

Council Meeting Report for 2/21/24
Submitted by: Trish Lassiter

CITIZENS INPUT TIME

15 Speakers

Topics included opposition to changes at Jaycee Park; Discussed petition efforts; Opposition to Council Stipend; Questions about meeting practices and procedures; Concern about House Bill 601; Inquiry about Fiber Optic Cable install for traffic signal and roundabout install; Concerns with loss of potable water in North Cape and Mid-Hawthorne Aquifer; Noise and construction concerns regarding car wash in Santa Barbara Blvd; Invite to friends of Jaycee Park meeting; Staff kudos regarding pothole repairs; request for an update on Burnt Store Road completion; Request for an update on Parks Go Bond projects; Upcoming assessments inquiry; Consent agenda suggestions; Previous Council decisions; Citizens input complaint; Votes inquiry; Request to have a standard item on Council agendas specific to Yacht Club; and request for email responses.

BUSINESS

A. CONSENT AGENDA

(1) Resolution 49-24 Approve Single Source with Moss Kelley, Inc., as the exclusive distributor in the State of Florida for Xylem, Boerger and Hydro International products, which are utilized at the Water Reclamation Facility to process wastewater into water that can be reused for various purposes; estimated annual amount is \$130,000 for Fiscal Year 2024 through Fiscal Year 2026 for an estimated three-year total of \$390,000 based on annual appropriation; authorize the City Manager or designee to execute the purchase orders and any related documents; Department: Utilities; Estimated annual amount \$130,000 (three-year estimated amount: \$390,000 from FY2024 - FY2026; Fund (Water and Sewer Fund) – **APPROVED**

(2) Resolution 53-24 Approve Final Replat for Lots 12 through 16 of Florida Tropical Farms Subdivision. This is a replat which splits and combines lots 12 through 16 of Florida Tropical Farms Subdivision into five developable parcels. Lots 12 through 16 of Florida Tropical Farms Subdivision is located on the north side of Pine Island Rd between Santa Barbara Blvd and NE 2nd Pl. Refer to the attached location exhibit; Department: Development Services; Dollar Value: N/A; (Fund: N/A) – **APPROVED**

(3) Resolution 54-24 Approve FEMA Grant Agreement No. H1042 Hazard Mitigation Grant Program Agreement Phase II for Weir 7 Improvements; Department: Utilities; FEMA Construction Grant Amount: \$635,911 .12; (Grant Funding) -**APPROVED**

(4) . Resolution 55-24 Approval of, and authorization for the City Manager, or his designee, to execute License Agreements for the temporary use of private properties located at 312 El Dorado Parkway West and 521, 525, 531, 605, 5618, 5622 and 5628 Rose Garden Road, for additional event parking for participants and spectators attending the 22nd Annual Burrowing Owl Festival - Wildlife & Environmental Expo on February 24, 2024 at Rotary Park; Department: Public Works/ Property Management Division; Dollar Value: N/A; (Fund: N/A) – **APPROVED**

(5) Resolution 56-24 Approve recap of direction given by the Mayor and City Council to City Staff for Items presented at the Committee of the Whole on January 17, 2024; Department: City Clerk; Dollar Value: N/A; (Fund: N/A) – **APPROVED**

(6) Resolution 57-24 Approve Cross Access Road and Multi-Use Path Cost Reimbursement Agreement with CJS CES CAPE VENTURES LLC and BASIL 4, LLC for the reimbursement of certain infrastructure improvement costs related to a cross access roadway and multi-use path at an amount not to exceed \$425,546.66. The improvements will establish a critical link in the City's road network and enhance public

safety; Office: City Manager's Office/Division of Economic & Business Development;
Not to Exceed Dollar Value \$425,546.66; (Road Impact Fees) – **APPROVED**

(7) Resolution 58-24 Approve applications for Community Development Block Grant - Disaster Recovery (CDBG-DR) through the Lee County Recovery and Resiliency Planning Program, including identifying the City's point of contacts; Department: Fire - **APPROVED**

(8) Resolution 59-24 Award Bid #BCP2365MM, and corresponding contract, for Construction of Festival Park to Burke Construction Group, Inc. for the base bid amount of \$16,980,939.63 with a 5% City controlled contingency of \$849,046.98 for a project total of \$17,829,986.61; And authorize the City Manager or Designee to execute the contract, amendment, purchase orders and change orders; Office: City Manager's Office/Division: Capital Improvement Projects; Dollar Amount: \$17,829,986.61 ; (Governmental Capital Project Fund-funded by GO Bond and General Fund) - **APPROVED**

(9) Resolution 60 24 Approve creation of four new classifications, the abolishment of 15 classifications, the elimination of two pay grades from the General Union step plan, the addition of one pay grade to the Non-Bargaining salary schedule, the increase in ranges for three Non-Bargaining pay grades, and the reallocation of certain classifications as a result of the General Union and Non-Bargaining Total Compensation Study; Department: All; Estimate Dollar Value: \$300,000; (All Funds)
Resolution 60-24 Approve resolution of the City of Cape Coral, adding one pay grade to the non-bargaining salary schedule-grade order; increase the pay ranges for three non-bargaining pay grades; and providing for the reallocation of certain non-bargaining classifications - **APPROVED, AS AMENDED**

(10) Resolution 61-24 Approve addition of four full-time equivalents (FTE) for the Bureau of Fire Prevention, three Fire Inspectors and one Fire Plans Examiner; Department: Fire; Estimated Dollar Value: \$631,825; (FSA, Fire Fees, and General Fund) – **APPROVED**

(11) ADDENDUM: Resolution 65-24 Approve Resolution of the City of Cape Coral, Florida, nominating John Bashaw to serve as the appointed representative for the City of Cape Coral, Florida, on the Lee County Community Development Block Grant - Disaster Recovery Infrastructure and Planning Notice of Funding Availability Evaluation Committee. - **APPROVED**

10. ORDINANCES/RESOLUTIONS

A. Public Hearings - Quasi-Judicial Hearings

(1) Resolution 50-24 (VAC23-000002*) Public Hearing

WHAT THE RESOLUTION ACCOMPLISHES:

A resolution of the City of Cape Coral, Florida, providing for the vacation of plat for a portion of the Cobalt Canal right-of-way adjacent to Lots 1 and 2, Block 146, Cape Coral Unit 4, Part 2; property located at 5302 Cobalt Court. (183.21 square feet)

Applicant: Robert Belza and Nella Belza

City Planning Staff Recommendation: Approval with conditions

Hearing Examiner Recommendation: Approval with conditions – **APPROVED**

B. 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.)

(1) Ordinance 10-24 Public Hearing

WHAT THE ORDINANCE ACCOMPLISHES:

The Ordinance authorizes and directs the City Manager or their designee to enter into a Permissive Use Agreement with the United States Army Reserve, 365th Engineer Company, for a portion of property owned by the City of Cape Coral, Florida, as described herein; property located at 2920 Burnt Store Road North, together with adjoining tracts of land to the south. (Brought forward by City Management) - **APPROVED**

(2) Ordinance 11 -24 Public Hearing

WHAT THE ORDINANCE ACCOMPLISHES:

The Ordinance approves an Agreement for the 2023/2024 Hurricane Legislative Appropriation Program between the City of Cape Coral, Florida and the State of Florida, Division of Emergency Management to provide funding for hurricane repairs and recovery due to Hurricane Ian and Hurricane Nicole and authorizes the City Manager or their designee to execute the Agreement and any related documents. (Brought forward by City Management) – **APPROVED**

C. Introductions

(2) Ordinance 12-24 **Public Hearing set for March 61 2024**

WHAT THE ORDINANCE ACCOMPLISHES:

The Ordinance amends the City of Cape Coral, Florida Code of Ordinances, Chapter 2, Administration, Division 2, Utility Capital Expansion Fee, Section 2-24.3 Fee imposed and time of payment, which establishes the existing North 1 East Utility Expansion Area Fee (Legacy Rate) table; and updating the Utility Capital Expansion Fee tables for all other areas of the City that shall not be encapsulated within North 1 East Utility Expansion Fee **Table**; amending Section 2-24.6 Review of fee structure, which sets forth the statutory reference mandated within Section 163.31801 of the Florida Statutes. (Brought forward by City Management)

