

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

April 3, 2024

Council Chambers

4:30 p.m.

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

INVOCATION/MOMENT OF SILENCE – Councilmember Steinke

PLEDGE OF ALLEGIANCE – Councilmember Steinke

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

CHANGES TO AGENDA/ADOPTION OF AGENDA

Mayor Gunter requested to move Item 9.D.(1). Youth Council Quarterly Report immediately before Citizen's Input.

City Manager Ilczyszyn requested adding an agenda item called FEMA/National Flood Insurance Program (NFIP) Discussion prior to 7.A. Approval of Minutes.

Councilmember Carr requested to move Item 9.D.(2). Addendum: City Spokesman – Brought forward by Mayor Gunter to the next Committee of the Whole.

City Attorney Boksner noted the item requested by the City Manager was a discussion for potential action by Council.

There were no other changes.

Councilmember Hayden moved, seconded by Councilmember Cosden, to adopt the agenda, as amended.

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

RECOGNITIONS/ACHIEVEMENTS

Community Recognition Award: Cape Coral Soccer Association

City Manager Ilczyszyn recognized the Cape Coral Soccer Association who is celebrating its 50th anniversary this year, making it one of the longest standing soccer associations in Southwest Florida.

**ADDENDUM – FEMA/NATIONAL FLOOD INSURANCE PROGRAM (NFIP)
DISCUSSION**

City Manager Ilczyszyn explained the purpose of the addition of this item was due to notification of the loss of the City's 25% National Flood Insurance Program Discount. He provided a detailed report on the actions the City has taken since Hurricane Ian to meet its obligations to FEMA regarding the agency's substantial damage requirements.

- 9/27 Hurricane Ian landfall in Cape Coral
- 9/28 City made a resource request to Lee County who evaluated it, went to FDEM
- Made a resource request for 20 fire inspectors for damage assessment of commercial and residential buildings, approved on 9/28, received resources
- 10/14 demobilized

- 10/22 through 3/24 – sent thousands of emails to residents regarding floodplain management and substantial destruction concerns
- 10/2/22 City made a resource request again for 10 inspectors for damage of commercial and residential buildings, approved on 10/2, performed additional inspections, demobilized on 10/11
- 10/4 10 resource request for 10 building inspectors, approved, 10/11 they were dispatched
- 10/4 put in a resource request for temporary emergency building official, approved, and advised us that the State was vetting vendors, 10/25 marked complete, resource was never received
- Another request for 10 more building inspectors, we were provided of list of building professionals, marked completed in the system, did not receive those resources
- 10/7 we put in a resource request for 20 fire inspectors, approved, on scene for a week through 10/14
- Two weeks after the storm, all these fire and building inspectors that came to the City inspected every single commercial building in the City.
- Some came from out of the City; one dispatched along Pine Island Road went outside of the City into Matlacha and redtagged some of the buildings in Matlacha as substantially damaged
- We received numerous complaints from Pine Island and Matlacha residents, Lee County followed up, unaware of jurisdictional boundaries.
- Proof of when we had the resources we deployed them to do the work that we were supposed to do under the program.
- 10/11 City began to accept emergency permits at City Hall and a remote site.
- 10/18 FEMA Staff met with City Staff face to face having a conversation regarding the need for substantial damage determination
- 10/21 We sent out a press release urging residents not to complete work and explained the 50% rule.
- We created and designated a web page, we continue to maintain and update
- Around the same time FEMA had surveyors in Lee County documenting high water marks.
- We learned through Lee County when they were completed for the entire County (Ft. Myers Beach, Sanibel, Bonita Springs, Estero, Cape Coral) that those FEMA assigned surveyors in the entire City of Cape Coral only performed one high water mark evaluation.
- 10/19 and 10/23 through coordination with Lee County USF deployed and started setting high water marks in the City
- 10/21-10/28 City Survey Division was given maps of high water marks, started surveying, City deployed own resources
- 10/21/22 City of Cape Coral advised residents who own a home before 1981 not to make repairs until 12/1/22
- 50% rule requires structures with damage exceeding 50% to be rebuilt consistent with current floodplain elevation
- Included in that notice were feeds from Facebook, Twitter, and Instagram
- 10/27 disseminated press release regarding a Town Hall with FEMA reps, posts on Facebook, Twitter, and Instagram
- 10/31 FEMA Town Hall post, delivered data to GIS and UCF on high water inspections collected by City
- 11/3/22 Held Town Hall in Council Chambers, open to the public and aired live on Cape Coral Television, recording was posted on Facebook
- Began distributing 100 yard signs and 7,000 door hangers throughout City about the 50% rule
- Another FEMA Town Hall post on Facebook, Twitter, and Instagram, and a recording of the FEMA Town Hall was posted on Facebook
- 11/14 online permitting portal reopened for all permitting types
- 11/29/22 Council meeting post with the 50% rule on the agenda, also on social media

- December 2022 Enews letter article – Council approves article revisions to lessen the impact of the FEMA 50% rule, change in the look back from five years to one year, points associated with that change was not anticipated to losing a grade from a 5 to a 6
- Cleared those letters through FDEM
- There was a change trying to be made at the podium that evening and Staff recommended against it since that change was not run through FDEM.
- Display #1 - Resource Request Details submitted on 1/12 for 8 to 12 inspectors and certified floodplain managers to assist with SISD (Substantial Improvement Substantial Damage) in specific areas of the City; submitted on 1/12/23 at 9:59 a.m.
- 1/12/23 at 11:13 a.m. a note was entered from Lee County per discussion with the EM Director in OPS will proceed with requesting this from FDEM
- 1/18/23 at 12:11 p.m. response entered, Mitigation Office of Floodplain Management is taking the lead on fulfilling the mission request, working with FEMA Region 4 Staff in Branch 6 that were deployed to Hurricane Ian, no need to request assistance through BOAF (Building Officials Association of Florida)/the private sector, do we have confirmation from the State FDEM that they are working with FEMA to assist in specifically getting us building inspectors and floodplain managers to assist in SISD
- As of today, those resources have yet to be delivered to the City, City has never received a response or the resources that we need to complete that despite being notified that it was being worked on with FEMA
- City Manager had instructed Staff to submit another resource request today for this same exact request
- 2/24/23 FEMA questions the Lee County Property Appraiser regarding value determination
- 2/18/23 FEMA provided the City with a list of 583 damaged properties
- City sends out its first mass mailing to property owners
- Display #2 – One of several letters - Permits and Hurricane Damage letter – focus on last paragraph - Informational Letter – City participates in NFIP; sent specifically to 583 property owners, damaged in the City observed by FEMA
- Display #3 – in March 2023 we sent out a second mass mailing to the 583 property owners along the Caloosahatchee River, selected from FEMA teams that surveyed damaged areas in response to the City's request
- 3/7/2023 FEMA Staff meets with Senior City Staff to discuss post disaster substantial damage compliance
- Display #4 – on 3/15 we sent out a third mass mailing to the 583 property owners
- 4/2023 letters were mailed to condo unit owners near Atlantic Court and Victoria Drive, 95 properties, 419 condo unit owners
- Display #5 – 6/8/23 - Floodplain Management Post-Disaster Visit – Letter sent to Mayor Gunter, regarding permit data, letter forwarded to Staff who responded to FEMA
- 7/6 in response to FEMA's 6/8 request the City provided the requested information, the list of 25,000 plus permits that were issued in the special flood hazard area through date of transmittal; FEMA acknowledged receipt of the City's information
- Display #6 – 9/12/23 one year after Hurricane Ian, 8 months after City request for inspectors and certified floodplain managers, FDEM Seeking Vendors to Provide Building Department Services, contact Mr. Conn H. Cole, same person in January who responded to our request for this very service asking for help with FEMA inspections
- Belief that they could not fulfill our request
- Services requested from January remain unfulfilled
- 10/2/2023 Letters mailed to 1,453 property owners located south of El Dorado
- 10/6/2023 FEMA notified the City that floodplain tours will take place the weeks of October 30th and November 4th
- Display #7 – 12/6/2023 FEMA sends request for information of 238 properties which were alleged as having unpermitted work by FEMA teams during the floodplain tours that were conducted in October and November

- If there was a determination that a structure was compliant based upon the review of an elevation certificate, we needed to provide that.
- If the community determined that the structure is substantially damaged or improved, we need to show a notification letter sent to the home, an assessment calculation of the damage, permits, and the permit issue date.
- If the community determines the structure is not substantially damaged, we need to send our assessment calculation, the permit issue date, the permit numbers, and the calculated damage versus the improvement percentage.
- Unpermitted repairs/improvements – only cure is to show proof of an enforcement action and documentation based on our determination
- Display #8 – 1/2024 targeted mailers to 54 property owners who were identified by FEMA as having alleged unpermitted work
- List started with 238, City got down to 54
- City responded to FEMA's request on 1/10 and 1/11 – of these 238 alleged properties with unpermitted work, 29 were new construction with permits
- Two properties were in the process of demolition, provided FEMA with permit numbers
- Five were not subject to SISD due to compliance with the floodplain regulations
- 139 were found not to be as substantially improved or damaged with permit numbers and damage value calculations provided
- Only 4 properties were found to be potentially substantially improved with substantial damage, provided FEMA with the damage calculations, Staff placed permit holds for those properties, substantial damage letters developed and sent to these property owners
- Two property owners later submitted independent appraisals to bring the structure damage under 50% removing them from the SISD determination
- 59 properties and structures did not have any permit history since Hurricane Ian landfall
- Staff requested evidence from FEMA to assist City Staff in their investigation, no evidence or field notes from FEMA's floodplain tours was provided to assist in City's enforcement activity
- Of the 59, five were found to have building activity, inspectors sent to inspect properties, stop work orders were immediately sent to the properties, letters sent to the owners requiring them to apply for permits
- Sent reminders to the remaining 54 to apply for building permits and to call the City with any questions
- These 54 properties are deemed by FEMA to have unpermitted work which we believe was used to justify their actions last week on Thursday
- Cape Coral submittal of information and response to FEMA's request:
- Modified copy of password protected sheet was sent to the City, filled out with permit numbers, damage percentages, acknowledgement of enforcement actions on certain properties
- Additional tabs were added within the spreadsheet to identify structures that were not subject to SISD and separate category four structures
- Copies of the four substantial damage letters that were sent to the property owners discovered through the review of the 238 were identified by FEMA and holds were placed on them
- Copies of the five notices of unpermitted activities were sent to the property owners
- FEMA verified by inspections, said property owners will respond to us with necessary permit documentation putting these structures in the permit record and/or additional enforcement activities will occur on these properties
- Copy of letter sent by FEMA dated December 6th was sent to them for reference
- Five elevation certifications for five properties not subject to SISD were compliant with the floodplain regulations included in the list of 238
- 1/12 information provided to FEMA was acknowledged by FEMA
- From the previous request they still had not provided City any information to assist with the 238, cleared most, down to 54

- 1/30/24 FEMA sent follow up request for substantial damage assessment calculations along with supporting documentation for 139 structures found not to be substantially damaged, deadline 2/2/24
- Next day staff responded and provided requested information to FEMA
- 2/14/24 conversations between City Staff and FEMA Staff result, provided FEMA with additional information: the City's FEMA packet, sample document sheet supporting substantial damage determination in accordance with FEMA SISD
- 2/26 FEMA requested information – provided by Staff via email
- 3/27 FEMA requested City Staff to attend a phone call to discuss the City's participation in the CRS on the very next day
- 3/28/24 Senior FEMA Staff contacted the City via conference call informing City that FEMA is retrograding the CRS class to a 10 removing all benefits from CRS despite our consistent response to all their informational requests and FEMA alleged that there was inadequate substantial damage review, evidence of unpermitted work, and non-responsiveness to information requests
- City completely disagrees with FEMA's allegations on the phone
- During the phone call Staff requested evidence of the unpermitted work and evidence of the non-responsiveness
- FEMA responded they would provide guidance to City in April
- Display #9 – document by Florida Department of Emergency Management regarding the National Flood Insurance Program
- FEMA is pursuing a CRS retrograde for five communities due to the large amount of unpermitted work, lack of substantial damage documentation, or failure to resolve known compliance issues or failure to properly monitor the special flood hazard area. Documentation will be provided to these communities by FEMA.
- Cape Coral – reference our 238 they sent us, again indicating that the percentage of unpermitted work in our work was 23 equates to 54 properties City identified
- Entire timeline of information between FEMA and the City
- All requests from FEMA were responded by Staff.
- Resources request in January 2023 to have additional inspectors to help us and red tag residential properties, it was acknowledged, told not to seek assistance through the BOF or private sector, still waiting for resources.
- Understand frustration of City Staff to enforce the substantial damage substantial improvement element in the community

Mayor Gunter commented:

- When City asked for information, FEMA could not respond.
- Federal Public Records Requests on alleged documentation
- Reached out to State Representative Giallombardo who has contacted FDEM
- Texted Congressman Donalds
- Conversation with Senator Scott's Office
- Read a Press Release that our US Senators and Congressmen sent to FEMA Administrator Deanne Criswell to reverse the decision
- Read into record the letter sent by Senators Scott and Rubio, Congressmen Donalds and Steube to the FEMA Administrator
- Paying close attention and being diligent working with FEMA and our Representatives

Councilmember Steinke applauded City Staff for having the amount of documentation to fight the fight. He questioned if the 25% discount removal would disregard the recent implementation of an 18% cap on flood insurance premiums.

City Manager Ilczyszyn commented that as we learn more of their intent, we will see if answers could be obtained. City is still waiting for official written notice from FEMA.

Councilmember Steinke noted that the removal of 25% discount would be catastrophic.

Councilmember Carr thanked City Staff and the Mayor for efforts prior, during, and post Hurricane Ian. He suggested asking questions about the large 5-point jump as it seemed excessive.

City Manager Ilczyszyn commented the City was fully committed to the program.

Mayor Gunter appreciated the work of City Staff and the legislatures and the governing bodies fighting for us. This is an ongoing issue, and there will be more information in the coming weeks. He inquired if there was going to be some information on the webpage and to continue putting it out.

City Manager Ilczyszyn explained there is a page for Substantial Improvement Substantial Damage (SISD) now and will continue to add information. He requested from Council: 1) in his meeting with the affected City Managers, County Manager, all PIOS, and legal counsel, we would like to begin writing letters and statements requesting meetings jointly from all five of us. He asked for Council's permission to sign on behalf of the City or to designate the Mayor or a Councilmember to sign, to show FEMA and FDEM that we are diligent in trying to seek resolution to this. 2) If we are successful in getting meetings with FEMA or FDEM, it would be beneficial to have someone from Council attend those meetings and asked Council to designate someone who could be available on short notice.

Councilmember Carr moved, seconded by Councilmember Steinke, to approve the City Manager and the Mayor to sign letters/statements working with the County requesting additional meetings on behalf of Council.

Councilmember Hayden responded he would support the letter going out for both the City Manager and the Mayor to sign. He questioned the year 2026 for reapplying for the discount.

City Manager Ilczyszyn clarified that the only concern right now for the community is reversal of this decision.

Councilmember Hayden commented that letters from legislatures would strengthen this.

Councilmember Steinke questioned if there was any indication that the other cities on that letter have the same type of diligence in a way to complement each other.

City Manager Ilczyszyn responded that only one City Manager has not received a letter and presumed that they did not respond.

Councilmember Welsh agreed to send a letter as Cape Coral signed by both the City Manager and the Mayor. If the other municipalities want our help, co-sign a joint letter with them. It should not be the only documentation sent. Send our letter first, then co-sign with the other cities.

Mayor Gunter commented:

- Two-prong approach; take care of our own first
- Send letter from Cape Coral first, then join the effort with the other cities
- How many residential dwelling units in Cape Coral - 100,056
- FEMA trying to do this based on 54 questionable dwelling units

Councilmember Sheppard supported a two-prong approach; look out for the City first and then help our neighboring cities as well.

City Manager Ilczyszyn commented that there was a motion on the floor. His only request was that we join in on the letter. He supported as many letters sent independently as possible.

Discussion held regarding the necessary approach.

City Manager Ilczyszyn commented he would be keenly aware and observant of what is happening. As information unfolds, he will keep Council informed.

Mayor Gunter clarified this was not just a one-time letter. This will be an ongoing process; there may be many letters. Any letters being sent out would be provided to Council.

Councilmember Steinke commented that each city was being rated separately, and each granted a discount on their methodology. He agreed on a two-prong approach.

Mayor Gunter commented that all information be forwarded to our Congressmen and our Senators.

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

City Manager Ilczyszyn understood the motion was for him and the Mayor to be able to sign the letters that we send out on behalf of the group. He asked if it was also Council's intention that the Mayor and him sign any individual stand-alone letters that were just discussed as a bifurcated process. ***There was no objection.***

City Manager Ilczyszyn asked if we are successful in getting meetings with Representatives Donalds or Giallombardo or Senator Scott, is it Council's intent that the Mayor would join in those as well? ***There were no objections.***

City Attorney Boksner asked for City Council's consideration to authorize him to initiate legal action against FEMA if this is not handled administratively, either with our counterparts of the County or the City individually.

Mayor Gunter understood that the City Attorney's Office has already sent a Federal Public Records Request on some of the information.

City Attorney Boksner responded in the affirmative.

Councilmember Carr moved, seconded by Councilmember Hayden, to allow the City Manager and the City Attorney, based on their judgments, to do what is necessary to resolve this while keeping City Council informed of the plan.

Councilmember Steinke questioned if it would make sense to discuss legal basis during weekly one-on-ones. What authority would be needed and when? He would like to know more about the approach and what other municipalities have done. He preferred a conversation with more details.

City Attorney Boksner would notify Council before any action taken. He requested flexibility to act since timing may be of the essence.

Councilmember Sheppard suggested that the Mayor Pro Tem be authorized to attend the FEMA meetings should the Mayor not be able to attend.

Mayor Gunter supported the motion.

Councilmember Welsh was comfortable with the motion and would welcome any one-on-one discussions.

Councilmember Steinke would be comfortable with phone calls prior to action being taken.

City Attorney Boksner confirmed the City Manager as well as himself would be calling Council apprising them of the situation.

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

APPROVAL OF MINUTES

Regular Meeting - March 20, 2024

Councilmember Hayden moved, seconded by Councilmember Sheppard, to approve the minutes for the March 20, 2024, Regular Meeting, as presented. Voice Poll: All "ayes." Motion carried.

Youth Council Quarterly Report

(moved immediately before Citizens Input)

Mayor Gunter turned the floor over to the Council Liaison, Councilmember Cosden, who turned the floor over to the Youth Council.

Youth Council Chair Arevalo, Vice Chair S. Garcia, and Members Bella and Ancheta presented the following slides:

- Cape Coral Youth Council Quarterly Report
- Our Seniors
- A Farewell
- Our Juniors
- Schools Represented on the Youth Council
- Our Communications Directors
- Our Ongoing Endeavors
- Adopt-A-Road
- Love Locks Project
- Blessings in a Backpack Fundraising
- Our New Endeavors
- Youth Council Awards Program
- Youth Council Vacancies
- Reflections
- Joint Youth Council and City Council Workshop
- FLC Video Competition
- FLC Legislative Action Days
- Cape Coral Charter School Governing Board Meeting
- Next Meeting of the Cape Coral Youth Council: April 12, 2024, at 3:00 p.m.
- Social Media
- Thank you, Mayor and City Council

Councilmember Hayden thanked the Youth Council Seniors for their leadership and Juniors for moving up to Seniors.

Councilmember Cosden was proud of the Youth Council for their presentation and appreciated their hard work.

Mayor Gunter thanked the Youth Council for the update and wished the Seniors the best in their future endeavors.

Councilmember Sheppard thanked the Youth Council for their impact to the City.

CITIZENS INPUT TIME

Laurie Lehmann voiced concern about renderings of Jaycee Park. She suggested a committee comprised of citizens and city staff to come up with a compromise.

Rob Goff, President, Cape Coral FOP, voiced concerns with the difficulties filling Police vacancies, and he suggested waiving the current contract and begin negotiations for a new agreement.

Jay Higgins voiced opposition to Ordinance 22-24 and had concerns with the \$60M GO Bond expenditures.

Lou Navarra voiced concern with FEMA, stipend, Council Rules and Procedures, car washes, and storage centers. He mentioned a News-Press article regarding CCPD exemptions of name and salary.

Grace Giliberti voiced concerns with the legislature who were supposed to work toward getting a tax write-off for Hurricane Ian. She questioned why Sanibel and Ft. Myers did not have the same issue the City is experiencing with FEMA. She opposed Jaycee Park changes as well as Redfish Pointe. Concentrate on infrastructure and repairs from Ian before continuing with new building.

Gloria Garcia voiced opposition to Jaycee Park changes; look toward the greater good for all. She mentioned she represented Latino residents and people with disabilities who were not able to come to the meeting.

Kathleen Lopez voiced opposition to Jaycee Park improvements. She mentioned all the events recently held at the park; keep Jaycee Park as is.

Maria Love voiced opposition to Jaycee Park improvements. She questioned who the changes would benefit.

Tony Kerr voiced opposition to Jaycee Park improvements and acquired signatures for the petition. He suggested talking with the residents about simple enhancements.

Tom Cord voiced opposition to Jaycee Park and had concerns with the Yacht Club renovations.

Councilmember Steinke commented on the allowance for deductions on taxes. He addressed the comment to Ordinance 22-24.

Financial Services Director Mason addressed comments related to Ordinance 22-24 (Budget Amendment).

Councilmember Welsh addressed the comment from the CCPD FOP and requested he schedule an appointment with him to discuss it further.

BUSINESS

CONSENT AGENDA

- 1) Resolution 73-24 Award Bid #BPW2437MM for Special Population Building: Remodeling of Restrooms to Newson Construction & Consulting, LLC, and authorize Contract #BPW2437MM between the City and Newson Construction & Consulting, LLC in the amount of \$115,400 with a 10% City-controlled contingency of \$11,540 for a project total of \$126,940; and authorize the City Manager or Designee to execute the contract, purchase orders and change orders; Department: Public Works; Dollar Value: \$126,940; (General Fund)
- 2) Resolution 86-24 Authorize the City Manager, or their designee, and the City Attorney, or their designee, to jointly authorize and approve indemnification and hold harmless agreements with property owners, or other individuals, entities, or associations, on behalf of the City and its governmental operations as may be legally required for the utilization of real or personal property to serve a public purpose; Department: Police and Office: City Manager; Dollar Value: N/A; (Fund: N/A)

- 3) Resolution 87-24 Approve Change Order to PO #24502118 by authorizing Work Order #3 with Hagerty Consulting Services, Inc Disaster Management and Administrative Services, to render Community Development Block Grant-Disaster Recovery (CDBG-DR) technical services, for a not to exceed amount of \$387,576 for a total project amount of \$ 487,259; and authorize the City Manager to execute the work order, change order, purchase orders for these purchases and any related documents; Department(s): Fire Department/Citywide; Estimated Dollar Value: \$387,576; (All Funds)
- 4) Resolution 88-24 Approve utilizing the Jacksonville Electric Authority (JEA) Contract #10298/194523 for cured-in-place pipe (CIPP) unit price construction with awarded vendor, Insituform Technologies, LLC.; and authorize the City of Cape Coral Contract #PBUT2475KR with Insituform Technologies, LLC for CIPP sanitary sewer pipe lining services, unit price contract by pipe size, which includes material, labor and installation, at the estimated annual dollar amount of \$1,200,000 for the contract term through December 12, 2024, with consideration of additional renewals for this contract; authorize the City Manager or his designee to execute the contract, purchase orders, change orders and any future renewals; Department Utilities; Estimated annual Dollar Value \$1,200,000; (Project Y364011000)
- 5) Resolution 89-24 Approve a Hold Harmless Agreement between DSDH Florida, LLC, and the City of Cape Coral for the installation of certain improvements in the public utility and drainage easement on property located at 601 Cape Coral Parkway and 602 SW 47th Terrace and within a City alley located north of 601 Cape Coral Parkway; Department: Development Services; Dollar Value: N/A; (Fund: N/A)
- 6) Resolution 90-24 Approve Contract #QUT2481LC with Paints & Coatings, Inc. (P&C) for cleaning and coating clarifiers #1 and #2 at the Southwest Water Reclamation Facility (WRF) in the amount of \$187,795; authorize the City Manager or Designee to execute the contract and purchase orders; Department: Utilities; Dollar Amount \$187,795; (Water and Sewer)
- 7) Resolution 91-24 Award quote to NAF Water Filtration, LLC for the purchase of wastewater clarifier launder trough covers and hardware for the Utilities Southwest Water Reclamation Facility at the quoted price of \$82,500.00 for each clarifier (3) for an estimated dollar amount of \$247,500 and authorize the City Manager or designee to execute the purchase order(s); Department: Utilities; Estimated Dollar Value: \$247,500; (Water & Sewer Fund)
- 8) Resolution 92-24 Amending Resolution 266-23 to add additional vehicles, and the corresponding peripheral equipment (upfitting), and Equipment within the Fire Operations Fund and Water and Sewer 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 or designee to approve the purchase orders for these purchases and any related documents; Department(s): Fire/Utilities; Estimated Dollar value: \$1,745,002; (Fire Operations Fund, Water and Sewer Fund)
- 9) Resolution 95-24 Approve Cape Coral Community Redevelopment Agency's contractual employees to participate in the City of Cape Coral Florida 401A deferred contribution plan; Department: Finance
- 10) Resolution 96-24 Approve Recap of direction given by the Mayor and City Council to City Staff for Items presented at the Committee of the Whole on February 28, 2024 and March 13, 2024; Department: City Clerk; Dollar Value: N/A; (Fund: N/A)
- 11) Resolution 97-24 Approve Utilizing the Collier County School District Contract #23-090 with awarded vendor Integrated Fire and Security Solutions, Inc. for

Installation, Repair and Monitoring of Security Systems at Yellow Fever Creek in the amount of \$82,102.75; There are purchase orders totaling \$70,835.08 utilizing the Collier County Contract and adding this project in the amount of \$82,102.75, the total is \$152,937.83, which exceeds the City Manager threshold; And authorize the City Manager or Designee to execute the purchase orders, change orders; Department: Citywide; Estimated Dollar Value: \$82,102.75; (General Fund)

- 12) Resolution 98-24 Authorize the Single Source with Metro Forecasting Models, LLC and Amend Contract #SSPW2383MR between the City and Metro Forecasting Models, LLC for Phase II of the Cape Coral Interactive Growth Model in the amount of \$65,000, which would entail the development of the Government Sub Models for Parks, Fire Stations and Impervious Areas, as well as Alternative Scenario Projections. Phase 1 was the development of the databases and initial models in the amount of \$95,000; adding Phase II in the amount of \$65,000 will total \$160,000 and exceed the City Manager threshold; Department: Public Works; Estimated Dollar Value: \$65,000; (General Fund, Stormwater Fund, Fire Operations)
- 13) Resolution 107-24 Approve Contract for the purchase of 1419 NW 23rd Street, (Lots 27, 28, 29 and 30, Block 2972, Unit 42, Cape Coral Subdivision) for the expansion of the North Cape Government Complex for additional Public Works facilities, for the purchase price of \$47,800 plus closing costs not to exceed \$1,800; Department: Public Works / Real Estate Division; Dollar Value: \$49,600; (General Fund)
- 14) Resolution 108-24 Approve Contract for the purchase of 1507 NW 23rd Street, (Lots 33 and 34, Block 2972, Unit 42, Cape Coral Subdivision) for the expansion of the North Cape Government Complex for additional Public Works facilities, for the purchase price of \$23,900 plus closing costs not to exceed \$1,800; Department: Public Works / Real Estate Division; Dollar Value: \$25,700; (General Fund)
- 15) Resolution 109-24 Approve Contract for the purchase of 1508 NE 24th Avenue, (Lots 7 and 8, Block 3510, Cape Coral Unit 47 Part 2) for a future stormwater pond associated with the NE 24th Avenue Widening Project, for the purchase price of \$87,500 plus closing costs not to exceed \$2,500; Department: Public Works / Real Estate Division; Dollar Value: \$90,000; (Road Impact Fees)
- 16) Resolution 110-24 Approve Contract for the purchase of 1504 NE 24th Avenue, (Lots 9 and 10, Block 3510, Cape Coral Unit 47 Part 2) for a future stormwater pond associated with the NE 24th Avenue Widening Project, for the purchase price of \$80,000 plus closing costs not to exceed \$2,500; Department: Public Works / Real Estate Division; Dollar Value: \$82,500; (Road Impact Fees)
- 17) Resolution 111-24 Approve Contract for the purchase of 3629 Andalusia Boulevard (Lot 1, Block 5545, Cape Coral Unit 84), to facilitate access for future maintenance and repairs of the City's Weir #19, for the purchase price of \$50,000 plus closing costs not to exceed \$1,800; Department: Public Works / Real Estate; Dollar Value: \$51,800; (Stormwater Fund)
- 18) Resolution 115-24 Approve Resilient Lee Recovery and Resilience Plan; Department: Fire; Dollar Value: N/A; (Fund: N/A)

Mayor Gunter asked if anyone had any items to pull. There were none.

Councilmember Cosden moved, seconded by Councilmember Hayden, to approve 9(A)(1), 9(A)(2), 9(A)(3), 9(A)(4), 9(A)(5), 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), 9(A)(15), 9(A)(16), 9(A)(17), and 9(A)(18), as presented.

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

APPOINTMENTS TO BOARDS / COMMITTEES / COMMISSIONS

None

UNFINISHED BUSINESS

Follow Up Items for Council

None

NEW BUSINESS

Youth Council Quarterly Report
(moved immediately before Citizens Input)

ADDENDUM: City Spokesman – Brought forward by Mayor Gunter
(moved to 4/10/2024 Committee of the Whole)

PERSONNEL ACTIONS

None

PETITIONS TO COUNCIL

None

FOLLOW UP ITEMS FROM CITY MANAGEMENT

None

ORDINANCES/RESOLUTIONS

Public Hearings - Quasi-Judicial Hearings

Ordinance 13-24 (RZN23-000013*) Public Hearing

*Quasi-Judicial, all Persons Testifying Must Be Sworn In

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the City of Cape Coral, Florida Official Zoning District Map of all property within the limits of the City of Cape Coral by rezoning property described as Lots 2, 3, 4, 5, and 6, Block 733, Unit 22, Cape Coral Subdivision, from Professional Office (P) to Commercial (C) Zone; property is located at: 1005 and 1009 SE 10th Street.

Applicant: RJMJ Properties, Inc.

City Planning Staff Recommendation: Approval

Hearing Examiner Recommendation: Approval

City Clerk Bruns read the title of the Ordinance.

City Attorney Boksner inquired if there were any ex-parte communications that the City Council needed to disclose as this would be the appropriate time to do so for this Quasi-Judicial Hearing. There were none.

City Clerk Bruns administered the oath.

Councilmember Sheppard left the dais at 6:52 p.m. and returned at 6:55 p.m.

Principal Planner Boyko explained the following displayed slides:

- Ordinance 13-24/RZN23-000013
- Applicant, Location, Size, Urban Service, Request
- 2023 Site Aerial
- Current Zoning Map, Zoning Proposed
- Findings of Fact
- Analysis – Land Development Code (3 slides)
- Analysis – Comprehensive Plan

- Recommendation - Staff and HEX recommended approval
- Correspondence – one speaker of opposition at the HEX meeting

Public Hearing opened.

Kirk Schaub expressed opposition to Ordinance 13-24 and explained how it impacted his business and property.

Public Hearing closed.

Councilmember Carr moved, seconded by Councilmember Cosden, to adopt Ordinance 13-24, as presented.

Councilmember Carr inquired if the applicant owns the commercially zoned property adjacent to Country Club.

Principal Planner Boyko responded in the affirmative.

Discussion held regarding:

- Legally non-conforming use for several years
- Purpose for seeking rezoning to be able to develop property with C zoning
- Developing vacant parcel being used

Councilmember Carr supported this with significant follow up by Code for compliance to not use this until it is developed. Applicant needs this to be able to use it in a commercial fashion which is already being done.

Councilmember Steinke inquired about Mr. Schaub's type of business he is conducting and how it was affected.

Mr. Schaub explained that he owns a distribution business and high-volume sand enters his dual warehouse facility.

Councilmember Steinke concurred with Councilmember Carr and agreed Codes need to be enforced. It needs to be zoned correctly in order to be developed.

Mayor Gunter asked if changed to commercial would it allow parking of vehicles on the vacant lot.

Principal Planner Boyko explained it would not.

Mayor Gunter commented on mitigating any type of non-compliance, separate issue to be followed up by Code.

Councilmember Long inquired about the daycare across the street zoned residential.

Principal Planner Boyko noted there was a Special Exception or Permitted Use in RML zoning district.

Councilmember Long explained why he was not in favor of this and suggested to continue to have applicant come back to address some of the concerns.

Principal Planner Boyko noted that the applicant provided a presentation which included information on what he planned to do with the property.

Councilmember Carr acknowledged the suggestion to continue. He did not oppose it since this was a quicker mechanism to give the property owner the ability to mitigate and alleviate the issue.

Councilmember Long noted it would alleviate the applicant's problem, but we would allow a non-conforming use to become conforming.

Councilmember Carr inquired if the applicant could continue his operation minus the use of the vacant lot.

Principal Planner Boyko responded in the affirmative.

Mayor Gunter commented on the HEX testimony and external presentation in the backup material which showed the applicant was interested in making the renovations.

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

Recessed at 7:28 p.m. and reconvened at 7:43 p.m.

Ordinance 14-24 (RZN23-000014*) Public Hearing

*Quasi-Judicial, all Persons Testifying Must Be Sworn In

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the City of Cape Coral, Florida, Official Zoning District Map of all property within the limits of the City of Cape Coral by rezoning property described as 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, as more particularly described herein, from Agricultural (AG-2, a Lee County Designation) to Commercial Corridor (CC) zone; property is located at 2120 and 2200 SW Pine Island Road; Rezoning property described as a parcel of land lying in the Southeast quarter of the Northwest quarter of Section 21, Township 44 South, Range 23 East, City of Cape Coral, Lee County, Florida as more particularly described herein, from Agricultural (A) to Commercial Corridor (CC) zone; property located at 1016 SW 20th Avenue.

Applicant: Walco Leasing, LLC

City Planning Staff Recommendation: Approval

Hearing Examiner Recommendation: Approval

City Clerk Bruns read the title of the Ordinance.

City Attorney Boksner inquired if there were any ex-parte communications that the City Council needed to disclose as this would be the appropriate time to do so for this Quasi-Judicial Hearing. There were none.

City Clerk Bruns administered the oath.

Principal Planner Boyko explained the following displayed slides:

- Ordinance 14-24/RZN23-000014
- Applicant, Location, Size, Urban Service, Request
- 2023 Aerial Map
- Current Zoning Map, Proposed Zoning Map
- Findings of Fact
- Analysis – Land Development Code (3 slides)
- Analysis – Comprehensive Plan
- Recommendation - Staff and HEX recommended approval
- Correspondence – None

Public Hearing opened.

No speakers.

Public Hearing closed.

Councilmember Hayden moved, seconded by Councilmember Sheppard, to adopt Ordinance 14-24, as presented.

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

Public Hearings - Legislative Hearings (Note: Input received as follows: 1. City Staff presentations are limited to five (5) minutes; 2. Applicant(s) presentations are limited to five (5) minutes; and 3. Resident input is limited to three (3) minutes per individual with a maximum of sixty (60) minutes total. All three are subject to the following statement: Unless otherwise extended by City Council.)

Ordinance 15-24 First Public Hearing (after 5:05 p.m.) Set Second and Final Public Hearing for April 17, 2024

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance of the City of Cape Coral, Florida, relating to a moratorium on the acceptance of applications for and the issuance of permits for development of self-storage facilities within all zoning districts in the City of Cape Coral; providing for exemptions; providing for the duration of the moratorium and method of processing applications and permits during, after, or prior to the effective date of the moratorium; providing a procedure to determine vested rights, appeals, and modification to vested development; providing for exhaustion of administrative remedies. (Brought forward by City Management)

City Clerk Brunns read the title of the Ordinance.

The second and final public hearing was scheduled for April 17, 2024, in Council Chambers.

City Planning Manager Yearsley explained the following displayed slides:

- Ordinance 15-24
- Background (3 slides)
- Establishes, key components
- Next Steps
- Final Public Hearing, tentative COW, research and development of regulations, adoption of new regulations

Public Hearing opened.

Aaron Rowley, Director of Self Storage Development/Miller Valentine, explained the concerns with potential usages and supply/demand that was included in a packet he submitted.

Neale Montgomery represented her client, MB Investments, and expressed opposition to Ordinance 15-24. She noted she provided a letter to the City Manager and City Attorney which outlined the applications. She mentioned the draft Ordinance has an exemption process provision.

Eric Feichthaler, Attorney for Hal Arkin and the owners of the property located on Burnt Store Road and Embers Parkway, noted this would be a \$12M project adding to the commercial tax base and an increase to the sales tax revenue to the City. He mentioned that SB250 did not allow a moratorium on properties located within specific landfall of Hurricane Ian. He requested Council pull this Ordinance from consideration. If the second hearing goes forward, he suggested clarification on whether this would apply to developments currently in Permitting.

Hal Arkin expressed opposition to Ordinance 15-24 and should not be restrictive as it is a permitted use as a self-storage facility. He requested that his property not be restricted with the proposed Ordinance.

Mark Morris, commercial broker with VIP and represented Miller Valentine, expressed opposition to Ordinance 15-24.

Kevin Besserer, Public Policy Director for Royal Palm Coast Relators Association, opposed Ordinance 15-24 as it violates property rights.

Public Hearing closed.

Councilmember Welsh inquired if this moratorium would impede any current project in the pipeline.

City Attorney Boksner responded this would require a facts specific legal analysis and would have to avail themselves of the process set forth within the proposed legislation.

Ordinance 16-24 First Public Hearing (after 5:05 p.m.) Set Second and Final Public Hearing for April 17, 2024

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance of the City of Cape Coral, Florida, relating to a moratorium on the acceptance of applications for and the issuance of permits for development of car wash facilities within all zoning districts in the City of Cape Coral; providing for exemptions; providing for the duration of the moratorium and method of processing applications and permits during, after, or prior to the effective date of the moratorium; providing a procedure to determine vested rights, appeals, and modification to vested development; providing for exhaustion of administrative remedies. (Brought forward by City Management)

City Clerk Bruns read the title of the Ordinance.

The second and final public hearing was scheduled for April 17, 2024, in Council Chambers.

City Planning Manager Yearsley explained the following displayed slides:

- Ordinance 16-24
- Background (two slides)
- Establishes, key components
- Next Steps
- Final Public Hearing, tentative COW, research and development of regulations, adoption of new regulations

Public Hearing opened.

Kevin Besserer, Public Policy Director for Royal Palm Coast Relators Association, expressed opposition to Ordinance 16-24.

Public Hearing closed.

Ordinance 19-24 Public Hearing

WHAT THE ORDINANCES ACCOMPLISHES:

The ordinance amends the City of Cape Coral, Florida, Code of Ordinances, Chapter 2, "Administration," Article V, "Boards and Commissions," Division 3, "Code Enforcement," Section 2-85, "Enforcement Procedure," pertaining to the service of notice and Chapter 9, "Health and Sanitation," Section 9-16, "Prohibited Conditions on Private Real Property," pertaining to penalties and enforcement for violations of Section 9-16, provides for penalties, provides for enforcement, provides for rights of violators, payment of civil fine, right to appear, failure to pay civil fine or to appeal, and appeals from decisions of the Special Magistrate. (Brought forward by City Management)

City Clerk Bruns read the title of the Ordinance.

Code Compliance Manager Hoagland explained the following displayed slides:

- Code Compliance Enhancements, Health & Sanitation, Enforcement Procedures
- Overview (two slides)
- Penalty
- Amend Code Enforcement Procedures 2-85

- Goals

Public Hearing opened.

No speakers

Public Hearing closed.

Councilmember Hayden moved, seconded by Councilmember Welsh, to adopt Ordinance 19-24, as presented.

Councilmember Carr inquired about the various violations within the Code and how would penalties work.

City Attorney Boksner explained that each violation would be a separate violation and penalty.

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

Resolution 78-24 Public Input (Establish Special Magistrate Appeal Fee)

WHAT THE RESOLUTION ACCOMPLISHES:

The resolution establishes an appeal fee for an Administrative Hearing when requesting a hearing before the Special Magistrate to appeal a notice of violation. (Brought forward by City Management)

City Clerk Bruns read the title of the Resolution.

Code Compliance Manager Hoagland explained this Resolution would approve the administrative fee of \$250 for the appeal.

City Attorney Boksner explained this Ordinance would convert to an alternative Code Enforcement process and now puts the responsibility to appeal the decision of the Code Compliance Officer to the Special Magistrate. This would be the corresponding appeal fee for that proceeding to occur.

Public Input opened.

No speakers

Public Input closed.

Councilmember Hayden moved, seconded by Councilmember Welsh, to approve Resolution 78-24, as presented.

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

Introductions

Resolution 93-24 (VAC23-000003*) Set Public Hearing for April 17, 2024

*Quasi-Judicial, All Persons Providing Testimony Must Be Sworn In

WHAT THE RESOLUTION ACCOMPLISHES:

A resolution providing for the vacation of plat for a portion of the Cocoa Court right of way and all underlying easements located between Lot 23, Block 150, Cape Coral Unit 4, Part 2, and Lots 24, 25, and 26, Block 150, Unit 4, Part 2; providing for the vacation of plat for platted easements lying in Lots 24, 25, and 26, Block 150, Unit 4, Part 2; providing for the vacation of plat for platted easements lying in Lot 23, Block 150, Cape Coral Unit 4, Part 2; providing for the vacation of plat for a portion of the Coral Canal right of way and underlying easements adjacent to Lots 27 and 28, Block 150, Cape Coral Unit 4, Part 2; providing for the vacation of plat for platted easements lying in Lots 27 and 28, Block 150, Cape Coral Unit 4, Part 2; providing for the vacation of plat for a portion of the Cocoa Canal and underlying easements adjacent to Lots 21, 22, and 23, Block 150, Cape Coral Unit 4, Part 2; providing for the vacation of plat for platted easements lying in Lots 21, 22,

and 23, Block 150, Cape Coral Unit 4, Part 2; property located at 5348, 5354, and 5358 Cocoa Court.

Applicant: Steven and Irene Parker

City Planning Staff Recommendation: Approval with conditions

Hearing Examiner Recommendation: Approval with conditions

City Clerk Bruns read the title of the Resolution.

The public hearing was scheduled for April 17, 2024, in Council Chambers.

Ordinance 22-24 Set Public Hearing for April 17, 2024

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending City of Cape Coral, Florida, Ordinance 1-24, which amended Ordinance 70-23, which adopted the City of Cape Coral Operating Budget, Revenues and Expenditures, and Capital Budget for Fiscal Year 2024, by increasing the total revenues and expenditures by a total of \$44,647,969. (Brought forward by City Management)

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for April 17, 2024, in Council Chambers.

Ordinance 23-24 Set Public Hearing for April 17, 2024

WHAT THE ORDINANCE ACCOMPLISHES:

The ordinance approves and grants to Lee County Electric Cooperative, Inc., a perpetual easement for right of way to be used for the construction, operation and maintenance of one or more underground electric distribution lines across property owned by the City that is the area of the Yellow Fever Creek Preserve located at 3115 Del Prado Boulevard North, as more particularly described herein and authorizes and directs the Mayor to execute the Easement. (Brought forward by City Management)

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for April 17, 2024, in Council Chambers.

Ordinance 25-24 Set Public Hearing for April 17, 2024

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 underground electric distribution lines across property owned by the City that is located at 1020 Kismet Parkway West, as more particularly described herein, and authorizes the Mayor to execute the easement. (Brought forward by City Management)

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for April 17, 2024, in Council Chambers.

Ordinance 26-24 Set Public Hearing for April 17, 2024

WHAT THE ORDINANCE ACCOMPLISHES:

The ordinance amends the City of Cape Coral, Florida, Code of Ordinances, Chapter 9, "Health and Sanitation," Article III, "Disposition of Garbage," Section 9-73, "Refuse service to be provided by City refuse franchise hauler," pertaining to the time to begin collection of refuse, and Chapter 12, "Offenses and Miscellaneous provisions," Article II, "Offenses creating nuisances," Section 12-22, "Noise Control," pertaining to the exemption for City approved refuse and recyclable waste collection. (Brought forward by City Management)

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for April 17, 2024, in Council Chambers.

Ordinance 28-24 Set Public Hearing for April 17, 2024

WHAT THE ORDINANCE ACCOMPLISHES:

The ordinance repeals Ordinance 79-18, and approves the Interlocal Agreement between the City of Cape Coral, a Florida Municipal Corporation, and Lee County, a political subdivision of the State of Florida, regarding rental areas within City Fire Stations to house emergency vehicles and personnel, and authorizes the Mayor to execute the Interlocal Agreement. (Brought forward by City Management)

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for April 17, 2024, in Council Chambers.

Ordinance 29-24 Set Public Hearing for April 17, 2024

WHAT THE ORDINANCE ACCOMPLISHES:

The ordinance amends Ordinance 46-23 to accelerate and revise the effective date of Ordinance 46-23 from December 1, 2024, to June 1, 2024, regarding irrigation systems, and amends the City of Cape Coral, Florida, Code of Ordinances, Chapter 19 "Water and Sewer Utilities," Article VII, "Water Management," by amending Section 19-90.6, "Completion of installation or substantial modification," Section 19-90.8, "Alternative Compliance," and Section 19-94, "Penalties," regarding irrigation systems and penalties for violations. (Brought forward by City Council)

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for April 17, 2024, in Council Chambers.

REPORTS OF THE MAYOR AND COUNCIL MEMBERS

Councilmember Long – Topics: No report

Councilmember Sheppard – Topics: No report

Councilmember Steinke – Topics: 3/21 Chaired the Special CRA Workshop; 3/23 Attended the Sounds of Jazz and Blues, kudos to Staff for a tremendous event; 3/26 attended the Jaycee Park Public Open House, Staff did a great job; 3/28 Attended the Regular meeting of the Southwest Florida League of Cities; 4/2 Attended the Yacht Club Public Open House, Kimley-Horn and Staff did a great job.

Councilmember Welsh – Topics: Announced two events: Saturday 4/6 Annual Touch-a-Truck on Lafayette Street; Sunday 4/7 Sixth Annual Chili Cook-off in the downtown CRA area.

Councilmember Carr – Topics: No report

Councilmember Cosden – Topics: Interested in having a conversation about Council meeting start times for regular meetings. Asked to add it to the COW in one week. Requested a second.

Councilmember Welsh provided the second for discussion.

Councilmember Cosden explained there was an email with information showing what other cities in the vicinity and around the State as far as start times.

Councilmember Hayden – Topics: There will be a Celebration of Life for former Cape Coral Parks and Recreation Director Steve Pohlman at 11:00 a.m. on Saturday at Horton Park. The park will be closed during the time of the event.

Mayor Gunter – Topics:

- 3/22: Attended the Lee County MPO Meeting
- 3/24: Food Judge for BBQ Bands & Brews at the Caloosa Sound Amphitheater along with Councilmember Steinke

- 3/28: Attended the SWFL League of Cities meeting; third year recipient of the Hometown Heroes Award
- Since the last meeting, elected to the Board of Trustees for the Florida Municipal Insurance Trust
- This morning: Filmed Pet of the Month
- Also attended the Citizens Academy Graduation

Mayor Gunter noted that today he received a phone call from the Florida Department of Transportation regarding the Caloosahatchee Bridge Pedestrian Project which will be starting on April 7th. Both directions, eastbound and westbound lanes, will be down to one lane indefinitely during the project. No timeline. A press release will be forthcoming.

Mayor Gunter announced:

- Applications were being accepted for the Youth Council until April 12th.
- City Council will appoint members at the May 1st Regular Council meeting.
- Possible date: April 17th (CTAC that morning and regular Council meeting in the afternoon), or April 24th (COW at 9:00 a.m.), May 1st
- Interviews between April 12th and May 1st
- Interviews from 2:00 p.m. to 5:00 p.m., school lets out at 1:30 p.m.

Councilmember Hayden preferred April 17th.

Mayor Gunter suggested 1:00 p.m.

There were no objections to April 17th at 1:00 p.m. until 4:00 p.m. for Youth Council Interviews.

Councilmember Hayden noted that Youth Council Liaison Cosden will be terming out. Since he is the Alternate and will not be running for re-election, he recommended that Council pick a new Liaison and Alternate on May 1st when selecting the Youth Council Members.

Mayor Gunter mentioned that there was a deadline to have a discussion about the Florida League of Cities which needs to be submitted for the Annual Conference.

Councilmember Cosden agreed with Councilmember Hayden's suggestion.

Consensus agreed with having the Youth Council Liaison and Alternate to be on the agenda for the May 1st regular Council meeting.

Mayor Gunter understood that the report for the Pier at the Yacht Club was received by management and asked when Council would be provided the report.

City Manager Ilczyszyn commented he just received it today and was reviewing some background information. The report would be provided to City Council by Tuesday.

Mayor Gunter inquired about the security analysis and scheduling of a Shade meeting.

City Manager Ilczyszyn met with the Finance Department, Public Works, and the Police Department; the analysis was reviewed; a summary was prepared from responses; there is a full report from the company; Staff working on convenient dates.

Discussion held regarding:

- Focus on April 24th for Shade meeting after COW; there were no objections

REPORTS OF THE CITY ATTORNEY AND CITY MANAGER

City Attorney Boksner: Provided an update on progress of Chiquita Lock.

City Manager Ilczyszyn announced:

- Thursday, April 4th, Free Concert in the Park from 5:00 p.m. to 8:00 p.m. at Four Freedoms Park, family-friendly series, Sheena Brook, singer, songwriter and multi-instrumentalist who was selected for NBC's Season 12 of the Voice, will be performing between 5:30 p.m. and 7:30 p.m.

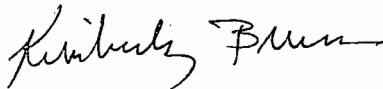
TIME AND PLACE OF FUTURE MEETINGS

A Committee of the Whole was scheduled for Wednesday, April 10, 2024, at 9:00 a.m. in Council Chambers.

MOTION TO ADJOURN

There being no further business, the meeting adjourned at 8:42 p.m.

Submitted by,



Kimberly Bruns, CMC
City Clerk