 79,344,227</u> |
| Plan fiduciary net position as a percentage of the total pension liability | <u>73.89%</u> |

Actuarial Assumptions - General Employees' Pension Plan

The total pension liability was determined by an actuarial valuation as of October 1, 2015 updated to September 30, 2016 using the following actuarial assumptions applied to all measurement periods.

| | |
|---------------------------|---------------|
| Inflation | 2.00% |
| Salary Increases | 5.00% - 7.00% |
| Discount Rate | 7.75% |
| Investment Rate of Return | 7.75% |

Mortality rates were based on the following:

Mortality Rate Healthy Lives - RP 2000 Fully Generational with Scale BB, with collar and annuitant adjustments as follows: Males- 50% annuitant white collar, 50% annuitant blue collar. Females – 100% annuitant white collar.

Mortality rate Disabled Lives – Mortality Table RP2000 without projection, with the following adjustments: Males – 100% disabled male with four year setback. Females – 100% disabled female with two year set forward.

The actuarial assumptions used in the October 1, 2015 valuation were based on the results of an actuarial experience study dated July 25, 2011.

The long-term rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expenses and inflation) are developed for each major asset class.

These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Best estimates of arithmetic real rates of return for each major asset class included in the pension plan's target asset allocation as of September 30, 2016 are summarized in the following table:

| Asset Class | Long-term Expected Real Rate of Return |
|-------------------------|---|
| US Equity | 6.62% |
| Developed Non US Equity | 7.30% |
| Emerging Market Equity | 9.66% |
| US Core Fixed Income | 1.72% |
| Hedge Fund of Funds | 3.68% |
| Real Estate | 4.46% |
| Private Equity | 11.27% |
| Farmland | 6.72% |

Discount Rate - General Employees' Pension Plan

The discount rate used to measure the total pension liability was 7.75 percent. The projection of cash flows used to determine the discount rate assumed that plan member contributions will be made at the current contribution rate and that the sponsor contributions will be made at rates equal to the difference between actuarially determined contribution rates and the member rate. Based on those assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of the Net Pension Liability to Changes in the Discount Rate - General Employees' Pension Plan

The following presents the net pension liability of the City, calculated using the discount rate of 7.75%, as well as what the net pension liability would be if it were calculated using a discount rate that is 1 percentage point lower or 1 percentage point higher than the current rate:

| | 1% Decrease 6.75% | Current Discount Rate 7.75% | 1% Increase 8.75% |
|-----------------------|-----------------------|-----------------------------------|----------------------|
| Net pension liability | <u>\$ 116,144,265</u> | <u>\$ 79,344,227</u> | <u>\$ 48,861,292</u> |

Changes in the Net Pension Liability - General Employees' Pension Plan

| | Increase (Decrease) | | |
|--|----------------------------|--------------------------------|--------------------------|
| | Total Pension Liability | Plan Fiduciary Net Position | Net Pension Liability |
| Balances at September 30, 2015 | \$ 270,717,611 | \$ 199,354,359 | \$ 71,363,252 |
| Changes for the year: | | | |
| Service cost | 6,787,332 | - | 6,787,332 |
| Interest | 21,003,661 | - | 21,003,661 |
| Differences between expected and actual experience | 3,893,760 | - | 3,893,760 |
| Changes of Assumptions | 14,374,009 | - | 14,374,009 |
| Contributions - Employer | - | 16,703,284 | (16,703,284) |
| Contributions - Employee | - | 4,110,347 | (4,110,347) |
| Contributions - Buy Back | 73,024 | 73,024 | - |
| Net Investment Income | - | 17,442,740 | (17,442,740) |
| Benefit payments, including refunds of employee contributions | (12,979,936) | (12,979,936) | - |
| Administrative Expenses | | (178,584) | 178,584 |
| Net changes | <u>33,151,850</u> | <u>25,170,875</u> | <u>7,980,975</u> |
| Balances at September 30, 2016 | <u>\$ 303,869,461</u> | <u>\$ 224,525,234</u> | <u>\$ 79,344,227</u> |

Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions - General Employees' Pension Plan

For the year ended September 30, 2016, the City recognized pension expense of \$14,073,825. At September 30, 2016, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

| | Deferred Outflows of Resources | Deferred Inflows of Resources |
|--|--------------------------------------|-------------------------------------|
| Differences between expected and actual experience | \$ 3,115,008 | \$ 520,374 |
| Changes in Assumptions | 11,499,208 | - |
| Net difference between projected and actual earnings on investments | 7,890,841 | - |
| Total | <u>\$ 22,505,057</u> | <u>\$ 520,374</u> |

Amounts reported as deferred inflows of resources related to pensions will be recognized in pension expense as follows:

| | | |
|--------------------------|------------|----------------------|
| Year ended September 30, | | |
| | 2017 | \$ 5,964,025 |
| | 2018 | 5,964,026 |
| | 2019 | 6,741,740 |
| | 2020 | 3,314,892 |
| | 2021 | - |
| | Thereafter | - |
| | | <u>\$ 21,984,683</u> |

(2) Municipal Police Officers' Pension Plan

At September 30, 2016, the Plan's membership consisted of the following:

| | |
|---|-------------------|
| Inactive plan members or beneficiaries currently receiving benefits | 125 |
| Inactive plan members entitled to but not yet receiving benefits | 27 |
| Active plan members | <u>211</u> |
| Total | <u><u>363</u></u> |

Plan Description – Police Officers' Pension Plan

All full-time police officers at least 18 years old are required to participate in the City's Municipal Police Officers' Pension Plan (Police Officers' Plan). The Police Officers' Plan provides retirement, termination, disability, and death benefits to plan members and beneficiaries. This plan and any amendments were adopted through a City Ordinance by the City Council of the City of Cape Coral. A Board of Trustees administers the Police Officers' Plan. All costs of administering the Police Officers' Plan are paid from plan assets.

Benefits Provided - Police Officers' Pension Plan

The plan provides retirement, termination, disability and death benefits.

Normal Retirement. Earlier of: 1) the attainment of age 50 or 2) the completion of 25 years of credited service. For members hired on and after October 1, 2013 the earlier of: 1) the attainment of age 50 with 10 years of credited service or 2) the completion of 27 years of credited service regardless of age.

Benefits terms provide for 3.25% of average final compensation times years of credited service. For all members who have not reached normal retirement eligibility as of October 1, 2013 the minimum benefit shall not exceed \$7,916.67 or the actual accrued benefit as of October 1, 2013.

Early Retirement. Attainment of age 40 and completion of 10 years of credited service. Benefits are determined as for normal retirement and actuarially reduced.

Termination of Employment. Vesting schedule (for terminations prior to October 1, 2013):

| <u>Years of Service</u> | <u>Percentage Vested</u> |
|-------------------------|--------------------------|
| Less than 5 | 0 |
| 5 | 50 |
| 6 | 60 |
| 7 | 70 |
| 8 | 80 |
| 9 | 90 |
| 10 or more | 100 |

For members hired on or after October 1, 2013, vesting is 100% at 10 years of credited service.

Benefits:

Less than 5 years: refund of member contributions.

5 or more years: refund of contributions or vested accrued benefit payable at retirement age.

Death prior to benefit commencement: Beneficiary will receive the actuarial equivalent of the participant's monthly retirement income on a ten year certain and life basis.

Disability: Eligibility is total and permanent as determined by the Retirement Committee (medical proof required). The benefit is a percentage of average final compensation determined in accordance with the following schedule:

| <u>Years of Service</u> | <u>Service Incurred</u> | <u>Non-Service Incurred</u> |
|-------------------------|-------------------------|-----------------------------|
| Less than 5 | 66 2/3% | 25% |
| 5 to 10 | 66 2/3% | 50% |
| 10 or more | 66 2/3% | 66 2/3% |

Pre-Retirement Death Benefits: Actuarial equivalent of participant's accrued benefit payable to designated beneficiary as a ten year certain and life annuity of on such other basis as approved by the Board.

Cost-of-Living-Adjustment: Beginning on the first October 1 following one complete year of retirement income payments, the benefit is increased 3% annually. The first increase is a pro-rata adjustment, based on the number of months benefits commenced prior to October 1. For members hired on or after October 1, 2013 the cost of living adjustment is after 3 complete years of receiving income payments.

Deferred Retirement Option Program: The plan provides a Deferred Retirement Option Plan (DROP) for member having satisfied the normal retirement requirements. When the DROP period ends, not to exceed 60 months, employment must be terminated. The member must make and election of 1) Actual net rate of investment return (total return net of brokerage commissions, management fees and transaction costs) credited for each fiscal quarter, or 2) 6.5% per annum compounded monthly. Members may elect to change form of return 2 times during each 12 month period of DROP participation. The DROP balance as September 30, 2016 is \$6,365,097.

Contributions - Police Officers' Pension Plan

Covered employees are required to contribute 10% of their salary. The effective member contribution rate will vary each year as new members enter and members electing the buy up leave the plan. The City contributes the remaining amounts at actuarially determined rates that are designated to accumulate sufficient assets to pay benefits when due. In addition, the State of Florida contributes insurance premium taxes towards the funding of the plan.

Net Pension Liability of the City - Police Officers' Pension Plan

The City's net pension liability was measured as of September 30, 2016, and the total pension liability used to calculate the net pension was determined by an actuarial valuation as of that date.

| | |
|------------------------------|----------------------|
| Total pension liability | \$ 170,169,493 |
| Plan fiduciary net position | (140,211,969) |
| City's net pension liability | <u>\$ 29,957,524</u> |

| | |
|--|---------------|
| Plan fiduciary net position as a percentage of the total pension liability | <u>82.40%</u> |
|--|---------------|

Actuarial Assumptions – Police Officers’ Pension Plan

The total pension liability was determined by an actuarial valuation as of October 1, 2015 updated to September 30, 2016 using the following actuarial assumptions applied to all measurement periods.

| | |
|---------------------------|----------|
| Inflation | 2.25% |
| Salary Increases | 6% - 10% |
| Discount Rate | 7.75% |
| Investment Rate of Return | 7.75% |

Mortality rates were based on the RP 2000 Combined Healthy (combined healthy with no projection), Disabled lives are set forward 5 years. Based on a study of over 650 public safety funds, this table reflects a 10% margin for future mortality improvements.

The actuarial assumptions used in the October 1, 2015 valuation were based on the results of an actuarial experience study dated May 1, 2012.

The long-term rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expenses and inflation) are developed for each major asset class.

These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Best estimates of arithmetic real rates of return for each major asset class included in the pension plan’s target asset allocation as of September 30, 2016 are summarized in the following table:

| <u>Asset Class</u> | <u>Long-term Expected Real Rate of Return</u> |
|---------------------------|---|
| US Large Cap Stocks | 6.00% |
| US Small / Mid Cap Stocks | 6.50% |
| International Equity | 6.25% |
| U.S. Direct Real Estate | 5.25% |
| Absolute Return | 3.25% |
| US Aggregate Bond | 2.00% |

Discount Rate - Police Officers’ Pension Plan

The discount rate used to measure the total pension liability was 7.75 percent. The projection of cash flows used to determine the discount rate assumed that plan member contributions will be made at the current contribution rate and that the sponsor contributions will be made at rates equal to the difference between actuarially determined contribution rates and the member rate. Based on those assumptions, the pension plan’s fiduciary net position was projected to be available to make all projected future benefit payments of

current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of the Net Pension Liability to Changes in the Discount Rate - Police Officers' Pension Plan

The following presents the net pension liability of the City, calculated using the discount rate of 7.75%, as well as what the net pension liability would be if it were calculated using a discount rate that is 1 percentage point lower or 1 percentage point higher than the current rate:

| | 1% Decrease 6.75% | Current Discount Rate 7.75% | 1% Increase 8.75% |
|-----------------------|----------------------|-----------------------------------|----------------------|
| Net pension liability | <u>\$ 53,069,886</u> | <u>\$ 29,957,524</u> | <u>\$ 11,175,874</u> |

Changes in the Net Pension Liability - Police Officers' Pension Plan

| | Increase (Decrease) | | |
|--|----------------------------|--------------------------------|--------------------------|
| | Total Pension Liability | Plan Fiduciary Net Position | Net Pension Liability |
| Balances at September 30, 2015 | \$ 151,016,236 | \$ 126,153,928 | \$ 24,862,308 |
| Changes for the year: | | | |
| Service cost | 4,597,357 | - | 4,597,357 |
| Interest | 11,714,484 | - | 11,714,484 |
| Change in Excess State Money | 379,832 | - | 379,832 |
| Differences between expected and actual experience | 2,017,708 | - | 2,017,708 |
| Changes of Assumptions | 6,709,188 | - | 6,709,188 |
| Contributions - Employer | - | 6,875,656 | (6,875,656) |
| Contributions - State | - | 1,256,354 | (1,256,354) |
| Contributions - Buy Back | 105,656 | 105,656 | - |
| Contributions - Employee | - | 1,553,768 | (1,553,768) |
| Net Investment Income | - | 10,749,925 | (10,749,925) |
| Benefit payments, including refunds of employee contributions | (6,370,968) | (6,370,968) | - |
| Administrative Expenses | - | (112,350) | 112,350 |
| Net changes | <u>19,153,257</u> | <u>14,058,041</u> | <u>5,095,216</u> |
| Balances at September 30, 2016 | <u>\$ 170,169,493</u> | <u>\$ 140,211,969</u> | <u>\$ 29,957,524</u> |

Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions – Police Officers' Pension Plan

For the year ended September 30, 2016, the City recognized pension expense of \$7,673,315. At September 30, 2016, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

| | Deferred Outflows of Resources | Deferred Inflows of Resources |
|---|--------------------------------------|-------------------------------------|
| Differences between expected and actual experience | \$ 1,681,424 | \$ 1,671,916 |
| Changes in Assumptions | 5,590,990 | - |
| Net difference between projected and actual earnings on investments | 4,150,706 | - |
| Total | <u>\$ 11,423,120</u> | <u>\$ 1,671,916</u> |

Amounts reported as deferred inflows of resources related to pensions will be recognized in pension expense as follows:

| | |
|--------------------------|---------------------|
| Year ended September 30, | |
| 2017 | \$ 2,328,180 |
| 2018 | 2,328,181 |
| 2019 | 2,772,817 |
| 2020 | 867,543 |
| 2021 | 1,454,483 |
| Thereafter | - |
| | <u>\$ 9,751,204</u> |

(3) Municipal Firefighters' Pension Plan

At September 30, 2016, the Plan's membership consisted of the following:

| | |
|---|------------|
| Inactive plan members or beneficiaries currently receiving benefits | 138 |
| Inactive plan members entitled to but not yet receiving benefits | 7 |
| Active plan members | 169 |
| Total | <u>314</u> |

Plan Description – Firefighters' Pension Plan

All full-time firefighters at least 18 years old are required to participate in the City's Municipal Firefighters' Pension Plan (Firefighters' Plan). The Firefighters' Plan provides retirement, termination, disability, and death benefits to plan members and beneficiaries. This plan and any amendments were adopted through a City Ordinance by the City Council of the City of Cape Coral. A Board of Trustees administers the Firefighters' Plan. All costs of administering the Firefighters' Plan are paid from plan assets.

Benefits Provided - Firefighters' Pension Plan

The plan provides retirement, termination, disability and death benefits.

Normal Retirement. Earlier of: 1) the attainment of age 50 (age 52 and 10 years of service for members hired on or after June 16, 2014 or 2) the completion of 25 years of credited service regardless of age.

Benefits terms provide for 3.25% of average final compensation times credited service subject to a maximum of \$95,000 as indexed.

Early Retirement. Attainment of age 40 and completion of 10 years of credited service. Benefits are determined as for normal retirement and actuarially reduced.

Termination of Employment. Vesting schedule:

| <u>Years of Service</u> | <u>Percentage Vested</u> |
|-------------------------|--------------------------|
| Less than 5 | 0 |
| 5 | 50 |
| 6 | 60 |
| 7 | 70 |
| 8 | 80 |
| 9 | 90 |
| 10 or more | 100 |

For members hired after June 16, 2014, there is no vesting until members have accrued 10 years of credited service. Additionally, for members who have more than 5 years of credited service, but less than 10 years as of June 16, 2014, those members' vesting is frozen at the percentage above until such time that the member has 10 years of credited service.

Benefits:

Less than 5 years: refund of member contributions.

5 or more years: refund of contributions or vested accrued benefit payable at retirement age.

Death prior to benefit commencement: Beneficiary will receive the actuarial equivalent of the participant's monthly retirement income on a ten year certain and life basis.

Disability: Eligibility is total and permanent as determined by the Retirement Committee (medical proof required). The benefit is a percentage of average final compensation determined in accordance with the following schedule:

| <u>Years of Service</u> | <u>Service Incurred</u> | <u>Non-Service Incurred</u> |
|-------------------------|-------------------------|-----------------------------|
| Less than 5 | 66 2/3% | 25% |
| 5 to 10 | 66 2/3% | 50% |
| 10 or more | 66 2/3% | 66 2/3% |

Cost-of-Living-Adjustment: Beginning on the first (third for members hired after April 1, 2014) October 1st following one complete year of receiving retirement income, the benefit is creased annually by 3.0%.

Pre-Retirement Death Benefits: Actuarial equivalent of participant's accrued benefit payable to designated beneficiary as a ten year certain and life annuity of on such other basis as approved by the Board.

Deferred Retirement Option Program: The plan provides a Deferred Retirement Option Plan (DROP) for member having satisfied the normal retirement requirements. When the DROP period ends, not to exceed 60 months, employment must be terminated. The member must make an election of 1) Actual net rate of investment return (total return net of brokerage commissions, management fees and transaction costs) credited for each fiscal quarter, or 2) 6.5% per annum compounded monthly. Members may elect to change form of return 2 times during each 12 month period of DROP participation. The DROP balance as September 30, 2016 is \$13,911,474.

Contributions – Firefighters' Pension Plan

Employees contribute 10% of salary. The effective Member Contribution rate will vary each year as new members enter and members electing the buy up leave the plan. The City contributes the remaining amounts at actuarially determined rates that are designated to accumulate sufficient assets to pay benefits when due.

Net Pension Liability of the City - Firefighters' Pension Plan

The City's net pension liability was measured as of September 30, 2016, and the total pension liability used to calculate the net pension was determined by an actuarial valuation as of that date.

| | |
|--|----------------------|
| Total pension liability | \$ 196,822,130 |
| Plan fiduciary net position | (148,103,521) |
| City's net pension liability | <u>\$ 48,718,609</u> |
| Plan fiduciary net position as a percentage of the total pension liability | <u>75.25%</u> |

Actuarial Assumptions – Firefighters' Pension Plan

The total pension liability was determined by an actuarial valuation as of October 1, 2015 updated to September 30, 2016 using the following actuarial assumptions applied to all measurement periods.

| | |
|---------------------------|-------|
| Inflation | 2.25% |
| Salary Increases | 7.50% |
| Discount Rate | 7.70% |
| Investment Rate of Return | 7.70% |

Mortality Rate Healthy Lives:

Female: RP2000 Generational, 100% Annuitant White Collar, Scale BB

Male: RP2000 Generational, 10% Annuitant White Collar /90% Annuitant Blue Collar, Scale BB

Mortality Rate Disabled Lives:

Female: 60% RP2000 Disabled Female set forward two years / 40% Annuitant White Collar with no setback, no projection scale.

Male: 60% RP2000 Disabled Male setback four years / 40% Annuitant White Collar with no setback, no projection scale.

The actuarial assumptions used in the October 1, 2015 valuation were based on the results of an actuarial experience study dated May 1, 2012.

The long-term rate of return on pension plan investments was determined using a building-block method in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expenses and inflation) are developed for each major asset class.

These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. Best estimates of arithmetic real rates of return for each major asset class included in the pension plan's target asset allocation as of September 30, 2016 are summarized in the following table:

| <u>Asset Class</u> | <u>Long-term Expected Real Rate of Return</u> |
|---------------------------|--|
| US Large Cap Stocks | 6.00% |
| US Small / Mid Cap Stocks | 6.50% |
| International Equity | 6.25% |
| U.S. Direct Real Estate | 5.25% |
| Absolute Return | 3.25% |
| US Aggregate Bond | 2.00% |

Discount Rate - Firefighters' Pension Plan

The discount rate used to measure the total pension liability was 7.70 percent. The projection of cash flows used to determine the discount rate assumed that plan member contributions will be made at the current contribution rate and that the sponsor contributions will be made at rates equal to the difference between actuarially determined contribution rates and the member rate. Based on those assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of the Net Pension Liability to Changes in the Discount Rate – Firefighters' Pension Plan

The following presents the net pension liability of the City, calculated using the discount rate of 7.70%, as well as what the net pension liability would be if it were calculated using a discount rate that is 1 percentage point lower or 1 percentage point higher than the current rate:

| | 1% Decrease 6.70% | Current Discount Rate 7.70% | 1% Increase 8.70% |
|-----------------------|----------------------|-----------------------------------|----------------------|
| Net pension liability | <u>\$ 75,236,323</u> | <u>\$ 48,718,609</u> | <u>\$ 27,284,232</u> |

Changes in the Net Pension Liability – Firefighters' Pension Plan

| | Increase (Decrease) | | |
|---|----------------------------|--------------------------------|--------------------------|
| | Total Pension Liability | Plan Fiduciary Net Position | Net Pension Liability |
| Balances at September 30, 2015 | \$ 177,617,730 | \$ 130,930,119 | \$ 46,687,611 |
| Changes for the year: | | | |
| Service cost | 4,009,132 | - | 4,009,132 |
| Interest | 13,798,633 | - | 13,798,633 |
| Differences between expected and actual experience | (260,997) | - | (260,997) |
| Changes of Assumptions | 8,638,016 | - | 8,638,016 |
| Contributions - Employer | - | 8,424,472 | (8,424,472) |
| Contributions - State | - | 1,449,699 | (1,449,699) |
| Contributions - Employee | - | 1,292,651 | (1,292,651) |
| Contributions - Buy Back | 179,583 | 179,583 | - |
| Net Investment Income | - | 13,139,913 | (13,139,913) |
| Benefit payments, including refunds of employees contributions | (7,159,967) | (7,159,967) | - |
| Administrative Expenses | - | (152,949) | 152,949 |
| Net changes | <u>19,204,400</u> | <u>17,173,402</u> | <u>2,030,998</u> |
| Balances at September 30, 2016 | <u>\$ 196,822,130</u> | <u>\$ 148,103,521</u> | <u>\$ 48,718,609</u> |

Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions – Firefighters’ Pension Plan

For the year ended September 30, 2016, the City recognized pension expense of \$9,645,921. At September 30, 2016, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

| | Deferred Outflows of Resources | Deferred Inflows of Resources |
|---|-----------------------------------|-------------------------------------|
| Differences between expected and actual experience | \$ 959,156 | \$ 217,498 |
| Changes in Assumptions | 8,614,394 | - |
| Net difference between projected and actual earnings on investments | 3,310,856 | - |
| Total | <u>\$ 12,884,406</u> | <u>\$ 217,498</u> |

Amounts reported as deferred inflows of resources related to pensions will be recognized in pension expense as follows:

| Year ended September 30, | |
|--------------------------|----------------------|
| 2017 | \$ 3,281,240 |
| 2018 | 3,281,239 |
| 2019 | 3,639,608 |
| 2020 | 1,068,652 |
| 2021 | 1,396,169 |
| Thereafter | - |
| | <u>\$ 12,666,908</u> |

(B) Defined Contribution Plan

(1) General Employees Defined Contribution Pension Plan

The City established a single-employer defined contribution pension plan for department heads and administrative management general employees on April 23, 1997. Eligible members who were current members of the Municipal General Employees’ Pension Plan were given the irrevocable election to opt out of the old plan, and their accumulated contributions or future benefits, if vested, were rolled over into the new defined contribution pension plan.

The City has contracted with ICMA-RC to provide a 401(a) plan to all positions Grade 22 or higher as an alternative “opt-out” to the defined benefit retirement plan per City Ordinance 2-123.2(a)(2). This Defined Contribution plan has immediate 100% vesting and requires 8% of payroll contribution from the employee, matched by a 12% employer contribution. The employee chooses to directly manage his/her funds or to delegate the management via a preferred fund selection. The City contributed \$148,385 and the employees contributed \$104,886 during FY2016.

4. Other Postemployment Benefits (OPEB)

The City provides group health and life insurance benefits to its retired employees. All full-time regular employees are eligible for these benefits if actively employed by the City for 10 years, or as outlined in the personnel ordinance and union contracts, and meet the requirements as set forth by the City. As of September 30, 2016 there were 621 retirees receiving medical and life insurance benefits. The cost of

these benefits is paid by the City; retirees are responsible for dependent group health coverage, if selected by the retiree. The City finances the benefits on a pay-as-you-go basis and recognizes expenditures at the time premiums are due. The premiums for these benefits, not including the retirees' costs for dependent health coverage, totaled \$6,757,912 during fiscal year 2016. The City does not issue a separate financial report for the OPEB plan.

Funding Policy. Currently, the City's OPEB benefits are unfunded. That is, City Council has not determined if a separate Trust Fund or equivalent arrangement will be established into which the City would make contributions to advance-fund the obligation. However, the City did have an Actuarial Valuation for OPEB to measure the current year's subsidies and project these subsidies for decades into the future and making an allocation of that cost to different years.

| Year Ended September 30, | Annual OPEB Cost | Amount Contributed | Percentage annual OPEB Cost | Net OPEB Obligation |
|-------------------------------------|-----------------------------|-------------------------------|--|--------------------------------|
| 2016 | \$ 20,870,175 | \$ 6,757,912 | 32.38% | \$ 149,071,734 |
| 2015 | 19,729,414 | 6,560,628 | 33.25% | 134,959,471 |
| 2014 | 19,584,030 | 6,087,156 | 31.08% | 121,790,685 |

Annual OPEB Cost and Net OPEB Obligation. The annual OPEB cost is the amount that was expensed for the fiscal year. Since the City's OPEB plan is primarily unfunded, the offset to that expense comes from subsidies paid on behalf of the current retirees and their dependents for the current year. This offset is called the Employer Contribution, and equals the total age-adjusted premiums paid by the City for coverage for the retirees and their dependents for the year (net of the retiree's own payments for the year). The cumulative difference between the Annual OPEB Cost for the year and the Employer Contribution for the year is called the Net OPEB Obligation. The Net OPEB Obligation is reflected as a liability in the Statement of Net Position.

| | <u>9/30/2016</u> |
|--|-----------------------|
| Annual required contribution | \$ 22,219,770 |
| Interest on net OPEB | 5,398,379 |
| Adjustment to ARC | <u>(6,747,974)</u> |
| Annual OPEB Cost | 20,870,175 |
| Employer Contribution Toward the OPEB Cost | <u>6,757,912</u> |
| Yearly change in OPEB Obligation | 14,112,263 |
| Net OPEB Obligation – Beginning of Fiscal Year | 134,959,471 |
| Net OPEB Obligation – End of Fiscal Year | <u>\$ 149,071,734</u> |
| Per Covered Active Employee | \$ 17,427 |
| As % of Expected Payroll | 31.1% |

Early Retirement Incentive Program (ERIP). Effective July 1, 2008 the City introduced an Early Retirement Incentive Program providing certain employees with additional service credits for the purpose of calculating the pension benefit eligible and for determining eligibility for Early or Normal Retirement. As a result, 197 employees retired on or before December 31, 2008.

Funded Status and Funding Progress. As of October 1, 2015, the actuarial valuation date, the plan was zero percent funded. The actuarial accrued liability for benefits was \$255,488,318, and the actuarial value of assets was zero, resulting in an unfunded actuarial accrued liability (UAAL) of \$255,488,318. The expected payroll of active participants was \$59,748,851, and the ratio of the UAAL to the expected payroll was 357.18 percent.

Actuarial valuations of an ongoing plan involve estimates of the value of reported amounts and assumptions about the probability of occurrence of events far into the future. Examples include assumptions about future employment, mortality, and the healthcare cost trend. Amounts determined regarding the funding status of

a plan and the annual required contributions of the employer are subject to continual revision as actual results are compared with past expectations and new estimates are made about the future. The schedule of funding progress, presented as required supplementary information following the notes to the financial statements, presents multi-year trend information that shows whether the actuarial value of plan assets is increasing or decreasing over time relative to the actuarial liabilities for benefits.

Actuarial Methods and Assumptions. Projections of benefits for financial reporting purposes are based on the substantive plan (the plan as understood by the employer and the plan members) and include the types of benefits provided at the time of the valuation and the historical pattern of sharing of benefit costs between the employer and plan members. Actuarial calculations reflect a long-term perspective. The actuarial methods and assumptions used include techniques that are designed to reduce the effects of short-term volatility in actuarial accrued liabilities and the actuarial value of assets, consistent with the long-term perspective of the calculations.

In the October 1, 2016, actuarial valuation, the frozen entry age normal cost method with an increasing normal cost pattern with salary increases of 7% per year declining to 5% for employees age 60 and older for general employees and 7.5% for police officers and firefighters, was used. The actuarial assumptions included a 4.0% investment rate of return (since there are no invested plan assets held in trust to finance the OPEB obligations, the investment return discount rate is the long-term expectation of investment return on assets held in City funds pursuant to its investment policy) and an annual healthcare cost trend rate. Monthly per capita costs for medical and RX benefits are assumed to increase each year. The per capital costs and premiums are expected to increase 7% after 1/01/2017. The UAAL, as calculated pursuant to the individual entry age actuarial cost method, is being amortized as a level percent of payroll on a closed basis. The assumed rate of payroll growth is 4.0%; the assumed general inflation rate is 2.5%.

5. Contingencies

The City is currently receiving, and has received in the past, grants which are subject to special compliance audits by the grantor agency and which may result in disallowed expense amounts. These amounts, if any, constitute a contingent liability of the City. The City does not believe any contingent liabilities are material. Accordingly, such liabilities are not reflected within the financial statements.

The City currently prepares rebate calculations on all debt subject to arbitrage per the United States Department of the Treasury Regulations, Section 1.148, and the Internal Revenue Service Code of 1986. Rebates, if any, are paid to the Internal Revenue Service every fifth year after the year of issuance. Within the five-year period, any positive arbitrage (liability) can be offset by any negative arbitrage (non-liability). The City does not believe there are any arbitrage contingent liabilities that are material.

The City is a defendant in various lawsuits. Although the outcome of these lawsuits is not presently determinable, in the opinion of the City's counsel the resolution of these matters will not have a material effect on the financial condition of the City.

6. Subsequent Event

In February 2017, the City issued \$62,595,000 of Special Obligation Refunding Revenue Bonds, Series 2017 for the purpose of refinancing a portion of the outstanding Special Obligation Bonds, Series 2007, the Special Obligation Bonds, Series 2008, and the Special Obligation Bonds, Series 2011. By refinancing the City will achieve \$8.3 million in savings through the life of the bonds through 2040. The savings in today's dollars (net present value savings) are \$6.7 million. Principal and interest on the obligations is secured by non-ad valorem funds budgeted and appropriated by City Council. Principal is paid annually through October 2040 with interest paid semiannually at rates ranging from 3.00% to 5.00%.

Required Supplementary Info

City of Cape Coral, Florida

BUDGETARY COMPARISON SCHEDULE
GENERAL FUND
For the Year Ended September 30, 2016

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|-------------------------|---------------|--------------------------|----------------------|
| | Original | Final | (Budgetary Basis) | Final Budget |
| | | | | Positive |
| | | | | (Negative) |
| REVENUES | | | | |
| Taxes: | | | | |
| Property | \$ 75,045,899 | \$ 75,045,899 | \$ 75,239,444 | \$ 193,545 |
| Utility | 7,211,575 | 7,211,575 | 7,250,872 | 39,297 |
| Sales | 17,226,875 | 17,226,875 | 18,136,627 | 909,752 |
| Fuel | 1,398,777 | 1,398,777 | 1,441,409 | 42,632 |
| Alcohol and beverage | 66,000 | 66,000 | 67,005 | 1,005 |
| Franchise | 7,018,937 | 7,018,937 | 6,622,099 | (396,838) |
| Communication | 6,084,283 | 6,084,283 | 5,168,297 | (915,986) |
| Special assessments | 19,604,430 | 20,526,042 | 20,808,145 | 282,103 |
| Licenses and permits | 957,850 | 957,850 | 863,016 | (94,834) |
| Intergovernmental | 3,633,352.00 | 4,087,299 | 3,680,801 | (406,498) |
| Charges for services | 5,449,210.00 | 5,887,977 | 6,040,709 | 152,732 |
| Fines and forfeitures | 846,750.00 | 846,750 | 704,935 | (141,815) |
| Rent and royalties | 394,200.00 | 394,200 | 399,255 | 5,055 |
| Interest income | 294,500.00 | 294,500 | 507,553 | 213,053 |
| Contributions and donations | - | 2,500 | 4,025 | 1,525 |
| Other revenue | 430,950 | 496,218 | 779,991 | 283,773 |
| Cash balances brought forward | 45,747,982 | 61,262,271 | - | (61,262,271) |
| Total revenues | 191,411,570 | 208,807,953 | 147,714,183 | (61,093,770) |
| EXPENDITURES | | | | |
| Current: | | | | |
| General government | 47,278,013 | 50,228,010 | 45,508,938 | 4,719,072 |
| Public Safety: | | | | |
| Police | 33,214,712 | 34,434,397 | 34,329,227 | 105,170 |
| Fire | 25,600,416 | 26,666,562 | 26,122,494 | 544,068 |
| Public works | 10,994,149 | 11,040,921 | 9,294,791 | 1,746,130 |
| Parks and recreation | 5,789,435 | 6,074,596 | 5,837,980 | 236,616 |
| Community development | 4,456,747 | 4,464,009 | 3,961,936 | 502,073 |
| Capital outlay | 7,350,762 | 13,709,493 | 6,838,868 | 6,870,625 |
| Total expenditures | 134,684,234 | 146,617,988 | 131,894,234 | 14,723,754 |
| Excess (deficiency) of revenues over (under) expenditures | 56,727,336 | 62,189,965 | 15,819,949 | (46,370,016) |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers in | 3,730,409 | 3,837,227 | 3,793,832 | (43,395) |
| Transfers out | (24,211,242) | (24,923,366) | (23,892,888) | 1,030,478 |
| Reserves | (36,246,503) | (41,103,826) | - | 41,103,826 |
| Total other financing sources (uses) | (56,727,336) | (62,189,965) | (20,099,056) | 42,090,909 |
| Net change in fund balance | - | - | (4,279,107) | (4,279,107) |
| Budgetary fund balance - beginning | 54,824,284 | 54,824,284 | 54,824,284 | - |
| Budgetary fund balance - ending | \$ 54,824,284 | \$ 54,824,284 | \$ 50,545,177 | \$ (4,279,107) |

City of Cape Coral, Florida

**BUDGETARY COMPARISON SCHEDULE
GENERAL FUND**

For the Year Ended September 30, 2016

Explanation of differences between Budgetary Revenues, Expenditures and Other Financing Sources (Uses) and GAAP Revenues, Expenditures and Other Financing Sources (Uses)

| | |
|---|------------------------|
| Actual revenue amounts (budgetary basis) | \$ 147,714,183 |
| The net proceeds from the sale of capital assets are budgetary revenues but are regarded as other financing sources, rather than revenue, for financial reporting purposes. | <u>(140,967)</u> |
| Total revenue as reported on the statement of revenues, expenditures and changes in fund balances - governmental funds. | <u>\$ 147,573,216</u> |
| Actual other financing sources (uses) (budgetary basis) | \$ (20,099,056) |
| The net proceeds from the sale of capital assets are budgetary revenues but are regarded as other financing sources, rather than revenue, for financial reporting purposes. | <u>140,967</u> |
| Total other financing sources (uses) as reported on the statement of revenues, expenditures and changes in fund balances - governmental funds. | <u>\$ (19,958,089)</u> |

The accompanying notes to the required supplementary information - budget comparison are an integral part of this schedule.

City of Cape Coral, Florida

BUDGETARY COMPARISON SCHEDULE
COMMUNITY REDEVELOPMENT AGENCY SPECIAL REVENUE FUND
For the Year Ended September 30, 2016

| | Budgeted Amounts | | Actual Amounts | Variance with |
|---|-------------------------|--------------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Property taxes | \$ 426,718 | \$ 410,949 | \$ 410,949 | \$ - |
| Rent and royalties | - | - | 1,000 | 1,000 |
| Interest income | 5,700 | 5,700 | 16,400 | 10,700 |
| Other revenue | - | - | 76 | 76 |
| Prior year cash balance | 1,540,030 | 1,745,828 | - | (1,745,828) |
| Total revenues | <u>1,972,448</u> | <u>2,162,477</u> | <u>428,425</u> | <u>(1,734,052)</u> |
| EXPENDITURES | | | | |
| Community development | 275,258 | 275,258 | 140,711 | 134,547 |
| Capital outlay | 410,000 | 430,879 | 2,400 | 428,479 |
| Total expenditures | <u>685,258</u> | <u>706,137</u> | <u>143,111</u> | <u>563,026</u> |
| Excess (deficiency) of revenues over (under) expenditures | <u>1,287,190</u> | <u>1,456,340</u> | <u>285,314</u> | <u>(1,171,026)</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers in | 815,242 | 788,808 | 788,808 | - |
| Transfers out | (416,848) | (416,848) | (416,848) | - |
| Reserves | (1,685,584) | (1,828,300) | - | 1,828,300 |
| Total other financing sources (uses) | <u>(1,287,190)</u> | <u>(1,456,340)</u> | <u>371,960</u> | <u>1,828,300</u> |
| Net change in fund balances | <u>\$ -</u> | <u>\$ -</u> | 657,274 | <u>\$ 657,274</u> |
| Fund balances - beginning | | | <u>1,746,773</u> | |
| Fund balances - ending | | | <u>\$ 2,404,047</u> | |

There are no differences between Budgetary Revenues, Expenditures and Other Financing Sources (Uses) and GAAP Revenues, Expenditures and Other Financing Sources (Uses)

The accompanying notes to the required supplementary information - budget comparisons are an integral part of this schedule.

NOTES TO THE REQUIRED SUPPLEMENTARY INFORMATION – BUDGET COMPARISONS
September 30, 2016

Budgetary Basis

The City adopts an annual appropriated budget for the General Fund, the following Special Revenue Funds: gas tax, road impact fee, public safety impact fee, do the right thing, police confiscation-federal, police confiscation-state, criminal justice education, seawalls, park recreational facilities impact fee, community redevelopment agency (CRA), City Centrum business park, all hazards, alarm fee, Del Prado Mall parking lot, lot mowing, parks and recreation programs, waterpark, building, Community Development Block Grant, HUD Neighborhood Stabilization, local housing assistance, Residential Construction Mitigation Program, and debt service. Capital projects are budgeted over the length of the project except for the Hurricane Charley Disaster Improvement Fund. The budget to actual comparison for the general fund is presented on pages 103-104 of the required supplementary information and other governmental funds are presented on pages 128-152 of the combining statements.

Budgetary Information

The following procedures are used in establishing the legally adopted budgetary data reflected in the financial statements.

1. During July, the City Manager submits to the City Council a proposed operating budget for the fiscal year commencing the following October. The operating budget includes proposed expenditures and the means of financing them.
2. Public hearings are conducted to obtain taxpayer comments.
3. On or before September 30 the budget is legally enacted by City Council through passage of an ordinance as required by City Charter, and an ordinance for setting the millage is passed as required by the State of Florida.
4. The City Manager can authorize changes within a fund. However, any other revisions require approval of the City Council. Various supplemental appropriations were approved by the Council during the fiscal year ended September 30, 2016.
5. Budgets are adopted on a basis consistent with accounting principles generally accepted in the United States of America except for the reporting of encumbrances, capital leases, insurance damage claims, and sale of capital assets. Estimated cash balances from previous fiscal years that are available to support the annual operating budget are included in the adopted budget reflected as Balances Forward. Consistent with guidance by the State of Florida, the use of reserves is reported as expenditures in the budget. Annual appropriated budgets are adopted for the general, certain special revenue, and the debt service fund. Project-length financial plans and budgets are adopted for the capital projects funds except for the Hurricane Charley Disaster Improvement Fund.
6. Expenditures may not legally exceed appropriations at the fund level.
7. Beginning with the first amendment for the 2008 fiscal year, all available cash (not including capital projects) is now included within the budget. This has the affect of causing the budget to be greater than would have been the case in prior years even though expenditures may be less.

City of Cape Coral, Florida

SCHEDULE OF CHANGES IN NET PENSION LIABILITY AND RELATED RATIOS
MUNICIPAL GENERAL EMPLOYEES
 Last 4 Fiscal Years

| | 2016 | 2015 | 2014 | 2013 |
|--|-----------------------|-----------------------|-----------------------|-----------------------|
| Total Pension Liability | | | | |
| Service Cost | \$ 6,787,332 | \$ 6,345,174 | \$ 6,326,371 | \$ 5,871,342 |
| Interest | 21,003,661 | 19,926,291 | 18,821,859 | 17,724,278 |
| Differences Between Expected and Actual | | | | |
| Experience | 3,893,760 | (867,289) | - | - |
| Changes of Assumptions | 14,374,009 | - | - | - |
| Contributions - Buy Back | 73,024 | 248,187 | - | - |
| Benefit Payments, Including Refunds of | | | | |
| Employee Contributions | (12,979,936) | (11,406,026) | (10,426,554) | (9,350,092) |
| Net Change in Total Pension Liability | 33,151,850 | 14,246,337 | 14,721,676 | 14,245,528 |
| Total Pension Liability - Beginning | 270,717,611 | 256,471,274 | 241,749,598 | 227,504,070 |
| Total Pension Liability - Ending (a) | <u>\$ 303,869,461</u> | <u>\$ 270,717,611</u> | <u>\$ 256,471,274</u> | <u>\$ 241,749,598</u> |
| Plan Fiduciary Net Position | | | | |
| Contributions - Employer | \$ 16,703,284 | \$ 15,896,933 | \$ 14,847,599 | \$ 11,946,344 |
| Contributions - Employee | 4,110,347 | 3,900,545 | 3,740,529 | 3,377,905 |
| Contributions - Buy Back | 73,024 | 248,187 | - | - |
| Net Investment Income | 17,442,740 | (2,670,840) | 17,248,123 | 18,720,913 |
| Benefit Payments, Including Refunds of | | | | |
| Employee Contributions | (12,979,936) | (11,406,026) | (10,426,554) | (9,350,092) |
| Administrative Expenses | (178,584) | (219,890) | (209,604) | (145,987) |
| Net Change in Plan Fiduciary Net Position | 25,170,875 | 5,748,909 | 25,200,093 | 24,549,083 |
| Plan Fiduciary Net Position - Beginning | 199,354,359 | 193,605,450 | 168,405,357 | 143,856,274 |
| Plan Fiduciary Net Position - Ending (b) | 224,525,234 | 199,354,359 | 193,605,450 | 168,405,357 |
| Net Pension Liability - Ending (a) - (b) | <u>\$ 79,344,227</u> | <u>\$ 71,363,252</u> | <u>\$ 62,865,824</u> | <u>\$ 73,344,241</u> |
| Plan Fiduciary Net Position as a Percentage of the Total Pension Liability | 73.89% | 73.64% | 75.49% | 69.66% |
| Covered Employee Payroll | \$ 38,839,907 | \$ 43,059,029 | \$ 36,210,403 | \$ 33,074,042 |
| Net Pension Liability as a Percentage of Covered Employee Payroll | 204.29% | 165.73% | 173.61% | 221.76% |

Note to Schedule:

Changes of Assumptions:

For measurement date 9/30/2016, as a result of Chapter 2015-157, Laws of Florida, the assumed rates of mortality were changed to the assumptions used by the Florida Retirement System for special risk employees.

The inflation assumption rate was lowered from 3.00% to 2.00%, matching the long-term inflation assumption utilized by the Plan's investment consultant.

City of Cape Coral, Florida

SCHEDULE OF CONTRIBUTIONS
MUNICIPAL GENERAL EMPLOYEES
 Last 4 Fiscal Years

| | 2016 | 2015 | 2014 | 2013 |
|--------------------------------------|-----------------|-------------------|---------------|---------------|
| Actuarially Determined Contribution | \$ 16,709,229 | \$ 15,890,988 | \$ 14,847,599 | \$ 11,946,344 |
| Contributions in Relation to the | | | | |
| Actuarially Determined Contributions | 16,703,284 | 15,896,933 | 14,847,599 | 11,946,344 |
| Contribution Deficiency (Excess) | <u>\$ 5,945</u> | <u>\$ (5,945)</u> | <u>\$ -</u> | <u>\$ -</u> |
| Covered Employee Payroll | \$ 38,839,907 | \$ 43,059,029 | \$ 36,210,403 | \$ 33,074,042 |
| Contributions as a Percentage of | | | | |
| Covered Employee Payroll | 43.01% | 36.92% | 41.00% | 36.12% |

Notes to Schedule:

Valuation Date: 10/01/14

Actuarially determined contribution rates are calculated as of October 1, two years prior to the end of the fiscal year in which contributions are reported.

Methods and assumptions used to determine contribution rates:

Funding Method: Entry Age Normal Actuarial Cost Method.

The following loads are applied for determination of the Sponsor funding requirement:

Interest - half a year based on the current 7.75% assumption.

Salary - a full year based on the current average assumption of 6.82%.

Amortization Method: Level Percentage of Pay, Closed.

Remaining Amortization Period: 27 years (as of 10/01/2014).

Inflation: 2.00% per year.

Mortality: RP 2000 Combined Healthy (sex distinct), projected to valuation date using scale AA (previously static). Disabled lives are set forward 5 years.

Termination Rates:

| Age | % Terminating During the Year |
|-----|-------------------------------|
| 20 | 13.00% |
| 30 | 10.00% |
| 40 | 6.00% |
| 50 | 5.70% |
| 60 | 0.00% |

Disability Rates:

| Age | % Becoming Disabled During the Year |
|-----|-------------------------------------|
| 20 | 0.05% |
| 30 | 0.06% |
| 40 | 0.12% |
| 50 | 0.43% |
| 60 | 1.61% |

Retirement Age:

| Number of Years after First Eligibility for Normal Retirement | Probability of Retirement |
|--|---------------------------|
| 0 | 10.00% |
| 1 | 10.00% |
| 2 | 10.00% |
| 3 | 10.00% |
| 4 | 10.00% |
| 5 | 100.00% |

Members with 25 or more years of Credited Service are assumed to retire immediately.

Early Retirement:

Commencing upon eligibility for Early Retirement, Members are assumed to retire with an immediate benefit at the rate of 2% per year.

Interest Rate:

7.75% per year, compounded annually, net of investment.

Salary Increases:

| Age | Credit Service | Assumption |
|--------------|--------------------|------------|
| All | less than 20 years | 7.00% |
| Under Age 50 | 20 or more years | 5.80% |
| 50-59 | 20 or more years | 5.30% |
| 60 and Older | 20 or more years | 5.00% |

Payroll Increase:

Up to 5% per year.

Asset Valuation Method:

Each year, the prior Actuarial Value of Assets is brought forward utilizing the historical geometric 4-year average Market Value return. It is possible that over time this technique will produce an insignificant bias above or below Market Value.

SCHEDULE OF INVESTMENT RETURNS
MUNICIPAL GENERAL EMPLOYEES
 Last 4 Fiscal Years

| | 2016 | 2015 | 2014 | 2013 |
|--|-------|--------|--------|--------|
| Annual Money Weighted Rate of Return Net of Investment Expenses | 8.66% | -1.36% | 10.04% | 12.71% |

City of Cape Coral, Florida

SCHEDULE OF CHANGES IN NET PENSION LIABILITY AND RELATED RATIOS
MUNICIPAL POLICE OFFICERS'
 Last 4 Fiscal Years

| | 2016 | 2015 | 2014 | 2013 |
|--|-----------------------|-----------------------|-----------------------|-----------------------|
| Total Pension Liability | | | | |
| Service Cost | \$ 4,597,357 | \$ 4,181,795 | \$ 4,249,385 | \$ 3,943,745 |
| Interest | 11,714,484 | 11,186,338 | 10,547,735 | 9,908,025 |
| Change in Excess State Money | 379,832 | 256,415 | 209,437 | - |
| Differences Between Expected and Actual Experience | 2,017,708 | (2,507,874) | - | - |
| Contributions - Buy Back | 105,656 | - | - | - |
| Changes of Assumptions | 6,709,188 | - | - | - |
| Benefit Payments, Including Refunds of Employee Contributions | (6,370,968) | (6,551,123) | (6,427,849) | (5,378,316) |
| Net Change in Total Pension Liability | 19,153,257 | 6,565,551 | 8,578,708 | 8,473,454 |
| Total Pension Liability - Beginning | 151,016,236 | 144,450,685 | 135,871,977 | 127,398,523 |
| Total Pension Liability - Ending (a) | <u>\$ 170,169,493</u> | <u>\$ 151,016,236</u> | <u>\$ 144,450,685</u> | <u>\$ 135,871,977</u> |
| Plan Fiduciary Net Position | | | | |
| Contributions - Employer | \$ 6,875,656 | \$ 6,995,863 | \$ 6,660,536 | \$ 6,260,750 |
| Contributions - State | 1,256,354 | 1,132,937 | 1,085,959 | 1,002,434 |
| Contributions - Employee | 1,553,768 | 1,454,685 | 1,326,883 | 1,414,151 |
| Contributions - Buy Back | 105,656 | - | - | - |
| Net Investment Income | 10,749,925 | 128,262 | 10,828,135 | 13,788,213 |
| Benefit Payments, Including Refunds of Employee Contributions | (6,370,968) | (6,551,123) | (6,427,849) | (5,378,316) |
| Administrative Expenses | (112,350) | (132,861) | (112,882) | (92,544) |
| Net Change in Plan Fiduciary Net Position | 14,058,041 | 3,027,763 | 13,360,782 | 16,994,688 |
| Plan Fiduciary Net Position - Beginning | 126,153,928 | 123,126,165 | 109,765,383 | 92,770,695 |
| Plan Fiduciary Net Position - Ending (b) | <u>\$ 140,211,969</u> | <u>\$ 126,153,928</u> | <u>\$ 123,126,165</u> | <u>\$ 109,765,383</u> |
| Net Pension Liability - Ending (a) - (b) | <u>\$ 29,957,524</u> | <u>\$ 24,862,308</u> | <u>\$ 21,324,520</u> | <u>\$ 26,106,594</u> |
| Plan Fiduciary Net Position as a Percentage of the Total Pension Liability | 82.40% | 83.54% | 85.24% | 80.79% |
| Covered Employee Payroll | \$ 15,813,229 | \$ 18,006,886 | \$ 12,835,801 | \$ 13,471,634 |
| Net Pension Liability as a Percentage of Covered Employee Payroll | 189.45% | 138.07% | 166.13% | 193.79% |

Note to Schedule:

Changes of Assumptions:

For measurement date 9/30/2016, as a result of Chapter 2015-157, Laws of Florida, the assumed rates of mortality were changed to the assumptions used by the Florida Retirement System for special risk employees.

The inflation assumption rate was lowered from 3.00% to 2.25%, matching the long-term inflation assumption utilized by the Plan's investment consultant.

City of Cape Coral, Florida

**SCHEDULE OF CONTRIBUTIONS
MUNICIPAL POLICE EMPLOYEES**
Last 4 Fiscal Years

| | 2016 | 2015 | 2014 | 2013 |
|--|---------------------|---------------------|---------------|---------------|
| Actuarially Determined Contribution Contributions in Relation to the | \$ 7,433,901 | \$ 7,613,340 | \$ 7,537,058 | \$ 7,137,272 |
| Actuarially Determined Contribution Contribution Deficiency (Excess) | 7,752,178 | 7,872,385 | 7,537,058 | 7,137,272 |
| | <u>\$ (318,277)</u> | <u>\$ (259,045)</u> | <u>\$ -</u> | <u>\$ -</u> |
| Covered Employee Payroll | \$ 15,813,229 | \$ 18,006,886 | \$ 12,835,801 | \$ 13,471,634 |
| Contributions as a Percentage of Covered Employee Payroll | 49.02% | 43.72% | 58.72% | 52.98% |

Notes to Schedule:

Valuation Date: 10/01/14

Actuarially determined contribution rates are calculated as of October 1, two years prior to the end of the fiscal year in which contributions are reported.

Methods and assumptions used to determine contribution rates:

Funding Method: Entry Age Normal Actuarial Cost Method.
The following loads are applied for determination of the Sponsor funding requirement:

Interest - half a year based on the current 7.75% assumption.

Salary - a full year based on the current average assumption of 7.24%.

Amortization Method: Level Percentage of Pay, Closed.

Remaining Amortization Period: 27 years (as of 10/01/2014).

Inflation: 2.25% per year.

Mortality: RP 2000 (combined healthy with no projection). Disabled lives are set forward 5 years. Based on a study of over 650 public safety funds, this table reflects a 10% margin for future mortality improvements

| Normal Retirement: | Number of Years after First Eligible | Retirement Probability |
|--------------------|--------------------------------------|------------------------|
| | 0-4 | 50% |
| | 5 or more | 100% |

Early Retirement: Commencing at eligibility for Early Retirement (Age 40 with 10 years of Credited Service), Members are assumed to retire with an immediate benefit at the rate of 2% per year.

Disability Rates:

| <u>Age</u> | <u>Rates</u> |
|------------|--------------|
| 20 | 0.153% |
| 30 | 0.174% |
| 40 | 0.363% |
| 50 | 1.287% |

It is assumed that 75% of Disability Retirements are service-related.

Asset Smoothing Methodology:

The Actuarial Value of Assets is brought forward using the historical four-year geometric average of Market Value Returns (net-of-fees). Over time, this may result in a deminis bias that is above or below the Market Value of Assets.

Termination Rates:

| <u>Credited Service</u> | <u>Termination Probability</u> |
|-------------------------|------------------------------------|
| 0-1 | 7.5% |
| 2-5 | 4.0% |
| More than 5 years | 3.5% |

Salary Increases:

| <u>Credited Service</u> | <u>Assumption</u> |
|-------------------------|-------------------|
| less than 5 years | 10.0% |
| 5-15 years | 7.0% |
| more than 15 years | 6.0% |

Final Year Salary Load:

| <u>Years of Credited Service as of February 7, 2012</u> | <u>Assumption</u> |
|---|-------------------|
| 0 | No load |
| Less than 10 years | 5.0% |
| 10 or more years | 10.0% |

Interest Rate:

7.75% per year compounded annually, net of investment related expenses.

Payroll Growth Assumption:

5% per year (in 2014, capped at 4.08% per year as limited by historical 10 year payroll growth).

SCHEDULE OF INVESTMENT RETURNS
MUNICIPAL POLICE EMPLOYEES
Last 4 Fiscal Years

| | <u>2016</u> | <u>2015</u> | <u>2014</u> | <u>2013</u> |
|--|-------------|-------------|-------------|-------------|
| Annual Money Weighted Rate of Return Net of Investment Expenses | 8.47% | 0.10% | 9.77% | 14.48% |

City of Cape Coral, Florida

SCHEDULE OF CHANGES IN NET PENSION LIABILITY AND RELATED RATIOS
MUNICIPAL FIREFIGHTERS'
 Last 4 Fiscal Years

| | 2016 | 2015 | 2014 | 2013 |
|--|-----------------------|-----------------------|-----------------------|-----------------------|
| Total Pension Liability | | | | |
| Service Cost | \$ 4,009,132 | \$ 4,102,490 | \$ 3,832,937 | \$ 3,552,305 |
| Interest | 13,798,633 | 12,898,695 | 12,184,828 | 11,567,933 |
| Change in Excess State Money | - | - | (1,825,958) | - |
| Differences Between Expected and Actual Experience | (260,997) | 1,438,736 | - | - |
| Changes of Assumptions | 8,638,016 | - | 2,832,093 | - |
| Contributions - Buy Back | 179,583 | 33,685 | - | - |
| Benefit Payments, Including Refunds of Employee Contributions | (7,159,967) | (6,376,309) | (7,469,627) | (7,714,523) |
| Net Change in Total Pension Liability | 19,204,400 | 12,097,297 | 9,554,273 | 7,405,715 |
| Total Pension Liability - Beginning | 177,617,730 | 165,520,433 | 155,966,160 | 148,560,445 |
| Total Pension Liability - Ending (a) | <u>\$ 196,822,130</u> | <u>\$ 177,617,730</u> | <u>\$ 165,520,433</u> | <u>\$ 155,966,160</u> |
| Plan Fiduciary Net Position | | | | |
| Contributions - Employer | \$ 8,424,472 | \$ 7,706,894 | \$ 6,047,404 | \$ 7,365,990 |
| Contributions - State | 1,449,699 | 1,306,968 | 1,521,432 | 1,529,756 |
| Contributions - Employee | 1,292,651 | 1,338,752 | 1,315,620 | 1,241,892 |
| Contributions - Buy Back | 179,583 | 33,685 | - | - |
| Net Investment Income | 13,139,913 | (460,924) | 10,951,006 | 14,442,471 |
| Benefit Payments, Including Refunds of Employee Contributions | (7,159,967) | (6,376,309) | (7,469,627) | (7,714,523) |
| Administrative Expenses | (152,949) | (164,111) | (103,859) | (84,490) |
| Net Change in Plan Fiduciary Net Position | 17,173,402 | 3,384,955 | 12,261,976 | 16,781,096 |
| Plan Fiduciary Net Position - Beginning | 130,930,119 | 127,545,164 | 115,283,188 | 98,502,092 |
| Plan Fiduciary Net Position - Ending (b) | <u>\$ 148,103,521</u> | <u>\$ 130,930,119</u> | <u>\$ 127,545,164</u> | <u>\$ 115,283,188</u> |
| Net Pension Liability - Ending (a) - (b) | <u>\$ 48,718,609</u> | <u>\$ 46,687,611</u> | <u>\$ 37,975,269</u> | <u>\$ 40,682,972</u> |
| Plan Fiduciary Net Position as a Percentage of the Total Pension Liability | 75.25% | 73.71% | 77.06% | 73.92% |
| Covered Employee Payroll | \$ 13,056,409 | \$ 14,588,691 | \$ 12,722,509 | \$ 12,097,174 |
| Net Pension Liability as a Percentage of Covered Employee Payroll | 373.14% | 320.03% | 298.49% | 336.30% |

Notes to Schedule:

Changes in Excess State Money:

The Excess State Monies Reserve as of September 30, 2013 will be available to the City to offset the Fiscal 2014 contributions.

• For valuation dates on and after October 1, 2013 and until such time that the Retirement Plan reaches 80% funded (based on the ratio of the Actuarial Value of Assets to Actuarial Accrued Liability) all future State Monies in excess of the current \$1,314,942 frozen amount will be split as follows:

50% will be available to defray the City's contribution requirement

50% will go towards accelerating the pay down of the Unfunded Actuarial Accrued Liability (UAAL)

Changes of Assumptions:

For measurement date 9/30/2016, as a result of Chapter 2015-157, Laws of Florida, the assumed rates of mortality were changed to the assumptions used by the Florida Retirement System for special risk employees.

The inflation assumption rate was lowered from 3.00% to 2.25%, matching the long-term inflation assumption utilized by the Plan's investment consultant.

The investment rate of return was lowered from 7.75% to 7.70% per year compounded annually, net of investment related expenses.

City of Cape Coral, Florida

**SCHEDULE OF CONTRIBUTIONS
MUNICIPAL FIRE EMPLOYEES**
Last 4 Fiscal Years

| | 2016 | 2015 | 2014 | 2013 |
|--|---------------------|---------------|--------------------|---------------|
| Actuarially Determined Contribution Contributions in Relation to the Actuarially Determined Contribution | \$ 9,655,384 | \$ 9,013,862 | \$ 9,104,319 | \$ 8,680,932 |
| Contribution Deficiency (Excess) | 9,806,793 | 9,013,862 | 9,188,304 | 8,680,932 |
| | <u>\$ (151,409)</u> | <u>\$ -</u> | <u>\$ (83,985)</u> | <u>\$ -</u> |
| Covered Employee Payroll | \$ 13,056,409 | \$ 14,588,691 | \$ 12,722,509 | \$ 12,097,174 |
| Contributions as a Percentage of Covered Employee Payroll | 75.11% | 61.79% | 72.22% | 71.76% |

Notes to Schedule:

Valuation Date: 10/01/14

Actuarially determined contribution rates are calculated as of October 1, two years prior to the end of the fiscal year in which contributions are reported.

Methods and assumptions used to determine contribution rates:

Funding Method: Entry Age Normal Actuarial Cost Method.

The following loads are applied for determination of the Sponsor funding requirement:

Interest - half a year based on the 7.75% assumption.

Salary - a full year, based on the current 7.50% assumption.

Amortization Method: Level Percentage of Pay, Closed.

Remaining Amortization Period: 28 years (as of 10/01/2014).

Mortality: RP 2000 (combined healthy with no projection). Based on a study of over 650 public safety funds, this table reflects a 10% margin for future mortality improvements. Disabled lives set forward 5 years.

Interest Rate: 7.75% per year, compounded annually, net of investment related expenses.

Inflation: 2.25% per year.

Retirement Age: Earlier of Age 50 or the completion of 25 years of service. Also, any Member who has reached Normal Retirement is assumed to continue employment for one additional year.

Early Retirement: Commencing at eligibility for Early Retirement (age 40 with 10 years of service), Members are assumed to retire with an immediate benefit at the rate of 2% per year.

| | | |
|------------------------------|--|------------|
| Disability Rates: | See table on this page. It is assumed that 75% of Disability Retirements are service-related. | |
| Termination Rates: | See table on this page. | |
| Benefit Cap Index: | 1.0% assumption each year beginning in 2018. | |
| Asset Smoothing Methodology: | The Actuarial Value of Assets is brought forward using the historical four-year geometric average of Market Value Returns (net-of-fees). Over time, this may result in an insignificant bias that is above or below the Market Vale of Assets. | |
| Salary Increases: | 7.5% per year. | |
| Final Year Salary Load: | Years of Credited Service as of February 7, 2012 | Assumption |
| | 0 | No load |
| | Less than 10 years | 5% |
| | 10 or more years | 10% |
| Payroll Growth: | 5.0% per year (limited to 4.41% in 2014). | |

Termination and Disability Rate Table:

| Age | % Terminating During the Year | % Becoming Disabled During the Year |
|-----|-------------------------------|-------------------------------------|
| 20 | 6.00% | 0.051% |
| 30 | 5.00% | 0.058% |
| 40 | 2.60% | 0.121% |
| 50 | 0.80% | 0.429% |

SCHEDULE OF INVESTMENT RETURNS
MUNICIPAL FIRE EMPLOYEES
Last 4 Fiscal Years

| | 2016 | 2015 | 2014 | 2013 |
|---|-------|--------|-------|--------|
| Annual Money Weighted Rate of Return Net of Investment Expenses | 9.99% | -0.36% | 9.48% | 14.44% |

Other Post Employment Benefits (OPEB)

Schedule of Funding Progress

| <u>Actuarial valuation date¹</u> | <u>Actuarial value of plan assets (a)</u> | <u>Actuarial accrued liability (AAL) -entry age (b)</u> | <u>Unfunded AAL (UAAL) (b-a)</u> | <u>Funded ratio (a/b)</u> | <u>Covered payroll (c)</u> | <u>UAAL as a % of covered payroll ((b-a)/c)</u> |
|---|---|---|--|-----------------------------------|--------------------------------|---|
| 10/1/2015 | - | \$ 255,488,318 | \$ 255,488,318 | 0.00% | \$ 71,526,048 | 357.20% |
| 10/1/2013 | - | 248,564,599 | 248,564,599 | 0.00% | 57,450,819 | 432.66% |
| 10/1/2011 | - | 219,620,192 | 219,620,192 | 0.00% | 58,315,070 | 376.61% |

¹ As stated in GASB 45, *Accounting and Financial Reporting by Employers for Post Employment Benefits Other than Pensions*, OPEB plans with a total membership of 200 or more must have actuarial valuations at least biennially.

The Unfunded AAL, as calculated pursuant to the Individual Entry Age Actuarial Cost Method, is amortized as a level percent of payroll over a 28 year period. This amortization period is closed. The assumed rate of payroll growth is 4%. GASB Statement No. 45 requires that any such payroll growth assumption be based upon no increase in the number of active employees covered by the plan.

Schedule of Contributions from Employer

| <u>Year Ended September 30,</u> | <u>Annual OPEB cost</u> | <u>Amount contributed</u> | <u>Percentage annual OPEB cost</u> | <u>Net OPEB obligation</u> |
|-------------------------------------|-----------------------------|-------------------------------|--|--------------------------------|
| 2016 | \$ 20,870,175 | \$ 6,757,912 | 32.38% | \$ 149,071,734 |
| 2015 | 19,729,414 | 6,560,628 | 33.25% | 134,959,471 |
| 2014 | 19,584,030 | 6,087,156 | 31.08% | 121,790,685 |

Combining Statements & Schedules

NONMAJOR GOVERNMENTAL FUNDS

SPECIAL REVENUE FUNDS

Special revenue funds are used to account for specific revenues that are legally restricted to expenditures for particular purposes.

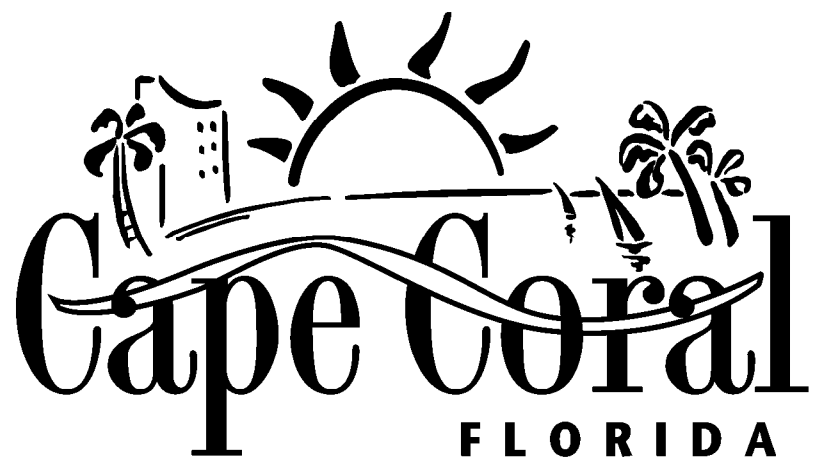
- Gas Tax Fund – used to account for the Local Option (6¢) and New Local Option (5¢) Taxes which are used for construction of new roads, reconstruction or resurfacing of existing paved roads, and related items.
- Road Impact Fee Fund – used to account for the impact fees that are used to provide new roads.
- Public Safety Impact Fee Fund – used to account for Police Protection, Advanced Life Support, and Fire & Rescue impact fees which are used for the purchase of capital improvements consisting of land, buildings, vehicles, and equipment for police protection services, advanced life support program and fire public safety facilities.
- Do The Right Thing – this program is sponsored by the Police Department and rewards the youth population in the community for “doing the right thing”. This fund was established to account for the program donations that are used to offset the operating expenses of the program to include prizes and rewards for the program recipients.
- Police Confiscation-Federal Fund – used to account for monies received from federal confiscation cases and used to purchase equipment for the Police Department.
- Police Confiscation-State Fund – used to account for monies received from the sale of confiscated items in nonfederal cases and used to purchase equipment for the Police Department. This also includes the Police Evidence Fund.
- Criminal Justice Education Fund – used to account for monies received from the assessment of mandatory court costs and used for criminal justice education and training.
- Seawalls Fund – used to account for the collection of special assessments after the construction of seawalls.
- Park Recreational Facilities Impact Fee Fund – used to account for impact fees which are used to provide recreational park facilities.
- City Centrum Business Park Fund – is used to account for monies collected from agencies that occupy the facilities.
- All Hazards Fund – used to account for monies collected by Lee County in the All Hazards Protection District for the funding of shelters, emergency preparedness, and hazardous material response programs.
- Alarm Fee Fund – is used to account for fees and fines collected by the City in connection with initial installation and false alarms thereafter.
- Del Prado Mall Parking Lot Fund – is used to account for collection of special assessments for the Del Prado Mall parking lot.
- Lot Mowing Fund – is used to account for the mowing of vacant unimproved property.
- Parks and Recreation Fund – is used to account for the recreational programs for individuals of various ages, skill levels, interests, social needs, and economic capabilities, that collectively enhance the overall quality of life within the City.
- Waterpark Fund –used to account for the operations of the City's Sun Splash Family Water Park and Aquatic Facility.

- Building Fund – used to account for the activities of the building and permitting services of the Department of Community Development as related to the construction of buildings and related structures within the City of Cape Coral.
- Community Development Block Grant (CDBG) Fund – used to account for monies received from the U.S. Department of Housing and Urban Development for community development.
- HUD Neighborhood Stabilization Fund – used to account for monies received from the U.S. Department of Housing and Urban Development to provide targeted emergency assistance to the City to acquire and redevelop foreclosed properties that might otherwise become sources of abandonment and blight within the community.
- Local Housing Assistance (S.H.I.P.) Fund – used to account for monies received from the State Housing Initiatives Partnership Program to provide assistance to low and moderate income families for the purpose of obtaining affordable housing in the City.
- Residential Construction Mitigation Program Fund – used to account for monies received from the Florida Division of Emergency Management Residential Construction Mitigation Program (RCMP) to improve the wind resistance of residences.

CAPITAL PROJECTS FUNDS

Capital projects funds are used to account for the acquisition and construction of major capital facilities other than those financed by proprietary funds and trust funds.

- Hurricane Charley Disaster Improvement Fund – used to account for the clean-up from Hurricane Charley.
- Parks Capital Improvements Fund - used to account for the improvements at various parks.
- Other Capital Improvements Fund - used to account for the following projects:
 - Fire Station Construction – used to account for the design and construction of fire stations.
 - Public Works Capital Improvements Fund – used to account for the various capital improvements including the sign/stripping building replacement, project planning, and enhancements to the Chiquita boat lock and Ceitus boat lift.
 - Academic Village – used to account for the improvement of the academic village.
 - Computer System – used to account for enhancements and upgrades to various computer systems.



COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS (continued)
September 30, 2016

| | Special Revenue | | | | | |
|--|----------------------|-----------------------|--------------------------------|--------------------------|-----------------------------------|---------------------------------|
| | Gas Tax | Road Impact Fee | Public Safety Impact Fee | Do the Right Thing | Police Confiscation Federal | Police Confiscation State |
| ASSETS | | | | | | |
| Cash and investments | \$ 11,272,299 | \$ 176,248 | \$ 2,970,976 | \$ 17,342 | \$ 551,844 | \$ 306,766 |
| Interest receivable | 14,670 | 826 | 3,903 | 23 | 719 | 400 |
| Accounts receivable, net | - | 23 | - | 105 | 52 | - |
| Assessments receivable, net | - | - | - | - | - | - |
| Intergovernmental receivable | 1,331,017 | - | - | - | - | - |
| Inventories | - | - | - | - | - | - |
| Prepaid items | - | - | - | - | - | - |
| Total assets | <u>12,617,986</u> | <u>177,097</u> | <u>2,974,879</u> | <u>17,470</u> | <u>552,615</u> | <u>307,166</u> |
| LIABILITIES | | | | | | |
| Accounts payable and other accrued liabilities | - | 35 | - | - | - | 47,188 |
| Accrued payroll | - | - | - | - | - | - |
| Due to other funds | - | - | - | - | - | - |
| Deposits | - | - | - | - | - | - |
| Intergovernmental payables | - | - | - | - | - | 31,614 |
| Unearned revenue | - | - | - | - | - | - |
| Advances from other funds | - | - | - | - | - | - |
| Total liabilities | <u>-</u> | <u>35</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>78,802</u> |
| DEFERRED INFLOW OF RESOURCES | | | | | | |
| Unavailable revenue - grant reimbursements | - | - | - | - | - | - |
| Unavailable revenue - taxes | - | - | - | - | - | - |
| Total Deferred Inflow of Resources | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> |
| FUND BALANCES | | | | | | |
| Nonspendable | - | - | - | - | - | - |
| Restricted | 12,617,986 | 177,062 | 2,974,879 | 17,470 | 552,615 | 228,364 |
| Committed | - | - | - | - | - | - |
| Unassigned | - | - | - | - | - | - |
| Total fund balances (deficit) | <u>12,617,986</u> | <u>177,062</u> | <u>2,974,879</u> | <u>17,470</u> | <u>552,615</u> | <u>228,364</u> |
| Total liabilities and fund balances | <u>\$ 12,617,986</u> | <u>\$ 177,097</u> | <u>\$ 2,974,879</u> | <u>\$ 17,470</u> | <u>\$ 552,615</u> | <u>\$ 307,166</u> |

| Special Revenue | | | | | | | |
|----------------------------------|------------|---|----------------------------------|----------------|--------------|----------------------------------|---------------|
| Criminal Justice Education | Seawalls | Park Recreational Facilities Impact Fee | City Centrum Business Park | All Hazards | Alarm Fee | Del Prado Mall Parking Lot | Lot Mowing |
| \$ 13,694 | \$ 227,926 | \$ 1,569,728 | \$ 381 | \$ 1,136,446 | \$ 6,362 | \$ 68,451 | \$ 2,717,542 |
| 18 | 297 | 2,038 | - | 1,480 | 9 | 89 | 4,403 |
| 26 | - | - | - | - | 19,641 | - | 182 |
| - | - | - | - | - | - | - | 166 |
| 1,231 | 16 | - | - | 838 | - | 25 | 27,375 |
| - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - |
| 14,969 | 228,239 | 1,571,766 | 381 | 1,138,764 | 26,012 | 68,565 | 2,749,668 |
| - | - | - | 1,645 | 9,202 | - | 845 | 391,790 |
| - | - | - | - | 6,834 | 1,256 | - | 6,585 |
| - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | 931,875 |
| - | - | - | - | - | - | 95,012 | - |
| - | - | - | 1,645 | 16,036 | 1,256 | 95,857 | 1,330,250 |
| - | - | - | - | - | - | - | - |
| - | - | - | - | 838 | - | - | - |
| - | - | - | - | 838 | - | - | - |
| - | - | - | - | - | - | - | - |
| 14,969 | 228,239 | 1,571,766 | - | 1,121,890 | - | - | - |
| - | - | - | - | - | 24,756 | - | 1,419,418 |
| - | - | - | (1,264) | - | - | (27,292) | - |
| 14,969 | 228,239 | 1,571,766 | (1,264) | 1,121,890 | 24,756 | (27,292) | 1,419,418 |
| \$ 14,969 | \$ 228,239 | \$ 1,571,766 | \$ 381 | \$ 1,138,764 | \$ 26,012 | \$ 68,565 | \$ 2,749,668 |

COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS (continued)
September 30, 2016

| | Special Revenue | | | | | |
|--|----------------------------|-------------------|---------------------|---|--------------------------------------|--------------------------------|
| | Parks and Recreation | Waterpark | Building | Community Development Block Grant | HUD Neighborhood Stabilization | Local Housing Assistance |
| ASSETS | | | | | | |
| Cash and investments | \$ 447,779 | \$ 210,561 | \$ 5,877,222 | \$ 11,387 | \$ 494,305 | \$ 1,140,296 |
| Interest receivable | 551 | 323 | 7,658 | - | 8 | 19 |
| Accounts receivable, net | 24,687 | 1,444 | 216 | 6,800 | - | - |
| Assessments receivable, net | - | - | - | - | - | - |
| Intergovernmental receivable | 47,337 | - | - | 58,264 | - | 1,052,741 |
| Inventories | 60,321 | 26,786 | - | - | - | - |
| Prepaid items | 286 | - | 299 | - | - | - |
| Total assets | <u>580,961</u> | <u>239,114</u> | <u>5,885,395</u> | <u>76,451</u> | <u>494,313</u> | <u>2,193,056</u> |
| LIABILITIES | | | | | | |
| Accounts payable and other accrued liabilities | 86,039 | 68,404 | 5,685 | 45,919 | 27,382 | 31,040 |
| Accrued payroll | 131,928 | 21,295 | 103,946 | 6,595 | - | - |
| Due to other funds | - | - | - | - | - | - |
| Deposits | 47,242 | 1,000 | 242,951 | - | - | - |
| Intergovernmental payables | 36,378 | - | 45,381 | - | - | - |
| Unearned revenue | 39,106 | - | 1,023,114 | - | - | - |
| Advances from other funds | - | - | - | - | - | - |
| Total liabilities | <u>340,693</u> | <u>90,699</u> | <u>1,421,077</u> | <u>52,514</u> | <u>27,382</u> | <u>31,040</u> |
| DEFERRED INFLOW OF RESOURCES | | | | | | |
| Unavailable revenue - grant reimbursements | - | - | - | - | - | 965,206 |
| Unavailable revenue - taxes | - | - | - | - | - | - |
| Total Deferred Inflow of Resources | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>-</u> | <u>965,206</u> |
| FUND BALANCES | | | | | | |
| Nonspendable | 60,607 | 26,786 | 299 | - | - | - |
| Restricted | - | - | 4,464,019 | 23,937 | 466,931 | 1,196,810 |
| Committed | 179,661 | 121,629 | - | - | - | - |
| Unassigned | - | - | - | - | - | - |
| Total fund balances (deficit) | <u>240,268</u> | <u>148,415</u> | <u>4,464,318</u> | <u>23,937</u> | <u>466,931</u> | <u>1,196,810</u> |
| Total liabilities and fund balances | <u>\$ 580,961</u> | <u>\$ 239,114</u> | <u>\$ 5,885,395</u> | <u>\$ 76,451</u> | <u>\$ 494,313</u> | <u>\$ 2,193,056</u> |

| Residential Construction Mitigation Program | Capital Projects | | | Total Nonmajor Governmental Funds |
|---|--|----------------------------------|----------------------------------|--|
| | Hurricane Charley Disaster Improvement | Parks Capital Improvements | Other Capital Improvements | |
| \$ - | \$ 112,942 | \$ 1,939,215 | \$ 3,321,083 | \$ 34,590,795 |
| - | 147 | 2,706 | 4,162 | 44,449 |
| - | - | - | - | 53,176 |
| - | - | - | - | 166 |
| 128,233 | - | - | 87,907 | 2,734,984 |
| - | - | - | - | 87,107 |
| - | - | - | - | 585 |
| 128,233 | 113,089 | 1,941,921 | 3,413,152 | 37,511,262 |
| 2,590 | - | - | - | 717,764 |
| - | - | - | - | 278,439 |
| 126,244 | - | - | - | 126,244 |
| - | - | - | - | 291,193 |
| - | - | - | - | 113,373 |
| - | - | - | - | 1,994,095 |
| - | - | - | - | 95,012 |
| 128,834 | - | - | - | 3,616,120 |
| 128,233 | - | - | - | 1,093,439 |
| - | - | - | - | 838 |
| 128,233 | - | - | - | 1,094,277 |
| - | - | - | - | 87,692 |
| - | - | 1,800,356 | 87,907 | 27,545,200 |
| - | 113,089 | 141,565 | 3,325,245 | 5,325,363 |
| (128,834) | - | - | - | (157,390) |
| (128,834) | 113,089 | 1,941,921 | 3,413,152 | 32,800,865 |
| \$ 128,233 | \$ 113,089 | \$ 1,941,921 | \$ 3,413,152 | \$ 37,511,262 |

COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
NONMAJOR GOVERNMENTAL FUNDS (continued)
For the Year Ended September 30, 2016

| | Special Revenue | | | | | |
|--|----------------------|-----------------------|--------------------------------|--------------------------|-----------------------------------|---------------------------------|
| | Gas Tax | Road Impact Fee | Public Safety Impact Fee | Do the Right Thing | Police Confiscation Federal | Police Confiscation State |
| REVENUES | | | | | | |
| Taxes | | | | | | |
| Property | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Fuel | 8,798,909 | - | - | - | - | - |
| Special assessments | - | - | - | - | - | - |
| Licenses and permits | - | - | - | - | - | - |
| Intergovernmental | - | 758,813 | - | - | - | - |
| Charges for services | - | - | - | - | - | - |
| Fines and forfeitures | - | - | - | - | - | 64,453 |
| Impact fees | - | 5,193,939 | 1,757,514 | - | - | - |
| Rent and royalties | - | 7,016 | - | - | - | - |
| Interest income | 69,789 | 2,065 | 18,243 | 116 | 3,597 | 1,968 |
| Contributions and donations | - | - | - | 17,755 | - | - |
| Other revenue | - | - | - | 105 | 324,244 | - |
| Total revenues | <u>8,868,698</u> | <u>5,961,833</u> | <u>1,775,757</u> | <u>17,976</u> | <u>327,841</u> | <u>66,421</u> |
| EXPENDITURES | | | | | | |
| Current: | | | | | | |
| General government | - | - | - | - | - | - |
| Public safety: | | | | | | |
| Police | - | - | 5,940 | 13,770 | 269,529 | 11,206 |
| Fire | - | - | 7,320 | - | - | - |
| Building | - | - | - | - | - | - |
| Public works | - | 30,435 | - | - | - | - |
| Parks and recreation | - | - | - | - | - | - |
| Community development | - | - | - | - | - | - |
| Capital outlay | - | - | - | - | - | - |
| Debt service: | | | | | | |
| Interest and fiscal charges | - | - | - | - | - | - |
| Total expenditures | <u>-</u> | <u>30,435</u> | <u>13,260</u> | <u>13,770</u> | <u>269,529</u> | <u>11,206</u> |
| Excess revenues over (under) expenditures | <u>8,868,698</u> | <u>5,931,398</u> | <u>1,762,497</u> | <u>4,206</u> | <u>58,312</u> | <u>55,215</u> |
| OTHER FINANCING SOURCES (USES) | | | | | | |
| Transfers in | - | 1,604 | - | 250 | - | - |
| Transfers out | (2,661,786) | (5,806,633) | (339,865) | - | - | (1,251) |
| Proceeds on sale of capital assets | - | - | - | - | - | - |
| Total other financing sources (uses) | <u>(2,661,786)</u> | <u>(5,805,029)</u> | <u>(339,865)</u> | <u>250</u> | <u>-</u> | <u>(1,251)</u> |
| Net change in fund balances | 6,206,912 | 126,369 | 1,422,632 | 4,456 | 58,312 | 53,964 |
| Fund balances (deficit) - beginning | 6,411,074 | 50,693 | 1,552,247 | 13,014 | 494,303 | 174,400 |
| Fund balances (deficit) - ending | <u>\$ 12,617,986</u> | <u>\$ 177,062</u> | <u>\$ 2,974,879</u> | <u>\$ 17,470</u> | <u>\$ 552,615</u> | <u>\$ 228,364</u> |

| Special Revenue | | | | | | | |
|----------------------------------|------------|---|----------------------------------|----------------|--------------|----------------------------------|---------------|
| Criminal Justice Education | Seawalls | Park Recreational Facilities Impact Fee | City Centrum Business Park | All Hazards | Alarm Fee | Del Prado Mall Parking Lot | Lot Mowing |
| \$ - | \$ - | \$ - | \$ - | \$ 682,968 | \$ - | \$ - | \$ - |
| - | - | - | - | - | - | - | - |
| - | 31,668 | - | - | - | - | 91,072 | - |
| - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - |
| - | - | - | - | - | 92,767 | - | 2,762,054 |
| 16,903 | 206 | - | - | - | - | 223 | 22,562 |
| - | - | 1,559,473 | - | - | - | - | - |
| - | - | - | - | - | - | - | - |
| 74 | 2,688 | 9,307 | 18 | 7,728 | 66 | 8,963 | 23,950 |
| - | - | - | - | - | - | - | - |
| 26 | 12 | - | 220 | - | 64 | 175 | 27,038 |
| 17,003 | 34,574 | 1,568,780 | 238 | 690,696 | 92,897 | 100,433 | 2,835,604 |
| - | 1 | - | 66,605 | - | - | - | - |
| 16,063 | - | - | - | - | 99,676 | - | - |
| - | - | - | - | 444,585 | - | - | - |
| - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | 17,640 | 2,582,867 |
| - | - | 11,106 | - | - | - | - | - |
| - | - | - | - | - | - | - | - |
| - | - | - | - | - | - | - | - |
| - | 900 | - | - | - | - | 8,288 | - |
| 16,063 | 901 | 11,106 | 66,605 | 444,585 | 99,676 | 25,928 | 2,582,867 |
| 940 | 33,673 | 1,557,674 | (66,367) | 246,111 | (6,779) | 74,505 | 252,737 |
| - | - | 4,070 | 1,000 | - | - | - | - |
| - | - | - | - | (160,000) | (7,500) | - | - |
| - | - | - | - | - | - | - | - |
| - | - | 4,070 | 1,000 | (160,000) | (7,500) | - | - |
| 940 | 33,673 | 1,561,744 | (65,367) | 86,111 | (14,279) | 74,505 | 252,737 |
| 14,029 | 194,566 | 10,022 | 64,103 | 1,035,779 | 39,035 | (101,797) | 1,166,681 |
| \$ 14,969 | \$ 228,239 | \$ 1,571,766 | \$ (1,264) | \$ 1,121,890 | \$ 24,756 | \$ (27,292) | \$ 1,419,418 |

COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES
NONMAJOR GOVERNMENTAL FUNDS (continued)
For the Year Ended September 30, 2016

| | Special Revenue | | | | | |
|--|-------------------------------------|-------------------|---------------------|--|---|---|
| | Parks and Recreation | Waterpark | Building | Community Development Block Grant | HUD Neighborhood Stabilization | Local Housing Assistance |
| REVENUES | | | | | | |
| Taxes | | | | | | |
| Property | \$ - | \$ - | \$ - | \$ - | \$ - | \$ - |
| Fuel | - | - | - | - | - | - |
| Special assessments | - | - | - | - | - | - |
| Licenses and permits | - | - | 6,388,718 | - | - | - |
| Intergovernmental | 462,528 | - | - | 671,784 | - | 744,541 |
| Charges for services | 3,292,022 | 1,832,539 | - | - | - | - |
| Fines and forfeitures | 11,447 | - | 21,101 | - | - | - |
| Impact fees | - | - | - | - | - | - |
| Rent and royalties | - | - | - | - | - | - |
| Interest income | (404) | 10 | 36,198 | 121 | 879 | 2,850 |
| Contributions and donations | 175,142 | - | - | - | - | - |
| Other revenue | 39,718 | 11,656 | 1,296 | 171,838 | 563,562 | 147,091 |
| Total revenues | <u>3,980,453</u> | <u>1,844,205</u> | <u>6,447,313</u> | <u>843,743</u> | <u>564,441</u> | <u>894,482</u> |
| EXPENDITURES | | | | | | |
| Current: | | | | | | |
| General government | - | - | - | - | - | - |
| Public safety: | | | | | | |
| Police | - | - | - | - | - | - |
| Fire | - | - | - | - | - | - |
| Building | - | - | 3,405,018 | - | - | - |
| Public works | - | - | - | - | - | - |
| Parks and recreation | 7,499,736 | 1,932,263 | - | - | - | - |
| Community development | - | - | - | 933,226 | 451,342 | 864,539 |
| Capital outlay | 311,380 | 394,797 | - | 10,132 | - | - |
| Debt service: | | | | | | |
| Interest and fiscal charges | - | - | - | - | - | - |
| Total expenditures | <u>7,811,116</u> | <u>2,327,060</u> | <u>3,405,018</u> | <u>943,358</u> | <u>451,342</u> | <u>864,539</u> |
| Excess revenues over (under) expenditures | <u>(3,830,663)</u> | <u>(482,855)</u> | <u>3,042,295</u> | <u>(99,615)</u> | <u>113,099</u> | <u>29,943</u> |
| OTHER FINANCING SOURCES (USES) | | | | | | |
| Transfers in | 3,340,000 | 350,000 | - | 24,073 | - | - |
| Transfers out | - | (492,706) | (742,670) | (4,637) | (9,274) | (4,637) |
| Proceeds on sale of capital assets | 4,110 | - | 2,000 | - | - | - |
| Total other financing sources (uses) | <u>3,344,110</u> | <u>(142,706)</u> | <u>(740,670)</u> | <u>19,436</u> | <u>(9,274)</u> | <u>(4,637)</u> |
| Net change in fund balances | <u>(486,553)</u> | <u>(625,561)</u> | <u>2,301,625</u> | <u>(80,179)</u> | <u>103,825</u> | <u>25,306</u> |
| Fund balances (deficit) - beginning | 726,821 | 773,976 | 2,162,693 | 104,116 | 363,106 | 1,171,504 |
| Fund balances (deficit) - ending | <u>\$ 240,268</u> | <u>\$ 148,415</u> | <u>\$ 4,464,318</u> | <u>\$ 23,937</u> | <u>\$ 466,931</u> | <u>\$ 1,196,810</u> |

| Residential Construction Mitigation Program | Capital Projects | | | Total Nonmajor Governmental Funds |
|---|--|----------------------------------|----------------------------------|--|
| | Hurricane Charley Disaster Improvement | Parks Capital Improvements | Other Capital Improvements | |
| \$ - | \$ - | \$ - | \$ - | \$ 682,968 |
| - | - | - | - | 8,798,909 |
| - | - | - | - | 122,740 |
| - | - | - | - | 6,388,718 |
| 235,144 | 109,535 | - | 87,907 | 3,070,252 |
| - | - | - | - | 7,979,382 |
| - | - | - | - | 136,895 |
| - | - | - | - | 8,510,926 |
| - | - | - | - | 7,016 |
| - | 396 | 13,114 | 19,187 | 220,923 |
| - | - | - | - | 192,897 |
| - | - | - | - | 1,287,045 |
| <u>235,144</u> | <u>109,931</u> | <u>13,114</u> | <u>107,094</u> | <u>37,398,671</u> |
| - | - | - | 697 | 67,303 |
| - | - | - | - | 416,184 |
| - | - | - | - | 451,905 |
| - | - | - | - | 3,405,018 |
| - | - | - | - | 2,630,942 |
| - | - | 501 | - | 9,443,606 |
| 357,329 | - | - | - | 2,606,436 |
| - | - | 212,020 | 354,271 | 1,282,600 |
| - | - | - | - | 9,188 |
| <u>357,329</u> | <u>-</u> | <u>212,521</u> | <u>354,968</u> | <u>20,313,182</u> |
| <u>(122,185)</u> | <u>109,931</u> | <u>(199,407)</u> | <u>(247,874)</u> | <u>17,085,489</u> |
| - | - | - | 956,569 | 4,677,566 |
| - | - | - | - | (10,230,959) |
| - | - | - | - | 6,110 |
| - | - | - | 956,569 | (5,547,283) |
| (122,185) | 109,931 | (199,407) | 708,695 | 11,538,206 |
| (6,649) | 3,158 | 2,141,328 | 2,704,457 | 21,262,659 |
| <u>\$ (128,834)</u> | <u>\$ 113,089</u> | <u>\$ 1,941,921</u> | <u>\$ 3,413,152</u> | <u>\$ 32,800,865</u> |

City of Cape Coral, Florida

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
GAS TAX SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|---------------------------------------|-------------------------|---------------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Fuel taxes | \$ 8,281,471 | \$ 8,281,471 | \$ 8,798,909 | \$ 517,438 |
| Interest income | - | - | 69,789 | 69,789 |
| Prior year cash balance | 2,017,807 | 2,731,266 | - | (2,731,266) |
| Total revenues | <u>10,299,278</u> | <u>11,012,737</u> | <u>8,868,698</u> | <u>(2,144,039)</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers in | | | | |
| Transfers out | (7,075,599) | (2,879,183) | (2,661,786) | 217,397 |
| Reserves | (3,223,679) | (8,133,554) | - | 8,133,554 |
| Total other financing sources (uses) | <u>(10,299,278)</u> | <u>(11,012,737)</u> | <u>(2,661,786)</u> | <u>8,350,951</u> |
| Net change in fund balances | <u>\$ -</u> | <u>\$ -</u> | 6,206,912 | <u>\$ 6,206,912</u> |
| Fund balances - beginning | | | 6,411,074 | |
| Fund balances - ending | | | <u>\$ 12,617,986</u> | |

There are no differences between Budgetary Revenues, Expenditures and Other Financing Sources (Uses) and GAAP Revenues, Expenditures and Other Financing Sources (Uses)

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
ROAD IMPACT FEE SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|---|-------------------------|--------------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Intergovernmental | \$ 743,343 | \$ 743,343 | \$ 758,813 | \$ 15,470 |
| Impact fees | 1,641,875 | 5,193,935 | 5,193,939 | 4 |
| Rent and royalties | 7,404 | 7,404 | 7,016 | (388) |
| Interest income | - | - | 2,065 | 2,065 |
| Prior year cash balance | 50,000 | 50,058 | - | (50,058) |
| Total revenues | <u>2,442,622</u> | <u>5,994,740</u> | <u>5,961,833</u> | <u>(32,907)</u> |
| EXPENDITURES | | | | |
| Public works | - | - | 30,435 | (30,435) |
| Excess deficiency) of revenues over (under) expenditures | <u>2,442,622</u> | <u>5,994,740</u> | <u>5,931,398</u> | <u>(63,342)</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers in | - | - | 1,604 | 1,604 |
| Transfers out | (2,392,622) | (5,346,679) | (5,806,633) | (459,954) |
| Reserves | (50,000) | (648,061) | - | 648,061 |
| Total other financing sources (uses) | <u>(2,442,622)</u> | <u>(5,994,740)</u> | <u>(5,805,029)</u> | <u>189,711</u> |
| Net change in fund balances | <u>\$ -</u> | <u>\$ -</u> | 126,369 | <u>\$ 126,369</u> |
| Fund balances - beginning | | | <u>50,693</u> | |
| Fund balances - ending | | | <u>\$ 177,062</u> | |

There are no differences between Budgetary Revenues, Expenditures and Other Financing Sources (Uses) and GAAP Revenues, Expenditures and Other Financing Sources (Uses)

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
PUBLIC SAFETY IMPACT FEE SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|---|-------------------------|--------------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Impact fees | \$ 894,206 | \$ 894,206 | \$ 1,757,514 | \$ 863,308 |
| Interest income | 1,428 | 1,428 | 18,243 | 16,815 |
| Prior year cash balance | 1,233,862 | 1,376,334 | - | (1,376,334) |
| Total revenues | <u>2,129,496</u> | <u>2,271,968</u> | <u>1,775,757</u> | <u>(496,211)</u> |
| EXPENDITURES | | | | |
| Public safety: | | | | |
| Police | 8,660 | 8,660 | 5,940 | 2,720 |
| Fire | 9,223 | 9,223 | 7,320 | 1,903 |
| Total expenditures | <u>17,883</u> | <u>17,883</u> | <u>13,260</u> | <u>4,623</u> |
| Excess deficiency) of revenues over (under) expenditures | <u>2,111,613</u> | <u>2,254,085</u> | <u>1,762,497</u> | <u>(491,588)</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers out | (339,865) | (339,865) | (339,865) | - |
| Reserves | (1,771,748) | (1,914,220) | - | 1,914,220 |
| Total other financing sources | <u>(2,111,613)</u> | <u>(2,254,085)</u> | <u>(339,865)</u> | <u>1,914,220</u> |
| Net change in fund balances | <u>\$ -</u> | <u>\$ -</u> | <u>1,422,632</u> | <u>\$ 1,422,632</u> |
| Fund balances - beginning | | | <u>1,552,247</u> | |
| Fund balances - ending | | | <u>\$ 2,974,879</u> | |

There are no differences between Budgetary Revenues, Expenditures and Other Financing Sources (Uses) and GAAP Revenues, Expenditures and Other Financing Sources (Uses)

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
DO THE RIGHT THING SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|-------------------------|---------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Interest income | \$ - | \$ - | \$ 116 | \$ 116 |
| Contributions and donations | 8,000 | 8,000 | 17,755 | 9,755 |
| Other revenue | - | - | 105 | 105 |
| Prior year cash balance | 4,000 | 13,001 | - | (13,001) |
| Total revenues | <u>12,000</u> | <u>21,001</u> | <u>17,976</u> | <u>(3,025)</u> |
| EXPENDITURES | | | | |
| Public safety: police | <u>12,000</u> | <u>21,252</u> | <u>13,770</u> | <u>7,482</u> |
| Excess (deficiency) of revenues over (under) expenditures | <u>-</u> | <u>(251)</u> | <u>4,206</u> | <u>4,457</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers in | <u>-</u> | <u>251</u> | <u>250</u> | <u>(1)</u> |
| Net change in fund balances | <u>\$ -</u> | <u>\$ -</u> | <u>4,456</u> | <u>\$ 4,456</u> |
| Fund balances - beginning | | | <u>13,014</u> | |
| Fund balances - ending | | | <u>\$ 17,470</u> | |

There are no differences between Budgetary Revenues, Expenditures and Other Financing Sources (Uses) and GAAP Revenues, Expenditures and Other Financing Sources (Uses)

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
POLICE CONFISCATION - FEDERAL SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|-------------------------|------------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Interest income | \$ 300 | \$ 300 | \$ 3,597 | \$ 3,297 |
| Other revenue | - | - | 324,244 | 324,244 |
| Prior year cash balance | 481,664 | 493,637 | - | (493,637) |
| Total revenues | <u>481,964</u> | <u>493,937</u> | <u>327,841</u> | <u>(166,096)</u> |
| EXPENDITURES | | | | |
| Public safety: police | <u>97,670</u> | <u>291,275</u> | <u>269,529</u> | <u>21,746</u> |
| Excess (deficiency) of revenues over (under) expenditures | <u>384,294</u> | <u>202,662</u> | <u>58,312</u> | <u>(144,350)</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Reserves | <u>(384,294)</u> | <u>(202,662)</u> | <u>-</u> | <u>202,662</u> |
| Net change in fund balances | <u>\$ -</u> | <u>\$ -</u> | <u>58,312</u> | <u>\$ 58,312</u> |
| Fund balances - beginning | | | <u>494,303</u> | |
| Fund balances - ending | | | <u>\$ 552,615</u> | |

There are no differences between Budgetary Revenues, Expenditures and Other Financing Sources (Uses) and GAAP Revenues, Expenditures and Other Financing Sources (Uses)

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
POLICE CONFISCATION - STATE SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|-------------------------|------------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Fines and forfeitures | \$ - | \$ - | \$ 64,453 | \$ 64,453 |
| Interest income | 100 | 100 | 1,968 | 1,868 |
| Prior year cash balance | 184,061 | 173,828 | - | (173,828) |
| Total revenues | <u>184,161</u> | <u>173,928</u> | <u>66,421</u> | <u>(107,507)</u> |
| EXPENDITURES | | | | |
| Public safety: police | <u>73,338</u> | <u>73,338</u> | <u>11,206</u> | <u>62,132</u> |
| Excess (deficiency) of revenues over (under) expenditures | <u>110,823</u> | <u>100,590</u> | <u>55,215</u> | <u>(45,375)</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers out | - | (1,251) | (1,251) | - |
| Reserves | (110,823) | (99,339) | - | 99,339 |
| Total other financing sources (uses) | <u>(110,823)</u> | <u>(100,590)</u> | <u>(1,251)</u> | <u>99,339</u> |
| Net change in fund balances | <u>\$ -</u> | <u>\$ -</u> | <u>53,964</u> | <u>\$ 53,964</u> |
| Fund balances - beginning | | | <u>174,400</u> | |
| Fund balances - ending | | | <u>\$ 228,364</u> | |

There are no differences between Budgetary Revenues, Expenditures and Other Financing Sources (Uses) and GAAP Revenues, Expenditures and Other Financing Sources (Uses)

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
CRIMINAL JUSTICE EDUCATION SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|-----------------------------|-------------------------|---------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Fines and forfeitures | \$ 16,000 | \$ 16,000 | \$ 16,903 | \$ 903 |
| Interest income | - | - | 74 | 74 |
| Other revenue | - | - | 26 | 26 |
| Prior year cash balance | 5,149 | (647) | - | 647 |
| Total revenues | <u>21,149</u> | <u>15,353</u> | <u>17,003</u> | <u>1,650</u> |
| EXPENDITURES | | | | |
| Public safety: police | <u>21,149</u> | <u>15,353</u> | <u>16,063</u> | <u>(710)</u> |
| Net change in fund balances | <u>\$ -</u> | <u>\$ -</u> | 940 | <u>\$ 940</u> |
| Fund balances - beginning | | | <u>14,029</u> | |
| Fund balances - ending | | | <u>\$ 14,969</u> | |

There are no differences between Budgetary Revenues, Expenditures and Other Financing Sources (Uses) and GAAP Revenues, Expenditures and Other Financing Sources (Uses)

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
SEAWALLS SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|-------------------------|-----------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Special assessments | \$ 31,330 | \$ 31,330 | \$ 31,668 | \$ 338 |
| Fines and forfeitures | 1,400 | 1,400 | 206 | (1,194) |
| Interest income | - | - | 2,688 | 2,688 |
| Other revenue | - | - | 12 | 12 |
| Prior year cash balance | 216,987 | 216,987 | - | (216,987) |
| Total revenues | <u>249,717</u> | <u>249,717</u> | <u>34,574</u> | <u>(215,143)</u> |
| EXPENDITURES | | | | |
| General government | 212,315 | 212,315 | 1 | 212,314 |
| Debt service: | | | | |
| Principal | 25,689 | 25,689 | - | 25,689 |
| Interest and fiscal charges | 1,285 | 1,285 | 900 | 385 |
| Total expenditures | <u>239,289</u> | <u>239,289</u> | <u>901</u> | <u>238,388</u> |
| Excess (deficiency) of revenues over (under) expenditures | <u>10,428</u> | <u>10,428</u> | <u>33,673</u> | <u>23,245</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Reserves | <u>(10,428)</u> | <u>(10,428)</u> | <u>-</u> | <u>10,428</u> |
| Net change in fund balances | <u>\$ -</u> | <u>\$ -</u> | <u>33,673</u> | <u>\$ 33,673</u> |
| Fund balances - beginning | | | <u>194,566</u> | |
| Fund balances - ending | | | <u>\$ 228,239</u> | |

There are no differences between Budgetary Revenues, Expenditures and Other Financing Sources (Uses) and GAAP Revenues, Expenditures and Other Financing Sources (Uses)

City of Cape Coral, Florida

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
PARK RECREATIONAL FACILITIES IMPACT FEE SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|-------------------------|--------------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Impact fees | \$ 781,823 | \$ 1,558,823 | \$ 1,559,473 | \$ 650 |
| Interest income | - | - | 9,307 | 9,307 |
| Prior year cash balance | 10,000 | 10,000 | - | (10,000) |
| Total revenues | <u>791,823</u> | <u>1,568,823</u> | <u>1,568,780</u> | <u>(43)</u> |
| EXPENDITURES | | | | |
| Parks and recreation | <u>13,031</u> | <u>13,031</u> | <u>11,106</u> | <u>1,925</u> |
| Excess (deficiency) of revenues over (under) expenditures | <u>778,792</u> | <u>1,555,792</u> | <u>1,557,674</u> | <u>1,882</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers in | - | - | 4,070 | 4,070 |
| Transfers out | (768,792) | - | - | - |
| Reserves | <u>(10,000)</u> | <u>(1,555,792)</u> | <u>-</u> | <u>1,555,792</u> |
| Total other financing sources (uses) | <u>(778,792)</u> | <u>(1,555,792)</u> | <u>4,070</u> | <u>1,559,862</u> |
| Net change in fund balances | <u>\$ -</u> | <u>\$ -</u> | <u>1,561,744</u> | <u>\$ 1,561,744</u> |
| Fund balances - beginning | | | <u>10,022</u> | |
| Fund balances - ending | | | <u>\$ 1,571,766</u> | |

**There are no differences between Budgetary Revenues, Expenditures and
Other Financing Sources (Uses) and GAAP Revenues, Expenditures and
Other Financing Sources (Uses)**

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
CITY CENTRUM BUSINESS PARK SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|-------------------------|----------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Interest income | \$ - | \$ - | \$ 18 | \$ 18 |
| Other revenue | - | - | 220 | 220 |
| Prior year cash balance | 64,911 | 54,015 | - | (54,015) |
| Total revenues | <u>64,911</u> | <u>54,015</u> | <u>238</u> | <u>(53,777)</u> |
| EXPENDITURES | | | | |
| General government | <u>52,062</u> | <u>53,062</u> | <u>66,605</u> | <u>(13,543)</u> |
| Excess (deficiency) of revenues over (under) expenditures | <u>12,849</u> | <u>953</u> | <u>(66,367)</u> | <u>(67,320)</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers in | - | 1,000 | 1,000 | - |
| Reserves | <u>(12,849)</u> | <u>(1,953)</u> | <u>-</u> | <u>1,953</u> |
| Total other financing sources (uses) | <u>(12,849)</u> | <u>(953)</u> | <u>1,000</u> | <u>1,953</u> |
| Net change in fund balances | <u>\$ -</u> | <u>\$ -</u> | <u>(65,367)</u> | <u>\$ (65,367)</u> |
| Fund balances - beginning | | | <u>64,103</u> | |
| Fund balances - ending | | | <u>\$ (1,264)</u> | |

There are no differences between Budgetary Revenues, Expenditures and Other Financing Sources (Uses) and GAAP Revenues, Expenditures and Other Financing Sources (Uses)

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
ALL HAZARDS SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|-------------------------|--------------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Property taxes | \$ 732,796 | \$ 732,796 | \$ 682,968 | \$ (49,828) |
| Interest income | - | - | 7,728 | 7,728 |
| Prior year cash balance | 1,128,847 | 1,018,872 | - | (1,018,872) |
| Total revenues | <u>1,861,643</u> | <u>1,751,668</u> | <u>690,696</u> | <u>(1,060,972)</u> |
| EXPENDITURES | | | | |
| Public safety: fire | 492,647 | 494,888 | 444,585 | 50,303 |
| Capital outlay | 72,626 | 94,626 | - | 94,626 |
| Total expenditures | <u>565,273</u> | <u>589,514</u> | <u>444,585</u> | <u>144,929</u> |
| Excess (deficiency) of revenues over (under) expenditures | <u>1,296,370</u> | <u>1,162,154</u> | <u>246,111</u> | <u>(916,043)</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers out | (160,000) | (160,000) | (160,000) | - |
| Reserves | <u>(1,136,370)</u> | <u>(1,002,154)</u> | <u>-</u> | <u>1,002,154</u> |
| Total other financing sources (uses) | <u>(1,296,370)</u> | <u>(1,162,154)</u> | <u>(160,000)</u> | <u>1,002,154</u> |
| Net change in fund balances | <u>\$ -</u> | <u>\$ -</u> | <u>86,111</u> | <u>\$ 86,111</u> |
| Fund balances - beginning | | | <u>1,035,779</u> | |
| Fund balances - ending | | | <u>\$ 1,121,890</u> | |

There are no differences between Budgetary Revenues, Expenditures and Other Financing Sources (Uses) and GAAP Revenues, Expenditures and Other Financing Sources (Uses)

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
ALARM FEE SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|-------------------------|-----------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Charges for services | \$ 132,353 | \$ 132,353 | \$ 92,767 | \$ (39,586) |
| Interest income | 200 | 200 | 66 | (134) |
| Other revenue | - | - | 64 | 64 |
| Prior year cash balance | 16,862 | 12,363 | - | (12,363) |
| Total revenues | <u>149,415</u> | <u>144,916</u> | <u>92,897</u> | <u>(52,019)</u> |
| EXPENDITURES | | | | |
| Public safety: police | <u>131,268</u> | <u>131,268</u> | <u>99,676</u> | <u>31,592</u> |
| Excess (deficiency) of revenues over (under) expenditures | <u>18,147</u> | <u>13,648</u> | <u>(6,779)</u> | <u>(20,427)</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers out | (7,500) | (7,500) | (7,500) | - |
| Reserves | <u>(10,647)</u> | <u>(6,148)</u> | <u>-</u> | <u>6,148</u> |
| Total other financing sources (uses) | <u>(18,147)</u> | <u>(13,648)</u> | <u>(7,500)</u> | <u>6,148</u> |
| Net change in fund balances | <u>\$ -</u> | <u>\$ -</u> | <u>(14,279)</u> | <u>\$ (14,279)</u> |
| Fund balances - beginning | | | <u>39,035</u> | |
| Fund balances - ending | | | <u>\$ 24,756</u> | |

There are no differences between Budgetary Revenues, Expenditures and Other Financing Sources (Uses) and GAAP Revenues, Expenditures and Other Financing Sources (Uses)

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
DEL PRADO MALL PARKING LOT SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|-------------------------|-----------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Special assessments | \$ 122,000 | \$ 122,000 | \$ 91,072 | \$ (30,928) |
| Fines and forfeitures | - | - | 223 | 223 |
| Interest income | 17,000 | 17,000 | 8,963 | (8,037) |
| Other revenue | - | - | 175 | 175 |
| Prior year cash balance | 75,920 | 56,148 | - | (56,148) |
| Total revenues | <u>214,920</u> | <u>195,148</u> | <u>100,433</u> | <u>(94,715)</u> |
| EXPENDITURES | | | | |
| Public works | 38,050 | 38,050 | 17,640 | 20,410 |
| Debt service: | | | | |
| Principal | 90,410 | 90,410 | - | 90,410 |
| Interest and fiscal charges | 8,288 | 8,288 | 8,288 | - |
| Total expenditures | <u>136,748</u> | <u>136,748</u> | <u>25,928</u> | <u>110,820</u> |
| Excess (deficiency) of revenues over (under) expenditures | <u>78,172</u> | <u>58,400</u> | <u>74,505</u> | <u>16,105</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Reserves | <u>(78,172)</u> | <u>(58,400)</u> | <u>-</u> | <u>58,400</u> |
| Net change in fund balances | <u>\$ -</u> | <u>\$ -</u> | <u>74,505</u> | <u>\$ 74,505</u> |
| Fund balances - beginning | | | <u>(101,797)</u> | |
| Fund balances - ending | | | <u>\$ (27,292)</u> | |

There are no differences between Budgetary Revenues, Expenditures and Other Financing Sources (Uses) and GAAP Revenues, Expenditures and Other Financing Sources (Uses)

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
LOT MOWING SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|-------------------------|--------------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Charges for services | \$ 3,256,118 | \$ 3,256,118 | \$ 2,762,054 | \$ (494,064) |
| Fines and forfeitures | 51,000 | 51,000 | 22,562 | (28,438) |
| Interest income | - | - | 23,950 | 23,950 |
| Other revenue | - | - | 27,038 | 27,038 |
| Prior year cash balance | 2,052,966 | 2,021,126 | - | (2,021,126) |
| Total revenues | <u>5,360,084</u> | <u>5,328,244</u> | <u>2,835,604</u> | <u>(2,492,640)</u> |
| EXPENDITURES | | | | |
| Public works | 3,607,118 | 4,286,226 | 2,582,867 | 1,703,359 |
| Capital outlay | - | 26,000 | - | 26,000 |
| Total expenditures | <u>3,607,118</u> | <u>4,312,226</u> | <u>2,582,867</u> | <u>1,729,359</u> |
| Excess (deficiency) of revenues over (under) expenditures | <u>1,752,966</u> | <u>1,016,018</u> | <u>252,737</u> | <u>(763,281)</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Reserves | <u>(1,752,966)</u> | <u>(1,016,018)</u> | <u>-</u> | <u>1,016,018</u> |
| Net change in fund balances | <u>\$ -</u> | <u>\$ -</u> | <u>252,737</u> | <u>\$ 252,737</u> |
| Fund balances - beginning | | | <u>1,166,681</u> | |
| Fund balances - ending | | | <u>\$ 1,419,418</u> | |

There are no differences between Budgetary Revenues, Expenditures and Other Financing Sources (Uses) and GAAP Revenues, Expenditures and Other Financing Sources (Uses)

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
PARKS AND RECREATION SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|-------------------------|--------------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Intergovernmental | \$ 419,477 | \$ 448,718 | \$ 462,528 | \$ 13,810 |
| Charges for services | 3,803,866 | 3,853,819 | 3,292,022 | (561,797) |
| Fines and forfeitures | 800 | 800 | 11,447 | 10,647 |
| Interest income | 2,244 | 2,244 | (404) | (2,648) |
| Contributions and donations | 291,829 | 304,364 | 175,142 | (129,222) |
| Other revenue | 3,000 | 3,000 | 43,828 | 40,828 |
| Prior year cash balance | - | 597,129 | - | (597,129) |
| Total revenues | <u>4,521,216</u> | <u>5,210,074</u> | <u>3,984,563</u> | <u>(1,225,511)</u> |
| EXPENDITURES | | | | |
| Parks and recreation | 8,097,995 | 8,259,258 | 7,499,736 | 759,522 |
| Capital outlay | 494,925 | 1,022,520 | 311,380 | 711,140 |
| Total expenditures | <u>8,592,920</u> | <u>9,281,778</u> | <u>7,811,116</u> | <u>1,470,662</u> |
| Excess (deficiency) of revenues over (under) expenditures | <u>(4,071,704)</u> | <u>(4,071,704)</u> | <u>(3,826,553)</u> | <u>245,151</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers in | <u>4,071,704</u> | <u>4,071,704</u> | <u>3,340,000</u> | <u>(731,704)</u> |
| Net change in fund balances | <u>\$ -</u> | <u>\$ -</u> | <u>(486,553)</u> | <u>\$ (486,553)</u> |
| Fund balances - beginning | | | <u>726,821</u> | |
| Fund balances - ending | | | <u>\$ 240,268</u> | |

**Explanation of differences between Budgetary Revenues, Expenditures
and Other Financing Sources (Uses) and GAAP Revenues, Expenditures
and Other Financing Sources (Uses)**

| | |
|---|---------------------|
| Actual revenue amounts (budgetary basis) | \$ 3,984,563 |
| The proceeds from the sale of capital assets are budgetary revenues but are regarded as other financing sources, rather than revenue, for financial reporting purposes. | <u>(4,110)</u> |
| Total revenue as reported on the statement of revenues, expenditures and changes in fund balances - governmental funds. | <u>\$ 3,980,453</u> |
| Actual other financing sources (uses) (budgetary basis) | \$ 3,340,000 |
| The proceeds from the sale of capital assets are budgetary revenues but are regarded as other financing sources, rather than revenue, for financial reporting purposes. | <u>4,110</u> |
| Total other financing sources (uses) as reported on the statement of revenues, expenditures and changes in fund balances - governmental funds. | <u>\$ 3,344,110</u> |

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
WATERPARK SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|-------------------------|------------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Charges for services | \$ 2,424,842 | \$ 2,424,842 | \$ 1,832,539 | \$ (592,303) |
| Interest income | 50 | 50 | 10 | (40) |
| Other revenue | 10,026 | 10,026 | 11,656 | 1,630 |
| Prior year cash balance | - | 752,320 | - | (752,320) |
| Total revenues | <u>2,434,918</u> | <u>3,187,238</u> | <u>1,844,205</u> | <u>(1,343,033)</u> |
| EXPENDITURES | | | | |
| Parks and recreation | 2,314,227 | 2,350,342 | 1,932,263 | 418,079 |
| Capital outlay | 156,500 | 872,705 | 394,797 | 477,908 |
| Total expenditures | <u>2,470,727</u> | <u>3,223,047</u> | <u>2,327,060</u> | <u>895,987</u> |
| Excess (deficiency) of revenues over (under) expenditures | <u>(35,809)</u> | <u>(35,809)</u> | <u>(482,855)</u> | <u>(447,046)</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers in | 528,515 | 528,515 | 350,000 | (178,515) |
| Transfers out | (492,706) | (492,706) | (492,706) | - |
| Total other financing sources (uses) | <u>35,809</u> | <u>35,809</u> | <u>(142,706)</u> | <u>(178,515)</u> |
| Net change in fund balances | <u>\$ -</u> | <u>\$ -</u> | <u>(625,561)</u> | <u>\$ (625,561)</u> |
| Fund balances - beginning | | | <u>773,976</u> | |
| Fund balances - ending | | | <u>\$ 148,415</u> | |

**There are no differences between Budgetary Revenues, Expenditures and
Other Financing Sources (Uses) and GAAP Revenues, Expenditures and
Other Financing Sources (Uses)**

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
BUILDING SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|-------------------------|--------------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Licenses and permits | \$ 4,741,495 | \$ 4,741,495 | \$ 6,388,718 | \$ 1,647,223 |
| Fines and forfeitures | 32,855 | 32,855 | 21,101 | (11,754) |
| Interest income | 1,975 | 1,975 | 36,198 | 34,223 |
| Other revenue | 100 | 100 | 3,296 | 3,196 |
| Prior year cash balance | 2,362,788 | 2,397,352 | - | (2,397,352) |
| Total revenues | <u>7,139,213</u> | <u>7,173,777</u> | <u>6,449,313</u> | <u>(724,464)</u> |
| EXPENDITURES | | | | |
| Public safety: building | 3,506,450 | 3,481,716 | 3,405,018 | 76,698 |
| Capital outlay | - | 229,948 | - | 229,948 |
| Total expenditures | <u>3,506,450</u> | <u>3,711,664</u> | <u>3,405,018</u> | <u>306,646</u> |
| Excess (deficiency) of revenues over (under) expenditures | <u>3,632,763</u> | <u>3,462,113</u> | <u>3,044,295</u> | <u>(417,818)</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers out | (743,808) | (742,628) | (742,670) | (42) |
| Reserves | <u>(2,888,955)</u> | <u>(2,719,485)</u> | <u>-</u> | <u>2,719,485</u> |
| Total other financing sources (uses) | <u>(3,632,763)</u> | <u>(3,462,113)</u> | <u>(742,670)</u> | <u>2,719,443</u> |
| Net change in fund balances | <u>\$ -</u> | <u>\$ -</u> | <u>2,301,625</u> | <u>\$ 2,301,625</u> |
| Fund balances - beginning | | | <u>2,162,693</u> | |
| Fund balances - ending | | | <u>\$ 4,464,318</u> | |

**Explanation of differences between Budgetary Revenues, Expenditures
and Other Financing Sources (Uses) and GAAP Revenues, Expenditures
and Other Financing Sources (Uses)**

| | |
|---|---------------------|
| Actual revenue amounts (budgetary basis) | \$ 6,449,313 |
| The proceeds from the sale of capital assets are budgetary revenues but are regarded as other financing sources, rather than revenue, for financial reporting purposes. | (2,000) |
| Total revenue as reported on the statement of revenues, expenditures and changes in fund balances - governmental funds. | <u>\$ 6,447,313</u> |
| Actual other financing sources (uses) (budgetary basis) | \$ (742,670) |
| The proceeds from the sale of capital assets are budgetary revenues but are regarded as other financing sources, rather than revenue, for financial reporting purposes. | 2,000 |
| Total other financing sources (uses) as reported on the statement of revenues, expenditures and changes in fund balances - governmental funds. | <u>\$ (740,670)</u> |

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
COMMUNITY DEVELOPMENT BLOCK GRANT SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|-------------------------|------------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Intergovernmental | \$ 917,441 | \$ 917,441 | \$ 671,784 | \$ (245,657) |
| Interest income | - | - | 121 | 121 |
| Other revenue | - | 165,063 | 171,838 | 6,775 |
| Total revenue | <u>917,441</u> | <u>1,082,504</u> | <u>843,743</u> | <u>(238,761)</u> |
| EXPENDITURES | | | | |
| Community development | 929,571 | 1,094,634 | 933,226 | 161,408 |
| Capital outlay | - | - | 10,132 | (10,132) |
| Total expenditures | <u>929,571</u> | <u>1,094,634</u> | <u>943,358</u> | <u>151,276</u> |
| Excess (deficiency) of revenues over (under) expenditures | <u>(12,130)</u> | <u>(12,130)</u> | <u>(99,615)</u> | <u>(87,485)</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers in | 24,073 | 24,073 | 24,073 | - |
| Transfers out | <u>(11,943)</u> | <u>(11,943)</u> | <u>(4,637)</u> | <u>7,306</u> |
| Total other financing sources (uses) | <u>12,130</u> | <u>12,130</u> | <u>19,436</u> | <u>7,306</u> |
| Net change in fund balances | <u>\$ -</u> | <u>\$ -</u> | <u>(80,179)</u> | <u>\$ (80,179)</u> |
| Fund balances - beginning | | | <u>104,116</u> | |
| Fund balances - ending | | | <u>\$ 23,937</u> | |

There are no differences between Budgetary Revenues, Expenditures and Other Financing Sources (Uses) and GAAP Revenues, Expenditures and Other Financing Sources (Uses)

City of Cape Coral, Florida

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
HUD NEIGHBORHOOD STABILIZATION SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|-------------------------|--------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Interest income | \$ - | \$ - | \$ 879 | \$ 879 |
| Other revenue | - | 563,562 | 563,562 | - |
| Total revenue | - | 563,562 | 564,441 | 879 |
| EXPENDITURES | | | | |
| Community development | - | 563,562 | 451,342 | 112,220 |
| Excess (deficiency) of revenues over (under) expenditures | - | - | 113,099 | 113,099 |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers out | - | - | (9,274) | (9,274) |
| Net change in fund balances | \$ - | \$ - | 103,825 | \$ 103,825 |
| Fund balances - beginning | | | 363,106 | |
| Fund balances - ending | | | \$ 466,931 | |

There are no differences between Budgetary Revenues, Expenditures and Other Financing Sources (Uses) and GAAP Revenues, Expenditures and Other Financing Sources (Uses)

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
LOCAL HOUSING ASSISTANCE SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|-------------------------|--------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Intergovernmental | \$ - | \$ 1,052,741 | \$ 744,541 | \$ (308,200) |
| Interest income | - | - | 2,850 | 2,850 |
| Other revenue | - | 158,925 | 147,091 | (11,834) |
| Total revenues | - | 1,211,666 | 894,482 | (317,184) |
| EXPENDITURES | | | | |
| Community development | - | 1,211,666 | 864,539 | 347,127 |
| Excess (deficiency) of revenues over (under) expenditures | - | - | 29,943 | 29,943 |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers out | - | - | (4,637) | (4,637) |
| Net change in fund balances | \$ - | \$ - | 25,306 | \$ 25,306 |
| Fund balances - beginning | | | 1,171,504 | |
| Fund balances - ending | | | \$ 1,196,810 | |

There are no differences between Budgetary Revenues, Expenditures and Other Financing Sources (Uses) and GAAP Revenues, Expenditures and Other Financing Sources (Uses)

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
RESIDENTIAL CONSTRUCTION MITIGATION PROGRAM SPECIAL REVENUE FUND
For the Year Ended September 30, 2016**

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|-------------------------|--------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Intergovernmental | \$ - | \$ 194,000 | \$ 235,144 | \$ 41,144 |
| Total revenues | - | 194,000 | 235,144 | 41,144 |
| EXPENDITURES | | | | |
| Community development | - | 194,000 | 357,329 | (163,329) |
| Excess (deficiency) of revenues over (under) expenditures | - | - | (122,185) | (122,185) |
| Net change in fund balances | \$ - | \$ - | (122,185) | \$ (122,185) |
| Fund balances - beginning | | | (6,649) | |
| Fund balances (deficit) - ending | | | \$ (128,834) | |

There are no differences between Budgetary Revenues, Expenditures and Other Financing Sources (Uses) and GAAP Revenues, Expenditures and Other Financing Sources (Uses)

City of Cape Coral, Florida

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN
FUND BALANCES - BUDGET AND ACTUAL
DEBT SERVICE FUND**

For the Year Ended September 30, 2016

| | Budgeted Amounts | | Actual Amounts | Variance with |
|--|-------------------------|--------------|--------------------------|---|
| | Original | Final | (Budgetary Basis) | Final Budget Positive (Negative) |
| REVENUES | | | | |
| Rent and royalties | \$ 3,706,730 | \$ 3,706,730 | \$ 3,703,030 | \$ (3,700) |
| Interest income | 3,000 | 3,000 | 71,007 | 68,007 |
| Prior year cash balance | 6,982,940 | 11,098,664 | - | (11,098,664) |
| Total revenues | 10,692,670 | 14,808,394 | 3,774,037 | (11,034,357) |
| EXPENDITURES | | | | |
| General government | 3,980 | 3,980 | 2,961 | 1,019 |
| Debt service: | | | | |
| Principal | 12,124,838 | 11,547,837 | 11,292,837 | 255,000 |
| Interest and fiscal charges | 9,828,681 | 9,844,367 | 9,713,574 | 130,793 |
| Total expenditures | 21,957,499 | 21,396,184 | 21,009,372 | 386,812 |
| Excess (deficiency) of revenues over (under) expenditures | (11,264,829) | (6,587,790) | (17,235,335) | (10,647,545) |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers in | 18,247,769 | 17,485,885 | 13,641,920 | (3,843,965) |
| Transfers out | - | (3,886,445) | (5,674) | 3,880,771 |
| Reserves | (6,982,940) | (7,011,650) | - | 7,011,650 |
| Total other financing sources (uses) | 11,264,829 | 6,587,790 | 13,636,246 | 7,048,456 |
| Net change in fund balances | \$ - | \$ - | (3,599,089) | \$ (3,599,089) |
| Fund balances - beginning | | | 11,032,707 | |
| Fund balances - ending | | | \$ 7,433,618 | |

**There are no differences between Budgetary Revenues, Expenditures and
Other Financing Sources (Uses) and GAAP Revenues, Expenditures and
Other Financing Sources (Uses)**

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
PARKS CAPITAL IMPROVEMENTS FUND**

From Inception and For the Year Ended September 30, 2016

| | Prior Years Actual | Current Year Actual | Total Actual to Date | Project Authorization |
|--|-------------------------------|--------------------------------|---------------------------------|----------------------------------|
| REVENUES | | | | |
| Intergovernmental | \$ 1,418,264 | \$ - | \$ 1,418,264 | \$ 1,940,241 |
| Interest income | 2,180,711 | 13,114 | 2,193,825 | 90,500 |
| Contributions and donations | 30,000 | - | 30,000 | 48,625 |
| Other revenue | 41,904 | - | 41,904 | - |
| Unassigned balance | - | - | - | 3,253,613 |
| Total revenues | <u>3,670,879</u> | <u>13,114</u> | <u>3,683,993</u> | <u>5,332,979</u> |
| EXPENDITURES | | | | |
| Parks and recreation | 140,934 | 501 | 141,435 | 1,016,609 |
| Capital outlay | <u>48,058,027</u> | <u>212,020</u> | <u>48,270,047</u> | <u>59,035,927</u> |
| Total expenditures | <u>48,198,961</u> | <u>212,521</u> | <u>48,411,482</u> | <u>60,052,536</u> |
| Excess (deficiency) of revenues over (under) expenditures | <u>(44,528,082)</u> | <u>(199,407)</u> | <u>(44,727,489)</u> | <u>(54,719,557)</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers in | 21,658,255 | - | 21,658,255 | 21,664,295 |
| Transfer out | (11,796,193) | - | (11,796,193) | (6,511,150) |
| Issuance of debt | 36,735,161 | - | 36,735,161 | 39,566,412 |
| Proceeds on sale of capital assets | <u>72,187</u> | <u>-</u> | <u>72,187</u> | <u>-</u> |
| Total other financing sources (uses) | <u>46,669,410</u> | <u>-</u> | <u>46,669,410</u> | <u>54,719,557</u> |
| Net change in fund balances | <u>\$ 2,141,328</u> | <u>(199,407)</u> | <u>\$ 1,941,921</u> | <u>\$ -</u> |
| Fund balances - beginning | <u>2,141,328</u> | | | |
| Fund balances - ending | | <u>\$ 1,941,921</u> | | |

City of Cape Coral, Florida

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
OTHER CAPITAL IMPROVEMENTS FUND**

From Inception and For the Year Ended September 30, 2016

| | Prior Years Actual | Current Year Actual | Total Actual to Date | Project Authorization |
|--|-------------------------------|--------------------------------|---------------------------------|----------------------------------|
| REVENUES | | | | |
| Intergovernmental | \$ 8,071,921 | \$ 87,907 | \$ 8,159,828 | \$ 8,351,490 |
| Interest income | 1,345,738 | 19,187 | 1,364,925 | 1,192 |
| Other revenue | 1,695,936 | - | 1,695,936 | 1,182,770 |
| Unassigned balance | - | - | - | 1,941,554 |
| Total revenues | <u>11,113,595</u> | <u>107,094</u> | <u>11,220,689</u> | <u>11,477,006</u> |
| EXPENDITURES | | | | |
| General government | 978,736 | 697 | 979,433 | 2,000,000 |
| Public safety: police | 8,021,478 | - | 8,021,478 | 5,605,574 |
| Public safety: fire | - | - | - | 1,123,800 |
| Public works | - | - | - | 310,454 |
| Parks and recreation | 557,541 | - | 557,541 | 19,375 |
| Transportation | 1,826,826 | - | 1,826,826 | 5,052,693 |
| Capital outlay | 110,686,773 | 354,271 | 111,041,044 | 139,490,260 |
| Debt service: interest and fiscal charges | 1,585,471 | - | 1,585,471 | 628,994 |
| Total expenditures | <u>123,656,825</u> | <u>354,968</u> | <u>124,011,793</u> | <u>154,231,150</u> |
| Excess (deficiency) of revenues over (under) expenditures | <u>(112,543,230)</u> | <u>(247,874)</u> | <u>(112,791,104)</u> | <u>(142,754,144)</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers in | 26,964,404 | 956,569 | 27,920,973 | 61,266,702 |
| Transfer out | (4,400,989) | - | (4,400,989) | (3,429,289) |
| Issuance of debt | 92,684,272 | - | 92,684,272 | 84,916,731 |
| Total other financing sources (uses) | <u>115,247,687</u> | <u>956,569</u> | <u>116,204,256</u> | <u>142,754,144</u> |
| Net change in fund balances | <u>\$ 2,704,457</u> | <u>708,695</u> | <u>\$ 3,413,152</u> | <u>\$ -</u> |
| Fund balances - beginning | | <u>2,704,457</u> | | |
| Fund balances - ending | | <u>\$ 3,413,152</u> | | |

City of Cape Coral, Florida

**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES - BUDGET AND ACTUAL
TRANSPORTATION CAPITAL IMPROVEMENTS FUND**

From Inception and For the Year Ended September 30, 2016

| | Prior Years Actual | Current Year Actual | Total Actual to Date | Project Authorization |
|--|-------------------------------|--------------------------------|---------------------------------|----------------------------------|
| REVENUES | | | | |
| Intergovernmental | \$ 11,768,297 | \$ 216,378 | \$ 11,984,675 | \$ 10,933,350 |
| Rent and royalties | 4,367 | - | 4,367 | - |
| Interest income | 7,964,312 | 145,108 | 8,109,420 | 116,231 |
| Contributions and donations | 290,597 | 45,805 | 336,402 | 900,000 |
| Other revenue | 4,710,449 | 68 | 4,710,517 | 4,078,366 |
| Unassigned balance | - | - | - | 1,562,535 |
| Total revenues | <u>24,738,022</u> | <u>407,359</u> | <u>25,145,381</u> | <u>17,590,482</u> |
| EXPENDITURES | | | | |
| General government | 583 | - | 583 | - |
| Public works | 1,784,824 | 397,019 | 2,181,843 | 2,187,375 |
| Capital outlay | 186,473,319 | 11,265,306 | 197,738,625 | 313,365,560 |
| Debt Service: interest and fiscal charges | 805,049 | - | 805,049 | - |
| Total expenditures | <u>189,063,775</u> | <u>11,662,325</u> | <u>200,726,100</u> | <u>315,552,935</u> |
| Excess (deficiency) of revenues over (under) expenditures | <u>(164,325,753)</u> | <u>(11,254,966)</u> | <u>(175,580,719)</u> | <u>(297,962,453)</u> |
| OTHER FINANCING SOURCES (USES) | | | | |
| Transfers in | 109,419,143 | 8,150,000 | 117,569,143 | 128,959,001 |
| Transfers out | (4,053,903) | (111,277) | (4,165,180) | (7,025,051) |
| Issuance of debt | 84,987,594 | - | 84,987,594 | 175,946,419 |
| Proceeds on sale of capital assets | 224,619 | 2,900 | 227,519 | 82,084 |
| Total other financing sources (uses) | <u>190,577,453</u> | <u>8,041,623</u> | <u>198,619,076</u> | <u>297,962,453</u> |
| Net change in fund balances | <u>\$ 26,251,700</u> | <u>(3,213,343)</u> | <u>\$ 23,038,357</u> | <u>\$ -</u> |
| Fund balances - beginning | | <u>26,251,700</u> | | |
| Fund balances - ending | | <u>\$ 23,038,357</u> | | |

PROPRIETARY FUNDS

NONMAJOR ENTERPRISE FUNDS

Enterprise funds are used to account for activity for which a fee is charged to external users for goods or services.

- Yacht Basin Fund – used to account for the operations of the City’s public marina and docks.
- Golf Course Fund – used to account for the operations of the year-round municipal golf facility which includes the clubhouse, greens, and restaurant operations.

INTERNAL SERVICE FUNDS

Internal service funds are used to account for activity that provides goods or services to other funds, departments or agencies of the primary government and its component units on a cost-reimbursement basis.

- Workers Compensation Insurance Fund – used to account for self-insurance of workers compensation.
- Property and Casualty Insurance Fund – used to account for the City’s risk management activity for auto liability, property and contents loss, and general liability.
- Facilities & Fleet Management – used to account for the costs of operation for the repair and maintenance of city owned/leased vehicles, equipment, and buildings. Such costs are billed to other departments.
- Self-funded Health Insurance – used to account for the self-funded medical health insurance plan.

City of Cape Coral, Florida

COMBINING STATEMENT OF NET POSITION
NONMAJOR ENTERPRISE FUNDS

September 30, 2016

| | Yacht Basin | Golf Course | Total |
|--|------------------------|------------------------|--------------------|
| ASSETS | | | |
| Current assets: | | | |
| Cash and investments | \$ 647,991 | \$ 101,628 | \$ 749,619 |
| Interest receivable | 899 | - | 899 |
| Accounts receivable, net | 7 | 362 | 369 |
| Inventories | - | 46,257 | 46,257 |
| Total current assets | <u>648,897</u> | <u>148,247</u> | <u>797,144</u> |
| Noncurrent assets: | | | |
| Land | 20,555 | 1,797,171 | 1,817,726 |
| Buildings | 77,988 | 1,260,462 | 1,338,450 |
| Building improvements | - | 40,729 | 40,729 |
| Improvements other than buildings | 864,337 | 2,575,579 | 3,439,916 |
| Equipment | 49,324 | 706,182 | 755,506 |
| Infrastructure | 286,049 | - | 286,049 |
| Less accumulated depreciation | <u>(751,654)</u> | <u>(3,860,561)</u> | <u>(4,612,215)</u> |
| Total capital assets, net | <u>546,599</u> | <u>2,519,562</u> | <u>3,066,161</u> |
| Total noncurrent assets | <u>546,599</u> | <u>2,519,562</u> | <u>3,066,161</u> |
| Total assets | <u>1,195,496</u> | <u>2,667,809</u> | <u>3,863,305</u> |
| DEFERRED OUTFLOWS OF RESOURCES | | | |
| Deferred outflows of pension earnings | 7,102 | 100,214 | 107,316 |
| Deferred outflows of pension assumptions | 10,349 | 146,040 | 156,389 |
| Deferred outflows of pension experience | <u>2,804</u> | <u>39,561</u> | <u>42,365</u> |
| Total deferred outflows of resources | <u>20,255</u> | <u>285,815</u> | <u>306,070</u> |
| LIABILITIES | | | |
| Current liabilities: | | | |
| Accounts payable and other accrued liabilities | 41,937 | 127,704 | 169,641 |
| Accrued payroll | 1,441 | 19,832 | 21,273 |
| Deposits | 20,000 | - | 20,000 |
| Unearned revenue | - | 182,429 | 182,429 |
| Compensated absences | - | 11,532 | 11,532 |
| Total current liabilities | <u>63,378</u> | <u>341,497</u> | <u>404,875</u> |
| Noncurrent liabilities: | | | |
| Advances from other funds | - | 564,909 | 564,909 |
| Compensated absences | - | 44,132 | 44,132 |
| OPEB obligation | 192,947 | 1,629,398 | 1,822,345 |
| Net pension liability | <u>71,410</u> | <u>1,007,672</u> | <u>1,079,082</u> |
| Total noncurrent liabilities | <u>264,357</u> | <u>3,246,111</u> | <u>3,510,468</u> |
| Total liabilities | <u>327,735</u> | <u>3,587,608</u> | <u>3,915,343</u> |
| DEFERRED INFLOWS OF RESOURCES | | | |
| Deferred inflows of pension experience | <u>468</u> | <u>6,609</u> | <u>7,077</u> |
| Total deferred inflows of resources | <u>468</u> | <u>6,609</u> | <u>7,077</u> |
| NET POSITION | | | |
| Net investment in capital assets | 546,600 | 2,519,562 | 3,066,162 |
| Unrestricted | <u>340,948</u> | <u>(3,160,155)</u> | <u>(2,819,207)</u> |
| Total net position | <u>\$ 887,548</u> | <u>\$ (640,593)</u> | <u>\$ 246,955</u> |

City of Cape Coral, Florida

**COMBINING STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND NET POSITION
NONMAJOR ENTERPRISE FUNDS**

For the Year Ended September 30, 2016

| | Yacht Basin | Golf Course | Total |
|---|------------------------|------------------------|-------------------|
| OPERATING REVENUES | | | |
| Charges for services | \$ 587,650 | \$ 2,122,240 | \$ 2,709,890 |
| Other revenue | 889 | 4,648 | 5,537 |
| Total operating revenues | <u>588,539</u> | <u>2,126,888</u> | <u>2,715,427</u> |
| OPERATING EXPENSES | | | |
| Salaries, wages and employee benefits | 114,234 | 1,405,390 | 1,519,624 |
| Contractual services, materials and supplies | 233,369 | 1,279,209 | 1,512,578 |
| Depreciation | 22,554 | 111,100 | 133,654 |
| Total operating expenses | <u>370,157</u> | <u>2,795,699</u> | <u>3,165,856</u> |
| Operating income (loss) | <u>218,382</u> | <u>(668,811)</u> | <u>(450,429)</u> |
| NONOPERATING REVENUES (EXPENSES) | | | |
| Interest income | 5,146 | 21 | 5,167 |
| Gain (loss) on sale of capital assets | - | 80,816 | 80,816 |
| Total nonoperating revenues (expenses) | <u>5,146</u> | <u>80,837</u> | <u>85,983</u> |
| Income (loss) before contributions and transfers | <u>223,528</u> | <u>(587,974)</u> | <u>(364,446)</u> |
| Transfers | | | |
| Transfers in | - | 604,000 | 604,000 |
| Transfers out | (215,000) | - | (215,000) |
| Total contributions and transfers | <u>(215,000)</u> | <u>604,000</u> | <u>389,000</u> |
| Change in net position | 8,528 | 16,026 | 24,554 |
| Total net position - beginning | <u>879,020</u> | <u>(656,619)</u> | <u>222,401</u> |
| Total net position - ending | <u>\$ 887,548</u> | <u>\$ (640,593)</u> | <u>\$ 246,955</u> |

City of Cape Coral, Florida

COMBINING STATEMENT OF CASH FLOWS
NONMAJOR ENTERPRISE FUNDS
For the Year Ended September 30, 2016

| | Yacht Basin | Golf Course | Total |
|--|------------------------|------------------------|-------------------|
| CASH FLOWS FROM OPERATING ACTIVITIES: | | | |
| Cash received from customers | \$ 588,532 | \$ 2,195,455 | \$ 2,783,987 |
| Cash payments to suppliers | (132,083) | (919,852) | (1,051,935) |
| Cash payments to employees | (165,098) | (1,427,156) | (1,592,254) |
| Interfund service payments | (77,995) | (337,391) | (415,386) |
| Net cash provided (used) by operating activities | <u>213,356</u> | <u>(488,944)</u> | <u>(275,588)</u> |
| CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES: | | | |
| Transfers in | - | 604,000 | 604,000 |
| Transfers out | (215,000) | - | (215,000) |
| Net cash provided (used) by noncapital financing activities | <u>(215,000)</u> | <u>604,000</u> | <u>389,000</u> |
| CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES: | | | |
| Acquisition and construction of capital assets | (391,642) | (194,759) | (586,401) |
| Proceeds from sale of capital assets | (10,925) | 5,000 | (5,925) |
| Net cash provided (used) by capital and related financing activities | <u>(402,567)</u> | <u>(189,759)</u> | <u>(592,326)</u> |
| CASH FLOWS FROM INVESTING ACTIVITIES: | | | |
| Investment Earnings | 5,338 | 21 | 5,359 |
| Net cash provided (used) by investing activities | <u>5,338</u> | <u>21</u> | <u>5,359</u> |
| Net increase (decrease) in cash | (398,873) | (74,682) | (473,555) |
| Cash and investments - beginning | 1,046,864 | 176,310 | 1,223,174 |
| Cash and investments - ending | <u>\$ 647,991</u> | <u>\$ 101,628</u> | <u>\$ 749,619</u> |

The following reconciles cash and cash equivalents to the Statement of Net Assets Nonmajor Enterprise Funds

| | | | |
|----------------------|-------------------|-------------------|-------------------|
| Cash and investments | <u>\$ 647,991</u> | <u>\$ 101,628</u> | <u>\$ 749,619</u> |
|----------------------|-------------------|-------------------|-------------------|

RECONCILIATION OF OPERATING INCOME (LOSS) TO NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES:

| | | | |
|---|-------------------|---------------------|---------------------|
| Operating income (loss) | \$ 218,382 | \$ (668,811) | \$ (450,429) |
| Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities: | | | |
| Depreciation expense | 22,554 | 111,100 | 133,654 |
| (Increase) decrease in assets: | | | |
| Accounts receivable, net | (7) | 14 | 7 |
| Inventories | - | (9,109) | (9,109) |
| Prepaid items | - | 5,955 | 5,955 |
| Increase (decrease) in liabilities: | | | |
| Accounts payable and other accrued liabilities | 23,291 | 25,120 | 48,411 |
| Accrued payroll | (4,811) | (37,152) | (41,963) |
| Compensated absences | (13,194) | (19,576) | (32,770) |
| OPEB obligation | 17,500 | 158,340 | 175,840 |
| Change in deferred outflows | 1,608 | (81,318) | (79,710) |
| Change in deferred inflows | (2,059) | (36,374) | (38,433) |
| Net Pension Liability | (49,908) | (5,686) | (55,594) |
| Unearned revenue | - | 68,553 | 68,553 |
| Total adjustments | <u>(5,026)</u> | <u>179,867</u> | <u>174,841</u> |
| Net cash provided (used) by operating activities | <u>\$ 213,356</u> | <u>\$ (488,944)</u> | <u>\$ (275,588)</u> |

Supplemental disclosure of noncash investing, capital and financing activities:
Yacht Basin decrease in fair value of investments of \$509.

City of Cape Coral, Florida

COMBINING STATEMENT OF NET POSITION
INTERNAL SERVICE FUNDS
September 30, 2016

| | Workers Compensation Insurance | Property and Casualty Insurance | Facilities & Fleet Management | Self-funded Health Insurance | Total |
|--|---|--|--|---|---------------------|
| ASSETS | | | | | |
| Current assets: | | | | | |
| Cash and investments | \$ 8,162,835 | \$ 3,424,138 | \$ 1,258,922 | \$ 4,957,630 | \$ 17,803,525 |
| Interest receivable | 10,624 | 4,457 | - | 1,910 | 16,991 |
| Accounts receivable, net | 3,148 | 3,109 | 8,496 | 123,938 | 138,691 |
| Prepaid items | - | 77,332 | - | - | 77,332 |
| Total current assets | <u>8,176,607</u> | <u>3,509,036</u> | <u>1,267,418</u> | <u>5,083,478</u> | <u>18,036,539</u> |
| Noncurrent assets: | | | | | |
| Capital assets (net of accumulated depreciation) | | | | | |
| Buildings | - | - | 794,507 | - | 794,507 |
| Building improvements | 2,057 | 2,057 | 113,363 | - | 117,477 |
| Improvements other than buildings | - | - | 63,796 | - | 63,796 |
| Equipment | 45,232 | 11,103 | 1,534,783 | - | 1,591,118 |
| Intangible computer software | - | - | 705,245 | - | 705,245 |
| Less accumulated depreciation | (23,425) | (12,029) | (2,298,353) | - | (2,333,807) |
| Total capital assets, net | <u>23,864</u> | <u>1,131</u> | <u>913,341</u> | <u>-</u> | <u>938,336</u> |
| Total assets | <u>8,200,471</u> | <u>3,510,167</u> | <u>2,180,759</u> | <u>5,083,478</u> | <u>18,974,875</u> |
| DEFERRED OUTFLOWS OF RESOURCES | | | | | |
| Deferred outflows of pension earnings | 16,571 | 26,040 | 467,138 | 13,415 | 523,164 |
| Deferred outflows of pension assumptions | 24,148 | 37,947 | 680,753 | 19,549 | 762,397 |
| Deferred outflows of pension experience | 6,542 | 10,280 | 184,409 | 5,296 | 206,527 |
| Total deferred outflows of resources | <u>47,261</u> | <u>74,267</u> | <u>1,332,300</u> | <u>38,260</u> | <u>1,492,088</u> |
| LIABILITIES | | | | | |
| Current liabilities: | | | | | |
| Accounts payable and other accrued liabilities | 60,277 | 2,300 | 410,804 | 1,192,109 | 1,665,490 |
| Accrued payroll | 5,449 | 2,873 | 62,966 | 1,631 | 72,919 |
| Claims liability | 1,318,000 | 416,000 | - | 497,694 | 2,231,694 |
| Compensated absences | - | - | 42,738 | 5,975 | 48,713 |
| Total current liabilities | <u>1,383,726</u> | <u>421,173</u> | <u>516,508</u> | <u>1,697,409</u> | <u>4,018,816</u> |
| Noncurrent liabilities: | | | | | |
| Compensated absences | - | - | 161,107 | 13,247 | 174,354 |
| OPEB | 203,338 | 211,100 | 4,603,353 | 11,572 | 5,029,363 |
| Claims liability | 4,120,000 | 717,000 | - | - | 4,837,000 |
| Net pension liability | 166,623 | 261,836 | 4,697,178 | 134,885 | 5,260,522 |
| Total noncurrent liabilities | <u>4,489,961</u> | <u>1,189,936</u> | <u>9,461,638</u> | <u>159,704</u> | <u>15,301,239</u> |
| Total liabilities | <u>5,873,687</u> | <u>1,611,109</u> | <u>9,978,146</u> | <u>1,857,113</u> | <u>19,320,055</u> |
| DEFERRED INFLOWS OF RESOURCES | | | | | |
| Deferred inflows of pension experience | 1,093 | 1,717 | 30,806 | 885 | 34,501 |
| Total deferred inflows of resources | <u>1,093</u> | <u>1,717</u> | <u>30,806</u> | <u>885</u> | <u>34,501</u> |
| NET POSITION | | | | | |
| Net investment in capital assets | 23,864 | 1,131 | 913,341 | - | 938,336 |
| Unrestricted | 2,349,088 | 1,970,477 | (7,409,234) | 3,263,740 | 174,071 |
| Total net position | <u>\$ 2,372,952</u> | <u>\$ 1,971,608</u> | <u>\$ (6,495,893)</u> | <u>\$ 3,263,740</u> | <u>\$ 1,112,407</u> |

City of Cape Coral, Florida

**COMBINING STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND NET POSITION
INTERNAL SERVICE FUNDS**

For the Year Ended September 30, 2016

| | Workers Compensation Insurance | Property and Casualty Insurance | Facilities & Fleet Management | Self-funded Health Insurance | Total |
|--|---|--|--|---|---------------------|
| OPERATING REVENUES | | | | | |
| Charges for services | \$ 3,353,537 | \$ 3,071,883 | \$ 8,243,119 | \$ 12,501,329 | \$ 27,169,868 |
| Other revenue | 357,688 | 10,057 | 28,454 | 375,929 | 772,128 |
| Total operating revenues | <u>3,711,225</u> | <u>3,081,940</u> | <u>8,271,573</u> | <u>12,877,258</u> | <u>27,941,996</u> |
| OPERATING EXPENSES | | | | | |
| Salaries, wages and employee benefits | 68,366 | 223,580 | 4,304,938 | 215,592 | 4,812,476 |
| Contractual services, materials and supplies | 643,086 | 1,656,256 | 3,918,817 | 1,485,067 | 7,703,226 |
| Claims and claims adjustments | 1,785,122 | (24,718) | - | 11,239,932 | 13,000,336 |
| Depreciation | 6,020 | 1,139 | 297,682 | - | 304,841 |
| Total operating expenses | <u>2,502,594</u> | <u>1,856,257</u> | <u>8,521,437</u> | <u>12,940,591</u> | <u>25,820,879</u> |
| Operating income (loss) | <u>1,208,631</u> | <u>1,225,683</u> | <u>(249,864)</u> | <u>(63,333)</u> | <u>2,121,117</u> |
| NONOPERATING REVENUES (EXPENSES) | | | | | |
| Interest income | 50,138 | 19,163 | - | 13,910 | 83,211 |
| Gain (loss) on disposal of capital assets | - | - | 40,400 | - | 40,400 |
| Total nonoperating revenues (expenses) | <u>50,138</u> | <u>19,163</u> | <u>40,400</u> | <u>13,910</u> | <u>123,611</u> |
| Income (loss) before transfers | <u>1,258,769</u> | <u>1,244,846</u> | <u>(209,464)</u> | <u>(49,423)</u> | <u>2,244,728</u> |
| Transfers | | | | | |
| Transfers in | - | - | 9,500 | 3,313,163 | 3,322,663 |
| Change in net position | 1,258,769 | 1,244,846 | (199,964) | 3,263,740 | 5,567,391 |
| Total net position - beginning | 1,114,183 | 726,762 | (6,295,929) | - | (4,454,984) |
| Total net position - ending | <u>\$ 2,372,952</u> | <u>\$ 1,971,608</u> | <u>\$ (6,495,893)</u> | <u>\$ 3,263,740</u> | <u>\$ 1,112,407</u> |

COMBINING STATEMENT OF CASH FLOWS
INTERNAL SERVICE FUNDS
For the Year Ended September 30, 2016

| | Workers Compensation Insurance | Property and Casualty Insurance | Facilities & Fleet Management | Self-funded Health Insurance | Total |
|---|---|--|--|---|---------------------|
| CASH FLOWS FROM OPERATING ACTIVITIES: | | | | | |
| Cash received from customers | \$ 3,708,189 | \$ 3,078,854 | \$ 8,278,339 | \$ 12,753,320 | \$ 27,818,702 |
| Cash payments for claims | (1,926,122) | (373,282) | - | (10,742,238) | (13,041,642) |
| Cash payments to suppliers | (705,927) | (1,660,840) | (3,804,187) | (292,958) | (6,463,912) |
| Cash payments to employees | (152,433) | (205,682) | (4,396,912) | (85,657) | (4,840,684) |
| Net cash provided by operating activities | <u>923,707</u> | <u>839,050</u> | <u>77,240</u> | <u>1,632,467</u> | <u>3,472,464</u> |
| CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES: | | | | | |
| Transfers in | - | - | 9,500.00 | 3,313,163.00 | 3,322,663 |
| Net cash (used) by noncapital financing activities | <u>-</u> | <u>-</u> | <u>9,500.00</u> | <u>3,313,163.00</u> | <u>3,322,663</u> |
| CASH FLOWS FROM CAPITAL AND RELATED FINANCING | | | | | |
| Acquisition and construction of capital assets | (28,547) | - | (273,413) | - | (301,960) |
| Proceeds from sale of capital asset | - | - | 40,400 | - | 40,400 |
| Net cash used by capital and related financing activities | <u>(28,547)</u> | <u>-</u> | <u>(233,013)</u> | <u>-</u> | <u>(261,560)</u> |
| CASH FLOWS FROM INVESTING ACTIVITIES: | | | | | |
| Investment Earnings | 47,036 | 17,381 | - | 12,000 | 76,417 |
| Net cash provided (used) by investing activities | <u>47,036</u> | <u>17,381</u> | <u>-</u> | <u>12,000</u> | <u>76,417</u> |
| Net increase (decrease) in cash | 942,196 | 856,431 | (146,273) | 4,957,630 | 6,609,984 |
| Cash and investments - beginning | 7,220,639 | 2,567,707 | 1,405,195 | - | 11,193,541 |
| Cash and investments - ending | <u>\$ 8,162,835</u> | <u>\$ 3,424,138</u> | <u>\$ 1,258,922</u> | <u>\$ 4,957,630</u> | <u>17,803,525</u> |
| RECONCILIATION OF OPERATING INCOME (LOSS) TO NET CASH PROVIDED (USED) BY OPERATING ACTIVITIES: | | | | | |
| Operating income (loss) | \$ 1,208,631 | \$ 1,225,683 | \$ (249,864) | \$ (63,333) | 2,121,117 |
| Adjustments to reconcile operating income (loss) to net cash provided (used) by operating activities: | | | | | |
| Depreciation expense | 6,020 | 1,139 | 297,682 | - | 304,841 |
| (Increase) decrease in assets: | | | | | |
| Accounts receivable, net | (3,036) | (3,086) | 6,766 | (123,938) | (123,294) |
| Prepaid items | - | (6,266) | 215 | - | (6,051) |
| (Increase) decrease in deferred outflows: | | | | | |
| Pension earnings | 29,162 | (40,666) | (637,623) | (18,362) | (667,489) |
| Pension assumptions | (24,148) | - | - | (19,549) | (43,697) |
| Pension experience | (6,542) | - | - | (5,296) | (11,838) |
| Increase (decrease) in liabilities: | | | | | |
| Accounts payable and other accrued liabilities | (62,841) | 1,682 | 114,415 | 1,192,109 | 1,245,365 |
| Accrued payroll | 2,372 | (4,990) | (97,751) | 1,631 | (98,738) |
| Compensated absences | (5,328) | (8,589) | (211,673) | 19,222 | (206,368) |
| OPEB liability | 14,395 | 22,157 | 433,105 | 11,572 | 481,229 |
| Claims liability | (141,000) | (398,000) | - | 497,694 | (41,306) |
| Net pension liability | (90,285) | 47,746 | 401,110 | 134,885 | 493,456 |
| Increase (decrease) in deferred inflows: | | | | | |
| Pension earnings | (2,288) | 2,604 | 31,821 | 4,947 | 37,084 |
| Pension experience | (1,405) | (364) | (10,963) | 885 | (11,847) |
| Total adjustments | <u>(284,924)</u> | <u>(386,633)</u> | <u>327,104</u> | <u>1,695,800</u> | <u>1,351,347</u> |
| Net cash provided (used) by operating activities | <u>\$ 923,707</u> | <u>\$ 839,050</u> | <u>\$ 77,240</u> | <u>\$ 1,632,467</u> | <u>\$ 3,472,464</u> |

Supplemental disclosure of noncash investing, capital and financing activities:
Worker's Compensation Insurance decrease in fair value of investments of \$59.
Property and Casualty Insurance increase in fair value of investments of \$508.
Self Insurance Fund increase in fair value of investments \$1,488.

FIDUCIARY FUNDS

AGENCY FUNDS

Agency Funds are used to account for assets held in an agency capacity for others and therefore cannot be used to support the City's own programs.

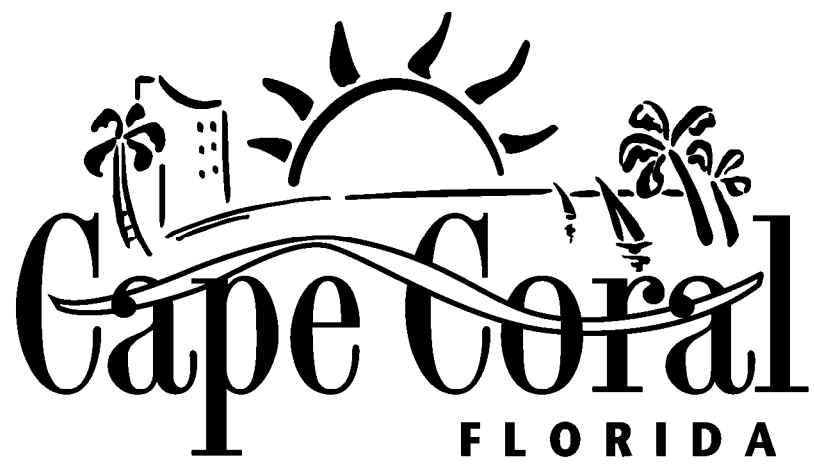
- School Impact Fee Fund – used to account for the City's collection of school impact fees for the Lee County School Board at the time of building permit issuance.
- Solid Waste Fund – used to account for the City's collection of solid waste fees.

City of Cape Coral, Florida

**COMBINING STATEMENT OF CHANGES IN ASSETS AND LIABILITIES
AGENCY FUNDS**

For the Year Ended September 30, 2016

| | Balance September 30, 2015 | Additions | Reductions | Balance September 30, 2016 |
|-----------------------------------|---------------------------------------|----------------------|----------------------|---------------------------------------|
| School Impact Fee Fund | | | | |
| Assets | | | | |
| Cash and investments | \$ 155,581 | \$ 2,613,465 | \$ 2,503,372 | \$ 265,674 |
| Interest receivable | 162 | 384 | 162 | 384 |
| Total assets | <u>\$ 155,743</u> | <u>\$ 2,613,849</u> | <u>\$ 2,503,534</u> | <u>\$ 266,058</u> |
| Liabilities | | | | |
| Due to others | \$ 155,743 | \$ 2,596,978 | \$ 2,486,663 | \$ 266,058 |
| Total liabilities | <u>\$ 155,743</u> | <u>\$ 2,596,978</u> | <u>\$ 2,486,663</u> | <u>\$ 266,058</u> |
| Solid Waste Fund | | | | |
| Assets | | | | |
| Cash and investments | \$ 2,945,924 | \$ 11,361,327 | \$ 11,743,896 | \$ 2,563,355 |
| Interest receivable | 3,069 | 3,298 | 3,069 | 3,298 |
| Intergovernmental receivable | 39,098 | 11,571,349 | 11,574,662 | 35,785 |
| Total assets | <u>\$ 2,988,091</u> | <u>\$ 22,935,974</u> | <u>\$ 23,321,627</u> | <u>\$ 2,602,438</u> |
| Liabilities | | | | |
| Due to others | \$ 2,988,091 | \$ 10,834,263 | \$ 11,219,916 | \$ 2,602,438 |
| Total liabilities | <u>\$ 2,988,091</u> | <u>\$ 10,834,263</u> | <u>\$ 11,219,916</u> | <u>\$ 2,602,438</u> |
| Total All Agency Funds | | | | |
| Assets | | | | |
| Cash and investments | \$ 3,101,505 | \$ 13,974,792 | \$ 14,247,268 | \$ 2,829,029 |
| Interest receivable | 3,231 | 3,682 | 3,231 | 3,682 |
| Intergovernmental receivable | 39,098 | 11,571,349 | 11,574,662 | 35,785 |
| Total assets | <u>\$ 3,143,834</u> | <u>\$ 25,549,823</u> | <u>\$ 25,825,161</u> | <u>\$ 2,868,496</u> |
| Liabilities | | | | |
| Due to others | \$ 3,143,834 | \$ 13,431,241 | \$ 13,706,579 | \$ 2,868,496 |
| Total liabilities | <u>\$ 3,143,834</u> | <u>\$ 13,431,241</u> | <u>\$ 13,706,579</u> | <u>\$ 2,868,496</u> |



Statistical Section

STATISTICAL SECTION (Unaudited)

This part of the City of Cape Coral, Florida's Comprehensive Annual Financial Report presents detailed information as a context for understanding what the information in the financial statements, note disclosures, and required supplementary information says about the City's overall financial health.

| <u>Contents</u> | <u>Page</u> |
|--|--------------------|
| Financial Trends | 164 |
| These schedules contain trend information to help the reader understand how the City's financial performance and well-being have changed over time. | |
| Revenue Capacity | 169 |
| These schedules contain information to help the reader assess the factors affecting the City's most significant local revenue source, the property tax. | |
| Debt Capacity | 174 |
| These schedules present information to help the reader assess the affordability of the City's current levels of outstanding debt and the City's ability to issue additional debt in the future. The City has no legal debt margin and therefore it is not reported in these schedules. | |
| Demographic and Economic Information | 178 |
| These schedules offer demographic and economic indicators to help the reader understand the environment within which the City's financial activities take place. | |
| Operating Information | 181 |
| These schedules contain service and infrastructure data to help the reader understand how the information in the City's financial report relates to the services the City provides and the activities it performs. | |

Source: Unless otherwise noted, the information in these schedules was obtained from the Comprehensive Financial Reports for the relevant year. The City implemented GASB Statement 34 in 2002; schedules presenting government-wide information include information beginning in that year.

City of Cape Coral, Florida

NET POSITION BY COMPONENT
Last Ten Fiscal Years
(accrual basis of accounting)

Schedule 1

| | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
|---|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|
| Governmental activities | | | | | | | | | | |
| Net investment in capital assets | \$ 161,840,332 | \$ 196,850,151 | \$ 218,770,809 | \$ 203,524,150 | \$ 210,969,144 | \$ 211,308,256 | \$ 211,168,912 | \$ 211,573,951 | \$ 206,045,063 | \$ 215,610,383 |
| Restricted | 103,649,009 | 66,021,021 | 39,734,025 | 63,970,296 | 37,703,162 | 38,954,956 | 33,449,825 | 33,522,887 | 39,172,890 | 49,389,716 |
| Unrestricted | 20,085,796 | 24,697,432 | 4,107,230 | (9,570,983) | (9,190,305) | (31,602,890) | (45,992,918) | (41,654,894) | (129,177,798) | (133,595,277) |
| Total governmental activities net position | 285,575,137 | 287,568,604 | 262,612,064 | 257,923,463 | 239,482,001 | 218,660,322 | 198,625,819 | 203,441,944 | 116,040,155 | 131,404,822 |
| Business-type activities | | | | | | | | | | |
| Net investment in capital assets | 312,334,525 | 347,320,967 | 360,394,183 | 378,762,735 | 371,543,292 | 373,653,297 | 370,704,547 | 362,080,880 | 361,707,442 | 374,994,099 |
| Restricted | 89,708,456 | 75,792,828 | 78,467,814 | 54,357,805 | 56,239,059 | 62,417,416 | 47,174,719 | 66,696,901 | 92,631,969 | 89,937,196 |
| Unrestricted | (1,837,613) | 6,335,631 | 17,725,385 | 35,473,769 | 42,002,781 | 24,960,060 | 23,014,260 | 16,979,433 | (26,625,585) | (17,705,952) |
| Total business-type activities net position | 400,205,368 | 429,449,426 | 456,587,382 | 468,594,309 | 469,785,132 | 461,030,773 | 440,893,526 | 445,757,214 | 427,713,826 | 447,225,343 |
| Primary government | | | | | | | | | | |
| Net investment in capital assets | 474,174,857 | 544,171,118 | 579,164,992 | 582,286,885 | 582,512,436 | 584,961,553 | 581,873,459 | 573,654,831 | 567,752,505 | 590,604,482 |
| Restricted | 193,357,465 | 141,813,849 | 118,201,839 | 118,328,101 | 93,942,221 | 101,372,372 | 80,624,544 | 100,219,788 | 131,804,859 | 139,326,912 |
| Unrestricted | 18,248,183 | 31,033,063 | 21,832,615 | 25,902,786 | 32,812,476 | (6,642,830) | (22,878,658) | (24,675,461) | (155,803,383) | (151,301,229) |
| Total primary government net position | \$ 685,780,505 | \$ 717,018,030 | \$ 719,199,446 | \$ 726,517,772 | \$ 709,267,133 | \$ 679,691,095 | \$ 639,519,345 | \$ 649,199,158 | \$ 543,753,981 | \$ 578,630,166 |

City of Cape Coral, Florida
CHANGES IN NET POSITION
 Last Ten Fiscal Years
 (accrual basis of accounting)

| | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
|---|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|
| Expenses | | | | | | | | | | |
| Governmental activities: | | | | | | | | | | |
| General government | | | | | | | | | | |
| Public safety: | | | | | | | | | | |
| Police | \$ 28,043,308 | \$ 38,120,980 | \$ 31,534,140 | \$ 29,986,307 | \$ 32,639,906 | \$ 31,642,181 | \$ 35,750,067 | \$ 43,386,715 | \$ 52,344,411 | \$ 51,588,399 |
| Fire | 35,714,577 | 42,210,585 | 45,501,686 | 42,473,233 | 43,046,173 | 38,563,123 | 40,883,574 | 34,265,016 | 37,755,665 | 37,862,679 |
| Building ¹ | 25,998,082 | 29,022,228 | 30,824,609 | 29,047,066 | 31,336,823 | 32,509,360 | 33,280,113 | 29,089,119 | 34,071,631 | 29,941,799 |
| Public works | 24,725,744 | - | 2,013,917 | 2,057,602 | 2,284,267 | 2,382,927 | 2,557,567 | 2,995,300 | 3,134,523 | 3,804,593 |
| Parks and recreation | 15,398,273 | 29,295,132 | 25,229,774 | 22,375,570 | 19,250,191 | 16,844,612 | 14,216,303 | 16,905,388 | 18,101,671 | 18,268,298 |
| Community development | 9,812,164 | 16,928,374 | 17,846,602 | 17,212,764 | 16,556,468 | 18,101,675 | 17,457,679 | 17,069,459 | 17,024,031 | 17,997,257 |
| Interest on long-term debt | 5,860,014 | 9,499,969 | 8,831,139 | 11,348,878 | 11,348,878 | 10,294,730 | 9,978,824 | 6,640,062 | 5,559,972 | 6,979,622 |
| Total governmental activities expenses | 145,552,162 | 171,598,615 | 171,027,689 | 164,144,742 | 165,686,088 | 161,871,330 | 163,293,361 | 161,304,083 | 178,215,114 | 176,084,396 |
| Business-type activities: | | | | | | | | | | |
| Water and sewer | 51,693,787 | 67,114,813 | 71,389,047 | 80,300,601 | 89,819,589 | 98,718,563 | 117,610,480 | 98,202,689 | 101,071,789 | 99,123,629 |
| Stormwater | 8,378,842 | 9,313,160 | 9,489,673 | 10,659,980 | 10,488,428 | 13,694,526 | 13,744,777 | 13,572,941 | 13,270,032 | 13,029,277 |
| Building division ¹ | 10,540,758 | 5,287,370 | - | - | - | - | - | - | - | - |
| Yacht basin | 335,385 | 305,506 | 282,733 | 295,691 | 312,368 | 340,445 | 372,930 | 992,058 | 345,457 | 372,349 |
| Golf course | 2,428,944 | 2,568,142 | 2,605,889 | 2,505,114 | 2,533,787 | 2,631,840 | 2,599,938 | 2,710,132 | 2,450,043 | 2,790,829 |
| Waterpark ¹ | 2,849,170 | 3,073,086 | - | - | - | - | - | - | - | - |
| Total business-type activities expenses | 76,226,886 | 87,662,077 | 83,767,342 | 93,761,386 | 103,154,172 | 115,385,374 | 134,328,125 | 115,477,820 | 117,137,321 | 115,316,084 |
| Total primary government expenses | \$ 221,779,048 | \$ 259,258,692 | \$ 254,795,031 | \$ 257,906,128 | \$ 268,840,260 | \$ 277,256,704 | \$ 297,621,486 | \$ 276,781,903 | \$ 295,362,435 | \$ 291,400,480 |
| Program Revenues | | | | | | | | | | |
| Governmental activities: | | | | | | | | | | |
| Charges for services: | | | | | | | | | | |
| General government | \$ 12,978,493 | \$ 11,648,711 | \$ 12,421,835 | \$ 13,286,099 | \$ 11,243,424 | \$ 12,700,342 | \$ 14,451,088 | \$ 9,820,161 | \$ 11,911,283 | \$ 11,003,789 |
| Public safety: | | | | | | | | | | |
| Police | 718,233 | 820,650 | 1,341,052 | 974,279 | 726,795 | 857,660 | 683,428 | 831,945 | 938,606 | 1,244,054 |
| Fire | 646,379 | 410,271 | 242,902 | 155,235 | 182,658 | 178,483 | 181,491 | 231,567 | 312,388 | 288,432 |
| Building ¹ | - | - | 14,316 | 36,008 | 140,044 | 36,891 | 29,218 | 4,022,162 | 4,875,890 | 6,411,115 |
| Public works ² | 370,437 | 2,888,699 | 1,843,098 | 127,755 | 7,023 | 1,063,713 | 2,948,171 | 4,036,205 | 6,130,223 | 3,151,358 |
| Parks and recreation | 3,426,513 | 3,245,753 | 5,215,121 | 5,441,211 | 5,379,904 | 5,391,333 | 5,397,502 | 5,740,866 | 5,873,336 | 5,397,864 |
| Community development | 1,416,183 | 194,083 | 762,617 | 663,254 | 1,110,747 | 1,955,527 | 2,113,420 | 1,515,921 | 1,679,724 | 1,408,377 |
| Operating grants and contributions | 4,753,706 | 5,166,569 | 4,901,931 | 4,839,251 | 5,408,078 | 5,311,553 | 4,126,255 | 16,150,059 | 16,222,090 | 29,559,152 |
| Capital grants and contributions | 17,342,541 | 10,996,862 | 10,563,598 | 12,591,891 | 13,778,035 | 9,750,662 | 7,108,832 | 7,306,283 | 9,505,165 | 8,416,807 |
| Total governmental activities program revenues | 41,652,485 | 35,371,598 | 37,206,470 | 38,114,981 | 37,976,708 | 37,246,164 | 37,039,405 | 49,655,169 | 57,448,705 | 66,885,948 |
| Business-type activities: | | | | | | | | | | |
| Charges for services: | | | | | | | | | | |
| Water and sewer | 43,375,421 | 46,486,235 | 52,886,921 | 63,953,774 | 65,052,190 | 71,111,199 | 76,690,422 | 73,603,154 | 76,614,078 | 80,067,263 |
| Stormwater | 12,745,684 | 12,436,993 | 12,540,547 | 12,602,744 | 12,435,730 | 11,356,728 | 12,352,001 | 12,329,090 | 12,317,747 | 13,123,358 |
| Building division ¹ | 4,994,862 | 1,976,525 | - | - | - | - | - | - | - | - |
| Yacht basin | 363,088 | 301,884 | 302,466 | 271,315 | 345,013 | 338,006 | 394,553 | 982,314 | 562,119 | 588,539 |
| Golf course | 2,203,650 | 2,216,821 | 2,122,609 | 2,093,960 | 2,111,811 | 2,205,965 | 2,192,097 | 2,308,820 | 2,218,021 | 2,126,888 |
| Waterpark ¹ | 1,936,543 | 2,231,202 | - | - | - | - | - | - | - | - |
| Operating grants and contributions | 11,510,910 | 11,033,752 | 13,934,169 | 10,474,743 | 7,961,102 | 7,517,135 | 6,904,337 | 6,571,091 | 9,989,134 | 1,122,688 |
| Capital grants and contributions | 38,300,875 | 38,547,215 | 25,801,725 | 19,224,350 | 15,062,248 | 12,624,199 | 15,329,046 | 29,123,990 | 22,957,693 | 27,669,127 |
| Total business-type activities program revenues | 115,431,033 | 115,230,627 | 107,589,437 | 108,620,886 | 102,968,134 | 105,153,232 | 113,862,456 | 124,928,459 | 124,658,792 | 124,697,843 |
| Total primary government program revenues | \$ 157,083,518 | \$ 150,602,225 | \$ 144,794,907 | \$ 146,735,867 | \$ 140,944,842 | \$ 142,399,396 | \$ 150,901,861 | \$ 174,563,628 | \$ 182,107,497 | \$ 191,583,791 |
| Net (Expense)/Revenue | | | | | | | | | | |
| Governmental activities: | \$ (103,899,677) | \$ (136,225,017) | \$ (133,821,219) | \$ (126,029,761) | \$ (127,709,380) | \$ (124,625,166) | \$ (126,253,956) | \$ (111,648,914) | \$ (120,766,409) | \$ (109,198,448) |
| Business-type activities | 39,204,147 | 27,568,550 | 23,821,095 | 14,859,500 | (186,040) | (10,232,142) | (20,465,669) | 9,450,639 | 7,521,471 | 9,381,759 |
| Total primary government net expense | \$ (64,695,530) | \$ (108,656,467) | \$ (110,000,124) | \$ (111,170,261) | \$ (127,895,420) | \$ (134,857,308) | \$ (146,719,625) | \$ (102,198,275) | \$ (113,244,938) | \$ (99,816,689) |

Source: City of Cape Coral, Financial Services Department
 See accompanying independent auditors' report.

CHANGES IN NET POSITION (continued)
Last Ten Fiscal Years
(accrual basis of accounting)

| | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
|---|----------------|----------------|-----------------|----------------|-----------------|-----------------|-----------------|----------------|----------------|----------------|
| Schedule 2 | | | | | | | | | | |
| General Revenues and Other Changes in Net Position | | | | | | | | | | |
| Governmental activities: | | | | | | | | | | |
| Taxes: | | | | | | | | | | |
| Property taxes, levied for general purpose | \$ 102,726,890 | \$ 96,984,966 | \$ 72,633,488 | \$ 81,258,406 | \$ 68,465,753 | \$ 66,300,746 | \$ 68,969,220 | \$ 71,451,329 | \$ 77,445,321 | \$ 75,239,444 |
| Property taxes, levied for debt service | 1,313,051 | 1,206,562 | 945,169 | - | - | - | - | - | - | - |
| Property taxes, other (CRA and All Hazards) | 2,846,060 | 2,703,930 | 1,777,720 | 911,537 | 815,195 | 685,754 | 690,036 | 755,178 | 900,184 | 1,094,755 |
| Public service tax | - | - | - | - | - | - | - | 7,229,414 | 7,168,083 | 7,250,872 |
| Sales ³ | 15,753,186 | 14,113,875 | 13,361,888 | 13,398,724 | 14,000,513 | 14,210,873 | 15,345,034 | 16,792,598 | 18,336,760 | 18,136,627 |
| Half-cent sales | - | - | - | - | - | - | - | - | - | - |
| Fuel ⁴ | 9,656,004 | 8,987,485 | 8,604,266 | 8,438,785 | 8,322,095 | 8,090,870 | 8,630,419 | 9,092,366 | 9,716,679 | 10,222,671 |
| Alcohol and beverage | 48,814 | 58,874 | 73,592 | 57,086 | 59,456 | 72,585 | 59,659 | 72,845 | 69,298 | 67,005 |
| Mobile home ⁵ | - | - | - | - | - | - | - | - | - | - |
| Franchise | 5,984,823 | 6,007,395 | 6,394,714 | 6,683,814 | 6,527,368 | 6,333,907 | 6,096,685 | 6,520,354 | 6,549,306 | 6,622,089 |
| Communication | 4,791,576 | 5,102,919 | 4,424,139 | 5,426,528 | 5,927,483 | 6,017,787 | 6,280,373 | 5,773,054 | 5,489,539 | 5,166,297 |
| Gas ⁴ | - | - | - | - | - | - | - | - | - | - |
| Interest income | 4,024,673 | 2,466,668 | 3,963,554 | 2,312,707 | 2,053,012 | 2,055,480 | 142,344 | 246,807 | 494,208 | 1,044,202 |
| Gain/Loss on sale of capital assets | 235,476 | - | - | - | - | - | - | - | - | - |
| Special Items | 8,227,560 | 2,201,318 | - | - | - | - | - | - | - | - |
| Transfers | 245,316 | (1,675,508) | (750,891) | 2,852,573 | 103,677 | 35,485 | 5,683 | (4,180) | 163,837 | (282,857) |
| Total governmental activities | 155,853,429 | 138,218,484 | 111,430,649 | 121,341,160 | 106,264,552 | 103,803,487 | 106,219,453 | 117,929,765 | 126,333,215 | 124,563,115 |
| Business-type activities: | | | | | | | | | | |
| Interest income | - | - | - | - | - | - | - | - | - | - |
| Transfers | (245,316) | 1,675,508 | 750,891 | (2,852,573) | (103,677) | 1,513,288 | 334,105 | - | 9,846,901 | 9,846,901 |
| Total business-type activities | (245,316) | 1,675,508 | 750,891 | (2,852,573) | (103,677) | (35,485) | (5,683) | 4,180 | (163,837) | 282,857 |
| Total primary government | \$ 155,608,113 | \$ 139,893,992 | \$ 112,181,540 | \$ 118,488,587 | \$ 107,216,940 | \$ 105,281,270 | \$ 106,547,875 | \$ 117,933,945 | \$ 136,016,279 | \$ 134,692,873 |
| Change in Net Position | | | | | | | | | | |
| Governmental activities | \$ 51,953,752 | \$ 1,993,467 | \$ (22,390,570) | \$ (4,688,601) | \$ (21,444,828) | \$ (20,821,679) | \$ (20,034,503) | \$ 6,280,851 | \$ 5,566,806 | \$ 15,364,667 |
| Business-type activities | 38,958,831 | 29,244,058 | 24,571,986 | 12,006,927 | 766,348 | (8,754,359) | (20,137,247) | 9,454,819 | 17,204,535 | 19,511,517 |
| Total primary government | \$ 90,912,583 | \$ 31,237,525 | \$ 2,181,416 | \$ 7,318,326 | \$ (20,678,480) | \$ (29,576,038) | \$ (40,171,750) | \$ 15,735,670 | \$ 22,771,341 | \$ 34,876,184 |

¹ Beginning in FY2009 the Building Division and the Waterpark were reclassified from a business-type activity to a governmental activity.

² For years 2005-2007 Public Works charges for services were reported in general government.

³ Beginning in FY2007 Half-cent sales tax is reported in sales tax.

⁴ Beginning in FY2007 Gas Tax is reported in fuel tax.

⁵ Beginning in FY2007 Mobile home is reported in charges for services.

City of Cape Coral, Florida

FUND BALANCES OF GOVERNMENTAL FUNDS
Last Ten Fiscal Years
(modified accrual basis of accounting)

Schedule 3

| | 2007 | 2008 | 2009 | 2010 | 2011 ¹ | 2012 | 2013 | 2014 | 2015 | 2016 |
|---|-----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| General Fund | | | | | | | | | | |
| Nonspendable | \$ 4,795,652 | \$ 3,614,086 | \$ 1,958,785 | \$ 2,058,949 | \$ 120,906 | \$ 1,463,946 | \$ 1,234,458 | \$ 1,165,609 | \$ 879,483 | \$ 842,608 |
| Restricted | 6,660,309 | 3,223,814 | 921,181 | 5,155,447 | - | - | - | - | - | - |
| Committed | 7,350,000 | 7,400,000 | 4,400,000 | 4,400,000 | 5,400,000 | 5,644,358 | 5,504,998 | 4,502,186 | 6,169,213 | 7,946,254 |
| Assigned | - | - | - | - | - | 1,531,752 | 712,650 | 199,927 | 1,281,341 | 469,442 |
| Unassigned | 7,615,626 | 14,147,146 | 18,034,628 | 23,471,473 | 29,053,164 | 21,156,596 | 18,315,850 | 30,501,100 | 46,494,247 | 41,286,873 |
| Total General Fund | \$ 26,421,587 | \$ 28,385,046 | \$ 25,314,594 | \$ 35,085,869 | \$ 34,574,070 | \$ 29,796,652 | \$ 25,767,956 | \$ 36,368,822 | \$ 54,824,284 | \$ 50,545,177 |
| All Other Governmental Funds | | | | | | | | | | |
| Nonspendable | \$ - | \$ - | \$ - | \$ - | \$ 81,190 | \$ 87,732 | \$ 92,302 | \$ 110,351 | \$ 93,869 | \$ 88,095 |
| Reserved | 43,933,664 | 40,254,856 | 26,923,895 | 23,962,368 | - | - | - | - | - | - |
| Restricted | - | - | - | - | 31,357,530 | 38,799,815 | 33,624,557 | 34,216,824 | 37,988,089 | 46,671,710 |
| Committed | - | - | - | - | 11,188,786 | 11,278,188 | 12,190,444 | 13,312,428 | 22,320,327 | 19,074,472 |
| Unreserved, designated | - | - | - | - | - | - | - | - | - | - |
| Special Revenue Funds | 32,572,989 | 19,162,976 | 12,561,192 | 29,816,396 | - | - | - | - | - | - |
| Debt Service Funds | 588,877 | 600,141 | 576,494 | 583,854 | - | - | - | - | - | - |
| Capital Projects Funds | 26,530,280 | 19,308,370 | 11,125,014 | 8,530,201 | - | - | - | - | - | - |
| Unreserved, reported in: | | | | | | | | | | |
| Special Revenue Funds | (1,602,793) | (1,202,123) | (2,982,708) | (1,764,088) | - | - | - | - | - | - |
| Debt Service Funds | - | - | - | - | - | - | - | - | - | - |
| Capital Improvement Funds | - | - | - | - | - | - | - | - | - | - |
| Assigned | - | - | - | - | - | - | - | - | - | - |
| Unassigned | - | - | - | - | (912,669) | (483,219) | (307,694) | (369,155) | (108,446) | (157,390) |
| Total All Other Governmental Funds | \$ 102,023,017 | \$ 78,124,220 | \$ 48,203,887 | \$ 61,128,731 | \$ 41,714,837 | \$ 49,682,516 | \$ 45,599,609 | \$ 47,270,448 | \$ 60,293,839 | \$ 65,676,887 |

¹ Fund balance classifications have been revised due to the implementation of GASB 54 in fiscal year 2011.

CHANGES IN FUND BALANCES OF GOVERNMENTAL FUNDSLast Ten Fiscal Years
(modified accrual basis of accounting)**Schedule 4**

| | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
|--|----------------|-----------------|-----------------|----------------|-----------------|----------------|----------------|----------------|----------------|----------------|
| Revenues | | | | | | | | | | |
| Taxes | \$ 143,120,404 | \$ 136,226,007 | \$ 108,217,986 | \$ 116,175,880 | \$ 104,107,863 | \$ 101,712,522 | \$ 106,071,431 | \$ 117,687,138 | \$ 125,657,523 | \$ 123,818,579 |
| Special assessments | 151,905 | 224,473 | 230,013 | 201,509 | 118,546 | 138,165 | 147,915 | 10,080,686 | 13,449,945 | 20,930,885 |
| Licenses and permits | 1,002,420 | 965,718 | 1,319,617 | 2,787,048 | 2,625,516 | 2,992,430 | 3,396,297 | 4,015,563 | 4,876,346 | 7,251,734 |
| Intergovernmental | 6,192,452 | 8,260,620 | 10,933,735 | 16,037,270 | 16,052,198 | 9,429,635 | 7,559,867 | 6,452,157 | 8,455,219 | 6,967,431 |
| Charges for services | 14,102,307 | 14,482,152 | 14,097,140 | 13,135,033 | 12,256,283 | 13,423,461 | 13,310,111 | 13,988,879 | 14,773,565 | 14,020,091 |
| Fines and forfeitures | 2,093,258 | 2,101,717 | 1,819,901 | 1,757,962 | 1,259,226 | 1,041,971 | 811,365 | 746,712 | 819,205 | 841,830 |
| Impact fees | 10,803,715 | 3,647,548 | 1,391,932 | 1,202,553 | 1,616,405 | 1,664,828 | 2,668,632 | 3,981,431 | 5,553,426 | 8,510,926 |
| Rent and royalties | 558,076 | 448,727 | 509,211 | 363,438 | 318,964 | 276,311 | 3,287,898 | 3,763,481 | 4,079,452 | 4,110,301 |
| Interest income | 7,001,077 | 4,763,937 | 2,676,476 | 1,378,130 | 888,074 | 1,042,212 | 267,079 | 469,754 | 1,013,354 | 960,991 |
| Contributions and donations | 51,147 | 54,295 | 61,126 | 109,846 | 270,191 | 288,975 | 253,646 | 264,250 | 277,742 | 242,727 |
| Other revenue | 1,049,663 | 552,698 | 1,368,684 | 1,053,240 | 1,392,160 | 3,740,640 | 3,954,928 | 2,343,858 | 5,621,385 | 1,926,213 |
| Total revenues | 186,126,424 | 170,727,892 | 142,623,821 | 154,201,909 | 140,905,426 | 135,751,150 | 141,729,169 | 163,793,909 | 184,577,162 | 189,581,708 |
| Expenditures | | | | | | | | | | |
| General government | 25,279,037 | 28,559,663 | 22,760,144 | 21,232,646 | 25,984,632 | 22,925,185 | 28,029,485 | 36,664,982 | 40,382,204 | 45,579,202 |
| Public safety: | | | | | | | | | | |
| Police | 32,248,087 | 35,851,640 | 38,160,407 | 36,639,732 | 35,940,838 | 33,576,378 | 35,511,381 | 29,742,744 | 31,974,963 | 34,745,411 |
| Fire | 23,786,557 | 24,742,025 | 24,774,802 | 24,531,497 | 26,542,275 | 27,711,702 | 28,462,946 | 24,848,816 | 26,028,314 | 26,574,399 |
| Building | - | - | 2,013,917 | 2,057,602 | 2,284,267 | 2,382,927 | 2,557,567 | 2,689,712 | 2,929,952 | 3,405,018 |
| Public works | 20,131,029 | 23,938,745 | 19,756,841 | 17,378,616 | 15,365,368 | 11,599,377 | 8,932,540 | 11,788,826 | 12,540,223 | 12,322,752 |
| Parks and recreation | 12,936,233 | 13,747,027 | 14,281,286 | 13,608,142 | 13,642,352 | 13,753,583 | 13,560,974 | 13,756,920 | 14,603,776 | 15,281,586 |
| Community development | 9,409,933 | 8,732,865 | 7,903,124 | 10,498,730 | 8,765,773 | 9,475,576 | 7,101,799 | 5,691,090 | 5,979,224 | 6,709,083 |
| Transportation | | | | | | | | | | |
| Capital outlay | 94,821,448 | 60,861,774 | 68,363,473 | 29,296,160 | 27,951,051 | 11,394,393 | 6,029,345 | 6,921,521 | 10,676,484 | 19,389,174 |
| Debt service: | | | | | | | | | | |
| Principal | 6,439,897 | 7,504,937 | 6,798,151 | 5,483,753 | 6,409,810 | 6,894,790 | 8,530,114 | 8,844,063 | 9,497,601 | 11,292,837 |
| Interest and fiscal charges | 5,941,131 | 5,050,579 | 5,472,400 | 9,861,791 | 9,930,304 | 8,880,760 | 11,178,064 | 10,813,779 | 10,342,261 | 9,722,762 |
| Bond issuance cost | - | - | - | - | - | - | - | 101,611 | 483,913 | - |
| Total expenditures | 230,995,352 | 208,989,255 | 210,284,545 | 170,589,669 | 172,816,670 | 148,594,671 | 149,894,215 | 151,864,064 | 165,438,915 | 185,022,224 |
| Excess of revenues under expenditures | (44,868,928) | (38,261,363) | (67,660,724) | (16,387,760) | (31,911,244) | (12,843,521) | (8,165,046) | 11,929,845 | 19,138,247 | 4,559,484 |
| Other Financing Sources (Uses) | | | | | | | | | | |
| Transfers in | 40,616,869 | 24,897,974 | 26,423,987 | 24,621,888 | 14,451,468 | 22,957,260 | 23,960,633 | 27,265,208 | 31,887,089 | 31,052,126 |
| Transfers out | (40,371,553) | (26,282,365) | (23,478,193) | (23,770,218) | (14,347,791) | (10,813,421) | (23,954,950) | (27,259,388) | (31,723,252) | (34,657,046) |
| Refunding bonds issued | - | - | - | - | - | - | - | (21,371,001) | - | - |
| Issuance of debt | - | - | 34,585,710 | 38,208,714 | 11,725,289 | 3,696,691 | - | 26,733,000 | 66,965,000 | - |
| Premium on debt | - | 17,300,037 | - | - | - | - | - | - | 4,260,306 | - |
| Payment to escrow agent to refund bonds | - | - | - | - | - | - | - | (5,252,769) | (59,492,199) | - |
| Refunds | - | - | (324,797) | - | - | - | - | - | - | - |
| Insurance damage claims | - | - | - | - | - | 8,602 | 21,064 | - | - | - |
| Proceeds on sale of capital assets | 958,855 | 209,061 | 76,356 | 23,495 | 156,585 | 184,650 | 28,696 | 226,810 | 443,662 | 149,977 |
| Total other financing sources | 57,933,363 | 14,124,707 | 37,283,063 | 39,083,879 | 11,985,551 | 16,033,782 | 53,443 | 341,860 | 12,340,606 | (3,455,543) |
| Special Items | | | | | | | | | | |
| Contribution due to difference in market value of land transaction | 8,227,560 | 2,201,318 | - | - | - | - | - | - | - | - |
| Net change in fund balances | \$ 21,291,995 | \$ (21,935,338) | \$ (30,337,661) | \$ 22,696,119 | \$ (19,925,693) | \$ 3,190,261 | \$ (8,111,603) | \$ 12,271,705 | \$ 31,478,853 | \$ 1,103,941 |
| Debt service as a percentage of noncapital expenditures | 9.09% | 8.48% | 8.65% | 10.86% | 11.28% | 11.50% | 13.70% | 13.56% | 12.82% | 12.69% |

City of Cape Coral, Florida

IMPACT FEE REVENUE
Last Ten Fiscal Years

Schedule 5

| Fiscal Year | Governmental Activities | | | | | Business-type activities | | |
|-------------|-------------------------|---------------------|------------------------------------|------------------------------|--------------|--------------------------|--------------|------------|
| | Fire ¹ | Police ¹ | Advanced Life Support ¹ | Park Recreational Facilities | Road | Water | Wastewater | Irrigation |
| 2007 | \$ 886,616 | \$ 593,989 | \$ 35,714 | \$ 1,374,795 | \$ 7,912,601 | \$ 1,931,246 | \$ 4,516,851 | \$ 493,887 |
| 2008 | 167,649 | 236,988 | 14,007 | 11,149 | 3,217,755 | 4,238,080 | 3,741,964 | 665,467 |
| 2009 | 112,243 | 129,519 | 7,677 | 165,020 | 977,474 | 4,171,112 | 4,836,555 | 497,791 |
| 2010 | 111,908 | 116,706 | 6,841 | 217,425 | 749,673 | 1,526,547 | 2,359,061 | 296,107 |
| 2011 | 130,077 | 134,811 | 7,979 | 231,920 | 1,111,618 | 2,984,685 | 860,269 | 245,332 |
| 2012 | 183,159 | 190,337 | 11,215 | 344,535 | 935,581 | 531,665 | 720,771 | 246,754 |
| 2013 | 268,273 | 278,123 | 16,388 | 489,485 | 1,616,363 | 637,875 | 1,471,406 | 351,599 |
| 2014 | 366,857 | 378,990 | 22,333 | 642,240 | 2,571,011 | 1,859,278 | 5,736,228 | 891,280 |
| 2015 | 584,514 | 601,536 | 35,446 | 1,041,410 | 3,290,520 | 2,177,497 | 6,111,600 | 1,046,984 |
| 2016 | 838,224 | 868,136 | 51,154 | 1,559,473 | 5,193,939 | 2,584,665 | 7,097,253 | 1,234,697 |

¹ Fire, Police and Advanced Life Support are component business units of Public Safety.

City of Cape Coral, Florida

ASSESSED VALUE AND ESTIMATED ACTUAL VALUE OF TAXABLE PROPERTY
Last Ten Fiscal Years

Schedule 6

| Fiscal Year | Real Property | Personal Property | Less: Tax Exempt Property | Total Taxable Assessed Value | Total Direct Tax Rate | Estimated Actual Taxable Value | Assessed Value as a Percentage of Actual Value |
|-------------|-------------------|-------------------|---------------------------|------------------------------|-----------------------|--------------------------------|--|
| 2007 | \$ 28,695,049,620 | \$ 419,035,330 | \$ 7,430,714,830 | \$ 21,683,370,120 | 4.94 | \$ 29,114,084,950 | 74.48 |
| 2008 | 27,101,392,480 | 479,619,740 | 6,589,484,520 | 20,991,527,700 | 4.83 | 27,581,012,220 | 76.11 |
| 2009 | 20,413,438,780 | 519,489,720 | 5,236,286,250 | 15,696,642,250 | 4.83 | 20,932,928,500 | 74.99 |
| 2010 | 13,340,141,030 | 523,329,090 | 3,368,593,750 | 10,494,876,370 | 7.97 | 13,863,470,120 | 75.70 |
| 2011 | 11,309,920,029 | 548,894,939 | 2,970,431,592 | 8,888,383,376 | 7.97 | 11,858,814,968 | 74.95 |
| 2012 | 11,207,273,819 | 487,302,713 | 3,127,986,516 | 8,566,590,016 | 7.96 | 11,694,576,532 | 73.25 |
| 2013 | 11,961,674,078 | 489,976,001 | 3,548,255,036 | 8,903,395,043 | 7.96 | 12,451,650,079 | 71.50 |
| 2014 | 13,290,907,759 | 475,478,158 | 4,246,067,858 | 9,520,318,059 | 7.71 | 13,766,385,917 | 69.16 |
| 2015 | 14,859,472,913 | 473,544,133 | 5,002,060,301 | 10,330,956,745 | 7.71 | 15,333,017,046 | 67.38 |
| 2016 | 16,141,195,874 | 460,315,173 | 5,481,003,861 | 11,120,507,186 | 6.96 | 16,601,511,047 | 66.98 |

Source: Lee County Property Appraiser

City of Cape Coral, Florida

PROPERTY TAX RATES
DIRECT AND OVERLAPPING GOVERNMENTS
 Last Ten Fiscal Years

Schedule 7

| Fiscal Year | City of Cape Coral | | | Overlapping Rates | | | Total Direct and Overlapping Rates |
|-------------|-----------------------------|---------------------------------|--------|-------------------|--------------|--------------------|------------------------------------|
| | General Government Services | General Obligation Debt Service | Total | General County | School Board | Other ¹ | |
| 2007 | 4.8787 | 0.0627 | 4.9414 | 3.5216 | 7.012 | 2.365 | 17.8400 |
| 2008 | 4.7698 | 0.0627 | 4.8325 | 3.6506 | 6.960 | 1.788 | 17.2311 |
| 2009 | 4.7698 | 0.0627 | 4.8325 | 3.6506 | 6.868 | 1.6935 | 17.0446 |
| 2010 | 7.9702 | 0.0000 | 7.9702 | 3.6506 | 7.508 | 1.6935 | 20.8223 |
| 2011 | 7.9702 | 0.0000 | 7.9702 | 3.6506 | 8.015 | 1.747 | 21.3828 |
| 2012 | 7.9570 | 0.0000 | 7.9570 | 3.6506 | 7.854 | 1.798 | 21.2597 |
| 2013 | 7.9570 | 0.0000 | 7.9570 | 3.6506 | 7.584 | 1.716 | 20.9077 |
| 2014 | 7.7070 | 0.0000 | 7.7070 | 4.1506 | 7.598 | 1.458 | 20.9136 |
| 2015 | 7.7070 | 0.0000 | 7.7070 | 4.1506 | 7.416 | 1.4144 | 20.6880 |
| 2016 | 6.9570 | 0.0000 | 6.9570 | 4.1506 | 7.285 | 1.4424 | 19.8350 |

¹ Other consists of Lee County Capital Improvement, Lee County All Hazards, Lee County Library, and Lee County Unincorporated MSTU.

City of Cape Coral, Florida

PRINCIPAL PROPERTY TAXPAYERS
Current Year and Nine Years Ago

Schedule 8

| Taxpayer | 2016 | | | 2007 | | |
|---------------------------------|-------------------------------------|------|---|------------------------|------|---|
| | Taxable Assessed Value ¹ | Rank | Percentage of Total City Taxable Assessed Value | Taxable Assessed Value | Rank | Percentage of Total Taxable City Assessed Value |
| Freeman + Hasselwander Resort | \$ 43,194,301 | 1 | 0.39 % | - | | - |
| Corona Property Holdings LLC | 38,455,584 | 2 | 0.35 | - | | - |
| GRE Coralwood LP | 24,910,401 | 3 | 0.22 | \$ 28,379,490 | 6 | 0.13 % |
| International Capital | 24,408,067 | 4 | 0.22 | - | | - |
| Coral Walk FL LLC | 19,881,723 | 5 | 0.18 | - | | - |
| Coral Pointe Investment LLC | 15,297,993 | 6 | 0.14 | - | | - |
| Publix Super Markets Inc | 14,633,574 | 7 | 0.13 | - | | - |
| Cryptical Cove LLC | 13,278,689 | 8 | 0.12 | - | | - |
| Eugene A. Larken Jr TR | 11,999,923 | 9 | 0.11 | - | | - |
| Agybe LLC | 11,973,496 | 10 | 0.11 | - | | - |
| Theiman Enterprises LLC | - | | - | 80,120,650 | 1 | 0.37 |
| Adams Homes of NW Florida, Inc. | - | | - | 50,377,410 | 2 | 0.23 |
| Eagle Gregory W. Trust | - | | - | 34,385,820 | 3 | 0.16 |
| Deltona Corporation | - | | - | 32,824,320 | 4 | 0.15 |
| MF Coral Cove LLC | - | | - | 29,115,000 | 5 | 0.13 |
| Tarpon Point Associates LLC | - | | - | 23,836,060 | 7 | 0.11 |
| Lowes Home Centers Inc. | - | | - | 22,536,420 | 8 | 0.10 |
| HWA Properties Inc. | - | | - | 21,215,360 | 9 | 0.10 |
| Simon Ronald S Trust | - | | - | 20,571,130 | 10 | 0.09 |
| Total | <u>\$ 218,033,751</u> | | <u>1.97 %</u> | <u>\$ 343,361,660</u> | | <u>1.57 %</u> |

¹ Source: Lee County Property Appraiser

Total taxable assessed value of Cape Coral for 2015 \$ 11,120,507,186

Total taxable assessed value of Cape Coral for 2006 \$ 21,683,370,120

City of Cape Coral, Florida

PROPERTY TAX LEVIES AND COLLECTIONS
Last Ten Fiscal Years

Schedule 9

| Fiscal Year | Taxes Levied for the Fiscal Year ² | Collected within the Fiscal Year of the Levy ¹ | | Collections in Subsequent Years | Total Collections to Date | |
|-------------|---|---|--------------------|---------------------------------|---------------------------|--------------------|
| | | Amount | Percentage of Levy | | Amount | Percentage of Levy |
| 2007 | \$ 107,146,205 | \$ 103,514,601 | 96.61 % | \$ 26,579 | \$ 103,541,180 | 96.64 % |
| 2008 | 101,441,558 | 97,664,523 | 96.28 | 468,791 | 98,133,314 | 96.74 |
| 2009 | 75,854,023 | 72,700,638 | 95.84 | 489,449 | 73,190,087 | 96.49 |
| 2010 | 83,646,270 | 80,145,761 | 95.82 | 244,497 | 80,390,258 | 96.11 |
| 2011 | 71,017,898 | 67,864,550 | 95.56 | 289,228 | 68,153,778 | 95.97 |
| 2012 | 68,164,357 | 65,633,185 | 96.29 | 95,840 | 65,729,025 | 96.43 |
| 2013 | 70,844,314 | 68,242,587 | 96.33 | (31,464) ³ | 68,200,152 | 96.27 |
| 2014 | 73,373,091 | 70,741,212 | 96.41 | 15,806 ³ | 70,757,018 | 96.43 |
| 2015 | 79,620,684 | 76,697,068 | 96.33 | (19,522) ³ | 76,677,546 | 96.30 |
| 2016 | 77,436,922 | 74,492,236 | 96.20 | - | 74,492,236 | 96.20 |

¹ Source: City of Cape Coral, Financial Services Department

² Source: Lee County Property Appraiser

Property taxes are levied on November 1 of each year, and are due and payable upon receipt of the notice of the levy. A 4% discount is allowed if the taxes are paid in November, with the discount declining by 1% each month thereafter. Accordingly, taxes collected will not be 100% of tax levy. Taxes become delinquent on April 1 of each year, and tax certificates for the full amount of any unpaid taxes and assessments are sold at public auction prior to June 1 of each year, and the proceeds collected are remitted to the City.

³ Includes refunds and corrections from tax collector.

RATIOS OF OUTSTANDING DEBT BY TYPE¹
Last Ten Fiscal Years

Schedule 10

| Fiscal Year | Governmental Activities | | | | | Business-Type Activities | | | | | | | Total Primary Government | Percentage of Personal Income ⁵ | Per Capita ⁶ |
|-------------|--------------------------|----------------|---------------|-----------------------------|--------------------|--------------------------|----------------------------|----------------------------|---------------------------------|----------------------------|-----------------------------|----------------|--------------------------|--|-------------------------|
| | General Obligation Bonds | Revenue Bonds | Notes Payable | Commercial Paper Obligation | Special Assessment | Capital Lease | Revenue Bonds ² | Notes Payable ³ | Special Assessment ⁴ | Installment Lease Purchase | Commercial Paper Obligation | | | | |
| 2007 | \$ 3,067,868 | \$ 122,750,095 | \$ 2,913,690 | \$ 26,497,436 | \$ - | \$ - | \$ 213,768,163 | \$ 23,167,212 | \$ 167,437,338 | \$ 96,922 | \$ 27,928,564 | \$ 587,627,288 | 13.25 | % | \$ 926 |
| 2008 | 1,549,049 | 118,755,175 | 1,698,130 | 43,001,135 | - | - | 209,682,891 | 20,514,469 | 211,733,748 | - | 145,035,865 | 751,970,462 | 16.32 | | 970 |
| 2009 | - | 186,828,309 | 1,006,937 | 13,740,037 | - | - | 287,626,784 | 17,768,261 | 183,952,600 | - | 184,358,963 | 875,281,891 | 19.48 | | 1,200 |
| 2010 | - | 221,223,990 | 475,505 | 8,452,000 | - | - | 283,180,780 | 14,925,275 | 170,721,588 | - | 203,608,000 | 902,587,138 | 21.26 | | 1,411 |
| 2011 | - | 232,050,024 | - | 4,200,000 | - | - | 374,472,392 | 11,982,083 | 160,510,947 | - | 107,438,000 | 890,653,446 | 23.14 | | 1,531 |
| 2012 | - | 229,435,647 | 3,414,530 | - | - | 3,414,530 | 477,416,707 | 8,935,129 | 150,750,308 | - | - | 873,366,851 | 24.70 | | 1,523 |
| 2013 | - | 221,515,976 | 2,840,017 | - | - | 2,840,017 | 469,565,055 | 5,780,734 | 140,579,667 | - | - | 843,121,466 | 21.99 | | 1,452 |
| 2014 | - | 213,730,572 | 2,256,647 | - | - | 2,256,647 | 461,361,073 | 35,859,855 | 130,219,029 | - | - | 845,683,823 | 21.03 | | 1,357 |
| 2015 | - | 203,703,427 | 13,675,000 | - | - | 1,664,283 | 457,847,790 | 68,925,322 | 118,933,390 | - | - | 866,249,212 | 20.68 | | 1,348 |
| 2016 | - | 194,470,804 | 12,092,000 | - | - | 1,062,786 | 447,666,810 | 69,578,289 | 107,587,751 | - | - | 833,863,440 | 18.87 | | 1,241 |

¹ Details regarding the City's outstanding debt can be found in the notes to the financial statements.

² Includes debt paid only from water and sewer net revenues.

³ Includes debt paid only from water and sewer net revenues and impact fees.

⁴ Utility special assessments are paid only by the benefited property owners.

⁵ See Schedule 14 for personal income and population data.

⁶ Includes all governmental activities debt and only the business-type activities general obligation bonds and debt paid from stormwater net revenues.

City of Cape Coral

RATIOS OF GENERAL BONDED DEBT OUTSTANDING¹
Last Ten Fiscal Years

Schedule 11

| Fiscal Year | General Obligation Bonds | Less: Amounts Available in Debt Service Fund | Total | Percentage of Estimated Actual Taxable Property ² | Per Capita ³ |
|-------------------|--------------------------------|--|--------------|---|----------------------------|
| 2007 | \$ 3,067,868 | \$ 24,958 | \$ 3,042,910 | 0.01 % | \$ 18.16 |
| 2008 | \$ 1,549,049 | 35,458 | 1,513,591 | 0.01 | 8.90 |
| 2009 ⁴ | - | - | - | - | - |
| 2010 ⁴ | - | - | - | - | - |
| 2011 ⁴ | - | - | - | - | - |
| 2012 ⁴ | - | - | - | - | - |
| 2013 ⁴ | - | - | - | - | - |
| 2014 ⁴ | - | - | - | - | - |
| 2015 ⁴ | - | - | - | - | - |
| 2016 ⁴ | - | - | - | - | - |

¹ Details regarding the City's outstanding debt can be found in the notes to the financial statements.

² See Schedule 6 for property value data.

³ See Schedule 14 for population data.

⁴ No General Obligation Debt since 2009.

City of Cape Coral, Florida

DIRECT AND OVERLAPPING GOVERNMENTAL ACTIVITIES DEBT

As of September 30, 2016

Schedule 12

| <u>Governmental Unit</u> | <u>Debt Outstanding</u> | <u>Percentage Applicable</u> | <u>Estimated Share of Overlapping Debt</u> |
|-----------------------------------|-----------------------------|----------------------------------|--|
| Debt repaid with property taxes | | | |
| Lee County | \$ 264,403,000 ¹ | 17.740% ² | \$ 46,905,092 |
| City direct debt | | | <u>209,030,590 ³</u> |
| Total direct and overlapping debt | | | <u><u>\$ 255,935,682</u></u> |

¹ Source: Lee County Clerk of Court, Finance Division. Fiscal year 2015 number was used due to no response from Lee County.

² Determined by dividing:

| | |
|---|-------------------|
| Taxable assessed valuation of the City of Cape Coral (see Schedule 6) | \$ 11,120,507,186 |
| by the total taxable valuation of Lee County. | \$ 62,686,090,992 |

³ Source: City of Cape Coral, Financial Services Department (see Schedule 10 governmental activities).

PLEDGED-REVENUE COVERAGE

Last Ten Fiscal Years

Schedule 13

| Fiscal Year | Water and Sewer Revenue Debt | | | | | Stormwater Revenue Debt | | | | |
|-------------|---------------------------------|---------------------------------|---------------------------|--|--------------|---------------------------------------|--------------------------------|--|------------|----------|
| | Operating Revenues ¹ | Operating Expenses ² | Revenue for Debt Services | Debt Service Requirements ³ | | Less: Operating Expenses ² | Net Available for Debt Service | Debt Service Requirements ⁶ | | Coverage |
| | | | | Principal | Interest | | | Principal | Interest | |
| 2007 | \$ 48,981,238 | \$ 31,650,430 | \$ 17,330,808 | \$ 3,170,000 | \$ 8,844,750 | \$ 12,014,750 | \$ 5,409,695 | \$ 542,389 | \$ 134,394 | 7.99 |
| 2008 | 46,910,483 | 35,168,911 | 11,741,572 | 3,710,000 | 9,599,120 | 13,309,120 | 4,701,948 | 561,922 | 111,861 | 6.98 |
| 2009 | 53,030,486 | 35,202,653 | 17,827,833 | 3,810,000 | 9,501,847 | 13,311,847 | 4,958,824 | 485,000 | 88,506 | 8.65 |
| 2010 | 63,886,074 | 34,499,895 | 29,386,179 | 3,915,000 | 15,247,558 | 19,162,558 | 3,569,312 | 505,000 | 69,106 | 6.22 |
| 2011 | 67,236,758 | 32,982,527 | 34,254,231 | 4,035,000 | 14,211,052 | 18,246,052 | 3,231,528 | 525,000 | 48,906 | 5.63 |
| 2012 | 71,703,204 | 34,483,112 | 37,220,092 | 5,640,000 | 22,290,563 | 27,930,563 | (698,937) ⁸ | 545,000 ⁹ | 27,250 | (1.22) |
| 2013 | 75,862,707 | 36,213,510 | 39,649,197 | 6,755,000 | 22,379,635 | 29,134,635 | 157,955 | - | - | - |
| 2014 | 73,678,329 | 38,138,225 | 35,540,104 | 7,825,000 | 21,964,200 | 29,789,200 | 321,575 | - | - | - |
| 2015 | 77,043,774 | 40,442,926 | 36,600,848 | 8,395,000 | 21,018,222 | 29,413,222 | 659,468 | - | - | - |
| 2016 | 80,312,234 | 41,931,221 | 38,381,013 | 9,580,000 | 19,264,647 | 28,844,647 | 1,909,112 | - | - | - |

¹ Includes interest income; excludes ad valorem taxes, and proceeds from sale of capital assets.² Excludes depreciation expense, interest expense, and bond discount amortization.³ Includes senior debt with a pledge of net revenues and expansion fees of the utility system.⁴ Bond covenant requires net revenues adequate to pay at least 100% of the annual debt service on all outstanding bonds becoming due in such fiscal year.⁵ Includes interest income.⁶ Includes only debt being funded by the net revenues of the system.⁷ Includes \$5,014,898 of capitalized interest not shown as interest income in the segment note or fund statements.⁸ Includes a \$978,611 one-time adjustment to reconcile the receivable to the Lee County Tax Collector outstanding amount.⁹ 2012 is the final year of debt service payment.

City of Cape Coral, Florida

DEMOGRAPHIC AND ECONOMIC STATISTICS
Last Ten Calendar Years

Schedule 14

| Fiscal Year | Population ¹ | Personal Income ² | Per Personal Income ¹ | Median Age ¹ | School Enrollment ³ | Unemployment Rate ⁴ |
|----------------|-------------------------|---------------------------------|--|----------------------------|-----------------------------------|-----------------------------------|
| 2007 | 167,572 | \$ 4,433,787,548 | \$ 26,459 | 43 | 17,992 | 5.2 % |
| 2008 | 170,074 | 4,607,984,956 | 27,094 | 43 | 17,015 | 9.2 |
| 2009 | 167,917 | 4,493,123,086 | 26,758 | 43 | 15,983 | 13.9 |
| 2010 | 163,095 | 4,245,525,945 | 26,031 | 43 | 15,658 | 13.5 |
| 2011 | 154,305 | 3,848,366,700 | 24,940 | 43 | 15,305 | 11.3 |
| 2012 | 155,158 | 3,536,205,978 | 22,791 | 43 | 15,246 | 10.5 |
| 2013 | 156,486 | 3,833,281,056 | 24,496 | 44 | 15,399 | 6.5 |
| 2014 | 160,831 | 4,020,935,831 | 25,001 | 43 | 15,583 | 6.0 |
| 2015 | 163,602 | 4,187,883,996 | 25,598 | 44 | 19,839 | 5.2 |
| 2016 | 168,425 | 4,418,461,450 | 26,234 | 45 | 19,414 | 4.8 |

¹ Source: City of Cape Coral, Economic Development

² Determined by multiplying population by per capita personal income.

³ Source: School District of Lee County (Excludes Charter Schools)

⁴ Source: Department of Labor, Bureau of Labor Statistics

City of Cape Coral, Florida

PRINCIPAL EMPLOYERS¹
Current Year and Nine Years Ago

Schedule 15

| Employer | 2016 | | | 2007 | | |
|-------------------------------|--------------------|------|--|-----------|------|--|
| | Employees | Rank | Percentage of Total City Employment ² | Employees | Rank | Percentage of Total City Employment ³ |
| Lee County School District | 2,483 | 1 | 3.01 % | 735 | 4 | 0.94 % |
| Lee Memorial Health System | 2,108 ⁴ | 2 | 2.55 | 900 | 3 | 1.15 |
| City of Cape Coral | 1,764 | 3 | 2.14 | 1,918 | 1 | 2.45 |
| Publix Super Market | 1,347 | 4 | 1.63 | 1,023 | 2 | 1.31 |
| Sam's/Wal-Mart | 981 | 5 | 1.19 | 543 | 5 | 0.69 |
| Home Depot | 567 ⁴ | 6 | 0.69 | 256 | 9 | 0.33 |
| Regional VA Clinic | 565 | 7 | 0.68 | - | | - |
| Gulf Coast Village | 406 | 8 | 0.49 | 250 | 10 | 0.32 |
| Cape Coral Charter School | 400 | 9 | 0.48 | - | | - |
| Lowes Home Improvement Center | 330 | 10 | 0.40 | 300 | 7 | 0.38 |
| Coldwell Banker/Century 21 | - | | - | 370 | 6 | 0.47 |
| Whitney Education Group | - | | - | 300 | 8 | 0.38 |

Source: City of Cape Coral, Economic Development Office

¹ The data shows only employees working in the City of Cape Coral and does not include other jobs with the same employer located throughout Lee County.

² The total city employment for 2016 was 82,605.
Source: U.S. Department of Labor - Bureau of Labor Statistics

³ The total city employment for 2007 was 78,150.
Source: U.S. Department of Labor - Bureau of Labor Statistics

⁴ Fiscal year 2015 number was used due to no response from the employer.

City of Cape Coral, Florida

FULL-TIME EQUIVALENT CITY GOVERNMENT EMPLOYEES BY FUNCTION/PROGRAM
Last Ten Fiscal Years

Schedule 16

| Function/Program | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
|---------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| General Government | 199 | 195 | 124 | 125 | 119 | 185 | 128 | 128 | 138 | 144 |
| Public Safety: | | | | | | | | | | |
| Police | 417 | 412 | 368 | 359 | 344 | 336 | 336 | 334 | 334 | 339 |
| Fire | 231 | 222 | 219 | 216 | 206 | 206 | 205 | 206 | 210 | 212 |
| Building | 115 | 27 | 26 | 26 | 27 | 28 | 29 | 29 | 36 | 48 |
| Public Works ¹ | 224 | 228 | 195 | 154 | 150 | 78 | 132 | 137 | 140 | 145 |
| Community Development | 79 | 71 | 61 | 58 | 59 | 57 | 53 | 54 | 57 | 56 |
| Parks and Recreation | 250 | 244 | 180 | 187 | 190 | 180 | 193 | 197 | 209 | 209 |
| Water and Sewer | 216 | 233 | 269 | 266 | 260 | 218 | 236 | 266 | 279 | 289 |
| Stormwater | 95 | 92 | 90 | 114 | 113 | 104 | 96 | 96 | 96 | 96 |
| Yacht Basin | 3 | 3 | 3 | 2 | 2 | 2 | 3 | 3 | 3 | 3 |
| Golf Course | 38 | 38 | 36 | 35 | 36 | 32 | 32 | 32 | 32 | 32 |
| Waterpark | 51 | 51 | 50 | 67 | 64 | 60 | 62 | 62 | 62 | 62 |
| Total | <u>1,918</u> | <u>1,816</u> | <u>1,621</u> | <u>1,609</u> | <u>1,570</u> | <u>1,486</u> | <u>1,505</u> | <u>1,544</u> | <u>1,596</u> | <u>1,635</u> |

¹ Beginning in FY2013 Transportation was reported in Public Works.

OPERATING INDICATORS BY FUNCTION/PROGRAM
Last Ten Fiscal Years

Schedule 17

| Function/Program | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
|---|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| Police | | | | | | | | | | |
| Number of sworn officers | 270 | 256 | 244 | 239 | 216 | 219 | 212 | 226 | 226 | 231 |
| Total calls received ¹ | 373,241 | 242,584 | 219,785 | 194,688 | 192,289 | 239,686 | 269,161 | 261,436 | 275,478 | 275,688 |
| Number of crime scenes processed by evidence technician | 785 | 831 | 1,019 | 648 | 704 | 635 | 814 | 827 | 950 | 784 |
| Traffic citations issued (all units) | 27,106 | 25,590 | 26,117 | 23,480 | 18,256 | 9,797 | 10,277 | 10,277 | 8,806 | 8,845 |
| Vice, intelligence and narcotics arrests | 1,308 | 1,061 | 1,490 | 1,055 | 893 | 719 | 820 | 906 | 835 | 678 |
| Fire | | | | | | | | | | |
| Number of firefighters and officers | 181 | 191 | 188 | 192 | 192 | 192 | 191 | 191 | 198 | 196 |
| Calls for service | 16,099 | 16,943 | 17,458 | 18,127 | 18,718 | 19,372 | 19,652 | 19,672 | 20,321 | 18,643 |
| Inspections | 8,516 | 6,784 | 7,000 | 6,747 | 5,274 | 7,978 | 6,757 | 5,599 | 8,092 | 9,342 |
| Public Works | | | | | | | | | | |
| Tons of debris collected and disposed of | 604 | 840 | 972 | 13,486 | 614 | 112 | 154 | 74 | 160 | 214 |
| Lane miles of road surface restored | 111 | 57 | 14 | 6 | 42 | 34 | 15 | 59 | 21 | 399 |
| Community Development | | | | | | | | | | |
| Contacts (counter and telephone) | 19,173 | 21,592 | 27,487 | 24,388 | 52,715 | 58,292 | 48,520 | 49,758 | 51,023 | 53,045 |
| Certificates of use | 837 | 535 | 670 | 661 | 643 | 602 | 610 | 596 | 585 | 590 |
| Sign permits issued | 482 | 329 | 423 | 423 | 260 | 251 | 250 | 259 | 645 | 296 |
| Parks and Recreation | | | | | | | | | | |
| Programs held at art studio | 211 | 234 | 193 | 184 | 366 | 486 | 413 | 390 | 435 | 438 |
| Sessions held for aquatics | 144 | 205 | 46 | 64 | 89 | 114 | 133 | 128 | 127 | 126 |
| Senior centers memberships | 1,285 | 1,564 | 1,094 | 941 | 917 | 751 | 758 | 707 | 751 | 804 |
| Transportation program-total miles driven | 75,881 | 76,716 | 75,336 | 73,418 | 76,730 | 94,533 | 87,197 | 115,000 | 85,173 | 94,519 |
| Transportation | | | | | | | | | | |
| Catch basins | 14,120 | 14,392 | 12,587 | 4,706 | 3,133 | 3,745 | 4,620 | 4,178 | 5,695 | 4,527 |
| Centerline miles of roadway striped annually | 443 | 721 | 553 | 453 | 705 | 555 | 389 | 493 | 767 | 355 |
| W: Boat slips⁴ | | | | | | | | | | |
| Finished water pumped to system (millions of gallons) | 4,026 | 3,572 | 3,161 | 3,488 | 3,519 | 3,542 | 3,435 | 3,516 | 3,644 | 3,679 |
| Dry tons of bio-solids generated | 1,888 | 2,140 | 2,291 | 1,914 | 6,889 | 1,906 | 1,772 | 1,789 | 1,763 | 1,970 |
| Stormwater Utility | | | | | | | | | | |
| Cubic yards dredged from canals | 176,030 | 124,440 | 150,646 | 120,732 | 90,073 | 38,325 | 41,073 | 28,945 | 45,605 | 54,635 |
| Swale requests received | 416 | 567 | 742 | 706 | 652 | 711 | 409 | 247 | 346 | 356 |
| Swale regraded (Square Feet) | 1,581,186 | 2,190,017 | 2,163,310 | 2,360,047 | 2,060,663 | 1,311,430 | 1,516,353 | 1,541,520 | 1,326,156 | 1,121,325 |
| Building Division | | | | | | | | | | |
| Total inspections | 128,126 | 43,088 | 31,584 | 43,750 | 46,573 | 33,779 | 35,877 | 64,686 | 83,536 | 63,071 |
| Permits issued | 30,094 | 15,620 | 12,217 | 12,574 | 12,237 | 13,603 | 19,983 | 19,300 | 22,019 | 26,973 |
| Yacht Basin | | | | | | | | | | |
| Average annual slip rentals | 89 | 78 | 63 | 63 | 69 | 69 | 90 | 76 | 69 | 85 |
| Golf Course | | | | | | | | | | |
| Rounds played | 61,616 | 62,994 | 62,355 | 59,888 | 60,751 | 62,550 | 61,974 | 58,735 | 57,390 | 55,808 |
| Waterpark | | | | | | | | | | |
| Admissions | 130,330 | 145,879 | 154,099 | 151,562 | 131,364 | 113,267 | 107,699 | 113,358 | 116,293 | 86,174 |

¹ FY2010 and FY2011 actual counts can not be determined due to system software error.

CAPITAL ASSET STATISTICS BY FUNCTION/PROGRAM
Last Ten Fiscal Years

Schedule 18

| Function/Program | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
|---|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Police | | | | | | | | | | |
| Stations | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Fire | | | | | | | | | | |
| Stations | 9 | 11 | 11 | 11 | 10 | 10 | 10 | 10 | 11 | 11 |
| Public Works | | | | | | | | | | |
| Paved alleys (miles) | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 | 12 |
| Sidewalks (miles) | 134 | 143 | 164 | 184 | 190 | 194 | 194 | 202 | 209 | 215 |
| Parks and Recreation | | | | | | | | | | |
| City owned developed parks | 26 | 29 | 30 | 30 | 30 | 34 | 34 | 34 | 34 | 34 |
| Number of developed acres | 367 | 387 | 401 | 401 | 401 | 405 | 409 | 409 | 409 | 409 |
| City owned undeveloped parks | 24 | 21 | 20 | 20 | 20 | 24 | 24 | 24 | 24 | 24 |
| Number of undeveloped acres | 1,075 | 1,083 | 1,085 | 1,086 | 1,086 | 1,094 | 1,095 | 1,095 | 1,098 | 1,100 |
| City owned senior centers | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 | 2 |
| City owned boat launches, locks, and lifts ⁴ | 7 | 7 | 8 | 12 | 10 | 11 | 22 | 22 | 22 | 22 |
| Transportation | | | | | | | | | | |
| Paved streets (lane miles) ³ | 3,111 | 3,111 | 3,111 | 3,115 | 3,123 | 3,157 | 3,047 | 3,047 | 3,047 | 3,047 |
| Water and Sewer | | | | | | | | | | |
| Number of water connections | 50,345 | 51,829 | 53,777 | 55,468 | 55,343 | 55,591 | 55,790 | 56,522 | 58,899 | 61,522 |
| Number of sewer connections | 48,254 | 49,889 | 51,962 | 53,533 | 54,069 | 54,193 | 54,222 | 54,678 | 56,215 | 59,904 |
| Miles of water distribution | 732 | 855 | 855 | 848 | 849 | 849 | 853 | 856 | 907 | 907 |
| Stormwater | | | | | | | | | | |
| Stormwater drainage pipes (miles) | 509 | 521 | 518 | 528 | 519 | 510 | 514 | 517 | 519 | 516 |
| Swales (miles) ¹ | 3,680 | 6,732 | 6,732 | 3,363 | 3,363 | 3,363 | 3,363 | 3,363 | 3,363 | 3,363 |
| Catch basins | 22,383 | 22,889 | 22,927 | 22,961 | 22,994 | 22,725 | 22,767 | 22,894 | 22,940 | 22,931 |
| Yacht Basin | | | | | | | | | | |
| Boat slips ⁴ | 93 | 93 | 108 | 112 | 108 | 93 | 112 | 112 | 112 | 107 |
| Golf Course | | | | | | | | | | |
| City owned golf courses | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |
| Waterpark | | | | | | | | | | |
| City owned waterpark facilities | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 |

¹ Years 2008-2009 had a change in methodology for calculating mileage. For 2010 the methodology reverted to prior method.

² Year 2013 Cartograph report excluded bike paths and vacations of roads and included road widening and new roads.

³ Year 2013 included both improved and unimproved boat launches.

⁴ Year 2016 includes only boat slips that are available for rent. It does not include slips used by law enforcement.

Single Audit

**INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER
FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED
ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED
IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS**

Honorable Mayor and
Members of the City Council
City of Cape Coral, Florida

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the accompanying financial statements of the governmental activities, the business-type activities, the discretely presented component unit, each major fund, and the aggregate remaining fund information of the City of Cape Coral, Florida (the City) as of and for the year ended September 30, 2016, and the related notes to the financial statements, which collectively comprise the City's basic financial statements, and have issued our report thereon dated March 29, 2017. The financial statements of the discretely presented component unit as of and for the year ended June 30, 2016 were audited by us. We issued a separate report dated October 13, 2016. Therefore, this report does not include reporting on the internal control over financial reporting or compliance and other matters included in that separately issued report. The financial statements of the Municipal General Employees' Pension Plan, the Municipal Police Officers' Pension Plan, and the Municipal Firefighters' Pension Plan were not audited in accordance with *Government Auditing Standards*.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that may not have been identified.


Honorable Mayor and
Members of the City Council
City of Cape Coral, Florida

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the result of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in black ink that reads "CliftonLarsonAllen LLP". The signature is written in a cursive, flowing style.

CliftonLarsonAllen LLP

Fort Myers, Florida
March 29, 2017

**INDEPENDENT AUDITORS' REPORT ON COMPLIANCE FOR EACH MAJOR
FEDERAL PROGRAM AND STATE PROJECT AND REPORT ON INTERNAL CONTROL OVER
COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE AND
CHAPTER 10.550, RULES OF THE AUDITOR GENERAL**

Honorable Mayor and
Members of the City Council
City of Cape Coral, Florida

Report on Compliance for Each Major Federal Program and State Project

We have audited the City of Cape Coral, Florida's (City) compliance with the types of compliance requirements described in *OMB Compliance Supplement* and the requirements described in the Florida Department of Financial Services' *State Projects Compliance Supplement*, that could have a direct and material effect on each of the City's major federal programs and state projects for the year ended September 30, 2016. The City's major federal programs and state projects are identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs.

The City's basic financial statements include the operations of the Cape Coral Charter School Authority (Authority) which received \$629,253 in federal awards which is not included in the schedule during the year ended September 30, 2016. Our audit, described below, did not include the operations of the Authority because the Authority's financial statements were audited separately.

Management's Responsibility

Management is responsible for compliance with federal and state statutes, regulations, and the terms and conditions of its federal awards and state financial assistance applicable to its federal programs and state projects.

Auditors' Responsibility

Our responsibility is to express an opinion on compliance for each of the City's major federal programs and state projects based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the audit requirements of Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) and Chapter 10.550, Rules of the Auditor General. Those standards, the Uniform Guidance and Chapter 10.550, require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program or state project occurred. An audit includes examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

Honorable Mayor and
Members of the City Council
City of Cape Coral, Florida

We believe that our audit provides a reasonable basis for our opinion on compliance for each major federal program and state project. However, our audit does not provide a legal determination of the City's compliance.

Opinion on Each Major Federal Program and State Project

In our opinion, the City complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs and state projects for the year ended September 30, 2016.

Report on Internal Control Over Compliance

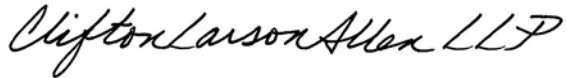
Management of the City is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the City's internal control over compliance with the types of requirements that could have a direct and material effect on its major federal programs and state projects to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for its major federal programs and state projects and to test and report on internal control over compliance in accordance with the Uniform Guidance and Chapter 10.550, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program or state project on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program or state project will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program or state project that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

Honorable Mayor and
Members of the City Council
City of Cape Coral, Florida

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance and Chapter 10.550. Accordingly, this report is not suitable for any other purpose.

A handwritten signature in black ink that reads "CliftonLarsonAllen LLP". The signature is written in a cursive, flowing style.

CliftonLarsonAllen LLP

Fort Myers, Florida
March 29, 2017

**SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
AND STATE FINANCIAL ASSISTANCE**
For the Year Ended September 30, 2016

| Federal Agency/Program Title | Federal CFDA Number | Federal or Pass Through Grant Number | Expenditures | Transfers to Subrecipients |
|---|------------------------------------|---|---------------------|---------------------------------------|
| U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT: | | | | |
| Community Planning and Development: | | | | |
| CDBG Entitlement Grant Cluster | | | | |
| Community Development Block Grants/Entitlements (CDBG) | 14.218 | B15MC120027 | \$ 586,594 | \$ 505,417 |
| | | B14MC120027 | 361,400 | 353,864 |
| Neighborhood Stabilization Program (NSP-1) | | B08MN120003 | 323,639 | 170,779 |
| Neighborhood Stabilization Program (NSP-3) | | B11MN120003 | 136,976 | 118,274 |
| | | | <u>1,408,609</u> | <u>1,148,334</u> |
| U.S. DEPARTMENT OF JUSTICE: | | | | |
| Office of Justice Programs (OJP): | | | | |
| Edward Byrne Justice Assistance Grant (JAG) FY16 | 16.738 | 2016-DJ-BX-0630 | 15,124 | |
| Equipment and Technology Grant-Video Surveillance | 16.738 | 2016-JAGC-LEE-1-H3-091 | 32,976 | |
| Technology - Portable Radios Grant | 16.738 | 2016-JAGC-LEE-7-E5-248 | 24,000 | |
| | | | <u>72,100</u> | |
| Joint Law Enforcement Operations Equitable Sharing | 16.922 | FL0360200 | 269,529 | |
| <i>Passed-Through State of Florida, Office of the Attorney General</i> | | | | |
| Victims of Crime Act (VOCA) 2015-16 | 16.575 | V149-14284 | 98,613 | |
| | | | <u>1,848,851</u> | |
| U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES: | | | | |
| Administration for Children and Families: | | | | |
| <i>Passed-Through State of Florida, Agency for Persons with Disabilities:</i> | | | | |
| Social Services Block Grant: | | | | |
| Special Populations | 93.667 | 1035 | <u>205,865</u> | |
| U.S. DEPARTMENT OF TRANSPORTATION | | | | |
| Federal Highway Administration: | | | | |
| <i>Passed-Through State of Florida, Department of Transportation:</i> | | | | |
| Highway Planning and Construction Cluster | | | | |
| Highway Planning and Construction | | | | |
| Cape Coral Parkway Sidewalks | 20.205 | 430891-1-58-01 | 62,542 | |
| Wildwood Parkway Sidewalks | 20.205 | 433231-1-58/68-01 | 425,154 | |
| Chiquita Blvd N Sidewalks Design | 20.205 | 430891-1-38-01 | 7,950 | |
| Sands Blvd S Sidewalks | 20.205 | 433236-1-58/68-01 | 387,815 | |
| Palm Tree Blvd Sidewalks | 20.205 | 433230-1-58/68-01 | 343,841 | |
| SW 20th Ave Sidewalks | 20.205 | 438100-1-58/68-01 | 146,783 | |
| Tropicana Pkwy Sidewalks Design | 20.205 | 435021-1-38-01 | 4,255 | |
| Chiquita Blvd S Sidewalks Design | 20.205 | 434995-1-38-01 | 8,125 | |
| Signal Timing Analysis & Implementation | 20.205 | 433237-1-38-01 | 18 | |
| | | | <u>1,386,483</u> | |
| National Highway Traffic Safety Administration: | | | | |
| <i>Passed-Through State of Florida, Department of of Transportation:</i> | | | | |
| FDOT Impaired Driving Enforcement 2014-15 | 20.616 | M5HVE-15-06-19 | 726 | |
| FDOT Impaired Driving Enforcement 2015-16 | 20.616 | M5HVE-16-06-17 | 24,625 | |
| | | | <u>25,351</u> | |
| TOTAL EXPENDITURES OF FEDERAL AWARDS | | | \$ 3,466,550 | \$ 1,148,334 |

The notes to the Schedule of Expenditures of Federal Awards and State Financial Assistance are an integral part of this schedule.

**SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
AND STATE FINANCIAL ASSISTANCE (continued)**
For the Year Ended September 30, 2016

| <u>State Agency/Program Title</u> | <u>CSFA Number</u> | <u>State Contract/ Grant Number</u> | <u>State Expenditures</u> | <u>Transfers to Subrecipients</u> |
|--|------------------------|---|-------------------------------|---------------------------------------|
| STATE OF FLORIDA, FLORIDA HOUSING FINANCE CORPORATION: | | | | |
| State Housing Initiatives Partnership Program (S.H.I.P.) | 40.901 | N/A | \$ 869,176 | \$ 824,129 |
| STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT: | | | | |
| Residential Construction Mitigation Program (RCMP) | 31.066 | RCMP2015-002 | 223,346 | 216,439 |
| Residential Construction Mitigation Program (RCMP) | 31.066 | RCMP2016-009 | 133,983 | 129,774 |
| | | | 357,329 | 346,213 |
| STATE OF FLORIDA, AGENCY FOR PERSONS WITH DISABILITIES: | | | | |
| Association for the Development of the Exceptional: | | | | |
| Transportation Services | 67.006 | N/A | 56,532 | |
| TOTAL EXPENDITURES OF STATE FINANCIAL ASSISTANCE | | | 1,283,037 | # 1,170,342 |
| TOTAL EXPENDITURES OF FEDERAL AWARDS AND STATE FINANCIAL ASSISTANCE | | | \$ 4,749,587 | \$ 2,318,676 |

The notes to the Schedule of Expenditures of Federal Awards and State Financial Assistance are an integral part of this schedule.

**NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
AND STATE FINANCIAL ASSISTANCE**

September 30, 2016

NOTE 1. PURPOSE OF THE SCHEDULE

The accompanying Schedule of Expenditures of Federal Awards and State Financial Assistance (the Schedule) is a supplementary schedule to the City's basic financial statements and is presented for purposes of additional analysis. The Schedule is required by Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance), and Section 215.97, Florida Statutes.

NOTE 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Basis of Presentation

Federal Financial Assistance – Pursuant to the Single Audit Act of 1984 (Public Law 98-502), the Single Audit Act Amendments of 1996 (Public Law 104-156), and Uniform Guidance, federal financial assistance is defined as assistance provided by a federal agency, either directly or indirectly, that nonfederal entities receive or administer, in the form of grants, contracts, cooperative agreements, loans, loan guarantees, property interest subsidies, insurance, or direct appropriations.

State Financial Assistance – Pursuant to Florida Single Audit Act (Section 215.97, Florida Statutes) and Chapter 691-5, Rules of the Florida Department of Financial Services, Florida Administrative Code, state financial assistance is defined as assistance from state resources, not including federal financial assistance and state matching, provided to nonstate entities to carry out a state project. State Financial Assistance includes all types of state assistance as stated in the rules of the Department of Financial Services, established in consultation with the Comptroller and appropriate state agencies that provide state financial assistance. It includes state financial assistance provided directly by state awarding agencies or indirectly by recipients of state awards or subrecipients. It does not include procurement contracts used to buy goods or services from vendors.

Catalog of Federal Domestic Assistance – Uniform Guidance requires the Schedule to present the total expenditures for each of the City's federal financial assistance programs as identified in the Catalog of Federal Domestic Assistance (CFDA). The CFDA is a government-wide compendium of individual federal programs. Federal financial assistance programs that have not been assigned a CFDA number are indicated with an "N/A."

Catalog of State Financial Assistance – Chapter 691-5, Rules of the Florida Department of Financial Services, Florida Administrative Code requires the Schedule to present the total state financial assistance expended for each individual state project as identified in the Catalog of State Financial Assistance (CSFA). The CSFA is a comprehensive listing of state projects. State financial assistance projects that have not been assigned a CSFA number are indicated with an "N/A."

B. Type A and Type B Programs

The Single Audit Act Amendments of 1996 and Uniform Guidance establish the levels of expenditures to be used in defining Type A and Type B federal financial assistance programs. Type A assistance programs for the City of Cape Coral are those programs that exceeded \$750,000 for federal assistance and \$300,000 for state projects for the year ended September 30, 2016.

All local governments that expend \$750,000 or more a year in federal financial assistance for fiscal years beginning after January 1, 2015 must undergo a single audit conducted in compliance with Uniform Guidance.

Each nonstate entity that expends a total amount of state financial assistance equal to or in excess of \$750,000 in fiscal years beginning after January 1, 2015 is required to have a state single audit for such fiscal year in accordance with the requirements of the Florida Single Audit Act (Section 215.97, Florida Statutes).

City of Cape Coral

**NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
AND STATE FINANCIAL ASSISTANCE**
September 30, 2016

C. Reporting Entity

The Schedule includes all federal financial assistance programs and state projects administered by the City of Cape Coral and included in the City's Comprehensive Annual Financial Report. It specifically excludes federal financial assistance programs and state projects received by the discretely presented component unit, the Cape Coral Charter School Authority.

D. Basis of Accounting

Expenditures included in the Schedule are reported using the modified accrual basis of accounting for governmental funds and the accrual basis of accounting for enterprise funds as defined in Note I to the basic financial statements.

NOTE 3. SUBRECIPIENTS

Of the federal expenditures presented in the Schedule, the City of Cape Coral provided federal awards to subrecipients as follows:

| Program Title | Federal CFDA Number | Amount Provided to Subrecipients |
|---|--------------------------------|---|
| Community Development Block Grant - Entitlement Grants | 14.218 | \$ 859,281 |
| Neighborhood Stabilization Program | 14.218 | 289,053 |
| | | <u>\$ 1,148,334</u> |

Of the state expenditures presented in the Schedule, the City of Cape Coral provided state financial assistance to subrecipients as follows:

| Program Title | Federal CFDA Number | Amount Provided to Subrecipients |
|---|--------------------------------|---|
| State Housing Initiatives Partnership Program (S.H.I.P.) | 40.901 | \$ 824,129 |
| Residential Construction Mitigation Program (R.C.M.P.) | 31.066 | 346,213 |
| Total | | <u>\$ 1,170,342</u> |

The City has not elected to use the 10 percent de minimus cost rate allowed under the Uniform Guidance

City of Cape Coral

**NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
AND STATE FINANCIAL ASSISTANCE**

September 30, 2016

NOTE 4. RELATIONSHIP TO BASIC FINANCIAL STATEMENTS

Federal financial assistance expenditures are included in the City's basic financial statements as follows:

| | <u>Expenditures</u> |
|--|----------------------------|
| General Fund | \$ 196,082 |
| Special Revenue Funds: | |
| Community Development Block Grant (CDBG) | 947,994 |
| HUD Neighborhood Stabilization | 460,615 |
| Parks and Recreation - Special Populations | 205,865 |
| Department of Justice Joint Law Enforcement Operations | 269,529 |
| Capital Improvement Funds: | |
| Transportation = Sidewalk Construction | <u>1,386,465</u> |
| | <u><u>\$ 3,466,550</u></u> |

State financial assistance expenditures are included in the City's basic financial statements as follows:

| | <u>Expenditures</u> |
|---|----------------------------|
| Special Revenue Funds: | |
| Parks and Recreation - Special Populations & Transportation | \$ 56,532 |
| Local Housing Assistance Fund - State Housing | |
| Initiatives Partnership Program (S.H.I.P.) | 869,176 |
| Residential Construction Mitigation Program | <u>357,329</u> |
| | <u><u>\$ 1,283,037</u></u> |

**CITY OF CAPE CORAL, FLORIDA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FEDERAL AWARDS PROGRAMS AND STATE FINANCIAL ASSISTANCE PROJECTS**

Year Ended September 30, 2016

Part I - Summary of Auditors' Results

Financial Statement Section

TYPE OF AUDITORS' REPORT ISSUED: Unmodified

Internal control over financial reporting:

MATERIAL WEAKNESS(ES) IDENTIFIED? No

Significant deficiencies identified not considered to be a material weakness(es) No

Noncompliance material to financial statements noted? No

Federal Awards Section

Internal control over compliance:

MATERIAL WEAKNESS IDENTIFIED? No

Were significant deficiency(ies) identified not considered to be a material weakness(es) No

Type of auditors' report issued on compliance for major programs: Unmodified

Any audit findings disclosed that are required to be reported in accordance with 2 CFR 200.516 (a) No

Identification of major federal programs:

| CFDA Number | Name of Federal Program or Cluster |
|-------------|---|
| 14.218 | Community Development Block Grants/Entitlement Grants |

Dollar threshold used to distinguish between Type A and Type B programs: \$750,000

Auditee qualified as low-risk auditee? No

**CITY OF CAPE CORAL, FLORIDA
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
FEDERAL AWARDS PROGRAMS AND STATE FINANCIAL ASSISTANCE PROJECTS**

Year Ended September 30, 2016

State Financial Assistance Section

Internal control over compliance:

MATERIAL WEAKNESS(ES) IDENTIFIED? No

Were significant deficiency(ies) identified not considered to be a material weakness(es) No

Type of auditors' report issued on compliance for major programs: Unmodified

Any audit findings disclosed that are required to be reported in accordance with state requirements? No

Identification of major state projects:

| CFDA Number | Name of Federal Program or Cluster |
|-------------|---|
| 31.066 | Residential Construction Mitigation Program |
| 40.901 | State Housing Initiatives Partnership Program |

Dollar threshold used to determine Type A State projects \$300,000

Part II - Financial Statement Findings

Our audit did not disclose any matters required to be reported in accordance with *Government Auditing Standards*.

Part III – Findings and Questioned Costs- Major Federal Programs

Our audit did not disclose any matters required to be reported in accordance with the Uniform Guidance.

Part IV – Findings and Questioned Costs- Major State Projects

Our audit did not disclose any matters required to be reported in accordance with Rule 10.554(1)(I)4, Rules of the Auditor General.

**CITY OF CAPE CORAL, FLORIDA
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS**

Year Ended September 30, 2016

Finding 2015-001

Corrective Action was taken.

Finding 2015-002

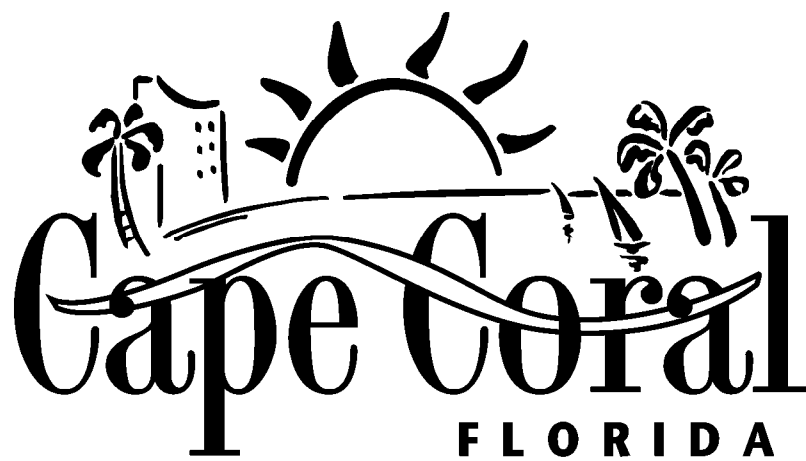
Corrective Action was taken.

Finding 2015-003

Corrective Action was taken.

Finding 2015-004

Corrective Action was taken.



Management Letter

MANAGEMENT LETTER

Honorable Mayor and City Council
City of Cape Coral, Florida

Report on the Financial Statements

We have audited the financial statements of the City of Cape Coral, Florida (City) as of and for the fiscal year ended September 30, 2016, and have issued our report thereon dated March 29, 2017.

Auditors' Responsibility

We conducted our audit in accordance with auditing standards generally accepted in the United States of America, the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements of Federal Awards* (Uniform Guidance); and Chapter 10.550, Rules of the Auditor General.

Other Reports and Schedule

We have issued our Independent Auditors' Report on Internal Control over Financial Reporting and Compliance and Other Matters Based on an Audit of the Financial Statements Performed in Accordance with *Government Auditing Standards*; Independent Auditors' Report on Compliance for Each Major Federal Program and State Project and Report on Internal Control over Compliance; Schedule of Findings and Questioned Costs; and Independent Accountants' Report on an examination conducted in accordance with *AICPA Professional Standards*, Section 601, regarding compliance requirements in accordance with Chapter 10.550, Rules of the Auditor General. Disclosures in those reports and schedule, which are dated March 29, 2017, should be considered in conjunction with this management letter.

Prior Audit Findings

Section 10.554(1)(i)1., Rules of the Auditor General, requires that we determine whether or not corrective actions have been taken to address findings and recommendations made in the preceding annual financial audit report. The status of prior year's findings and recommendations are listed in Appendix A.

Official Title and Legal Authority

Section 10.554(1)(i)4., Rules of the Auditor General, requires that the name or official title and legal authority for the primary government and each component unit of the reporting entity be disclosed in this management letter, unless disclosed in the notes to the financial statements. The City discloses this information in the notes to the financial statements.

Financial Condition

Section 10.554(1)(i)5.a. and 10.556(7), Rules of the Auditor General, require that we apply appropriate procedures and report the results of our determination as to whether or not the City has met one or more of the conditions described in Section 218.503(1), Florida Statutes, and identification of the specific condition(s) met. In connection with our audit, we determined that the City did not meet any of the conditions described in Section 218.503(1), Florida Statutes.

Pursuant to Sections 10.554(1)(i)5.c. and 10.556(8), Rules of the Auditor General, we applied financial condition assessment procedures. It is management's responsibility to monitor the City's financial condition, and our financial condition assessment was based in part on representations made by management and the review of financial information provided by same.

Annual Financial Report

Section 10.554(1)(i)5.b. and 10.556(7), Rules of the Auditor General, require that we apply appropriate procedures and report the results of our determination as to whether the annual financial report for the City for the fiscal year ended September 30, 2016, filed with the Florida Department of Financial Services pursuant to Section 218.32(1)(a), Florida Statutes, is in agreement with the annual financial audit report for the fiscal year ended September 30, 2016. In connection with our audit, we determined that these two reports were in agreement.

Special District Component Units

Section 10.554(1)(i)5.d., Rules of the Auditor General, requires that we determine whether or not a special district that is a component unit of a county, municipality, or special district, provided the financial information necessary for proper reporting of the component unit, within the audited financial statements of the county, municipality, or special district in accordance with Section 218.39(3)(b), Florida Statutes. The City does not have any special district component units.

Other Matters

Section 10.554(1)(i)2., Rules of the Auditor General, requires that we address in the management letter any recommendations to improve financial management. In connection with our audit, we did not have any such recommendations.

Section 10.554(1)(i)3., Rules of the Auditor General, requires that we address noncompliance with provisions of contracts or grant agreements, or abuse, that have occurred, or are likely to have occurred, that have an effect on the financial statements that is less than material but which warrants the attention of those charged with governance. In connection with our audit, we did not have any such findings.

Our management letter is intended solely for the information and use of the Legislative Auditing Committee, members of the Florida Senate and the Florida House of Representatives, the Florida Auditor General, federal and other granting agencies, the City Council, and applicable management, and is not intended to be, and should not be, used by anyone other than these specified parties.



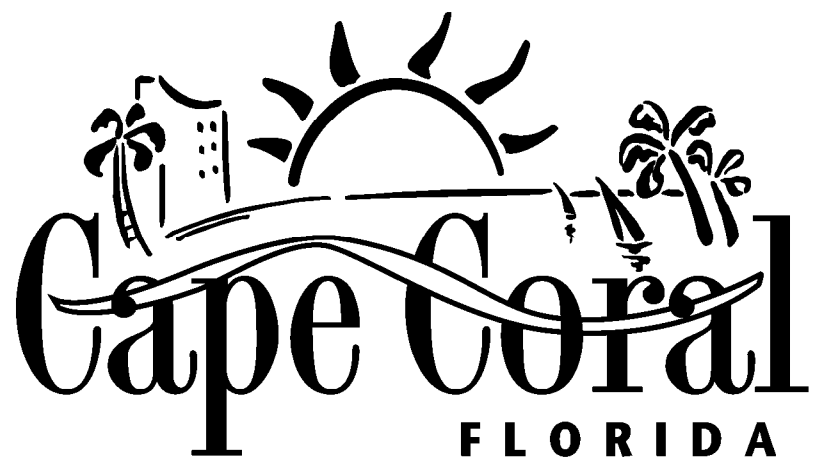
CliftonLarsonAllen LLP

Fort Myers, Florida
March 29, 2017

**CITY OF CAPE CORAL, FLORIDA
MANAGEMENT LETTER
SEPTEMBER 30, 2016**

APPENDIX A– PRIOR YEAR FINDINGS AND RECOMMENDATIONS

| Prior Year Findings and Recommendations | | Current Year Status | | |
|---|--|---------------------|-------------------|-------------|
| | | Cleared | Partially Cleared | Not Cleared |
| 2015-001 | Material Weakness in Internal Control over Financial Reporting | X | | |
| 2015-002 | Compliance and Material Weakness in Internal Control over Compliance | X | | |
| 2015-003 | Significant Deficiency in Internal Control over Compliance | X | | |
| 2015-004 | Significant Deficiency in Internal Control over Compliance | X | | |
| MLC 2014-001 | Deficiency in Internal Control | X | | |
| MLC 2015-001 | Deficiency in Internal Control | X | | |
| MLC 2015-002 | Deficiency in Internal Control | X | | |



Independent Accountants Report

INDEPENDENT ACCOUNTANTS' REPORT

Honorable Mayor and
Members of the City Council
City of Cape Coral, Florida

We have examined the City of Cape Coral, Florida's (City) compliance with Section 218.415, Florida Statutes, regarding the investment of public funds during the year ended September 30, 2016. Management is responsible for the City's compliance with those requirements. Our responsibility is to express an opinion on the City's compliance based on our examination.

Our examination was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants and, accordingly, included examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our examination provides a reasonable basis for our opinion. Our examination does not provide a legal determination on the City's compliance with specified requirements.

In our opinion, the City complied, in all material respects, with the aforementioned requirements for the year ended September 30, 2016.

This report is intended solely for the information and use of the City and the Florida Auditor General and is not intended to be, and should not be used by anyone other than these specified parties.



CliftonLarsonAllen LLP

Fort Myers, Florida
March 29, 2017

