

**AGENDA
CITY COUNCIL MEETING**

August 1, 2016
4:30 o'clock p.m.
REVISED: July 26, 2016 @ 3:45 p.m.



FORT MYERS CITY COUNCIL						
Mayor Randall P. Henderson, Jr.	Ward 1 Teresa Watkins Brown	Ward 2 Johnny W. Streets, Jr.	Ward 3 Terolyn P. Watson	Ward 4 Michael Flanders	Ward 5 Forrest Banks	Ward 6 Gaile H. Anthony

CITY COUNCIL CHAMBERS, 2200 SECOND STREET, FORT MYERS, FLORIDA

For full agenda Packet [Click Here](#). Larger files may take longer to download.

Please complete a "Request to Speak" form if you plan to address the City Council and submit to the City Clerk prior to the start of the meeting.

CALL TO ORDER

Opening Prayer Elder Terryn D. Streets, Mount Hermon Ministries

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Pledge of Allegiance to the Flag of the United States of America

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Roll Call

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PROCLAMATIONS AND SPECIAL PRESENTATIONS

1. Proclamation proclaiming August 2016 as Play Ball Month
2. Presentation by John Kakatsch, Chair, Economic Development Advisory Board, of Resolution EDAB 2016-1 supporting the Pennies for Community Progress initiative

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PUBLIC INPUT – NON-PUBLIC HEARING AGENDA ITEMS: (Four (4) minute time limit per speaker)

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Public Hearings: (Item No. 16) (Public input will be heard during the public hearing)

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CONSENT AGENDA (Item Nos. 3-15)

Any Council Member may have an item removed from the consent agenda and placed on the regular agenda for discussion following the consent agenda.

3. Minutes of the regular meeting held on July 18, 2016, and the special meeting held on July 25, 2016
4. Change Order No. 2, in the amount of \$19,172.80, to Task Authorization No. 5 to Construction Manager At-Risk Continuing Contract, Request for Qualifications No. 12-27-12-PW with Chris-Tel Company of Southwest Florida DBA Chris-Tel Construction for the City Hall ADA Renovations - 2nd and 4th Floors Phase II, increasing the contract amount from \$223,338.42 to \$242,511.22 and increasing the contract time by 210 days or to March 6, 2016; and project close out and release final payment in the amount of \$24,251.12 (Ward 4)
5. Supplemental Task Authorization No. 27, in the amount of \$167,380, to Professional Services Agreement Continuing Contract for Engineer of Record for Wastewater Treatment Facilities, Request for Qualifications No. 03-13-12-PW with CDM Smith, Inc. for Pretreatment System Evaluation
6. Quit Claim Deed from Earl W. Kennedy Trustee of the Earl W. Kennedy Family Trust for an irregular section of road right-of-way containing .20 acres, more or less, in Lot 4, Block A, Southside Industrial Park (Ward 3)

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CONSENT AGENDA - Consent

7. Project Agreement for Florida Department of Environmental Protection Clean Vessel Act Grant Program, in the amount of \$23,407.50, for the replacement of the vessel sewage pumpout system at the Yacht Basin, with a required City match of \$7,802.50 for a total project amount of \$31,210.00

And

Budget amendment, in the amount of \$23,408, recognizing the Florida Department of Environmental Protection Clean Vessel Act Grant revenue and increasing Yacht Basin Repairs and Maintenance by like amount (Ward 4)

8. Letter to Florida Department of Law Enforcement approving distribution of funds, in the amount of \$187,878, allocated to Lee County for Fiscal Year 2017 from the Edward J. Bryne Memorial Justice Assistance Grant Program to Lee County Human Services, Lee County Sheriff's Office, City of Cape Coral, City of Fort Myers, Lee County Port Authority, and Lee County 20th Judicial Circuit Court

9. Online submittal of federal grant application, in the amount of \$15,472, to the Florida Department of Law Enforcement for the 2017 Edward J. Byrne Memorial Justice Assistance Grant – County-wide for the Fort Myers Improvement of Law Enforcement Program, for the purchase of 14 conducted electronic weapons (tasers), with no match required

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CONSENT AGENDA - Consent

10. Software as a Service ("SaaS") Agreement Terms and Conditions, in the amount of \$28,850, for an annual subscription for 5 years, client license, and express launch fee with PowerDETAILS, LLC, to manage and track extra-duty work, off-duty work, overtime details, and billing for police officers
11. Approve Program – Funded State and Local Task Force Agreement, in the not-to-exceed amount of \$17,753, with the United States Department of Justice, Drug Enforcement Administration, for one police officer to work overtime on the Drug Enforcement Administration Task Force, effective October 1, 2016, through September 30, 2017
12. Extension to Interlocal Agreement, Contract No. 765, in the amount of \$31,600, with Lee County for City fire protection services in the Maravilla/Marvaez enclave areas
13. Participation in Florida Sheriff's Association & Florida Association of Counties, Contract No. 15-13-0904, in the amount of \$116,423, for the purchase of 1 Peterbilt Model 337, water tank truck, from Palm Peterbilt Truck Centers, Inc.
14. Participation in Florida Sheriff's Association & Florida Association of Counties, Contract No. 15-13-0904, in the amount of \$1,529,871, for the purchase of five 2017 Peterbilt compressed natural gas refuse trucks from Palm Peterbilt Truck Centers, Inc.

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CONSENT AGENDA - Consent

- 15. Amendment No. 1 to the Traffic Signal Maintenance and Compensation Agreement with the Florida Department of Transportation for Traffic Signal Maintenance

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PUBLIC HEARINGS (on or about 5:15 o'clock p.m. or as soon thereafter as can be heard)

- 16. Resolution adopting the Community Development Block Grant Program, 2nd Program Year Annual Action Plan 2016-2017, in the amount of \$641,175

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CITY COUNCIL COMMENTS AND ITEMS FOR CONSIDERATION

- 16a. Budget amendment, in the amount of \$8,000, from Capital Improvement Project Ward 4 Neighborhood Improvement Program to Parks Operating budget for Jefferson Park (Councilman Flanders)
- 16b. Direct the City Manager to start the process of renaming the S.T.A.R.S. Complex and Community Park, 2980 Edison Avenue, to Dr. Ann Murphy Knight S.T.A.R.S. Complex (Councilwoman Watson)
- 16c. Nomination of Pattie Robinson for reappointment to the Beautification Advisory Board, term effective August 1, 2016, through July 31, 2019 (Councilwoman Anthony)
- 17. Report of 38 vacancies on advisory boards

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PERMISSION TO ADVERTISE

18. Ordinance amending Ordinance No. 3769, the Development Order for Arborwood Development of Regional Impact, located east of Interstate 75 and south of Colonial Boulevard and on the east and west sides of Treeline Avenue, to extend the timeframes for buildout, phasing concurrency, and vesting by 1 year and 105 days, and rescinding Ordinance No. 3769 as requested by Neale Montgomery, Esquire, representing Richard Arkin, GL Home, and Richard McCormick, Centex Homes, owners (Quasi-Judicial) (Ward 6)

19. Ordinance amending Ordinance No. 3759, the Development Order for Pelican Preserve Development of Regional Impact, located east of Interstate 75 and south of Colonial Boulevard, to extend the timeframes for buildout and expiration date by 1 year and 105 days as requested by Neale Montgomery, Esquire, representing WCI Communities, LLC, owners (Quasi-Judicial) (Ward 6)

20. Resolution amending Resolution No. 2016-24, the Development Order for The Forum Development of Regional Impact, located east of Interstate 75 and north of Colonial Boulevard, to extend the time for buildout and expiration by 1 year and 105 days as requested by Neale Montgomery, Esquire, representing Champion Development Corporation, owners (Quasi-Judicial) (Ward 6)

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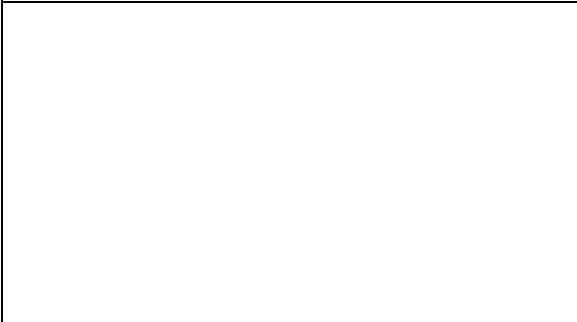


PERMISSION TO ADVERTISE - Continued

21. Invitation for Proposals for the lease of the first floor of the City Pier building, 1300 Hendry Street, in the Downtown Community Redevelopment Area, to be used as a sales center and/or office, pursuant to Florida Statute 163.380 (Ward 4)

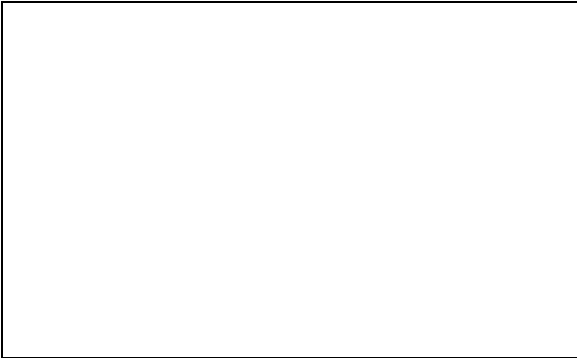


22. Invitation for Proposals for the lease of 2500 First Street and 1522 Hough Street, the Langford-Kingston Home and property containing 33,737 square feet, more or less, zoned Civic in the Downtown Community Redevelopment Area, pursuant to Florida Statute 163.380 (Ward 4)



CITY MANAGER'S ITEMS

23. Resolution relating to the funding and provision of fire rescue services and facilities in the City; establishing the estimated fire rescue assessed cost and assessment rates for the fiscal year beginning October 1, 2016; directing the preparation of an assessment roll for said fiscal year; authorizing advertising for a public hearing



24. Resolution relating to the collection and disposal of solid waste, describing the method of assessing solid waste costs against assessed property, determining the initial solid waste service assessments, directing the preparation of an assessment roll, and authorizing advertising for a public hearing



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CITY MANAGER'S ITEMS - Continued

25.) Resolution relating to assessment for the Stormwater Management Program, describing the method of assessing stormwater management services and facilities costs against assessed property, determining the initial Stormwater assessments, directing the preparation of an assessment roll, and authorizing advertising for a public hearing

26. Resolution authorizing the Mayor and City Manager to enter into Local Agency Program Agreement FPN Nos. 434989-1-58-01 and 434989-1-68-01, in the amount of \$209,406, with the Florida Department of Transportation, for the construction of 2 sidewalks near Ray V Pottorf Elementary School on the north side of Winkler Avenue from Six Mile Cypress Parkway to Royal Gulf Circle and on the south side of Challenger Boulevard from Six Mile Cypress Parkway to Cypress Garden Loop, utilizing funds from the Florida Department of Transportation Local Agency Program (Ward 6)

CITY ATTORNEY'S ITEMS

Time allocated for public comment on non-agenda items shall be limited to a total of thirty minutes, or such other period of time that may be approved by a majority of City Council.

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PUBLIC COMMENT - NON-AGENDA ITEMS:

Speakers who have notified the City Clerk of the specific subject no later than five (5) calendar days prior to the Council meeting may speak on subject matters not on the agenda, provided that the subject matter is within the jurisdiction of the City Council. (Four (4) minute time limit per speaker; if speaker addressed City Council during Public Input on Agenda Items, the time limit shall be three (3) minutes.)

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PUBLIC COMMENT - NON-AGENDA ITEMS:

Speakers who failed to notify the City Clerk no later than five (5) calendar days prior to the Council meeting may speak on subject matters not listed on the agenda, provided the subject matter is within the jurisdiction of the City Council. Each speaker must complete and submit a Request to Speak form to the City Clerk prior to the beginning of the meeting. (Three (3) minute time limit per speaker.)

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Adjourn

If a person decides to appeal any decision made by 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.

Special Requirements: If you require special aid or services as addressed in the Americans with Disabilities Act, please contact the City Clerk's Office at (239) 321-7035 or for the hearing impaired, TDD telephone number (239) 332-2541.