

**Mayor**

John Gunter

**Council Members**

District 1: Bill Steinke

District 2: Laurie Lehmann

District 3: Derrick Donnell, Ed.D.

District 4: Jennifer I. Nelson-Lastra

District 5: Joe Kilraine

District 6: Keith E. Long

District 7: Rachel Kaduk



**City Manager**

Michael Ilczyszyn

**City Attorney**

Aleksandr Boksner

**City Auditor**

Andrea R. Russell

**City Clerk**

Kimberly Bruns

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

March 05, 2025

05:00 PM

Council Chambers

**PLEDGE OF CIVILITY**

We will be respectful of each other even when we disagree.

We will direct all comments to the issues. We will avoid personal attacks.

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**1. MEETING CALLED TO ORDER**

a. Mayor Gunter

**2. INVOCATION/MOMENT OF SILENCE**

a. Councilmember Long

**3. PLEDGE OF ALLEGIANCE**

a. Councilmember Long

**4. ROLL CALL**

a. Mayor Gunter, Councilmembers Donnell, Kaduk, Kilraine, Lastra, Lehmann, Long, Steinke

**5. CHANGES TO AGENDA/ADOPTION OF AGENDA**

**6. RECOGNITIONS/ACHIEVEMENTS**

a. Community Recognition Award Noah Ordonez

## **7. APPROVAL OF MINUTES**

- a. Regular Meeting – February 19, 2025

## **8. CITIZENS INPUT TIME**

A maximum of 60 minutes is set for input of citizens on matters concerning the Consent Agenda and City Government within Council jurisdiction to include Resolutions appearing in Sections other than Public Hearings and Public Input; 3 minutes per individual.

## **9. BUSINESS**

- a. CONSENT AGENDA

1. Resolution 55-25

Award ITB #BUT24177JM to Quality Enterprises USA, Inc. for the Plato Canal Force Main Aerial Crossing Replacement. The force main aerial crossing is located parallel to and adjoins the east side of Del Prado Boulevard, south Plato Canal bridge between SE 20<sup>th</sup> Terrace and SE 40<sup>th</sup> Street. The replacement force main segment will be located in the Del Prado Boulevard South median crossing Plato Canal; This project was approved by the Florida Department of Environmental Protection (FDEP) as an In-Kind Project for Civil Penalties, levied by the City of Cape Coral Consent Order 22-1794 Everest Parkway WRF – FL0030007; and authorize the execution of Contract #BUT24177JM between the City of Cape Coral and Quality Enterprises USA, Inc., in the amount of \$829,170 with a 10% City controlled contingency in the amount of \$82,917, for a total project cost of \$912,087.50, to address unforeseen underground conditions due to construction occurring in a developed commercial area within an arterial road right-of-way and median; and authorize the City Manager or designee to execute the contract(s), purchase order(s), change order(s) and any amendment(s); Department: Utilities; Dollar Value: \$912,087 (Water & Sewer Fund); Duration: 270 calendar days after the Notice to Proceed is issued

2. Resolution 56-25

Approve utilizing the Charlotte Cooperative Purchasing Alliance (CCPA) for Technology Products and Related Services, with the lead agency City of Charlotte, NC Contract #2025000346 for the installation of a video wall (multiple

terminals mounted on a wall) and Software (Name exempt per 119.0725 of the Florida Statutes) for the Tactical and Intelligence analytic center (TIAC) in the Police Department. This equipment and software will allow department personnel to have one central location to view multiple camera sites and programs throughout the city simultaneously; and execution of Contract #PPD2557MR between the City and Software (Name exempt per 119.0725 of the Florida Statutes) in the amount of \$366,338; and authorize the use of forfeiture funds in the amount of \$266,338 (the balance of \$100,000 will be from General Fund); and authorize the City Manager or their designee to execute the Contract, renewals, amendments, purchase orders, change orders and any related documents. Department: Police; Estimated Dollar Value: \$366,338 (General Fund-\$100,000 & Federal Forfeiture Fund - \$266,338); Duration: 180 calendar days after the Notice to Proceed is issued

3. Resolution 58-25

Approve Work Authorization WAF#PMI-01 with Pavement Maintenance, LLC, utilizing Master Agreement #BPW22133AP Miscellaneous Maintenance & Repair Services, for the Lake Kennedy Senior Center Parking Lot resurfacing and ADA improvements, in the amount of \$197,227.47 with a 5% City controlled contingency, in the amount of \$9,861.37, for a total project cost of \$207,088.84; and authorize the City Manager or Designee to execute the contract, renewal(s), amendment(s), purchase order(s) and change order(s); Department: Public Works; Estimated Dollar Value: \$207,088.84 (General Fund); Duration: 45 days after the Notice to Proceed is issued

4. Resolution 59-25

Authorize execution of Contract #QUT2540LC with Tech Field-Services, LLC for removal of obsolete bubbler level control systems and replace/install upgraded digital pump controller systems on 12 Master Lift Stations, in the amount of \$229,241.16; authorize the City Manager or designee to execute the contract, amendment(s), renewal(s), and purchase order(s); Department: Utilities; Dollar Amount: \$229,241.16 (Water & Sewer Fund); Project Duration: 150 calendar days after the Notice to Proceed is issued

5. Resolution 62-25

Approve renewal of Mutual Aid Agreement (MAA) between the Lee County Sheriff's Office (LCSO) and the City of Cape Coral Police Department (CCPD) for use of Aviation Section Resources and authorizing the City Manager and Chief of Police to execute the Agreement; Department: Police; Dollar Value: N/A; (Fund: N/A); Duration: Through and including January 31, 2028.

6. Resolution 63-25

Acceptance of Countywide-State funding from the Florida Department of Law Enforcement to fund license plate readers; Department: Police; Dollar Value: \$119,919; No match required; (Fund: N/A); Duration: N/A.

7. Resolution 64-25

Approve Staff Cost Proposal (SCP) JEI-06 with Johnson Engineering, LLC for the professional engineering and landscape architectural services in connection with median improvements within existing medians of Skyline Boulevard, Surfside Boulevard, Shelby Parkway, and Viscaya Parkway for a not-to-exceed amount of \$187,362; and authorize the City Manager or Designee to execute the agreement, renewal(s), amendment(s), change order(s), and purchase order(s). Department: Public Works; Dollar Value: \$187,362 (General Fund); Duration: 240 calendar days after Notice to Proceed is issued

8. Resolution 68-25

Award RFP #RPW2499KMR for Maintenance, Repair and Operations (MRO) and Industrial Supplies to four firms as follows: Energy Harness Corporation, Fastenal Company, Global Industrial Equipment Company, Inc., and Unipak Corporation; and authorize Contract #RPW2499KMR-A between the City and Energy Harness Corporation, Contract #RPW2499KMR-B between the City and Fastenal Company, Contract #RPW2499KMR-C between the City and Global Industrial Equipment Company, Inc and Contract #RPW2499KMR-D between the City and Unipak Corporation for an estimated annual amount of \$600,000 contingent on annual appropriation; and authorize the City Manager, or designee, to execute the purchase orders, change order, amendment and renewals during the term of the contract and automatic renewal periods; Department: Citywide; Estimated annual value: \$600,000; (General Fund, Internal Service Fund, Water and Sewer Fund, and Stormwater Fund); Duration: Three years, from Council approval, with three additional one-year renewals

9. Resolution 69-25

Approval of Contract for the purchase of 306 NE 15th Terrace, (Lots 27, 28 and 29, Block 2461, Unit 34, Cape Coral Subdivision) for a potential future boat ramp site to perform canal maintenance and water quality sampling within the City's Freshwater Canal Basin 4, for the purchase price of \$59,000, plus closing costs not to exceed \$2,500 and the assumption of the North 1 West Utility Assessments; Department: Public Works - Real Estate Division; Dollar Value: \$61,500 (Stormwater Fund); Duration: N/A

10. Resolution 71-25

Approve Sole Source SSUT2527SH to Software Name exempt per 119.0725 of the Florida Statutes, for the purchase of software, hardware, service, repairs, and on-site training for Software Name exempt per 119.0725 of the Florida Statutes, for supervisory control and data acquisition operating system in the amount of \$280,000 for Fiscal Year (FY) 2025 and \$230,000 for FY-2026, for a total request of \$510,000 contingent on annual appropriation; and authorize the City Manager or Designee to execute the sole source, purchase order, change orders and/or any related documents; Department: Utilities; Annual Dollar Value: FY2025 \$280,000 and FY2026 \$230,000 (contingent upon annual appropriation)(Water and Sewer Fund); Duration: FY2025 and FY2026

11. Resolution 74-25

Approve 2025 Bank of America Tree Planting Award Agreement (PW2025041) between the National Arbor Day Foundation d/b/a Arbor Day Foundation and the City of Cape Coral, Florida. Authorizes the receipt of grant funds in the amount of \$22,875 from the Arbor Day Foundation for the Lake Kennedy Community Park to plant and maintain a minimum of 250 trees; Department: Public Works; Grant Dollar Value: 22,875; (Fund: N/A); Duration: Through and including June 30, 2025.

12. Resolution 75-25

Approve a Joint Action Plan with the South Florida Water Management District, City of Cape Coral Florida, and Lee County for the Northeast Cape Coral Water Shortage Area; Department: Utilities; Dollar Value: N/A; (Fund: N/A); Duration: Until the Mid-Hawthorn Aquifer recovers above the Minimum Developable Limit (MDL) of -83.01 feet and/or the South Florida Water Management District makes the determination that the Mid-Hawthorn Aquifer has recovered for a sufficient period of time.

13. Resolution 76-25

Approve direction given by the Mayor and City Council to City Staff for Items presented at the Committee of the Whole on January 15, 2025, and February 12, 2025; Department: City Clerk; Dollar Value: N/A; (Fund: N/A); Duration: N/A

14. Amend Council Agenda Rules of Procedure

- b. APPOINTMENTS TO BOARDS / COMMITTEES / COMMISSIONS - None
- c. UNFINISHED BUSINESS

1. Follow up items for Council
2. Follow up items for City Management - School Speed Zone Camera Update

d. NEW BUSINESS - None

## 10. ORDINANCES/RESOLUTIONS

a. Public Hearings - Quasi-Judicial Hearings - None

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. WITHDRAWN AT THE REQUEST OF CITY MANAGEMENT: Ordinance 78-24 (FLUM24-000013) Public Hearing for Transmittal (Continued from January 8, 2025

### WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance of the Mayor and City Council of the City of Cape Coral, Florida, amending the City of Cape Coral, Florida Comprehensive Plan by amending the Future Land Use Map from Commercial Activity Center (CAC) to Burnt Store Road District (BURST) land use for property located in Section 7, Township 43 South, Range 23 East; Section 29, Township 43 South, Range 23 East; Section 32, Township 43 South, Range 23 East; and Section 20, Township 43 South, Range 23 East, Lee County, Florida, as more particularly described herein; amending the Future Land Use Map from Commercial Professional (CP) to Burnt Store Road District (BURST) land use for property described as Lots 1-24, Block 4291, Cape Coral Unit 61, and for property located in Section 7, Township 43 South, Range 23 East, Lee County Florida, as more particularly described herein; amending the Future Land Use Map from Multi-Family (MF) to Burnt Store Road District (BURST) land use for property described as Blocks 6171, 6172, 6173, 6174, and 6175, Cape Coral Unit 98; amending the Future Land Use Map from Mixed Use (MX) to Burnt Store Road District (BURST) land use for property described as Lot 31, Block 5522, Cape Coral Unit 91; Tract A, South Forty Subdivision; Lots 16-20, M-2, 6, 10, 14, and Tracts A and B, Westchester Estates; Lots 1, 2, 3, 4, 5, and 6, Block 5523, Cape Coral Unit 91; and for property located in Section 18, Township 43 South, Range 23 East; Section 19, Township 43 South, Range 23 East; and Section 30, Township 43

South, Range 23 East, Lee County, Florida, as more particularly described herein; amending the Future Land Use Map from Open Space (OS) to Burnt Store Road District (BURST) land use for property located in Section 20, Township 43 South, Range 23 East, Lee County, Florida, as more particularly described herein; amending the Future Land Use Map from Public Facilities (PF) to Burnt Store Road District (BURST) land use for property described as Lots 27-30, Block 5522, Cape Coral Unit 91; amending the Future Land Use Map from Single-Family (SF) to Burnt Store Road District (BURST) land use for property described as Blocks 6169 and 6170, Cape Coral Unit 98; and Tracts C & D and Lots 21-54, Westchester Estates; amending the Future Land Use Map from Single-Family/Multi-Family (SM) to Burnt Store Road District (BURST) land use for property described as Lots 28-33, Block 4303, Cape Coral Unit 61; Lots 17-46, Block 6300, Cape Coral Unit 83-1; Lots 1-51, Block 6301, Cape Coral Unit 83-1; Lots 1-71, Block 6303, Cape Coral Unit 83-1; Lots 1-26, Block 5521, Cape Coral Unit 91; Lots 1-26, Block 5522, Cape Coral Unit 91; and for property located in Section 7, Township 43 South, Range 23 East; Section 19, Township 43 South, Range 23 East; and Section 30, Township 43 South, Range 23 East, Lee County, Florida, as more particularly described herein.

Applicant: City of Cape Coral

Acreage: 1,141 acres

City Planning Staff Recommendation: Approval

Planning and Zoning Recommendation: Approval

2. **Ordinance 7-25 Public Hearing**

WHAT THE ORDINANCE ACCOMPLISHES:

The Ordinance amends Chapter 19, Water and Sewer Utilities, Article I, General Provisions, Section 19-2.5, connection to approved sewer system and municipal water system mandatory upon availability, regarding mandatory connections of reclaimed water systems. (Brought forward by City Management)

3. **Ordinance 8-25 Public Hearing**

WHAT THE ORDINANCE ACCOMPLISHES:

The Ordinance amends Ordinance 64-23 relating to the name change of the CC Community Development District to Cape Coral Town Center Community Development District.

Applicant: CC Community Development District.

4. **Ordinance 9-25 Public Hearing**

WHAT THE ORDINANCE ACCOMPLISHES:

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida,

approving contract amendment No. 3 of Contract No. RFP-PW10-15/PB between the City of Cape Coral, Florida and Waste Pro of Florida, Inc. extending the Solid Waste Bulk Drop-Off site services; authorizing the City Manager or their designee to execute Contract Amendment No. 3. (Brought forward by City Management)

c. Introductions

1. Ordinance 85-24 (TXT24-000003) Set Public Hearing for Transmittal for April 2, 2025

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance of the Mayor and City Council of the City of Cape Coral, Florida, amending the City of Cape Coral, Florida Comprehensive Plan by amending the Conservation and Coastal Management Element, the Future Land Use Element, and the Recreation and Open Space Element to allow a portion of the Yellow Fever Creek Regional Park to be utilized for an essential service facility. (Brought forward by City Management)

City Planning Staff Recommendation: Approval

P&Z Commission Recommendation: Approval

2. Ordinance 6-25 (FLUM23-000011) Set Public Hearing for April 2, 2025

WHAT THE ORDINANCE ACCOMPLISHES:

An ordinance of the Mayor and City Council of the City of Cape Coral, Florida, amending the City of Cape Coral, Florida Comprehensive Plan by amending the Future Land Use Map from Parks and Recreation (PK) to Public Facilities (PF) land use for property described as a tract of land located within the southeast quarter of Section 20, Township 43 South, Range 24 East, Lee County Florida, being more particularly described herein; property located at 3115 Del Prado Boulevard North.

Applicant: City of Cape Coral

Acreage: 14.24 acres

City Planning Staff Recommendation: Approval

P & Z Commission Recommendation: Approval

3. Ordinance 11-25 Set Public Hearing for April 2, 2025

WHAT THE ORDINANCE ACCOMPLISHES:

An Ordinance of the Mayor and City Council of the City of Cape Coral, renaming "SEAHAWK PARK," an amenity located at Festival Park, to be known as "SEAHAWK AIRFIELD AT FESTIVAL PARK;" (Brought forward by City Management.)



**11. PETITIONS TO COUNCIL - None**

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

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

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

- a. A Community Redevelopment Agency (CRA) Meeting is Scheduled for Wednesday, March 12, 2025, beginning at 9:00 a.m. in Council Chambers
- b. A Committee of the Whole is Scheduled for Wednesday, March 12, 2025, beginning at 10:30 a.m. in Council Chambers

**15. MOTION TO ADJOURN**

**GENERAL RULES AND PROCEDURES REGARDING  
THE CAPE CORAL CITY COUNCIL AGENDA**

In accordance with the Americans with Disabilities Act and Section of 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the Office of the City Clerk at least forty-eight (48) hours prior to the meeting at (239) 574-0411. If hearing impaired, telephone the Florida Relay Service Numbers, 1-800-955-8771 (TDD) or 1-800-955-8770 (v) for assistance.

Persons wishing to address Council under Citizens Input may do so during the designated time at each meeting. Any citizen may appear before the City Council at the scheduled PUBLIC HEARING/INPUT to comment on the specific agenda item being considered. No prior scheduling is necessary.

When recognized by the presiding officer, a speaker shall address the City Council from the designated speaker's lectern, and shall state his or her name and whom, if anyone, he or she represents. An address shall only be required if necessary to comply with a federal, state or local law.

Copies of the agenda are available in the main lobby of Cape Coral City Hall and in the City Council Office, 1015 Cultural Park Boulevard. Copies of all back-up documentation are also available for review in the lobby of Council Chambers. You are asked to refrain from removing any documentation. If you desire copies, please request they be made for you. Copies are 15 cents per page. Agendas and back-up documentation are also available on-line on the City website ([www.capecoral.gov](http://www.capecoral.gov)) after 4:00 PM on the Thursday prior to the Council Meeting.

**\*Quasi-Judicial Hearings - Department of Development Services Cases**

For all quasi-judicial hearings for the Department of Development Services cases, the following procedures shall be used to afford all parties a full opportunity to be heard on matters relevant to the application.

- 1. The applicant, as well as witnesses offering testimony, or presenting evidence, will be required to swear or affirm the testimony they provide is the truth.
- 2. The order of presentation will begin with the city staff report, followed by the presentation by the applicant or their representative, followed by witnesses called by the applicant. City staff may also call witnesses and experts. The members of

the public will be offered an opportunity to speak after all witnesses and experts. (Note: The Mayor may change the order of presentations)

3. The applicant or their representatives and the city staff may cross examine individuals offering testimony.
4. Members of the City Council may question any witness on relevant issues raised by the applicant or applicant's representatives, city staff, or by any member of the public.
5. The Mayor may impose reasonable time limitations on the offer of testimony or evidence and refuse to hear testimony or evidence that is not relevant to the issue being heard. The Mayor may also impose reasonable limitations on the number of witnesses heard when such witnesses become repetitive or are introducing duplicate testimony or evidence. The Mayor may also call witnesses and introduce evidence on behalf of the City Council if it is believed that such witnesses and/or evidence are necessary for a thorough consideration of the subject.
6. After the introduction of all relevant testimony and evidence and conclusion of cross examination, the applicant shall have the opportunity to present a closing statement.
7. If any person decides to appeal any decision made by the City Council with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Note: This Agenda should not be viewed as containing definitive information on matters of law with respect to ordinance and resolution summaries.