

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

May 15, 2024

Council Chambers

4:30 p.m.

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

PLEDGE OF ALLEGIANCE – Mayor Gunter

National Anthem - Emily Feichthaler – Oasis High School

INVOCATION/MOMENT OF SILENCE – Memorial Day Tribute – Mayor Gunter

ROLL CALL: Mayor Gunter, Councilmembers Carr, Cosden, Hayden, Long, Sheppard, and Steinke were present. Councilmember Welsh was excused.

CHANGES TO AGENDA/ADOPTION OF AGENDA

Mayor Gunter asked if there were any changes to the agenda. There were no changes.

Councilmember Hayden moved, seconded by Councilmember Steinke, to adopt the agenda, as presented.

Council polled as follows: Steinke, Carr, Cosden, Gunter, Hayden, Long, and Sheppard voted "aye." Seven "ayes." Motion carried 7-0.

RECOGNITIONS/ACHIEVEMENTS

Community Recognition Award: City of Cape Coral Youth Council 23-24

City Manager Ilczyszyn presented a Community Recognition Award to the City of Cape Coral Youth Council 23-24. The Youth Council contributed greatly to their community during their tenure in the 2023-2024 school year, including earning the Florida League of Cities 2023 Municipal Youth Council Video Competition.

APPROVAL OF MINUTES

Regular Meeting - May 1, 2024

Councilmember Hayden moved, seconded by Councilmember Long, to approve the minutes for the May 1, 2024, Regular Meeting, as presented. Voice Poll: All "ayes." Motion carried.

CITIZENS INPUT TIME

Jay 'Mick' Sheldrake, President of Guardian Angels for Special Populations, voiced support of Resolution 153-24 and requested that Council approve the donation from Guardian Angels to Special Populations of a 12-passenger vehicle with two wheelchairs accessibility valued about \$122,000 which will assist in transporting individuals in the program.

Jay Higgins voiced concern with funding the Parks GO Bond and requested that the deficit be addressed. He opined there was not enough public input about the demolition of the Yacht Club. He expressed concern about water shortages in the North Cape. He suggested a moratorium on drilling wells or home building in the North Cape until the City establishes how many homes the aquifer can actually support. He requested the release of the study recently presented at Council regarding it. He requested an update of pending lawsuits against the City.

Charlie Pease voiced concern about permits pulled from SFWMD for Jaycee Park. One is for a site development plan submitted by Pennoni on May 8th for \$20M. He asked about the City's process since the site design work is at 60%. He questioned the rush; put it out for bid through the normal procurement process once there are full architectural documents in place. He questioned the timeline and opined that the next City Council seated in November should have a say in Jaycee Park.

Bob Sutter voiced support of the Memorial Day Tribute. He thanked everyone for the event at the Police Department today which he attended. He went to two of the Yacht Club discussions and asked where the American Flag would be located. He requested that Council address it with the design and possibly add other flags as well.

Tara Jenner, Lee County GOP Vice Chair, read into the record a Resolution that was adopted by the Lee County GOP declaring Hamas a terrorist organization, supporting Israel's right as a sovereign nation to defend its borders and citizens, and condemning antisemitism. She asked Council to consider supporting this Resolution.

Joe Kilraine voiced support to hold off on the decisions with Jaycee Park and Yacht Club; understand funding first; also consider the potential of a new Council coming in November. He commended Staff on the meeting held yesterday regarding water; however, most residents wanted to know about the status of the water situation in the NE Cape. He pointed out there was a discrepancy on duration in the Sign Ordinance, Section F, 90 days before all elections including the primary.

Carl Veaux voiced support of the \$900K Florida Wildlife Commission Grant to purchase lots for the burrowing owls. He explained he initiated the process and requested that this item be moved forward quickly.

Tom Coyne voiced opposition to Jaycee Park and Cape Coral Yacht Club improvements. He opposed the pickleball usage fees. He questioned the 3-step model on how City Council approaches the parks: 1) taxpayer money to build the facility; 2) charge usage fees; and 3) third party company to maintain and operate.

City Manager Ilcyszyn explained the following:

- Jaycee Park, October 11, 2023 COW meeting on design concept
- Design consultant would submit a 30/60/90 and final design
- At end of design would determine whether we would bid
- At that point, we could slow down and seek funding from the State or other grants
- Issue of P3 sits outside the design and architecture, two different processes
- Issue of P3 and contract, relationship with entity looking to enter into a partnership with the City to construct and operate a facility
- Those P3s could involve designing
- Resolution 93-23 May 3, 2023 approval to do the design
- That approved an agreement with Pennoni and Associates to provide final design services for Jaycee Park improvements in a not-to-exceed amount of \$573,565 and to authorize the City Manager to execute such agreement
- Pulled from Consent Agenda by Councilmember Steinke, lengthy discussion, it passed 8-0, to move forward with the design contract
- Design contract for Jaycee Park specific to getting shovel-ready included surveying, geo-technical engineering, environmental resource surveys, civil engineering, landscape architecture, architectural design, marine investigation, marine design and engineering
- Every step of Jaycee Park process had residents email us and questions at podium
- Everything we are doing pursuant to this contract was authorized unanimously
- Residents concerned about geotechnical survey, survey on the ground, marine work, 30% design to community residents objected, now submitting permits
- None of it is out of the norm, same process followed for all GO Bond Parks
- Request for specific example of permitting before having a contract for construction
- Tropicana Park in permitting with the DEP
- Approved site plan permits for Tropicana Park with the City

- Do not have a construction contract in hand
- When we get those permits in hand, we go to bid, and we construct it
- Permits in hand for site plan, Army Corps, and SFWMD but no bid on street to construct Lake Meade Park
- Permitting done as part of design process, normal course for engineering and architectural services
- Assured community what our consultant is doing is not outside of the norm
- Nothing being rushed, following normal course pursuant to the contract adopted by Council which Staff is administering
- Yacht Club flag, advised by Parks and Rec Director that Kimley-Horn Project Manager informed speaker that we are not at the point of picking site for flag, there will be several options available further into design as far as aesthetics and location
- Burrowing owl grant, Staff has been on the phone with DEP since it was pulled; identified accredited land trust, primary and secondary, notified State, pending amending agreement, working through process with them; given assurance this will not jeopardize our funding; as soon as we finalize getting funds to purchase land into an accredited land trust will bring to Council
- Fees at Lake Kennedy Park for tennis and pickleball, after meeting was concluded our Parks Director sent Councilmembers Resolution 216-21 which a previous City Council had already adopted for tennis court usage fees at the Yacht Club which established tennis membership fees there. Tennis people already paying between \$400 and \$600 to utilize Yacht Club. Lake Kennedy facility has more amenities.
- Will run several models on pickleball fees and will bring to Council for consideration

Councilmember Carr inquired if 60% design was the trigger for the projects mentioned.

City Manager Ilczyszyn explained that in most cases permits are submitted at 30%.

Discussion held regarding permit amendments; modifications; submittals; 30% design; documents and analyses required to complete design; 60-90% more finite details review.

Councilmember Carr inquired about more details at the 60% design.

City Manager Ilczyszyn explained that the designs are available to review at the 60% design. Staff does not provide continuous updates with every submittal but can provide it if Council desired.

Councilmember Carr requested the update.

City Manager Ilczyszyn responded in the affirmative.

Councilmember Steinke requested the resident who had the concern about the flag at the Yacht Club to email City Council with his recommendations. He addressed the comment about the unified model approach for parks; each park is taken on its own merits depending upon the objective. The cone of silence still exists for Jaycee Park; no acceleration of process; additional bids were requested under standard procedures.

BUSINESS

CONSENT AGENDA

- 1) Resolution 113-24 Award Bid No. BPW2418JM for the Replacement of FEMA Eligible Roadway Signs to Horsepower Electric, Inc. and authorize Contract No. BPW2418JM between the City and Horsepower Electric, Inc. in the amount of \$1,523,872.50 with a 10% City-controlled contingency of \$152,387 for a project total of \$1,676,259.50; and authorize the City Manager or designee to execute the contract and purchase orders; Department: Public Works; Dollar Value: \$1,676,259.50; (Disaster Fund)

- 2) Resolution 121-24 Award Bid No. BPW2469MM for the Replacement of Fire Station Bay Doors at Fire Station 3 and Fire Station 12 to DuraServ Corp, d/b/a American Roll Up Door Company; and authorize Contract No. BPW2469MM between the City and DuraServ Corp, d/b/a American Roll Up Door Company in the amount of \$761,550; and authorize the standardization of existing and future Fire Station Bay Doors to Door Engineering product; and authorize the City Manager or Designee to execute the contract and purchase orders. Department: Public Works; Dollar Amount: \$761,550 (Fire Capital Project Fund)
- 3) Resolution 126-24 Approve the Assignment of Contract No. BPW23123MR-B from Grippo Pavement Maintenance, Inc. to Jot & Tittle Concrete LLC for the Purchase and Delivery of Ready-Mix Concrete at the same unit prices as stated in the contract; and authorize the City Manager or his designee to execute the assignment; Department: Public Works; Estimated Dollar Value: N/A; (Fund: N/A)
- 4) Resolution 127-24 Award Bid No. BPW2436MM for Fence Maintenance, Repair, and Installation Services to Fence Ace LLC (Primary) and Ballfer Service Corp (Secondary) to provide fencing services to City facilities; and authorize execution of Contract No. BPW2436MM-A with Fence Ace, LLC. and Contract No. BPW2436MM-B with Ballfer Service Corp., to use as needed, for an estimated annual amount of \$300,000; and authorize the City Manager or designee to execute the contract, purchase orders and renewals; Department: Public Works; Estimated Annual Amount: \$300,000; (Facilities Management Fund)
- 5) Resolution 129-24 Approve Final Replat for 3435 Janis Rd. This is a replat which splits 9.62-acre parcel of Janis Estates into four developable parcels. 3435 Janis Rd. is located on the west side of Burnt Store Rd. between Kismet Pkwy W. and Durden Pkwy W. Refer to attached location exhibit; Department: Development Services; Dollar Value: N/A; (Fund: N/A)
- 6) Resolution 131-24 Approve Amendment #2 to the Greenscape Median Landscape Maintenance contract #CON-PW19105MM-A with John Fideli Landscapes, LLC for additional maintenance and support for the medians, in Area 24, in the amount of \$59,275 for a total amount of \$96,875. The original project for John Fideli Landscapes, LLC was approved on December 19, 2019, under Resolution 354-19, for areas 2, 5, 14, 16 and 24, for a contract amount of \$109,660 with this amendment, the total annual cost for contract PW19-105MM-A increases to \$168,935; And authorize the City Manager or Designee to execute the Contract Amendment No. 2 and purchase orders; Department: Public Works; Dollar Value: \$59,275; (General Fund)
- 7) Resolution 134-24 Approve the purchase from South Florida Emergency Vehicles, an authorized distributor for Sutphen Corporation, utilizing Sourcewell Contract No. 113021 for the purchase of a Sutphen Extreme Duty Custom Engine in the amount of \$1,203,317.16 and a Sutphen Extreme Duty SL100 Mid-Mount 100' Aerial Ladder in the amount of \$1,943,333.36 for a total of \$3,146,650.52. The Fire Apparatus are proposed in a future Fiscal Year budget and the purchase will be contingent on the approval of authorizing the purchase in FY2024; 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 their designee to execute the purchase order(s) and any necessary documents for this specific purchase; Department: Fire; Estimated Total dollar value-NTE: \$3,146,651; (Fire Capital Project Fund)
- 8) Resolution 146-24 Award Quote to Vertical Blinds Plus Corp for City Hall Window Blinds Replacement (West Wall) and Authorize Execution of Contract #QPW24101KMR with Vertical Blinds Plus, Corp. in the amount of \$123,698 with a 5% contingency of \$6,184.90 for a total project cost of \$129,882.90; and authorize the City manager or designee to execute the contract and purchase orders; Department: Public Works; Dollar Amount \$129,882.90; (General Fund)

- 9) Resolution 147-24 Approve Emergency Purchase Order to Andrew Sitework, LLC for Gravity Sewer Repair at 300 El Dorado Blvd South in the amount of \$219,067.59 with a 10% City controlled contingency of \$21,907.76 for a project total of \$240,975.35; and authorize the City Manager or designee to execute the purchase orders, contract, amendments, and change orders; Department: Utilities; Dollar Amount: \$240,975.35; (Water and Sewer Fund)
- 10) Resolution 148-24 Approve Utilizing Lee County Contract #B230548WCD for Athletic Turf Maintenance and Reconstruction Services awarded to JSM Services, Inc.; authorize Contract #PPR24100KMR between the City of Cape Coral and JSM Services, Inc. in the amount of \$422,213.60; And authorize the City Manager, or designee, to execute the contract, purchase orders and renewals during the term of the contract; Department: Parks and Recreation; Dollar value: \$422,213.60; (General Fund)
- 11) Resolution 149-24 Approve Single Source to Tom Evans Environmental for purchase of pumps, parts and service from Peerless Pump for Fiscal Year (FY) 2024, FY-2025 and FY-2026 in the estimated annual amount of FY-2024 \$250,000, FY25 \$300,000 and FY26 \$350,000 not to exceed budgetary limits; and authorize the City Manager or Designee to execute the purchase orders. Tom Evans Environmental is the only authorized representative for Peerless Pump Products along with related services in the geographic area; Department: Utilities; Estimated annual dollar amount: – FY-2024: \$250,000, FY-2025: \$300,000 and FY-2026: \$350,000 for a three-year estimated amount of \$900,000 contingent on annual budget appropriations; (Water and Sewer Fund)
- 12) Resolution 150-24 Ratify Change Order to PO #24502597 with Southwest Utility Systems, Inc. (Contract #APW2472MR) in the amount of \$64,674.32 for the Emergency purchase order to remove and replace pipe, structures and surface treatments at 4602 SE 6th Ave. The \$64,674.32 will be offset by utilizing the approved contingency of \$25,478.48 with a balance of \$39,195.84; and authorize the City Manager or Designee to execute the change order; Department: Public Works; Dollar Amount: \$39,195.84; (Stormwater Fund)
- 13) Resolution 151-24 Approve Increase to Contract #RPW22137MM which provide roofing inspections, maintenance, and repair services to facilities throughout the City and Charter School awarded to Advanced Roofing, Inc (Primary) and ORB Roofing Solutions (Secondary) to an estimated annual amount of \$315,000 for FY2024 and an estimated annual amount of \$185,000 for subsequent years including renewal periods; The term of the contract is for three years with the option to renew for two additional one-year periods and was approved on May 17, 2023 via Resolution 61-23.; and authorize the City Manager or designee to execute change orders and purchase orders; Department: Public Works; Estimated annual amount: \$315,000 for FY24 and \$185,000 subsequent years; (Facilities Management Fund)
- 14) Resolution 161-24 Approve Agreement for Grant Funding between the City of Cape Coral and the Florida Department of Environmental Protection (FDEP) for the Water Quality Improvement Grant (WQIG) to install gravity sewer infrastructure within the North 1 Utilities Extension Project (UEP), and authorize the City Manager and/or designee to execute all related grant documents; Award Value: \$25,000,000; Local Contribution: \$25,000,000; (Fund: N1WESTUEP & N1EASTUEP))
- 15) Resolution 153-24 Accept Donation of a 2024 Ford/Starcraft Allstar (Bus Details: 12-passenger seating, can transport two wheelchairs, driver space, and has a 5-year/100,000 mile bumper-to-bumper warranty) from the Guardian Angels to Special Populations; Department: Parks and Recreation/Special Populations Division; Donation Value: \$121,579.87; (Fund: N/A)

- 16) Resolution 154-24 Approve the Continuing Existence and Functions of the Transportation Advisory Commission and the Cape Coral Youth Council as Required by Section 2-59 of the Code of Ordinances - Bi-Annual Review of the Boards; Department: City Clerk; Dollar Value: N/A; (Fund: N/A)
- 17) Resolution 159-24 Approve Use of Police State Confiscation Special Revenue Funds in compliance with F.S.S. 932.7055 (5)(a)-(b) to purchase covert equipment for the Vice-Investigations-Narcotics Unit and digital forensic software for the Forensics Unit; authorize said purchases in accordance with the City of Cape Coral City Code of Ordinance Article VII: Purchase and Sale of Real and personal property (Procurement Ordinance); and authorize the Chief of Police or designee to approve the purchase orders for these purchases and any related documents; Department: Police; Estimated Dollar Value \$132,400; (Police State Confiscation Special Revenue Funds)
- 18) Resolution 160-24 Approve a Florida Shared-Use Nonmotorized Trail Network Program Agreement (SUN Trail) between the City of Cape Coral and the Florida Department of Transportation (FDOT), for the construction and construction engineering inspection for improvements consisting of a 12-foot-wide multi-use trail on the north side of Kismet Parkway from Nelson Road to Del Prado Boulevard; Department: Public Works/Transportation Division; Dollar Value: N/A; (Fund: N/A)
- 19) Resolution 156-24 Approve the settlement of pending litigation of Sandra Salmoiraghi v. City of Cape Coral, Case No. 22-CA-04762, in the amount of \$130,000; Office: City Attorney; Dollar Value: \$130,000

Mayor Gunter pulled item 9(A)(14) Resolution 161-24. There were no other items pulled.

Councilmember Hayden moved, seconded by Councilmember Sheppard, 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)(15), 9(A)(16), 9(A)(17), 9(A)(18), and 9(A)(19), as presented.

Council polled as follows: Steinke, Carr, Cosden, Gunter, Hayden, Long, and Sheppard voted "aye." Seven "ayes." Motion carried 7-0.

City Manager Ilczyszyn explained Resolution 161-24 as follows:

- Grant between City and Florida Department of Environmental Protection
- Last year our lobbyist, Dane Eagle, Ballard and Associates, made us aware of a new program by Governor DeSantis for septic to sewer conversions and alternative water sources
- Assisted us with grant application
- Utilities Director Pearson applied for the Federal grant
- Competitive application, maximum award for any single entity was \$25M
- Will be applying this to our North 1 UEP
- Will result in a reduction of the assessment for everyone in the assessment area
- Estimating to be about \$2,400 reduction in the cost of their assessment
- Notified last week that funding availability for this year's cycle is also open
- Preparing another grant for residents in North 1 with possibility of another \$25M
- Recognized lobbyist and Staff

Several members of Council thanked our lobbyist and Staff for their efforts in obtaining this grant.

Councilmember Hayden moved, seconded by Councilmember Sheppard, to approve 9(A)(14) Resolution 161-24, as presented.

Council polled as follows: Steinke, Carr, Cosden, Gunter, Hayden, Long, and Sheppard voted "aye." Seven "ayes." Motion carried 7-0.

APPOINTMENTS TO BOARDS / COMMITTEES / COMMISSIONS

Voting Delegate for Florida League of Cities (FLC) Board of Directors
- Brought Forward By Mayor Gunter

Mayor Gunter explained this agenda item.

Councilmember Steinke moved, seconded by Councilmember Hayden, to nominate (recommend) Mayor John Gunter as a voting delegate for Florida League of Cities (FLC) Board of Directors.

Council polled as follows: Steinke, Carr, Cosden, Gunter, Hayden, Long, and Sheppard voted “aye.” Seven “ayes.” Motion carried 7-0.

UNFINISHED BUSINESS

Follow Up Items for Council

NEW BUSINESS

Annual Comprehensive Financial Report (ACFR) for
Fiscal Year Ended September 30, 2023 Presentation

Financial Services Director Mason introduced Christopher Kessler, Principal, CliftonLarsonAllen, LLP.

Christopher Kessler, Principal, CLA, explained the following displayed slides:

- City of Cape Coral, Florida
- Presentation of the 2023 Audit Results
- Services Performed
- Financial Statements, Federal Compliance, State Compliance
- Reports Delivered
- Results of Procedures
- Communications to Governance
- 2023 – Major Audit Areas and Takeaways
- Thank you!

Mayor Gunter thanked Mr. Kessler for his presentation and the services provided for the past few years.

PERSONNEL ACTIONS

None

PETITIONS TO COUNCIL

None

FOLLOW UP ITEMS FROM CITY MANAGEMENT

City Manager Ilczyszyn provided the following FEMA Update:

- City submitted a resource request to obtain building inspectors and certified flood plain managers to perform substantial damage estimations for a segment of our community that received some damage
- Up until recently, that resource request never received a response.
- FEMA did not believe City was compliant, said we were not proactive
- Throughout this entire process, we continued to reference FEMA document P-758, FEMA National Flood Insurance Program (NFIP) desk reference, how communities should work after a flooding event

- Section 7.5 damage assessments for substantial damage determination states “communities have choices about how to handle making substantial damage determinations when many buildings have been damaged by a significant event”
- Two options, we fell into #2, our resource request for #1 was never responded to
- #1 can proactively inspect buildings soon after the event and use available information to estimate repair costs and market value, those data can then be used to develop substantial damage determinations in advance of owner submitting applications with more detail
- That is what FEMA said we did not do, and we did not
- We did #2 which was compliant, they can notify owners of the requirement to get permits, then wait for property owners to apply for permits and make substantial damage determinations at that time following their normal permit procedure
- Many notifications were sent to owners
- We concluded last Thursday that we submitted 206 packets for properties in our special flood hazard area
- In the city, there are 51,818 structures in our special flood hazard area
- Of the 206, 50 Staff members worked 12 hours for 7 days, took 30 days to get the documents needed for #1
- 206 represents .3% of the 51,000 structures in our special flood hazard area
- FEMA wants #1
- If we replicated this process continuously, it would be 251 batches of 206 documents every 30 days, that would be 7,546 days or 20.6 years to complete
- In 23 years, activated for 5 events, Charley, Wilma, no-name, Irma, and Ian
- If we had to do #1 for every property, proactively inspect buildings soon after the event and use available information to estimate repair costs and market values so we can develop substantial damage determination in advance of owners submitting applications, by the time we finish going through every property in our special flood hazard area, we would have 4 more hurricanes
- Thanked Staff for what they accomplished in the past 30 days
- Community needs to understand what FEMA was thinking to ask Lee County, Cape Coral, Ft. Myers, Estero, and Bonita to do
- If #1 is the only one available and they are going to get rid of #2, there are not enough resources in the State of Florida to do this
- Together with FEMA, we need to find a better path forward
- Doing .3% of our special flood hazard areas is not a representative example
- Thanked FEMA for getting us where we are
- Waiting for FEMA to let us know if the documents on 206 properties that have been submitted are sufficient to reverse the retrograde decision that they asserted

Mayor Gunter thanked the City Manager and Staff to complete over 5,000 pages in documents; worth the effort to demonstrate the outcome.

ORDINANCES/RESOLUTIONS

Public Hearings - Quasi-Judicial Hearings

Resolution 130-24 (VAC23-000020*) Public Hearing

*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 SW 1st Court right of way and all underlying easements located adjacent to Lot 1, Block 203, Cape Coral Unit 3, Part 1, and Lots 34 and 35, Block 205, Cape Coral Unit 3, Part 1; providing for the vacation of plat for platted easements lying in Lots 34-35, Block 205, Cape Coral Unit 3, Part 1; property located at 5982 SW 1st Court and 5973 SW 1st Court. Applicant: Costamore, LLC

Planning Staff Recommendation: Approval with conditions

Hearing Examiner Recommendation: Approval with conditions

City Clerk Bruns read the title of the Resolution.

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.

Planning Team Coordinator Struve explained the following displayed slides:

- Resolution 130-24 VAC23-000020
- Owner, Request, Location
- Site, 2023 Site Aerial
- Current Zoning Map
- Background
- Platted ROW and underlying easements requested to be vacated
- Platted easements requested to be vacated
- Easements to be retained by the City to provide a perimeter easement
- Summary of Analysis (LDC, 3.4.5.B)
- Recommendations: Staff and HEX recommended approval with conditions, no speakers at HEX hearing
- Correspondence: received a phone call a week ago from a nearby property owner who wanted more information and had no support or opposition to this request

Public Hearing opened.

No speakers

Public Hearing closed.

Councilmember Hayden moved, seconded by Councilmember Cosden, to approve Resolution 130-24, as presented.

Council polled as follows: Steinke, Carr, Cosden, Gunter, Hayden, Long, and Sheppard voted "aye." Seven "ayes." Motion carried 7-0.

Ordinance 37-24 (PDP23-000004*) Public Hearing

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

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending Ordinance 15-15, as amended by Ordinance 38-17, that approved a Planned Development Project in the City of Cape Coral, Florida, entitled "Stonewater," for certain property described as parcels of land located in Section 10, Township 44, Range 23 East, Cape Coral, Lee County, Florida as more particularly described herein; property located at the southwest intersection of Tropicana Parkway West and Nelson Road; approving the modification of a condition requiring that a portion of the site be developed with nonresidential or compound uses; providing for findings of fact and conclusions of law; providing for action on request and conditions of approval; providing for legal effect and limitations of this PDP development order and administrative requirements.

Address: 1020 Tropicana Pkwy W

Applicant: Stonewater II LLC

Planning Staff Recommendation: Approval with conditions.

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.

Mayor Gunter explained that he did receive ex-parte communications on this item from City Staff and the City Attorney's Office.

Councilmember Steinke explained that he did receive ex-parte communications on this item from Joe Mazurkiewicz, the development representative, Joshua Gadomski, City Staff, and members of the City Attorney's Office.

Councilmember Sheppard explained that he did receive ex-parte communications on this item from Joe Mazurkiewicz, Joshua Gadomski, City Staff, and the City Attorney's Office, as well as emails from citizens who were in support and opposed.

Councilmember Cosden explained that she did receive ex-parte communications on this item from Joe Mazurkiewicz, Joshua Gadomski, and the City Manager.

Councilmember Hayden explained that he did receive ex-parte communications on this item from Joe Mazurkiewicz, Joshua Gadomski, City Staff, and the City Attorney's Office.

Councilmember Carr explained that he did receive ex-parte communications on this item from the City Manager, City Attorney, and City Staff, as well as emails not in support of the project.

Councilmember Long explained that he did receive ex-parte communications on this item from the applicant and their representative and conducted a site visit.

City Clerk Bruns administered the oath.

Senior Planner Heller explained the following displayed slides:

- PDP23-000004
- Owner/Applicant, Representative, Location, Requests
- Site Description
- Official Site Aerial Map
- Background
- Sketch of Description
- Analysis: Section 3.4.8.D (two slides)
- Recommendation: Staff and HEX recommended approval with conditions
- Conditions of Approval

Joe Mazurkiewicz, BJM Consulting, on behalf of Stonewater II, LLC, explained that this was not a rezoning or a land use change. The only change is eliminating this parcel from any of the existing PDP's requirement or prohibition of any freestanding residential. This property in 2010 was changed to CAC land use. It was rezoned to Marketplace Residential in 2011; then rezoned to Neighborhood Commercial in 2019. He pointed out that this land use and this zoning being requested pre-existed any of the development to the south of it. This proposed change will reduce the traffic impact to the adjoining properties. He requested that Council follow the recommendations of Staff and the Hearing Examiner and approve this Ordinance taking this small parcel out of the PDP and allowing the development a freestanding residential.

Public Hearing opened.

City Clerk Bruns re-administered the oath.

Patty Didio, Stonewater resident, inquired what was the end game development.

City Clerk Bruns re-administered the oath.

Joshua Gadomski, Stonewater resident, opined that from reading the PDP amendment it lacked mentioning what would be the property's use and did not contemplate the impact on the existing Stonewater community. Will the residents be part of the current HOA? Will they be using the facilities?

Laura Hanchek, Stonewater resident, represented most of her neighbors in her community. There was concern with what would be developed on that property, traffic issues, and keeping the area more compliant.

Joe Mazurkiewicz, President, BJM Consulting, on behalf of the applicant, noted that if the property would be developed as freestanding residential, it would not be part of the HOA as they would not be paying any fees or using their amenities, just as it would if it were going to be vertically integrated. They have not changed the use in any of the presentations, townhouses and single-family attached, two descriptions of the same type of development. There are no current plans for development. Eliminate the need for vertically integrated mixed use which will bring more trips to the area. He mentioned a traffic engineer was available to answer questions on the traffic study done.

Public Hearing closed.

Councilmember Long moved, seconded by Councilmember Sheppard, to deny Ordinance 37-24.

Councilmember Long would not support this Ordinance. One of the points he raised was the previously approved PDP had a component which was included in the Staff Report concerning future development shall not contain freestanding residential uses.

Councilmember Steinke asked for clarification if there would be more residents if the vertically integrated was implemented.

Mr. Mazurkiewicz responded that vertically integrated means commercial or non-residential on the first floor, then residential above. It could be more or less residential.

Councilmember Carr inquired about the Staff recommendation assessment's viability of developing commercial.

Planning Manager Yearsley responded that they do look at site constraints as it exists on the parcel when looking at depth. Configuration plays a role.

Mayor Gunter questioned if the current PDP allowed commercial on the first floor and residential on the second floor.

Manager Yearsley responded in the affirmative.

Mayor Gunter commented that it appeared the applicant was looking to keep it all residential with no commercial development. He supported the denial. He believed the applicant could still achieve additional residential units on the second floor or above and still have the commercial element.

City Attorney Boksner clarified the motion as follows: ***That the basis for denial is for the fact that this would serve to eliminate the Commercial at this area, also based upon the denial would be because there is a sufficient amount of single-family residential dwellings and multi-family residential dwellings, and that is the basis by way of which you are sitting in your quasi-judicial capacity, denying this application, based on those that you discussed previously while the motion has been made.***

Motion maker and second agreed to the clarification by City Attorney Boksner.

Councilmember Long inquired about restrictions pertaining to freestanding commercial.

Coordinator Struve explained if the applicant wanted to develop the property with 100% commercial, our regulations would support that development.

City Attorney Boksner clarified the motion was as amended and stated.

Council polled as follows: Steinke, Carr, Cosden, Gunter, Hayden, and Long voted "aye." Sheppard voted "nay." Six "ayes." One "nay." Motion to deny carried 6-1.

Recessed at 6:30 p.m. and reconvened at 6:46 p.m.

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 20-24 First Public Hearing (After 5:05); Set Second and Final Public Hearing for June 5, 2024

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the City of Cape Coral, Florida, Land Development Code, Article 4, Zoning Districts, Chapter 1, General Provisions, Table 4.1.6., Use Table, regarding social services; commercial recreation, indoor; commercial recreation, outdoor; commercial parking lot or garage; marine fuel pump; craft brewery, distillery, winery; restaurant, no drive-thru; restaurant, drive-thru; distribution center; automotive towing establishment; heliport; helistop; and live/workspace uses; by Amending Article 4, Zoning Districts, Chapter 2, Specific Regulations by District, regarding marine fuel pump; and craft brewery, distillery, winery uses; amending Article 5, Development Standards, Chapter 10, Specific Use Regulations (P* uses in Table 4.4) regarding marine fuel pumps; and by amending Article 11, Definitions, Chapter 1, General Provisions, Section 11.2., Definitions, regarding automotive towing establishments, community centers, distribution centers, junkyards, live/workspaces, marine fuel pumps, professional services, social services, solid waste transfer stations, and yards. (Brought forward by City Management)

City Planning 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 June 5, 2024.

Planning Team Coordinator Struve explained the following displayed slides:

- Ordinance 20-24: LDC Amendments to Articles 4, 5, and 11
- Overview
- Proposed Uses
- Other Changes to the Use Table
- Table 4.2.11 – Commercial Corridor
- Definitions
- Summary
- Recommendations: Staff and P&Z recommended approval, no speakers at the P&Z public hearing
- Correspondence: one towing establishment owner
- Schedule: First Public Hearing – May 15; Final Public Hearing - June 5th

First Public Hearing opened.

No speakers

First Public Hearing closed.

Councilmember Steinke inquired about definitions for heliport and helistop.

Coordinator Struve explained those two terms are defined in the LDC Article 11 but was not included in the Use Table.

Ordinance 30-24 Public Hearing**WHAT THE ORDINANCE ACCOMPLISHES:**

An ordinance amending the City of Cape Coral, Florida, Land Development Code, Article 7, "Signs," Chapter 3, "Temporary Signs," Section 7.3.1., "Temporary Signs," regarding temporary signs on real property. (Brought forward by Councilmember Long)

City Planning Staff Recommendation: Approval

Planning and Zoning Commission Recommendation: Denial

City Clerk Bruns read the title of the Ordinance.

City Attorney Boksner explained what this Ordinance would accomplish.

- Prohibitions that currently exist in the table
- Elimination of language identified with strikethrough
- Penalties and violations language
- Lawful placement of signs on private properties
- Identifies enforcement, time frames, and requirements for seeking appeals
- Fines based on removal of signs

Public Hearing opened.

Kevin Besserer, Public Policy Director for Royal Palm Coast Realtor Association, requested a middle ground for homeowners to market their homes.

Public Hearing closed.

Councilmember Hayden moved, seconded by Councilmember Long, to adopt Ordinance 30-24, as presented.

Councilmember Steinke supported Mr. Besserer's request to work with the City and find a middle ground.

Councilmember Carr would not support the Ordinance because of the enhanced civil penalties that are imposed on the first offense and escalating with no latitude. The tools are there already; some work needs to be done for the entire Ordinance.

Councilmember Long clarified the intent of the proposal.

Councilmember Sheppard was in favor of it on the right-of-way and not private property.

Mayor Gunter explained that signs are not allowed on ROW presently. This happens every day in our City where there are signs up all over the place. This would help with issues like post hurricane, visibility issues, and regulations. He supported the Ordinance as presented.

Councilmember Carr inquired about the enhanced penalties.

City Attorney Boksner explained the enhanced penalty only applies to a violation of 7.3.1.a.3. which are the temporary signs in the public right-of-way. All the rest have the penalty that is in G.1.A. which is \$25 per sign.

Discussion held regarding garage permitting not affected by this Ordinance.

Councilmember Carr noted this was not specific to the real estate associations; there are some other elements he was opposed to such as the enhanced penalties and the necessary requirements to put out an incidental.

Councilmember Steinke reminded everyone with permission is an important piece since the sign could be placed on private property with permission of property owner.

Councilmember Sheppard commented on signage for the next election. Would the City be fining individuals for posting signs in the wrong locations?

City Attorney Boksner explained the fine would go to the individual violator listed on the sign, not the property owner.

Councilmember Steinke inquired about a candidate's responsibility for having signs posted.

City Attorney Boksner explained they would be responsible if they violated the Ordinance.

Discussion held regarding having no knowledge of signs being posted incorrectly, appeal process before magistrate.

Mayor Gunter recalled in the past if there was a sign violation, it typically went to the property owner versus the name on the sign.

Discussion held:

- Enforcement action against a third-party posting signs
- Signs in the ROW go back to whoever is on the sign
- Sign on private property without permission is \$25 fine, person on sign responsible
- Temporary signs limit for multi-family and single family residential
- Existing language
- Non-residential district, 4x4 sign without written permission, \$25 fine to person on sign

Councilmember Long questioned all the what if scenarios, need to draw the line.

Councilmember Sheppard commented on not having all these signs littering everywhere. He was concerned about the political signs.

City Attorney Boksner added if the monetary amount for the enhanced civil penalty is a concern, Council has the ability to modify it and reduce it.

Councilmember Steinke suggested more work on Ordinance before he would support it.

Mayor Gunter inquired if this should be continued to a COW for more discussion.

City Attorney Boksner noted the motion maker could make an amendment to this motion as opposed to approval that it be continued to a COW. He did not recommend it and suggested speaking to all of Council one-on-one to discuss it.

Councilmember Long commented on continuation and questioned how much more time using Staff's resources.

Discussion held regarding:

- Monetary structure for penalty would be different
- Sign removal could rise to the level of theft

Councilmember Long called the question on the existing motion, seconded by Councilmember Carr.

Council polled as follows (on calling the question): Carr, Cosden, Gunter, Long, and Sheppard voted "aye." Steinke and Hayden voted "nay." Five "ayes." Two "nays." Motion carried 5-2.

Council polled as follows (on the motion to adopt Ordinance 30-24): Cosden, Gunter, Hayden, and Long voted "aye." Steinke, Carr, and Sheppard voted "nay." Four "ayes." Three "nays." Motion carried 4-3.

Ordinance 36-24 Public Hearing

WHAT THE ORDINANCE ACCOMPLISHES:

The ordinance approves and grants to Lee County 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 intersection of Averill Boulevard and North Del Prado Boulevard, as more particularly described herein and authorizes and directs the Mayor to execute the easement, a copy of easement is attached hereto and incorporated herein by reference. (Brought forward by City Management)

City Clerk Bruns read the title of the Ordinance.

Property Broker Andrews explained what this Ordinance would accomplish.

- City is granting LCEC three (3) 6.00-foot-wide utility easements at edge of North Del Prado Boulevard right-of-way in vicinity of Averill Boulevard intersection for installation of a new traffic signal.
- As part of this traffic signal project, LCEC will be required to remove existing light poles and provide new connections along North Del Prado Boulevard.
- Easements are in association with the new connections to be completed by LCEC.

Public Hearing opened.

No speakers

Public Hearing closed.

Councilmember Hayden moved, seconded by Councilmember Long, to adopt Ordinance 36-24, as presented.

Council polled as follows: Steinke, Carr, Cosden, Gunter, Hayden, Long, and Sheppard voted "aye." Seven "ayes." Motion carried 7-0.

Ordinance 38-24 Public Hearing

WHAT THE ORDINANCE ACCOMPLISHES:

The ordinance amends the City of Cape Coral, Florida, Code of Ordinances, Chapter 27, Community Redevelopment, Section 27-1, Community Redevelopment Agency, regarding voting requirements. (Brought forward by the CRA)

City Clerk Bruns read the title of the Ordinance.

City Attorney Boksner explained:

- During a previous CRA meeting there was a request for an amendment to the Ordinance establishing the CRA
- Request to make a super majority requirement in the event that the City Council to no longer be the Board of Commissioners for the CRA
- Now requires a 7/8th vote in order to change the CRA Board of Commissioners to someone other than the Mayor and City Council

Public Hearing opened.

No speakers

Public Hearing closed.

Councilmember Hayden moved, seconded by Councilmember Steinke, to adopt Ordinance 38-24, as presented.

Councilmember Carr asked what else requires a super majority vote today.

City Attorney Boksner noted since his time with the City he was unaware of anything.

Council polled as follows: Steinke, Cosden, Gunter, Hayden, Long, and Sheppard voted "aye." Carr voted "nay." Six "ayes." One "nay." Motion carried 6-1.

Ordinance 39-24 Initial Public Hearing; Set Final Public Hearing for June 5, 2024WHAT THE ORDINANCE ACCOMPLISHES:

The ordinance enacts Article XVI - "School Zone Speed Enforcement" - Chapter 12 of the Cape Coral Code of Ordinances, establishes a school zone speed enforcement program; authorizes the use of speed detection systems within the identified school zones in the City of Cape Coral; provides for program implementation requirements; provides for designation of school zones; provides for enforcement and administrative procedures; provides for collection of evidence, public records, and retention requirements; provides for annual reporting requirements; provides for the remittance of collected fines and costs, resolution of conflicting laws and provides for codification. (Brought forward by Councilmember Long)

City Clerk Bruns read the title of the Ordinance.

The final public hearing was scheduled for June 5, 2024.

City Attorney Boksner explained what this Ordinance would accomplish.

- Legislation passed on April 28, 2023 signed by the Governor on May 31, 2023
- Requiring Florida DOT to allow rules for implementation of speed cameras similar to the red-light cameras
- Requirement pursuant to Florida Statutory Law traffic study to be accomplished
- Worked with City Manager's Office, Public Works, Police Chief, and CCPD establishing necessary requirements to meet these provisions of Florida Law where there is a heightened risk for speeding within school zones
- Will bring more specificity for compliance at the COW on May 22nd
- Data that has been identified necessitating the need will be provided by the CCPD
- Information was publicly available

City Manager Ilczyszyn explained there are operational issues that would stem from this vote. If Council moves forward establishing the ability to utilize this as a method of regulating speed in school zones as part of that COW, we will also have a series of informational aspects related to what it would take to adequately administer. If this passes, information would be presented at the next meeting.

Mayor Gunter inquired if this was an initial public hearing with no vote required today.

City Attorney Boksner responded in the affirmative.

Public Hearing opened.

No speakers

Public Hearing closed.

Councilmember Long requested clarification about how the item would be placed on the COW and the effects of programming.

City Attorney Boksner explained that the COW was identified as the basis for presenting the data with more detail.

Councilmember Long questioned why this could not be done at a regular voting meeting.

City Attorney Boksner replied it could be presented at the June 5th if Council desired.

Council polled of their preference to discuss this at COW or the final public hearing on June 5th. All agreed to have it discussed at the final public hearing.

Mayor Gunter asked the City Clerk to remove this topic from the May 22nd COW.

Introductions

Resolution 155-24 (VAC24-000001*) Set Public Hearing Date for June 5, 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 Bimini Canal right-of-way and underlying easements adjacent to Lots 9 and 10, Block 160, Cape Coral Unit Four, Part Two; providing for the vacation of plat for platted easements associated with Lots 9 and 10, Block 160, Cape Coral Unit Four, Part Two; property located at 5322 Bayside Court.

Applicant: Thomas Collentine

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 June 5, 2024, in Council Chambers.

Ordinance 17-24 (FLUM23-000007) Set Public Hearing date for June 5, 2024**WHAT THE ORDINANCE ACCOMPLISHES:**

An ordinance amending the City of Cape Coral, Florida Comprehensive Plan by amending the Future Land Use Map from Intensive Development (a Lee County designation) to Commercial/Professional (CP) land use for property described as Lots 1, 2, 14 and 15, Block 3, Pondella Heights, Unit 2; and Lots 20 and 21, Block 2, Pondella Heights, Unit 2; property located at 1205-1212 Pine Lake Drive and 1206-1212 Westwood Drive.

Applicant: Samuel V. Johnson

City Planning Staff Recommendation: Approval

Planning and Zoning Commission Recommendation: Approval

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for June 5, 2024, in Council Chambers.

Ordinance 18-24 Set Public Hearing for June 5, 2024**WHAT THE ORDINANCE ACCOMPLISHES:**

The ordinance amends the City of Cape Coral, Florida, Code of Ordinances, Chapter 12 1/2, "Parks and Recreation," Article I, "Regulations," Section 12 1/2-4, "Rules and Regulations," regarding motorized toy and model airplanes, boats and cars in City parks. (Brought forward by City Management)

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for June 5, 2024, in Council Chambers.

Ordinance 32-24 Set Public Hearing Date for June 5, 2024**WHAT THE ORDINANCE ACCOMPLISHES:**

An ordinance amending the City of Cape Coral, Florida, Land Development Code, Article 4, Zoning Districts, Chapter 1, General Provisions, Section 4.1.5., Projections and Encroachments into Setbacks, and Article 5, Development Standards, Chapter 1, General Requirements for all Development, Section 5.1.13., Single-Family Residential Standards, regarding generators in front of single-family residences and setback regulations. (Brought forward by City Management)

City Planning Staff Recommendation: Approval

Planning and Zoning Commission Recommendation: Approval

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for June 5, 2024, in Council Chambers.

Ordinance 33-24 Set Public Hearing date for June 5, 2024

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the City of Cape Coral, Florida, Land Development Code, Article 5, "Development Standards," by creating Chapter 13, "Conversion of Nonconforming Residential Sites to Commercial Sites," regarding the redevelopment of commercial sites with existing single-family or duplex dwellings; providing for purpose and applicability; providing for standards. (Brought forward by City Management)

City Planning Staff Recommendation: Approval

Planning and Zoning Commission Recommendation: Approval, with the recommendation to make the benefits of this Ordinance carry forward in perpetuity with the property. The Ordinance version attached contains the recommended language.

City Clerk Brunns read the title of the Ordinance.

The public hearing was scheduled for June 5, 2024, in Council Chambers.

Ordinance 34-24 Set Public Hearing for June 5, 2024

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance amending the City of Cape Coral, Florida, Land Development Code, article 5, "Development Standards," Chapter 4, "Marine Improvements," Section 5.4.8., "Bulkheads, Seawalls, and Retaining Walls," regarding alternative shoreline stabilization. (Brought forward by City Management)

City Planning Staff Recommendation: Approval

Planning and Zoning Commission Recommendation: Approval

City Clerk Brunns read the title of the Ordinance.

The public hearing was scheduled for June 5, 2024, in Council Chambers.

Ordinance 40-24 Set Public Hearing for June 5, 2024

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance approving deeds of transfer of slip credits to an identified qualifying receiving parcel located at 5819 Driftwood Parkway from the City of Cape Coral, a Florida Municipal Corporation, to the City of Cape Coral, a Florida Municipal Corporation; approving Deeds of Conservation Easement and Covenant Limiting Watercraft Slips between the City of Cape Coral, a Florida Municipal Corporation, and Lee County, a Political Subdivision of the State of Florida; authorizing the Mayor to execute the Deeds of Transfer of Slip Credits to an identified qualifying receiving parcel and the Deeds of Conservation Easement and Covenant limiting watercraft slips; sending parcels located at 3918 Pine Island Road NW, 3922 Pine Island Road NW and 3926 Pine Island Road NW. (Brought forward by City Management)

City Clerk Brunns read the title of the Ordinance.

The public hearing was scheduled for June 5, 2024, in Council Chambers.

Ordinance 41-24 Set Public Hearing for June 5, 2024

WHAT THE ORDINANCES ACCOMPLISHES:

An ordinance amending the City of Cape Coral Code of Ordinances, Chapter 2, Administration, Article VI, Pensions, Division 1, Police Pension; amending Section 2-121.27, Deferred Retirement Option Plan. (Brought forward by City Management)

City Clerk Brunns read the title of the Ordinance.

The public hearing was scheduled for June 5, 2024, in Council Chambers.

Ordinance 42-24 Set Public Hearing for June 5, 2024

WHAT THE ORDINANCES ACCOMPLISHES:

An ordinance amending the City of Cape Coral Code of Ordinances, Chapter 2, Administration, Article VI, Pensions, Division 3, General Employees Pension; amending Section 2-123.24, Deferred Retirement Option Plan. (Brought forward by City Management)

City Clerk Bruns read the title of the Ordinance.

The public hearing was scheduled for June 5, 2024, in Council Chambers.

REPORTS OF THE MAYOR AND COUNCIL MEMBERS

Councilmember Carr – Topics: Thanked Police Chief for today's event recognizing National Police Week, today specifically is National Police Officer Memorial Day.

Councilmember Cosden – Topics: No report

Councilmember Hayden – Topics: No report

Councilmember Long – Topics: No report

Councilmember Sheppard – Topics: Attended Mayor's Scholarship Award Celebration.

Councilmember Steinke explained his request before going into his report. At our May 1st regular meeting, Council voted on a revised meeting calendar. A CRA meeting is scheduled for July 17th at 9:00 a.m., that same day we have a regular meeting at 4:30 p.m. leaving a big gap. Proposed moving the CRA meeting from July 17th at 9:00 a.m. to July 31st at 9:00 a.m. prior to the COW meeting.

Councilmember Steinke moved, seconded by Councilmember Sheppard, that we move the CRA meeting presently scheduled for July 17th at 9:00 a.m. to July 31st at 9:00 a.m.

Council polled as follows: Steinke, Carr, Cosden, Gunter, Hayden, Long, and Sheppard voted "aye." Seven "ayes." Motion carried 7-0.

Councilmember Steinke – Topics: 5/9 attended the Lee County Tourist Development Council as the liaison from the City, we got approval from the TDC for nearly \$1M for projects in the Cape, some from TDC reserves, the BoCC needs to ratify it. 5/9 attended the CCCIA Monthly meeting where Commissioner Ruane provided a recovery update. 5/10 attended the Youth Council meeting as liaison for the first time with the incoming class 24/25 where they elected their Chair. 5/14 attended the Mayor's Scholarship Award Celebration. 5/15 attended the Fallen Officer Memorial at Cape Coral Police Department, Chief of Police recognized the officers and families of fallen heroes.

Councilmember Welsh – Excused

Mayor Gunter – Topics:

- May 12th to May 18th - National Police Week
- May 15th – National Police Officer Memorial Day, asked community to say a prayer for families of fallen officers.
- National Public Works Week - May 19th to May 25th - recognized by American Public Works Association – Presented a Proclamation to the Public Works Department
- 5/10: Participated in weekly call with City Manager, Staff, and Senator Scott regarding FEMA updates
- 5/14: Attended and presented a Proclamation at the Mayor's Scholarship Award Celebration; \$50,000 awarded in scholarships

REPORTS OF THE CITY ATTORNEY AND CITY MANAGER

City Attorney Boksner – No report

City Manager Ilczyszyn – No report

TIME AND PLACE OF FUTURE MEETINGS

A Committee of the Whole was scheduled for Wednesday, May 22, 2024, at 9:00 a.m. in Council Chambers.

MOTION TO ADJOURN

There being no further business, the meeting adjourned at 7:56 p.m.

Submitted by,



Kimberly Bruns, CMC
City Clerk