

**Mayor**

Joe Coviello

**Council Members**District 1: John GunterDistrict 2: John M. Carioscia Sr.District 3: Marilyn StoutDistrict 4: Jennifer I. NelsonDistrict 5: Dave StokesDistrict 6: Richard WilliamsDistrict 7: Jessica Cosden

1015 Cultural Park Boulevard  
Cape Coral, FL

**City Manager**

John Szerlag

**City Attorney**

Dolores Menendez

**City Auditor**

Andrea R. Butola

**City Clerk**

Rebecca vanDeutekom

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

October 1, 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**

A. COUNCILMEMBER WILLIAMS

**3. PLEDGE OF ALLEGIANCE****4. ROLL CALL**

A. MAYOR COVIELLO, COUNCIL MEMBERS CARIOSCIA, COSDEN, GUNTER, NELSON,  
STOKES, STOUT, WILLIAMS – **ALL PRESENT**

**5. CHANGES TO AGENDA/ADOPTION OF AGENDA – ADOPTED AS PRESENTED****6. RECOGNITIONS/ACHIEVEMENTS**

A. Youth Council Award Presentation - Chaz Smith, Florida League of Cities

**7. APPROVAL OF MINUTES**A. Special Meeting - August 27, 2018 – **APPROVED**B. Special Meeting - September 6, 2018 – **APPROVED****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. **1 SPEAKER. TOPIC: ODOR CONTROL AT RO TREATMENT PLANT.**

## B. CONSENT AGENDA

- (1) Resolution 200-18 Approves purchases of Capital Equipment, Vehicles and the corresponding peripheral equipment (upfitting), Hardware, Software and Maintenance within the City's General Fund, Special Revenue, Enterprise Funds and Internal Service Fund Groups including, but not limited to the Water and Sewer Fund, Stormwater Fund, Golf Course Fund, Internal Services Facilities Fund, Internal Services Fleet Fund, Lot Mowing Fund, Sidewalk Capital Project Fund and to dispose of City-owned surplus tangible personal property that is no longer needed as a result of said purchases in accordance to the City of Cape Coral Procurement Ordinance

and authorize the City Manager to approve the purchase orders for these purchases and any related documents. Department(s): City-Wide; Dollar value: \$13,196,067 (Capital Project Fund, Enterprise Fund, General Fund, Internal Services Fund, Special Revenue Fund) – **APPROVED**

- (2) Resolution 211-18 Award Bid# ITB-UT18-75/KR Southwest RO WTP Odor Control Modifications to Poole and Kent Company of Florida, located in Miami, FL, as the lowest responsive, responsible bidder, for the demolition and installation of the new water treatment degasification system and odor control stacks located at the Southwest RO Water Treatment Plant for \$1,049,000 plus a 10% City controlled contingency of \$104,900 for a total project cost of \$1,153,900 and authorize the City Manager or designee to execute the contract, amendments, change orders and purchase orders, within his authority; Department: Utilities; Dollar Value: \$1,153,900; (Water and Sewer Fund) – **APPROVED**
- (3) Resolution 213-18 Award Bid# ITB-UT18-100/KR San Carlos Canal Force Main Replacement Project to Andrew Site Work, LLC of Fort Myers, FL as the lowest responsive, responsible bidder, to provide construction services for the replacement of the aerial wastewater force main over the San Carlos Canal on Cape Coral Parkway, east of Santa Barbara Boulevard for \$95,158, plus a 10% City controlled contingency of \$9,516 for a total project cost of \$104,674 and authorize the City Manager or designee to execute the contract, amendments, change orders and purchase orders, within his signature authority; Department: Utilities; Dollar Value: \$104,674; (Water and Sewer Fund) – **APPROVED**
- (4) Resolution 218-18 Acceptance of Florida Department of Transportation Highway Traffic Safety Funds to conduct impaired driving operations; Department: Police; Dollar Value \$38,000; No cash match – **APPROVED**
- (5) Resolution 219-18 Federal Fiscal Year (FFY) 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) Program - JAG Countywide-State Solicitation; Department: Police – **APPROVED**
- (6) Resolution 220-18 Approve Amendment No. 1 to SFWMD Cooperative Funding Program Grant No. 600003494 for North 2 UEP installation of 50,000 LF of 10-inch to 36-inch (non-assessable) irrigation water main. The Amendment extends the term of the Agreement from October 31, 2018 to February 28, 2019 to provide adequate time for invoicing and documentation required by the Agreement. In addition to extending the period of performance, the Amendment updates the Statement of Work, Payment and Deliverable Schedule, Quarterly Status Report and Final Project Summary Report. The funding amount of \$200,000.00 is not affected; Department: Public Works; Dollar Value: \$0; (Water & Sewer Fund) – **APPROVED**
- (7) Resolution 224-18 Award a 60 month lease to EZ-GO, a Division of Textron, Inc. via a piggyback of the National Intergovernmental Purchasing Alliance (National IPA - formerly TCPN) Contract #R161101 for the lease of 80 golf carts, one (1) beverage unit and one (1) range picker and Rescind the award, due to non-performance, to Yamaha Golf-Car Company awarded on July 31, 2017 via Resolution 110-17. EZ-GO annual amount is \$117,283 for a five-year total of \$586,415 and authorize the City Manager or Designee to execute the cancellation of Yamaha Golf Car Company lease and execute the lease agreement, contract and renewals with EZ-GO; Department: Parks and Recreation; Annual Dollar Value: \$117,283 (Five-year total \$586,415 - Golf Course Enterprise Fund) – **APPROVED**

- (8) Resolution 225-18 Approve Amendment No. 1 to SFWMD Cooperative Funding Program Grant No. 4600003495 for North 2 UEP Canal Pump Station #10 (non-assessable). The Amendment extends the term of the Agreement from October 31, 2018 to February 28, 2019 to provide adequate time for invoicing and documentation required by the Agreement. In addition to extending the period of performance, the Amendment updates the Statement of Work, Payment and Deliverable Schedule, Quarterly Status Report and Final Project Summary Report. The Scope of Work for the Grant is modified to include only the intake structure components to accommodate the City's request. The funding amount of \$200,000.00 is not affected. Department: Public Works; Dollar Value: \$0; (Water & Sewer Fund) – **APPROVED**

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. **5 SPEAKERS. TOPICS: DOMESTIC VIOLENCE; POTENTIAL RESTRUCTURE OF OUR LOCAL GOVERNMENT DUE TO GROWTH; LCEC AGREEMENT; PARK BOND REFERENDUM; CAPE CORAL BEAUTIFICATION; ALGAE ISSUE.**

D. PERSONNEL ACTIONS

(1) None

E. PETITIONS TO COUNCIL

(1) None

F. APPOINTMENTS TO BOARDS / COMMITTEES / COMMISSIONS

(1) None

**9. ORDINANCES/RESOLUTIONS**

A. Public Hearings

(1) Ordinance 65-18 – **Public Hearing**

WHAT THE ORDINANCE ACCOMPLISHES: An ordinance approving and granting to Florida Governmental Utility Authority a Utility Easement to survey, construct, operate, maintain, repair, remove, replace or abandon a 16-inch irrigation main and associated valving and telemetry facilities in, along, under, above and upon property owned by the City that is in the area of the Del Prado Irrigation Storage Tank; authorizing and directing the Mayor to execute the Easement. (Applicant: Brought forward by City Management). **APPROVED**

(2) Ordinance 66-18 (PDP 18-0004 / Quasi-Judicial) – **Public Hearing**

WHAT THE ORDINANCE ACCOMPLISHES: An ordinance amending Ordinance 112-03, approving a Planned Development Project entitled "Houlihans Restaurant and Office Building" for certain property described as Lots 12-20 and 52-62, Unit 44, Block 1699; property located at 627 & 629 Cape Coral Parkway West and 620 SW 47th Terrace; renaming the project "Duffy's Parking Lot Expansion"; expanding the project area by 20,000 square feet; rezoning Lots 19-20 and 52-53, Block 1699, Unit 44, from Professional Office (P-1) to Pedestrian Commercial (C-1); expanding a previously approved deviation from the Engineering and Design Standards, Sheet E-1, in order to allow a parking lot design where vehicles may back onto a public right-of-way; granting development plan approval. (Applicant: Cape Coral Parkway, LLC). **APPROVED**

- B. Introductions
  - (1) None

## **10. UNFINISHED BUSINESS**

- A. Water Quality – **INFORMATIONAL ONLY**
- B. Follow-up Items Requested by Council – **NONE**

## **11. NEW BUSINESS**

- A. Air Quality Discussion - Brought forward by Councilmember Cosden – **COUNCIL APPROVED SENDING LETTER TO REQUEST AIR QUALITY TESTING IN CAPE CORAL BY THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION REGARDING BLUE-GREEN ALGAE**

## **12. REPORTS OF THE MAYOR AND COUNCIL MEMBERS**

COUNCILMEMBER WILLIAMS – INFORMATIONAL ONLY

COUNCILMEMBER CARIOSCIA – NO REPORT

COUNCILMEMBER COSDEN – INFORMATIONAL ONLY

COUNCILMEMBER GUNTER – INFORMATIONAL ONLY

COUNCILMEMBER NELSON – INFORMATIONAL ONLY

COUNCILMEMBER STOKES – INFORMATIONAL ONLY

COUNCILMEMBER STOUT – INFORMATIONAL ONLY

MAYOR COVIELLO – INFORMATIONAL ONLY

## **13. REPORTS OF THE CITY ATTORNEY AND CITY MANAGER**

CITY ATTORNEY – REQUESTED APPROVAL TO SCHEDULE ATTORNEY/CLIENT SESSION (CITY OF CAPE CORAL vs. FLORIDA PROPERTIES III, LLC/17-CA-002626) ON MONDAY, OCTOBER 15, 2018 AT 2:00 PM – **APPROVED**

CITY MANAGER – NO REPORT

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

- A. A Committee of the Whole Meeting is Scheduled for Wednesday, October 10, 2018 at 4:30 p.m. in Council Chambers.
- B. A Regular Meeting of the Cape Coral City Council is Scheduled for Monday, October 15, 2018 at 4:30 p.m. in Council Chambers.

## **15. MOTION TO ADJOURN – MEETING ADJOURNED AT 5:44 PM.**