

Mayor

Joe Coviello

Council Members

District 1: John Gunter

District 2: John M. Carioscia Sr.

District 3: Marilyn Stout

District 4: Jennifer I. Nelson

District 5: Dave Stokes

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 SPECIAL MEETING OF THE
CAPE CORAL CITY COUNCIL**

February 20, 2018

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 COVIELLO

2. INVOCATION/MOMENT OF SILENCE

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

A. MAYOR COVIELLO, COUNCIL MEMBERS CARIOSCIA,
COSDEN, GUNTER, NELSON, STOKES, STOUT, WILLIAMS

5. CITIZENS INPUT TIME

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

6. BUSINESS

A. Alternative Forms of Seawall Construction (Advanced by Mayor
Coviello)

7. TIME AND PLACE OF FUTURE MEETINGS

A. A Committee of the Whole Meeting is Scheduled for Monday,
February 26, 2018 at 4:30 p.m. in Council Chambers

8. MOTION TO ADJOURN

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

GENERAL RULES AND PROCEDURES REGARDING THE CAPE CORAL CITY COUNCIL AGENDA

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

Persons wishing to address Council under Citizens Input or the Consent Agenda may do so during the designated times at each meeting. No prior scheduling is necessary. All speakers must have their presentations approved by the City Clerk's office no later than 3:00 PM the day of the meeting.

Any citizen may appear before the City Council at the scheduled PUBLIC HEARING/INPUT to comment on the specific agenda item being considered. No prior scheduling is necessary.

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

Copies of the agenda are available in the main lobby of Cape Coral City Hall and in the City Council Office, 1015 Cultural Park Boulevard. Copies of all back-up documentation are also available for review in the lobby of Council Chambers. You are asked to refrain from removing any documentation. If you desire copies, please request they be made for you. Copies are 15 cents per page. Agendas and back-up documentation are also available on-line on the City website (capecoral.net) 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: 6.A.
Meeting Date: 2/20/2018
Item Type: BUSINESS

AGENDA REQUEST FORM
CITY OF CAPE CORAL



TITLE:

Alternative Forms of Seawall Construction (Advanced by Mayor Coviello)

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:

Memo - Resolution 45-18 dated February 16, 2018

Email from City Attorney

Resolution 45-18 as presented at the 2/12/2018 Regular Council Meeting

Staff Presentation as presented at the 2/12/2018 Regular Council Meeting

Memo as presented at the 2/12/2018 Regular Council Meeting

PREPARED BY:

Division- Department-

SOURCE OF ADDITIONAL INFORMATION:

ATTACHMENTS:




Description	Type
□ Memo - Resolution 45-18	Backup Material

- | | | |
|---|---|-----------------|
| ▣ | Email from City Attorney | Backup Material |
| ▣ | Resolution 45-18 - as presented at the 2/12/2018
Regular Council Meeting | Backup Material |
| ▣ | Staff Presentation - as presented at the 2/12/2018
Regular Council Meeting | Backup Material |
| ▣ | Memo - as presented at the 2/12/2018 Regular
Council Meeting | Backup Material |

MEMORANDUM

CITY OF CAPE CORAL

TO: Mayor Coviello and City Council

FROM: John Szerlag, City Manager 
Paul Clinghan, Public Works Director *PRC*
Vince Cautero, Community Development Director 
Stephen Beckman, Building Official 

DATE: February 16, 2018

SUBJECT: Resolution 45-18

Executive Summary and Recommendation

The use of corrugated vinyl sheet piles can potentially save the customer 25% or more on seawall repair by constructing a new wall adjacent to the existing wall. The flat-faced vinyl concrete poured walls do not always offer the same cost savings of the corrugated vinyl sheet piles.

Please know the potential savings offered by the corrugated vinyl sheets is underpinned by the fact that most repairs can be completed from the land rather than by using a barge.

In addition to the immediate savings potential noted above, allowing more seawall options and seawall contractors will lead to added competition potentially resulting in greater savings to the customer.

Staff recommends approval of Resolution 45-18 as was originally put forth, as residents will have more options to effectively repair and replace their seawalls with a new wall offering potential longer service life and better costs.

Background

Staff introduced this resolution at the council meeting on February 12, 2018. The resolution offered two alternative vinyl systems, which could provide potential savings and benefits to customers needing to repair and replace damaged seawalls from Hurricane IRMA. The use of vinyl seawalls would offer more options and contractors to do the seawall work.

The staff presentation to Council did not specify cost differences between the various seawall systems. The day following the February 12 Council Meeting, the City Manager asked staff and industry representatives to outline a cost matrix to better explain the advantages of these alternative seawall designs.

The attached matrix compares the different systems for (a) repair/replacement with removing the existing seawall and (b) repair/replacement with the existing seawall remaining. Cost ranges were determined for each of these scenarios to be used as a general guide. Site conditions vary from location to location with depth of canal, canal bottom type, improvements along seawall such as docks and lifts, pools, landscaping, etc.

Cc: Dolores Menendez, City Attorney
Joe Mazurkiewicz, BJM Consulting
Bill Johnson, CCCIA Executive Director

SEAWALLS					
Opinion of Probable Construction Cost Per LF (1)					
2/16/2018					
Item #	Description	Access	Pre-Cast Concrete Panels	Cast - In - Place Concrete in Flat Vinyl Forms	Cast - In - Place Concrete in Corrugated Vinyl Sheeting
1	Replacement (Remove Existing Seawall)	From Land	\$450 to \$600	\$600 to \$750	Not Allowed
2	Repair (Install New Seawall in Front of Existing Seawall)	From Land	N/A	\$500 to \$650	\$450 to \$600
3	Replacement (Remove Existing Seawall)	Barge	\$600 to \$800	\$700 to \$850	Not Allowed
4	Repair (Install New Seawall in Front of Existing Seawall)	Barge	N/A	\$600 to \$750	\$550 to \$700

Notes

1. Estimates are for comparison only for a typical 80 foot seawall and are not final costs for site specific conditions including but not limited to docks, boat lifts, home location, pool location, canal depth, rock depth, ground slope, etc.

Kimberly Bruns

From: Dolores Menendez
Sent: Friday, February 16, 2018 9:28 AM
To: Rebecca vanDeutekom; Kimberly Bruns
Subject: FW: Resolution 45-18/Special Meeting

fyi

From: Dolores Menendez
Sent: Thursday, February 15, 2018 8:04 PM
To: Joe Coviello <jcoviell@capecoral.net>; John Carioscia <jcariosc@capecoral.net>; Richard Williams <rwilliam@capecoral.net>; Marilyn Stout <mstout@capecoral.net>; Jessica Cosden <jcosden@capecoral.net>; Jennifer I. Nelson <jinelson@capecoral.net>; John Gunter <jgunter@capecoral.net>; Dave Stokes <dstokes@capecoral.net>
Cc: John Szerlag <jszerlag@capecoral.net>; Phyllis Demarco <pdemarco@capecoral.net>; Brian R. Bartos <bbartos@capecoral.net>; Debra Chiappetta <dchiappe@capecoral.net>; Bonnie L. Scheuermann <bscheuer@capecoral.net>; Paul Clinghan <pclingha@capecoral.net>; Vincent Cautero <vcautero@capecoral.net>
Subject: Resolution 45-18/Special Meeting

Good evening, Mayor and Councilmembers:

At its February 12, 2018 meeting, Council received information concerning two types of alternative forms of seawalls that the Public Works Director and the DCD Director had reviewed and compared to the precast concrete panel and concrete cap design currently required by the Engineering Design Standards. Pursuant to the Engineering Design Standards, the Public Works Director and DCD Director are may approve deviations to those Standards provided the deviations are acceptable engineering practice and meet or exceed the Standards. Although the Public Works Director and the DCD Director had found that both alternative forms of seawall construction – the cast-in-place concrete in gray vinyl forms and the cast-in-place concrete in gray corrugated vinyl sheeting – met or exceeded the Standards and would be acceptable alternative forms of seawall construction, they sought Council concurrence in this decision because they were sensitive to the fact that the appearance of the alternative seawall designs was different from the traditional seawall forms currently along the City's many miles of canals.

During its most recent regular meeting, Council considered Resolution 45-18 which would have granted recognition to both types of alternative seawall construction and provided for concurrence with the findings of the Public Works Director and the DCD Director. Ultimately, Council voted to approve Resolution 45-18, with an amendment that would grant recognition and concurrence only with respect to the flat sided gray vinyl form alternative. Council declined to grant recognition to or concur with the findings concerning the corrugated vinyl sheeting alternative.

It is my understanding that the Mayor has called a special meeting to be held on Tuesday, February 20, 2018 to allow the Council an opportunity to receive additional information concerning these alternative types of seawall products and to discuss whether this additional information affects the Council's decision to approve Resolution 45-18 to include only one alternative design types.

Please be advised that, if Council wants to reconsider its February 12 vote to adopt Resolution 45-18, as amended, and potentially adopt the Resolution without the amendment, the following three motions will be involved:

First, a motion to reconsider would need to be made at the February 20, 2018 meeting or at least no later than Council's regular March 5, 2018 meeting. The motion to reconsider must be made by a member who voted in favor of the approval of Resolution 45-18, as amended. Any member of Council can second the motion to reconsider, regardless of how that member voted with respect to Resolution 45-18.

Second, if the motion to reconsider is approved, then the Council's previously adopted motion to approve Resolution 45-18 **with the amendment** to recognize only the flat sided alternative and not the corrugated, is back before the Council again so Council can reconsider its vote. If a majority of the council members again vote in favor of Resolution 45-18, as amended, then the amended Resolution 45-18 remains in effect. If a majority of council vote against Resolution 45-18, as amended, then the motion to approve will fail and Council can then move on to discussing how it wishes to proceed with respect to the seawall issue.

For example, this would be the opportunity for a member of Council to move to approve Resolution 45-18 in its original form (to recognize and concur with both alternative seawall types). If this motion passes, then Resolution 45-18 in its original form would be adopted.

If you have any questions, please do not hesitate to contact me.

Dolores

RESOLUTION 45 – 18

A RESOLUTION OF THE CITY OF CAPE CORAL CITY COUNCIL GRANTING RECOGNITION OF CERTAIN ALTERNATIVE FORMS OF CONSTRUCTION OF SEAWALLS AS ACCEPTABLE IN THE CITY OF CAPE CORAL; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Hurricane Irma, which impacted the City of Cape Coral on September 10, 2017, caused the failure of numerous privately-owned seawalls throughout the City; and

WHEREAS, the current interpretation of the Engineering Design Standards requires that seawalls in the City be constructed utilizing a precast concrete panel and concrete cap design; and

WHEREAS, the Department of Community Development is processing numerous applications for seawall permits, including but not limited to seawalls damaged by Hurricane Irma, many of them submitted with designs other than the concrete panel and cap design currently required in the Engineering Design Standards; and

WHEREAS, the Engineering Design Standards provide that:

These Standards are intended to present those most frequently employed standards in municipal engineering work. The Directors or designees of the Public Works Department and the Department of Community Development (DCD) may approve deviations to the Standards as applicable, provided the deviations are acceptable engineering practice and meet or exceed the Standards; and

WHEREAS, the Directors of the Public Works Department and DCD find that cast-in-place concrete in gray vinyl forms and cast-in-place concrete in gray corrugated vinyl sheeting as alternatives to the precast concrete panel and concrete cap design currently required meet or exceed the existing Standards; and

WHEREAS, before granting a deviation to the Engineering Design Standards to allow the alternative forms of seawall construction specified above, Council concurrence is desired due to the resulting new look to the community; and

WHEREAS, any seawall permits approved with the alternative designs pursuant to this deviation will require a site-specific design stamped by a Professional Engineer and final certification by a Professional Engineer that the seawall is constructed per the approved plan; and

WHEREAS, the City Manager is requesting City Council concurrence with the finding of the Directors of the Public Works Department and DCD that cast-in-place concrete in gray vinyl forms and cast-in-place concrete in gray corrugated vinyl sheeting are acceptable alternative forms of seawall construction for any seawall permit applications submitted to the Department of Community Development.

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

Section 1. The City Council hereby concurs with the finding of the Directors of the Public Works Department and DCD that cast-in-place concrete in gray vinyl forms and cast-in-place concrete in gray corrugated vinyl sheeting are acceptable alternative forms of seawall construction for any seawall permit applications submitted to the Department of Community Development.

Section 2. All seawall permits approved utilizing the alternative cast-in-place concrete in gray vinyl forms and cast-in-place concrete in gray corrugated vinyl sheeting designs will require a site-specific design stamped by a Professional Engineer and final certification by a Professional Engineer that the seawall is constructed per the approved plan.

Section 3. Effective Date. This resolution shall take effect immediately upon its adoption by the Cape Coral City Council.

ADOPTED BY THE CITY COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR COUNCIL SESSION THIS _____ DAY OF _____, 2018.

JOE COVIELLO, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

COVIELLO	_____	NELSON	_____
GUNTER	_____	STOKES	_____
CARIOSCIA	_____	WILLIAMS	_____
STOUT	_____	CODEN	_____

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____, 2018.

REBECCA VAN DEUTEKOM
CITY CLERK

APPROVED AS TO FORM:



DOLORES D. MENENDEZ
CITY ATTORNEY
res/Seawall Engineering Design Standards



Seawalls – Engineering Design Standards

February 12, 2018



Discussion Outline

1. Engineering Design Standards (EDS) Considerations
2. Precast Concrete Panels
3. Cast-In-Place Concrete in Vinyl Forms
4. Cast-In-Place Concrete in Corrugated Vinyl Sheeting
5. Other Seawall Types
6. Summary

Engineering Design Standards Considerations

- Engineering Design Standards (EDS) for Seawalls last revised in 2002 based on a concrete panel and concrete cap.
- Public Works is responsible for structural EDS
- DCD is responsible for seawall permitting, inspections, and final approval.
- Hurricane Irma caused the failure of numerous seawalls
- Public Works and DCD is in the process of updating the seawall EDS

Engineering Design Standards Considerations

- Structural – DPW, DCD, City Manager
 - Require site specific design for seawalls stamped by a Professional Engineer
 - Require final certification by a Professional Engineer that the seawall is constructed per the approved plans
- Cap Elevation – DPW, DCD, City Manager
- Constructability – DPW, DCD, City Manager

Engineering Design Standards Considerations

- Cost – DPW, DCD, City Manager and Council
- Aesthetics / Community Value - Council





Precast Concrete Panels











Cast-In-Place Concrete in Vinyl Forms

Installed in Front of Existing Seawall
or
New Construction







Cast-in-Place Concrete in Corrugated Vinyl Sheeting

Installed in Front of Existing Seawalls









Other Seawall Types













Summary

- PW and DCD will revise the EDS based on the type(s) of seawalls that Council approves
 - ❑ Precast Concrete Panels (Presently approved)
 - ❑ Cast-In-Place Concrete in Vinyl Forms
 - ❑ Cast-In-Place Concrete in Corrugated Vinyl Sheeting
- PW and DCD will request comments from the local seawall contractors on the final seawall EDS




Questions?



MEMORANDUM

CITY OF CAPE CORAL DEPARTMENT OF COMMUNITY DEVELOPMENT

TO: Mayor and Council Members

FROM: John Szerlag, City Manager 
Vincent A. Cautero, Community Development Director 
Paul Clinghan, Public Works Director 

DATE: February 8, 2018

SUBJECT: Modification of Seawall Engineering Design Standards

Seawalls are regulated according to City Ordinance, and the Cape Coral Engineering and Design Standards. The ordinance establishes the City's intent and authority to regulate the manufacture, construction and installation of seawalls. The Engineering and Design Standards provide the minimum requirements for construction of seawalls. The seawall engineering design standards in Cape Coral have remained the same for decades allowing only precast concrete panels with a concrete cap.

Due to the extensive number of seawalls damaged during Hurricane Irma, and the associated costs to repair/replace, the City has been approached by contractors to consider other types of seawalls. With the advances in materials and methods of construction, these alternative seawalls could be an acceptable option for homeowners. These seawalls include the cast-in-place concrete in gray vinyl forms and cast-in-place concrete in gray corrugated vinyl sheeting.

The Engineering and Design Standards authorize directors or designees of the Public Works Department and the Department of Community Development to approve deviations to the standards as applicable, provided the deviations are acceptable engineering practice and meet or exceed the standards.

Public Works Director Paul Clinghan and DCD Director Vincent Cautero have found the cast-in-place concrete in gray vinyl forms and cast-in-place concrete in gray corrugated vinyl sheeting will meet or exceed the existing standards.

Mr. Clinghan and Mr. Cautero are in agreement that these alternative seawalls are structurally sound and can be permitted in Cape Coral. Before moving forward, I am requesting City Council determine whether these alternative seawalls should be allowed since they will present a different look from an aesthetics perspective.

Thank you.