

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

January 11, 2023

Council Chambers

4:30 p.m.

Meeting called to order by Mayor Gunter at 4:35 p.m.

**INVOCATION/MOMENT OF SILENCE** – Councilmember Welsh

**PLEDGE OF ALLEGIANCE** – Councilmember Welsh

**Roll Call:** Mayor Gunter, Councilmembers Cosden, Cummings, Hayden, Long, Sheppard, Steinke, and Welsh were present.

**CHANGES TO AGENDA/ADOPTION OF AGENDA**

Mayor Gunter asked if anyone had any changes.

Councilmember Cosden requested to add before Citizens Input the topic regarding the traffic signal at the intersection of De Navarra Parkway and Del Prado Boulevard North.

***Councilmember Cosden, seconded by Councilmember Steinke, to approve the agenda, as amended.***

***Council polled as follows: Welsh, Cosden, Cummings, Gunter, Hayden, Long, Sheppard, and Steinke voted “aye.” Eight “ayes.” Motion carried 8-0.***

**RECOGNITIONS/ACHIEVEMENTS**

None.

**APPROVAL OF MINUTES**

Regular Meeting - December 7, 2022

***Councilmember Hayden moved, seconded by Councilmember Sheppard, to approve the minutes for the December 7, 2022, Regular Meeting, as presented. Voice Poll: All “ayes.” Motion carried.***

Regular Meeting - December 14, 2022

***Councilmember Steinke moved, seconded by Councilmember Hayden, to approve the minutes for the December 14, 2022, Regular Meeting, as presented. Voice Poll: All “ayes.” Motion carried.***

**Discussion regarding De Navarra and Del Prado Boulevard North Traffic Signal  
(added to agenda before Citizens Input)**

City Manager Hernandez explained the item.

Financial Services Director Mason discussed the following slides:

- De Navarra / Del Prado North Traffic Signal
- Background
- Background and Proposal
- Proposal
- In the Interim

Public Works Director Ilczyszyn discussed the following:

- Aerial picture of intersection
- Safety
- Construction process
- Temporary signals
- Mobilizing to start process next week

Discussion held regarding:

- Signalizing Averill and Del Prado Boulevard North
- Del Prado Blvd and Averill Blvd Traffic Signal Project
- Purchasing process
- Timeline: Design approved; contractor ready to go, funding pending approval
- U-turn position
- Starting project in 3 days
- Security interest would be a bond for reimbursement by Entrada Community Association
- First in; last out still pending – when Entrada Community ready to make payment

City Manager Hernandez stated he was looking for a consensus to move forward; a contract and PDP Amendment would be brought back to Council for a formal vote.

***Councilmembers polled and consensus agreed, without objection, to move forward with interim improvements and funding assistance request.***

#### CITIZENS INPUT TIME

Debbie Wheeler appeared in support of action on the traffic light at De Navarra and Del Prado Boulevard and reducing the speed limit from 50 mph on Del Prado Boulevard.

Tahita Matine, US Small Business Administration (SBA) Representative, appeared to provide update on deadline of January 12<sup>th</sup> for physical damages to file a claim. SBA continues to be staffed at all of the Disaster Recovery Centers (DRC), along with FEMA, at 360 Santa Barbara Boulevard with DRC next door. She mentioned that business owners have until June 29, 2023, to submit an application for working capital claims.

Resident appeared to discuss De Navarra and Del Prado Boulevard. He suggested moving the process as quickly as possible and lowering speed.

Michael Vitale appeared to discuss the solicitation Ordinance, section 13-3. He noted he works for a public adjuster's firm. He requested that Council mirror the Fort Myers version.

Sara Kyle, admin of the Facebook group Gator Circle in the Loop, appeared in favor of the signal light on De Navarra and Del Prado. She discussed the history of the light not being installed as promised previously.

Bernadette Riley, Citizen of Gator Circle, appeared in favor of the signal light at De Navarra and Del Prado.

Gabriel Denny, new resident, appeared to discuss the \$35,000 for water hookup to his home. He requested that Council reconsider that the trend be stopped.

Resident appeared in favor of the traffic light on De Navarra and Del Prado.

Joanna Bulgone appeared in favor of the traffic light on De Navarra and Del Prado and voiced her concerns with the Island Coast High School traffic and U-turn concerns.

Councilmember Sheppard left the dais at 5:17 p.m. and returned at 5:18 p.m.

Jessica Sheen appeared in favor of the traffic light at De Navarra and Del Prado.

Ed Bolter appeared regarding the Lake Kennedy plans for pickleball courts and favorable revenue stream to hold tournaments in 2024.

Helen Bucher appeared in favor of the traffic light on De Navarra and Del Prado.

Susan Pinone appeared in favor of the traffic light on De Navarra and Del Prado. She also discussed the benches in the park facing the road and not the play area. She suggested that the meeting time be changed to start later so that there could be more working residents' input. She will reach out to WINK News to organize a meeting where voices could be heard Saturday or Sunday.

Councilmember Cosden requested that the Citizen regarding the UEP reach out to Council Offices for more information. She clarified that information shared with the public has been provided by Staff; there has been no intention of providing false information. She addressed the delay issues with the traffic light installation.

Councilmember Long explained the timeline of one year was due to the process. The delay attributed to the developer gathering funds to bring this project to fruition.

City Manager Hernandez explained that the developer was responsible for paying for the impact. Once all requirements associated are met, information is conveyed to all parties. The issue was among themselves. There have been numerous discussions with the City Attorney and Management and options were limited: court action could take several years, or we could continue to work with them and facilitate the process. The developer asked for assistance from the City. Costs could be recouped; Entrada recognized the issue, and they want to move forward as quickly as possible. Everything needs to be custom designed and built.

Discussion held regarding:

- Developer issue with moving forward with obligations

Councilmember Long was not opposed to leave it as an open policy for future intersection; City should step in and fund in the future in the planning phase as soon as the developer comes in.

City Manager Hernandez noted that many communities require the developer to post a Performance Bond where those improvements must be installed before any CO is approved.

Councilmember Long addressed the Lake Kennedy project, not looking to expand the pickleball courts, 16 courts in Phase One and 32 in Phase Two.

City Manager Hernandez stated what we are proposing today under New Business is to build both phases since it was more economical to do so. The recommendation was to award the contract today for buildout of 32 pickleball courts and 12 tennis courts.

Councilmember Welsh agreed with the Entrada Community to put up the traffic light. Our City Traffic Engineer has a viable solution to manage traffic by making it one way in and one way out with a U-turn option. He requested moving Citizen Input to the end of the meetings and discussed the option for Citizens to submit online comments.

City Clerk Bruns stated that there are several options available at the Council's discretion.

Mayor Gunter stated that topic could be added to a future COW meeting for discussion. He cautioned on moving Citizen Input to the end of the agenda as it would affect the opportunity to address other items such as the Consent Agenda.

Discussion held regarding adding that topic to a COW meeting.

Mayor Gunter stated that Staff has identified short- and long-term solutions in anticipation of the traffic signal. A bond could be issued to ensure that the developer pay back the City. He discussed being proactive to post a performance bond in place, when criteria met, then it would be the developer's responsibility to perform the work. In the future, best practices, have the developer put in the performance bond earlier. All the traffic signals damaged throughout the City due to Hurricane Ian makes demand on materials higher. He requested procedures for the speed limit reduction and the need for a traffic study.

Councilmember Cummings left the dais at 5:48 p.m. and returned at 5:51 p.m.

Director Ilczyszyn explained the traffic study for speed limit adjustments and past speed studies.

Councilmember Sheppard stated that the City should learn from this and improve processes. He inquired if there was a mechanism to alert Staff and Council if there were other dangerous intersections.

City Manager Hernandez discussed the mechanism utilized by the Traffic Engineers that are considered and criteria standards. He discussed the process of funding for the traffic intersections.

Director Ilczyszyn explained the process for intersection improvements.

## **BUSINESS**

### **CONSENT AGENDA**

- 1) Resolution 253-22 Approve Contract #RCW2319KS with HD Supply Facilities Maintenance LTD, piggybacking Fresno Unified School District Agreement #22-07, for the purchase of Cleaning Supplies, Equipment and Custodial Related Products and Services at the discount percentage unit prices bid, at an estimated annual cost of \$340,900 and authorize the City Manager or Designee to execute the contract and purchase orders; Department: Lead Department Public Works/Property Management Division; Dollar Value: \$340,900; (General Fund)
- 2) Resolution 281-22 Approve the "First Amendment to the 2021 Memorandum of Understanding Agreement between the Department of Environmental Protections Division of State Lands, Bureau of Survey and Mapping and the City of Cape Coral for Geodetic Control Densification Project Horizontal Datum (NAD83) and Vertical Datum (NAVD88) and Tide Station installation and monitoring support"; authorizing the Mayor to execute all documents related to the Memorandum of Understanding; Department: Public Works/Survey Division; Estimated Dollar Value: N/A; (Fund: N/A).
- 3) Resolution 1-23 Approve sole and single source with Hach Company for the purchase of handheld and laboratory Hach equipment as well as parts for repair and maintenance including but not limited to pH meters, composite samplers, chlorine analyzers, suspended solids sensors, turbidimeters, dissolved oxygen sensors, multi-parameter spectrophotometer and reagents for Fiscal Year 2023 through Fiscal Year 2025, contingent on annual budget appropriation; and authorize the City Manager or designee to execute the sole/single source and purchase orders. Department: Utilities; Combined Dollar Amount: \$510,000; (Water and Sewer Fund – FY2023 \$170,000, FY2024 \$170,000, FY2025 \$170,000)
- 4) Resolution 2-23 Terminate Waiver of Hurricane Ian Emergency Permitting Fees; resumption effective January 17, 2023; Department: Development Services; Amount: N/A; (Fund: N/A)

- 5) Resolution 10-23 Approve extending Habitable Structure Emergency Declaration and repealing Permitting Waiver; Department: Development Services; Amount: N/A; (Fund: N/A)
- 6) Resolution 3-23 Approve providing for additional funding for the Cape Coral Wildlife Conservation Program; Department: Development Services; Dollar Amount: \$100,000; (Fund: General Fund Reserves)
- 7) Resolution 4-23 Approve Waiver of the Procurement Procedures for Amendment #1 and Renewal #1 for Contract #QIT2217MC with Stanley Utility Contractors, Inc. for Fiber Optic Locates (calls into Sunshine 811) and Emergency Service at an estimated annual cost of \$136,280; and authorize the City Manager or designee to execute the contract, renewal(s), and purchase orders; Department: Information Technology Services; Estimated Annual Dollar Value: \$136,280; (General Fund)
- 8) Resolution 6-23 Award RFP# RCP22152MC, and corresponding contract, for the purchase and delivery of Two 56'x64' Modular Classroom Units to Vesta Housing Solutions, LLC DBA Vesta Modular for a total cost of \$1,226,192.00 with a 10% City Controlled Contingency of \$122,619.20 for a total amount of \$1,348,811.20 and authorize the City Manager or his designee to execute the contract, amendment(s), change order(s) and purchase orders; Office of Capital Improvement Projects; Total Dollar Value: \$1,348,811.20; (Charter School Capital Maintenance Fund)
- 9) Resolution 7-23 Approve waiver of the procurement process and change order to PO 22504098 for professional consulting services with HRE, LLC d/b/a Tenzinga to provide additional Project Management related to EnerGov. This plan includes reprioritization and additional tasks for the project implementation in the estimated amount of \$195,000. The original purchase order was for \$65,000 including this change order the total project cost will be for a not to exceed of \$260,000; Authorize the use of Building Fund reserves in the amount of \$133,000; And authorize the City Manager, or designee, to execute the change order; Department: Development Services; Estimated Dollar Value \$260,000; (Building Fund)
- 10) Resolution 9-23 Authorize City Manager or Designee to execute the Permission to Act/Authorized Buyer Form and the limited Power of Attorney with MECUM Auctions for the sale of a 2020 Ford Shelby GT500 Coupe Mustang that has been deemed surplus; All proceeds will go to the confiscation fund; Department: Public Works/Police; Dollar Value: Auction – revenue generating; (Proceeds to Confiscation Fund)
- 11) Resolution 12-23 Approve Narcotics Enforcement Task Force (NETFORCE) Memorandum of Understanding with the State Attorney and law enforcement agencies within Florida's Twentieth Judicial Circuit including the counties of Charlotte, Collier, Glades, Hendry, and Lee, and authorizing the Chief of Police to execute all necessary documents for the Cape Coral Police Department; Department PD; Dollar Value N/A; (Fund: N/A)
- 12) Resolution 13-23 Approve Fire Department's application for eligibility for the federal surplus property program; Department: Fire.
- 13) Resolution 14-23 Approve License Agreement with LEECO Development, LLC for the temporary use of their ownership along Rose Garden Road for additional event parking for participants and spectators attending the Tour de Cape community event on January 21 and January 22, 2023; Authorize the City Manager or Designee to execute the agreement: Public Works / Property Management Division - Real Estate; Dollar Value: N/A (Fund: N/A)

- 14) Resolution 15-23 Acceptance of Permanent Drainage Easement in a portion of Lots 53 and 54, Block 3662, Unit 49 Cape Coral (1403 SW 4th Terrace, Strap #15-44-23-C4-03662.0480), to provide access to and maintenance of drainage facilities installed at this location in connection with site plan SDP22-000084 – 1403 SW 4th Terrace Project; Department: Public Works / Property Management Division – Real Estate; Dollar Value: N/A; (Fund: N/A)
- 15) Approve Engagement Letter with the law firm of Lewis Longman Walker concerning FDEP enforcement action (related to operation of the City's Wastewater Treatment and reuse system)

Mayor Gunter asked if anyone had any items to pull.

Councilmember Hayden pulled 9(A)(4) Resolution 2-23 and 9(A)(5) Resolution 10-23 for further discussion.

***Councilmember Hayden moved, seconded by Councilmember Welsh, to approve 9(A)(1), 9(A)(2), 9(A)(3), 9(A)(6), 9(A)(7), 9(A)(8), 9(A)(9), 9(A)(10), 9(A)(11), 9(A)(12), 9(A)(13), 9(A)(14), and 9(A)(15), as presented.***

***Council polled as follows: Welsh, Cosden, Cummings, Gunter, Hayden, Long, Sheppard, and Steinke voted “aye.” Eight “ayes.” Motion carried 8-0.***

City Manager Hernandez explained the purpose of 9(A)(4) Resolution 2-23 and 9(A)(5) Resolution 10-23. He addressed the concerns with the continued waiver of the permitting fees due to Hurricane Ian. The City was working toward consistencies with Lee County; Lee County rescinded their waiver earlier this year. Resolution 10-23 requested that trailer permits be reinstated and follow policies prior to Hurricane Ian. In order to have a trailer on your driveway, your home must be declared uninhabitable. We are extending the period through March 24, 2024; FEMA would provide up to 180 days of assistance to individuals and possible further six-month extension.

Discussion held regarding permit requirements and effective date.

***Councilmember Hayden moved, seconded by Councilmember Cosden, to approve Resolution 2-23 9(A)(4) and Resolution 10-23 9(A)(5).***

Councilmember Sheppard stated that he was still receiving contact from Citizens as they are running into issues with finding contractors to perform jobs and obtaining permits as well as estimates.

Councilmember Cummings agreed with Councilmember Sheppard's sentiments.

Discussion held regarding:

- Resolution 10-23 extension of habitable structure emergency declaration
- Average cost of reroof permit \$80

Councilmember Welsh agreed with reinstating the permitting fees.

***Council polled as follows: Welsh, Cosden, Gunter, Hayden, Long, Sheppard, and Steinke voted “aye.” Cummings voted “nay.” Seven “ayes.” One “nay.” Motion carried 7-1.***

## APPOINTMENTS TO BOARDS / COMMITTEES / COMMISSIONS

### Golf Course Advisory Board - 5 Vacancies

City Clerk Bruns stated there were five vacancies, and four applications were received from members who are seeking reappointment.

Applicants:

Garry S. Cittadino – not present (term expires 2/3/23)  
Edward J. Crann – present/left meeting at 5:30 p.m. (term expires 12/31/22)  
David A. Kenney – present (term expires 2/3/23)  
William F. Orsine – present (12/31/22)

Mayor Gunter suggested staggering terms and that three positions would be a two-year term, and two positions would be a one-year term.

Discussion held regarding:

- Staggering three positions with two-year term and two positions with one-year term
- Term limits
- How to apply this to other boards?

City Clerk Bruns noted this was the first time we have encountered this issue since the Resolution was passed. When you have a new Board, staggering is done at the beginning. She believed a one-year appointment would not be considered in the count, but she would research that to confirm.

Mayor Gunter asked if there was an Ordinance that outlines the term limits.

City Clerk Bruns explained it was noted in the backup's board sheet.

Mayor Gunter noted the current Ordinance says this Board has two-year terms.

Councilmember Hayden received a second from Councilmember Steinke to work on amending the Ordinance to stagger the terms.

***Councilmember Hayden moved, seconded by Councilmember Steinke, to reappoint Garry S. Cittadino, Edward J. Crann, David A. Kenney, and William F. Orsine to the Golf Course Advisory Board with two-year terms.***

City Attorney Menendez noted originally there were staggered terms and questioned how it got undone.

City Clerk Bruns stated she would research it and bring it back to Council.

Mayor Gunter noted Council would address it when more information is provided.

***Council polled as follows: Welsh, Cosden, Cummings, Gunter, Hayden, Long, Sheppard, and Steinke voted "aye." Eight "ayes." Motion carried 8-0.***

Addendum: City of Cape Coral Representation on Citizen Advisory Committee

Mayor Gunter explained that he received an email from the MPO in reference to our representation on the Citizens Advisory Committee. In August 2020, Council had recommended this individual to the MPO-CAC. The MPO is desiring to remove this individual from the Board for lack of participation. There were 21 meetings and the appointed CAC member only attended 6 meetings based on the MPO attendance record. Based on the By-Laws, once three meetings are missed that member should be removed. The individual has missed five consecutive meetings.

Councilmember Hayden inquired if anyone reached out to find out why she has missed the number of meetings.

Mayor Gunter stated that he reached out and that CAC member stated that based on her working schedule she could not attend but still had a desire to serve.

***Councilmember Hayden moved, seconded by Councilmember Steinke, to recommend to the MPO that she (Vanessa Chaviano) be removed from the seat.***

Mayor Gunter noted that he would write the letter to the MPO on behalf of City Council stating our recommendation would be to remove that individual from that Board.

Councilmember Steinke questioned if we should include the opportunity to have that member replaced.

Mayor Gunter noted he would include in the letter that Cape Coral City Council would be making a recommendation for replacement.

***Council polled as follows: Welsh, Cosden, Cummings, Gunter, Hayden, Long, Sheppard, and Steinke voted "aye." Eight "ayes." Motion carried 8-0.***

#### UNFINISHED BUSINESS

Follow Up Items for Council

None.

#### NEW BUSINESS

Resolution 5-23 Award Bid #BCW2258AP, and corresponding contract, for Construction of Lake Kennedy Racquet Center to Charles Perry Partners, Inc in the amount of \$10,707,648.12, with a 5% City controlled contingency of \$535,382.40 for a project total of \$11,243,030.52 and authorize the City Manager or Designee to execute the contract, amendment, purchase orders and change orders; Office of Capital Improvement Projects; Dollar Amount: \$11,243,030.52; (Governmental Capital Project Fund-funded by GO Bond)

City Manager Hernandez explained this was to refresh everyone of what this project entails. He noted that Staff recommendation was to do the full build-out as adopted by the previous Council for the Master Plan for Lake Kennedy.

CIP Director Clinghan deferred the presentation to James Pankonin, Kimley-Horn Project Manager, and was available for questions.

James Pankonin, Kimley-Horn, presented the following slides:

- Lake Kennedy Racquet Center Bid Recommendation Summary 1/11/23
- Summary
- Scope Review – Base Bid
- Scope Review – Bid Additive
- Base Bid: \$8,748,949.81
- Bid Additive: \$1,958,698.31
- Total Project: \$10,707,648.12
- Recommendation: Approve Bid Additive
- Benefits

Mayor Gunter inquired about the \$11.2M for this project and budget of \$5.5M. Since this cost has doubled, where is the funding?

City Manager Hernandez stated that the previous City Council set aside \$13-15M dedicated reserve to address cost overruns as part of the Parks GO Bond Program.

Councilmember Hayden discussed the demand for courts and hosting major tournaments. In the future is there a way to move the courts one section down and go to nine courts and look at leaving three spaces open for a stadium court based on tennis interest? Second, as we look at hosting bigger tournaments, how many parking spaces are going to be available?

Mr. Pankonin stated that there would be 275 parking spaces including paved and unpaved.

Discussion held regarding:

- Possibilities for Public Private Partnership - second floor - Pro Shop
- Look at additional expansion to add a restaurant
- Stadium court – greenspace between the tennis and pickleball courts
- Plans to eventually use less of the existing surface parking lot to the left
- Timeline to have the park completed as of today - 480 construction days

City Manager Hernandez addressed the P3 possibilities. Council had instructed Staff to not redesign the concession building due to delays and costs. The opportunity is always there for someone to submit an unsolicited proposal for a P3.

Councilmember Long inquired about the previous Council direction to go with Phase 2.

City Manager Hernandez stated based on feedback from a previous City Council because of our concern with cost escalation, we instituted a practice of phasing in the construction at most of the larger parks that had not been bid out such as Crystal Lake, Tropicana, Yellow Fever Creek, and Lake Meade. That is why we set aside a separate fund. We developed a scenario that would allow us to buy the improvements based on our ability to fund them. We created a base bid that had a minimum number of amenities that still met the promise made to the community and included buying in additional improvements.

Councilmember Long questioned if escalation of the \$13M was to go for the Yacht Club.

City Manager Hernandez stated one was restricting the funds that we had recouped over time from Hurricane Irma. We had received reimbursement of about \$2.7M from the CARES Act. Both were set aside for cost escalation. Council gave us direction to set aside \$10.9M in GO Bond money and making that available for cost overrun for the Yacht Club Community Park.

Councilmember Long inquired if there were two different accounts allocated for cost overrun.

City Manager Hernandez stated the \$10.9M is still with the Yacht Club. Since conditions have changed, he was still looking at the fund set up independent of the Yacht Club conversation.

Discussion held regarding:

- Are bids in excess of the \$13M set aside?
- Final cost of projects pending
- Bidding out has to be done for the remaining projects – parks involve a lot of vertical construction
- Cost escalation in construction projects as a result of COVID, labor shortages, supply shortages
- Budgets were going to come in above the estimates
- Council proactive in dedicating money to the Parks GO Bond
- Recognized delivering on commitment to residents
- 70% cost escalation on some of the non-parks related projects due to Hurricane
- Completion of parks – Cultural, Gator, Giuffrida
- Additional parking
- Meeting demand for expansion

Mayor Gunter commented that if we are going to move forward with Phase 2 for the pickleball and tennis courts, then it would be a nice to have a stadium-type court for pickleball as Phase 3 in the future.

***Councilmember Hayden moved, seconded by Councilmember Steinke, to approve Resolution 5-23, as presented.***

***Council polled as follows: Welsh, Cosden, Cummings, Gunter, Hayden, Sheppard, and Steinke voted "aye." Long voted "nay." Seven "ayes." One "nay." Motion carried 7-1.***

#### PERSONNEL ACTIONS

None.

#### PETITIONS TO COUNCIL

None.

#### FOLLOW UP ITEMS FROM CITY MANAGEMENT

##### Hurricane Ian Recovery Update

City Manager Hernandez stated the presentation would contain the latest update on Hurricane Ian Recovery.

Councilmember Welsh left the dais at 6:48 p.m. and returned at 6:52 p.m.

Fire Chief and Emergency Management Director Lamb discussed the following:

- FEMA and SBA claims deadline 1/12/2023
- Working with Hagerty Consulting

Solid Waste Manager Schweitzer provided the following update as follows:

- Final assessment with debris contractor
- January 28<sup>th</sup> – ceasing operations for street curb side collection
- January 30<sup>th</sup> – reverting to full pre-storm solid waste collection
- Residents that still have debris – take it to the Resource Recovery Facility on Buckingham Road in Fort Myers – shingles will not be accepted
- C&D and shingles can be taken to the Lee Hendry Regional Solid Waste Facility
- Debris drop off site on Pine Island – only for unincorporated residents on Pine Island and Matlacha
- Citizen Bulk Site will return to full service by the North RO Plant
- Waste Pro working on replacement totes; estimated 10K carts need to be replaced
- Use other containers and black bags for curbside garbage pickup by Waste Pro
- Sites removal and relocation
- Canal debris Zones 2 ,4, 8, 10, 11, and 12
- State working with gated communities, HOA, and private roads
- Check City website or [www.IanDebrisCleanup.com](http://www.IanDebrisCleanup.com)
- Call FDEM Hurricane Debris Cleanup Hotline at 850-961-2002
- Or email [www.Iandebriscleanup@em.myflorida.com](mailto:www.Iandebriscleanup@em.myflorida.com)

Discussion held regarding:

- Housing, construction, furniture debris still out in the streets
- Per map only showing first pass
- Notifying public that debris must be out by 1/21
- Public service announcements via media
- Office of Communications press release on 1/9/2023; local media, news outlets; social media; Facebook, Twitter, Instagram
- Shared information with 10 to 12 HOA's and neighborhood associations as well as the Chamber of Commerce
- On our website and will continue to send reminder messaging
- 311 also aware to provide information
- Interactive map updated yesterday to show updates
- Some debris remains, mixed, and placed on a punch list

- Contact 311 to get the requests on the punch list
- Revert to pre-hurricane policy and standards

Financial Services Director Mason discussed the following:

- Fourth expedited project worksheet – approved today – \$5M
- Submitted two additional project worksheets – canals and second debris cleanup
- Received invoice from CERES for \$14M
- Also received first invoice from Tetra Tech for a little over \$1M
- Florida Legislature met in Special Session last month
- Governor signed Senate Bill 4, SBA 4
- SB4 section appropriating \$300M from the General Fund to cover the 12.5% associated with local government 12.5%
- First come first serve
- Will be entering into agreement with them
- Will be required to set aside \$1 for every \$1 received for mitigation or recovery
- Will be talking about mitigation at the Winter Retreat

#### Permitting Process Update

Special Projects Coordinator Grambow presented the following displayed slides:

- Permitting Process Update – 1/11/23
- Permit Application Process Update (continued for 2 slides)
- Inspections Update – Current Situation
- Inspections Update – Addressing the Volume

Discussion held regarding:

- Placement of signs in City Hall for the push-button permits
- Private workstation available in cubicle
- QR Code access to apply for permits
- Placing a button on the Permitting webpage to click here to search permits
- Where would citizens go for list of private providers?
- List of private providers available
- Staff concerns with representing information to the public – finding alternative ways to provide without causing any City liability

***Recessed at 7:19 p.m. and reconvened at 7:30 p.m.***

### **ORDINANCES/RESOLUTIONS**

#### Public Hearings

Ordinance 89-22 First Public Hearing; Set Second and Final Public Hearing for January 25, 2023  
WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the City of Cape Coral Land Development Code, by amending Article 4, "Zoning Districts," Table 4.1.6, "Use Table," regarding mobile food vendors and mobile food courts as conditional uses in the P, C, I, Inst, NC, CC, MXB, MX7, and SC zoning districts; amending article 4, "Zoning Districts," Chapter 2, "Specific Regulations by District," Sections 4.2.6., 4.2.7., 4.2.8., 4.2.9., 4.2.11., 4.2.12., 4.2.13., 4.2.14., and 4.2.15., regarding mobile food vendors and mobile food courts and to make zoning district text regulations consistent with the zoning use table; amending Article 5, "Development Standards," Chapter 11, "Conditional Uses," to create Section 5.11.15., "Mobile Food Vendors," regarding the establishment of zoning regulations for mobile food vendors; creating Section 5.11.16., "Mobile Food Courts," regarding the establishment of zoning regulations for mobile food courts; and by amending Article 11, "Definitions," Chapter 1, "General Provisions," Section 11.2., "Definitions," regarding mobile food vendors and mobile food courts.

Staff Recommendation: Approval

Planning and Zoning Commission Recommendation: Approval

City Clerk Bruns read the title of the Ordinance.

The second and final Public Hearing was scheduled for January 25, 2023.

City Manager Hernandez requested to forego the presentation until the Final Public Hearing; there were no objections.

Public Hearing opened.

Gary Aubuchon appeared in support of the Ordinance as presented by Staff.

Gabriel Denny appeared in objection to several provisions of the Ordinance.

Kathy Stout appeared in objection to several provisions of the Ordinance. Small businesses should not be chased away with strict regulations. She discussed that she will be establishing a mobile food court to enhance our community.

Public Hearing closed.

Councilmember Cummings stated that mobile food trucks are convenient and part of the small business community. Focus should be on other City regulations as many businesses were affected by Hurricane Ian.

Councilmember Welsh stated that the first term in the Ordinance as written is "mobile." He opined that the Ordinance would be required to regulate mobile food trucks. He was in support of the Ordinance.

#### Ordinance 103-22 Public Hearing

##### WHAT THE ORDINANCE ACCOMPLISHES:

The Ordinance amends the lease agreement between the City of Cape Coral and PPW Cape Coral, LLC for the lease of property owned by the City of Cape Coral at 400 Santa Barbara Boulevard, known as Sun Splash Waterpark and authorizes the City Manager or his designee to execute the first amendment.

City Clerk Bruns read the title of the Ordinance.

Assistant City Manager Barron discussed the following:

- On October 20, 2021, City Council adopted Ordinance 86-21 which authorized the City to enter into a lease agreement with PPW Cape Coral, LLC to continue the operation of Sun Splash Waterpark.
- On October 19, 2022, the City held a Committee of the Whole meeting and Kirk Kaplan, President of ProParks, attended the meeting to provide Council with a presentation with an informational update of the park along with possible future expansions, including a wave pool and a new admissions entrance.
- The City anticipates constructing a public parking lot north of the waterpark in FY2024. The parking lot will be open for use by all visitors of the Lake Kennedy Complex. The parking lot will be funded and maintained by the City.
- ProParks will construct and fund the wavepool and other improvements, such as the new admission entrance. Once the City has completed the parking lot north of the property, Pro Parks will begin the construction of the new admissions building within one year.

Kirk Kaplan, President of ProParks, presented the following displayed slides:

- SunSplash Family Waterpark, Cape Coral
- 2022 Season Results, Unaudited as of Labor Day 2022
- 2022 Investments and Improvements
- The Headline: Growth is possible, ProParks wants to invest new capital and expand!

- ProParks is working with the City to modify the current lease to move forward with this new expansion plan. In addition to expected rent growth over the term of the lease, the improvements will be owned by the City upon completion.

Assistant City Manager Barron presented the following slides:

- SunSplash Lease Amendment – Additional Rent, Capital Improvements
- SunSplash Mid-Season Forecast
- City Revenue Forecast

Public Hearing opened.

No speakers.

Public Hearing closed.

Councilmember Welsh inquired about the parking cost.

Assistant City Manager Barron stated that the estimated cost was \$2-3M.

Discussion held regarding:

- Initial interest rate negotiations
- Developer funding improvements
- Sharing of profits between City and developer
- Reducing percentages

City Manager Hernandez stated that the percentage may be less, but this would generate more revenue that would not be generated without the wave pool.

Councilmember Welsh stated he would not be in favor of the Ordinance. He opined that what he requested at the COW was not fulfilled.

City Manager Hernandez stated that the direction was to renegotiate the terms and the developer was not in agreement.

Mr. Kaplan stated that the wave pool was an option and incentive which was being funded by ProParks. The company could stay where they are.

Mayor Gunter inquired what SunSplash made last year.

Mr. Kaplan responded \$4M in gross revenue with \$285K rent payment.

Mayor Gunter stated that the new formula would only give the City 7.5%, we would spend almost \$4M on the parking lot.

Discussion held regarding:

- Parking Lot \$4M cost versus \$3M wave pool
- City would still be receiving 15% between \$2.1M to \$4M; anything above \$4M threshold then City would receive 7.5%

Councilmember Long stated this was a great deal for the City of Cape Coral. He was in favor of the expansion, but the reduction of percentage on future revenue was not favorable.

Assistant City Manager Barron provided SunSplash history and explained the intent to evolve the park and make it a revenue generating asset with the assistance of a P3.

City Manager Hernandez explained that in the next few years a new regional amusement water park will be opening in Naples which would become a competitor to SunSplash.

He provided this information as food for thought for Council. He opined that he negotiated a good deal with our partner. If Council desired, it can be revisited at a later date.

Councilmember Long reviewed the City Revenue Forecast slide and pointed out that the revenue would be closer to \$2M after the cost of the parking garage.

City Manager Hernandez explained that the parking lot would be a shared space amongst SunSplash, Lake Kennedy Complex, and the Cape Coral Animal Shelter.

Councilmember Long stated the negotiation did not make sense.

Councilmember Sheppard agreed with the sentiments of the Councilmembers. The numbers did not seem to work to benefit the City. He was not in favor of the negotiations; he did not want to worry about the competition; he did not see getting the wave pool to be replaced down the road as it would become obsolete.

Assistant City Manager Barron stated that this was an opportunity to expand the park and if Council's decision is to keep it as-is that would be acceptable.

Mr. Kaplan stated that the next plan would be to resolve the parking. He agreed to go back to the drawing board and refigure.

Councilmember Steinke inquired about the developer's additions to wave pools in other projects. Does the lease have a maintenance requirement?

Mr. Kaplan responded wave pools are built from the beginning and maintenance is included in the lease.

Councilmember Steinke stated that this is an opportunity to make money in the venture. This amenity benefits the City and adding a parking lot adds value to the property owned by the City. The City is providing more things to do for the community, and the City is gaining more attraction for others to come here. The City is the landlord, and there is an opportunity to increase the rent. In about 10 years from now, if we do not renegotiate the lease, the City still has a gain. He was in favor of the project.

Councilmember Cosden agreed with Councilmember Steinke. She inquired about improvement requirements within the lease.

Mr. Kaplan stated that the wave pool would change the attraction.

Discussion held regarding:

- When would the projected parking lot be built?
- Parking improvements from other developers
- No parking on grass over the landfill; unable to use as an overflow for parking

Councilmember Cummings was in favor of the Ordinance as the City needs more amenities. She inquired if ProParks would renegotiate the numbers. Would they consider the amounts?

Mr. Kaplan responded that he would need to bottom out his cashflow and expressed concerns with future hurricane effects.

Discussion held regarding:

- Growth tiers and percentages
- ProParks negotiations and what works best
- If the answer is no, partnership would continue

Councilmember Hayden stated that without the wave pool, the revenues may not change. The wave pool would be the best chance to reach the \$4M. Council told ProParks that

we wanted more amenities. There is an opportunity for the City and surrounding businesses to generate revenue with the parking lot and demand for pickleball tournaments. He suggested that the Councilmembers think about the approach benefiting the City that was not there in the past.

Councilmember Welsh inquired if ProParks would renegotiate figures after hearing discussion.

Mr. Kaplan explained that the wave pool would grow SunSplash. If he renegotiates rates, this will cut his bottom-line with no incentive to invest in a wave pool. The additional parking lot cost is not feasible along with the wave pool.

Assistant City Manager Barron stated that at 7.5%, ProParks would reinvest profits, and there would not be any more negotiating down on City's percentage.

Discussion held regarding:

- More of a tier system
- Lease negotiations
- Opportunities to add amenities
- ProParks needs to generate revenue, not interested in renegotiations

Councilmember Long agreed with the amenity but was not in favor of investing City money to grow their business; 20 years to break even.

***Councilmember Hayden moved, seconded by Councilmember Steinke, to adopt Ordinance 104-22, as presented.***

Councilmember Sheppard inquired about the parking spots required for Lake Kennedy. He discussed the Yacht Club parking lot scenario.

Councilmember Cummings inquired about the parking spaces currently at SunSplash.

Mr. Kaplan responded about 250 spaces. Additional parking would provide 400 spaces.

Councilmember Cummings suggested charging for parking to generate revenue. If this does not go through, what would be the backup plan?

Mr. Kaplan stated that there was no backup plan. ProParks would need to revisit. Negotiations since last June 2022, these are the numbers that work for them. Prior there were charges for parking; however, now there is no parking fee.

Mayor Gunter stated that more negotiations could take place; this needs to be beneficial for both parties. This agreement benefits ProParks more than the City. He suggested having an additional Committee of the Whole meeting.

***Motion maker and second agreed to amend the motion to state: to adopt Ordinance 103-22, as presented.***

***Council polled as follows: Cosden, Hayden, and Steinke voted "aye." Welsh, Cummings, Gunter, Long, and Sheppard voted "nay." Three "ayes." Five "nays." Motion failed 3-5.***

Ordinance 104-22 Public Hearing

WHAT THE ORDINANCE ACCOMPLISHES:

The Ordinance repeals the City of Cape Coral Code of Ordinances Chapter 26, Cape Coral Charter School Authority, Sections 26-3 and 26-8 in its entirety and amends the City of Cape Coral Code of Ordinances Chapter 26, Cape Coral Charter School Authority, Sections 26-4, 26-9, 26-10, 26-14, 26-15 and 26-17, regarding the Cape Coral Charter School Policies and Procedures.

City Clerk Bruns read the title of the Ordinance.

Director Mason presented the following slides:

- Chapter 26 Cape Coral Charter School Authority – Overview of Changes
- Chapter 26 Overview of Changes
  - Ordinance Sections 26-3 and 26-4(a)
  - Ordinance Section 26-8(a)
  - Ordinance Section 26-8(b)
  - Ordinance Sections 26-8(c) and 26-8(d)
  - Ordinance Sections 26-9(a) and 26-10
  - Ordinance Sections 26-15(a)(25) and 26-15(a)(35)
  - Ordinance Sections 26-15(a)(45) and 26-15(a)(46)
  - Ordinance Section 26-15(b)(19), 26-15(b)(33), and 26-15(c)(1)
  - Ordinance Section 26-17
- Recommendation – Staff recommended City Council approve Ordinance 104-22 without modification

Public Hearing opened.

No speakers.

Public Hearing closed.

***Councilmember Hayden moved, seconded by Councilmember Welsh, to adopt Ordinance 104-22, as it exists now.***

Discussion held regarding:

- Charge for services
- Charter School pays actual cost of the services provided

***Council polled as follows: Welsh, Cosden, Cummings, Gunter, Hayden, Long, Sheppard, and Steinke voted "aye." Eight "ayes." Motion carried 8-0.***

Ordinance 105-22 Public Hearing

WHAT THE ORDINANCE ACCOMPLISHES:

The Ordinance amends Ordinance 76-00, as amended, which granted People Gas System, a Division of Tampa Electric Company, to operate a natural gas utility within the boundaries of the City of Cape Coral and authorizes the City Manager or his designee to execute the Consent to Assignment.

City Clerk Bruns read the title of the Ordinance.

City Manager Hernandez discussed the following:

- In August of 2000 City Council adopted Ordinance 76-00 which granted People Gas System, a Division of Tampa Electric Company, to operate a natural gas utility within the boundaries of the City.
- On August 17, 2020, City Council adopted Resolution 69-20 renewing the contract for a term of five years.
- Peoples Gas System is transferring all assets, rights, and obligations to Peoples Gas System, Inc. ("PGS NewCo") which will be an indirect, wholly owned subsidiary of Tampa Electric.

Public Hearing opened.

No speakers.

Public Hearing closed.

***Councilmember Hayden moved, seconded by Councilmember Steinke, to adopt Ordinance 105-22, as presented.***

***Council polled as follows: Welsh, Cosden, Cummings, Gunter, Hayden, Long, Sheppard, and Steinke voted "aye." Eight "ayes." Motion carried 8-0.***

Ordinance 107-22 Public Hearing

WHAT THE ORDINANCE ACCOMPLISHES:

The Ordinance amends Cape Coral Code of Ordinances, Chapter 2, Administration, Article II, Fees imposed and time of payment in regards to Utility Capital Expansion Fees.

City Clerk Bruns read the title of the Ordinance.

City Manager Hernandez stated that the information was part of the meeting packet.

Public Hearing opened.

Gabriel Denny appeared in objection to the Ordinance and suggested making the payment terms 30 years.

Public Hearing closed.

***Councilmember Hayden moved, seconded by Councilmember Cosden, to adopt Ordinance 107-22, as presented.***

Councilmember Welsh explained that this would happen eventually, and pricing is higher. The City was not just doing this to add another bill. He suggested that he contact him at the office to get more information and get Staff contact.

***Council polled as follows: Welsh, Cosden, Cummings, Gunter, Hayden, Long, Sheppard, and Steinke voted "aye." Eight "ayes." Motion carried 8-0.***

Ordinance 108-22 Public Hearing

WHAT THE ORDINANCE ACCOMPLISHES:

The Ordinance repeals Chapter 19, Water and Sewer Utilities, Section 19-38, Contributions in Aid of Construction in its entirety and amends the City of Cape Coral Code of Ordinances, Chapter 19, Water and Sewer Utilities, Sections 19-1, 19-6, 19-54, and 19-55, amends Chapter 19, Water and Sewer Utilities to create Section 19-5.2, Authority to transfer balances, in regards to Contributions in Aid of Construction to establish an area method of calculation known as a unit of equivalent parcel instead of meter size and to establish an oversized parcel discount and establish a deferred payment agreement.

City Clerk Bruns read the title of the Ordinance.

City Manager Hernandez stated that a comprehensive presentation was provided at a prior hearing, and information was available in the backup.

Public Hearing opened.

No speakers.

Public Hearing closed.

***Councilmember Hayden moved, seconded by Councilmember Steinke, to adopt Ordinance 108-22, as presented.***

***Council polled as follows: Welsh, Cosden, Cummings, Gunter, Hayden, Long, Sheppard, and Steinke voted "aye." Eight "ayes." Motion carried 8-0.***

Introductions

Ordinance 2-23 (RZN22-000026\*) Set Public Hearing for January 25, 2023

\*Quasi-Judicial, All Persons Testifying Must Be Sworn In

WHAT THE ORDINANCE ACCOMPLISHES:

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 1-6, Block 1842, Cape Coral Subdivision, Unit 45, Part 1, from Commercial (C) to Residential Multi-Family Low (RML) zone; property is located at 3103, 3107/3109 and 3111/3113 SW Santa Barbara Place.

Applicant: City of Cape Coral

Acreage: 0.8

City Planning Staff Recommendation: Approval

Hearing Examiner Recommendation: Approval

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for January 25, 2023, in Council Chambers.

Ordinance 4-23 Set Public Hearing for January 25, 2023

WHAT THE ORDINANCE ACCOMPLISHES:

The ordinance amends Ordinance 81-22, which adopted the City of Cape Coral operating budget, revenues and expenditures and capital budget for Fiscal Year 2023, by increasing the total revenues and expenditures by a total of \$61,658,994.

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for January 25, 2023, in Council Chambers.

Ordinance 7-23 Set Public Hearing for January 25, 2023

WHAT THE ORDINANCE ACCOMPLISHES:

The ordinance amends Chapter 29, "Economic Development and Business Incentive Programs" of the Code of Ordinances by establishing Article III, "Economic Development Ad Valorem Tax Exemption", Sections 29-11 through 29-21; provides for purpose, intent, and authority; provides definitions; establishes an economic development ad valorem tax exemption; provides for consideration of applications and criteria for an exemption; provides for continuing performance and annual filings; and provides for revocation and a sunset date.

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for January 25, 2023, in Council Chambers.

Ordinance 8-23 Set Public Hearing for January 25, 2023

WHAT THE ORDINANCE ACCOMPLISHES:

The Ordinance authorizes and directs the City Manager to enter into a Permissive Use License Agreement with United Way of Lee County, Inc. for the lease of property owned by the City of Cape Coral being a portion of Block 56, Cape Coral Unit 6, Part 3, Cape Coral Subdivision, as described herein.

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for January 25, 2023, in Council Chambers.

Ordinance 10-23 Set Public Hearing for January 25, 2023

WHAT THE ORDINANCE ACCOMPLISHES:

The ordinance amends the Cape Coral Code of Ordinances by repealing Chapter 2, "Administration," Article V, "Boards and Commissions," Division 6, "Cape Coral Construction Regulation Board," Sections 2-120.3 through 2-120.11 in its entirety, regarding abolishing the Cape Coral Construction Regulation Board; and amends

Chapter 6, "Contractors and Construction Regulation Board," regarding contractors performing work in the City.

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for January 25, 2023, in Council Chambers.

Ordinance 11-23 Set Public Hearing for January 25, 2023

**WHAT THE ORDINANCE ACCOMPLISHES:**

The Ordinance approves and grants to Lee County Electric Cooperative, Inc., a perpetual easement for a right-of-way to be used for the construction, operation, and maintenance of one or more overhead and underground electric distribution lines across property owned by the City that is the area of the Sands Park located at 2718 SW 43rd Terrace, as more particularly described herein and authorizes and directs the Mayor to execute the easement.

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for January 25, 2023, in Council Chambers.

Ordinance 106-22 (ANNX22-000007) Set Public Hearing for February 1, 2023

**WHAT THE ORDINANCE ACCOMPLISHES:**

An ordinance providing for the annexation of two parcels of land lying in the west one half of the northeast one quarter of the northwest one quarter of Section 21, Township 44 South, Range 23 East, Lee County, Florida, said parcels of land being more particularly described herein; providing for redefinition of city boundaries; providing for City of Cape Coral Fire Department and utility services.

Applicant: Walco Leasing, LLC;

Address: 2120 and 2200 SW Pine Island Road;

Acreage: 15.12

NOTE: This is a voluntary annexation.

2nd NOTE: Due to the nature of this matter, everyone providing testimony must be sworn in.

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for February 1, 2023, in Council Chambers.

Ordinance 1-23 (RZN22-000013\*) Set Public Hearing for February 1, 2023

\*Quasi-Judicial, All Persons Testifying Must Be Sworn In

**WHAT THE ORDINANCE ACCOMPLISHES:**

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 lying in Section 16, Township 44 South, Range 23 East, Lee County, Florida, as more particularly described herein, from Commercial (CA-1, a Lee County designation) to Commercial Corridor (CC) zone; property is located at 2301 SW Pine Island Road.

Applicant: CCTC Fee Owner LLC

Acreage: 2.65

City Planning Staff Recommendation: Approval

Hearing Examiner Recommendation: Approval

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for February 1, 2023, in Council Chambers.

**REPORTS OF THE MAYOR AND COUNCIL MEMBERS**

Councilmember Welsh – Topics: No report.

Councilmember Cosden – Topics: No report.

Councilmember Cummings – Topics: Introduced the idea of “Business in a Box.”

City Manager Hernandez suggested that this would be a great assignment for the Cape Competes Advisory Board to work with the Council Liaison of the Board.

Councilmember Long agreed with the concept and the City Manager's suggestion.

Councilmember Cosden noted that the idea could be worked with Cape Competes and would not require a second from Council.

Mayor Gunter stated that Councilmember Cummings could work with Staff and Cape Competes to develop the program.

Councilmember Hayden – Topics: Received a second from Councilmember Steinke to work on revising the Youth Council Ordinance to work outside of the Sunshine Law and meeting settings.

Councilmember Long – Topics: No report.

Councilmember Sheppard – Topics: Addressed residents to be patient with the debris cleanup.

Councilmember Steinke – Topics: Echoed Councilmember Sheppard's sentiments; Shout out to CCPD, during hiatus participated in Adopt-a-Family; continued to meet with the City Manager throughout the hiatus; 12/20 he was approved by the Tourist Development Council and will attend the meeting tomorrow; attended Budget Review Committee Meeting this week and attended Gator Mike's Grand Opening.

Mayor Gunter – Topics:

- Welcomed colleagues and Staff back
- Thanked everyone in making the Holiday Employee Luncheon a success
- Attended virtual FLC Big City Coalition Meeting
- Will have an in-person meeting in February in Jacksonville
- 12/15 CCCIA Board Induction Ceremony
- 12/16 attended the Swearing-In Ceremony for the New Police Officers
- 1/3/2023 attended the Inauguration of Governor Ron DeSantis and Lieutenant Governor Jeanette Nunez
- Also attended the Governor's Ball in Tallahassee
- 1/10 attended Governor DeSantis Press Conference in Bonita Springs
- Met with Commissioner Ruane and members of Pine Island Fire Department along with the City Manager and various Staff Members and discussed annexation throughout the City, will have future meetings
- Filmed the January Pet of the Month for the Cape Coral Animal Shelter
- This morning attended the CTAC meeting
- Today attended the MPO Executive Committee Meeting

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

City Attorney: No report.

City Manager: Congratulated Assistant City Clerk Betty Castillo for obtaining her Certified Municipal Clerk (CMC) certification.


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

A Committee of the Whole Meeting was scheduled for Wednesday, January 18, 2023, at 9:00 a.m. in Council Chambers.

**MOTION TO ADJOURN**

There being no further business, the meeting adjourned at 9:41 p.m.

Submitted by,

A handwritten signature in cursive script, appearing to read "Kimberly Bruns".

Kimberly Bruns, CMC  
City Clerk