

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**

April 15, 2026

04:00 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.

1. MEETING CALLED TO ORDER

a. Mayor Gunter

2. INVOCATION/MOMENT OF SILENCE

a. Councilmember Donnell

3. PLEDGE OF ALLEGIANCE

a. Councilmember Donnell

4. ROLL CALL

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

5. CHANGES TO AGENDA/ADOPTION OF AGENDA

6. RECOGNITIONS/ACHIEVEMENTS

a. Community Recognition Award – BMX 2026 Worlds Team USA

7. APPROVAL OF MINUTES

- a. Regular Meeting – March 25, 2026
- b. Regular Meeting - April 1, 2026

8. BUSINESS

- a. Consent Agenda

1. Resolution 42-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, awarding a Quote to Burnt Store Recycling, LLC, for the purchase of fill dirt associated with the Citywide Median Curbing Improvement Project, at a unit price of \$9.00 per cubic yard, for an estimated annual amount of \$135,000, not to exceed budgetary limits; authorizing the City Manager or their designee to execute the purchase order(s) and any other related document(s); providing for an effective date.

Department: Public Works

Annual Dollar Value: \$135,000, not to exceed budgetary limits

Fund: 6 Cent Gas Tax

Duration: FY2026

Procurement Methodology: Section 2-144 (b) Small purchases – Quotes

2. Resolution 77-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving Substantial Amendment No. 2 to the 2025-2026 One Year Action Plan for the Community Development Block Grant Program (CDBG) Entitlement Program; authorizing and directing the City Manager or their designee to prepare and submit the amendment to the U.S. Department of Housing and Urban Development; authorizing the City Manager or their designee to execute all agreements and documents necessary for submission of the amendment and the use of such funds; providing for an effective date.

Department: Development Services

Dollar Value: \$75,000

Fund: Community Development Block Grant

Source: Community Development Block Grant

Duration: N/A

Procurement Methodology: N/A

3. Resolution 81-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, authorizing Subrecipient Agreements for 2025-2026 State Housing Initiatives Partnership Grant Program Funds between the City of Cape Coral, Florida, and Habitat for Humanity of Lee and Hendry Counties, Inc., a Florida not for profit corporation, and between the City of Cape Coral, Florida, and Rebuilding Together Greater Florida, Inc., a Florida not for profit corporation; authorizing the City Manager or their designee to execute the Agreements; providing for an effective date.

Department: Development Services

Dollar Value: \$722,307

Fund: Local Housing Trust Fund

Source: State Housing Initiative Partnership Program (SHIP)

Duration: 6/30/2028

4. Resolution 84-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, Awarding Quote No. QPW2694MR to Salty Roofing and Sheet Metal, Inc., Doing Business As Target Roofing, for the Roof Replacement and Carport Repair at Lake Kennedy Senior Center; Approving Contract No. QPW2694MR to Salty Roofing and Sheet Metal, Inc., Doing Business As Target Roofing, for the Roof Replacement and Carport Repair at Lake Kennedy Senior Center, in the Amount of \$160,341.89; Providing for Approval of City-Controlled Contingency in the Amount of \$8,017.09; Authorizing the City Manager or Their Designee to Execute the Contract, Purchase Order(s), and Certain Change Order(s); providing for an effective date.

Department: Public Works

Dollar Value: \$168,358.98

Fund: Parks Capital Projects

Funding Source: General Fund

Duration: 120 calendar days after the Notice to Proceed is issued

Procurement Methodology: Quotes - 2-144 (b) Small Purchases

5. Resolution 86-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, Approving Contract No. PPD2693DB with LDV, Inc., in Accordance with General Services Administration Contract No. 47QMCA21D000F, for the Purchase of a Mobile Command Center, in the Total Amount of \$502,888; Authorizing the City Manager or Their Designee to Execute the Contract, Purchase Order(s) and Any Related Documents; providing for an effective date.

Department: Police

Dollar Value: \$502,888
Fund: PD Federal Confiscation Fund and Speed Zone Camera Fund
Duration: 365 Calendar Days
Procurement Methodology: Piggyback

6. Resolution 87-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, Authorizing an Increase to Purchase Order No. 26501996 with Mason Evans, Inc., Doing Business as Diamond Investigations and Security, to Provide Security Services at the Southwest Reservoir Located at 16470 Tamiami Trail, Punta Gorda, Florida 33955, in the Amount of \$150,000, Increasing the Total Purchase Order to \$249,000; Authorizing the City Manager or Their Designee to Execute the Necessary Documents to Increase Purchase Order 26501996; Providing for an Effective Date.

Department: Utilities
Dollar Value: \$249,000 (increase of \$150,000)
Fund: Water and Sewer
Duration: Through September 30, 2026
Procurement methodology: Quotes

7. Resolution 88-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, Approving Work Authorization Form No. AB-07 with AREX Builders Corp., Utilizing Master Agreement No. RPW2371MM-B, for Renovations to the Pelican Baseball Complex, Associated with Project Sparkle, for a Guaranteed Maximum Price of \$655,705.25, which includes the 6% Construction Manager at Risk Service Fee and a 5% City-Controlled Contingency; Authorizing the City Manager or Their Designee to Execute the Work Authorization Form and Purchase Order(s); providing for an effective date.

Department: Public Works
Dollar Value: \$655,705.25
Fund: Parks Capital Projects Fund
Source of Funds: General Fund
Duration: 135 calendar days after the Notice to Proceed is issued
Procurement methodology: Work Authorization – Construction Manager at Risk Master Agreement #RPW2371MM-B

b. Appointments to Boards / Committees / Commissions

1. Youth Council – 7 Junior Vacancies, 3 Senior Vacancies
2. Youth Council Liaison and Alternate Liaison Selection

c. Unfinished Business

1. Follow Up Items for Council
2. Follow Up Items from City Management
3. Resolution 102-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, Approving the License Agreement for the Cape Coral Rowing Club, Inc. at Tropicana Park Between the City of Cape Coral, a Florida Municipal Corporation and Cape Coral Rowing Club, Inc., a Florida Not-For-Profit Corporation, for the Use by Cape Coral Rowing Club, of City Owned Property for the Purpose of Recreational Instruction Training in the Sport of Crew Rowing and the Storage of Associated Equipment Located at Tropicana Park; Authorizing the Mayor to Execute the License Agreement; providing for an effective date.

Department: Parks and Recreation

d. New Business

1. Lee Building Industry Association: Builders Care Presentation

9. ORDINANCES/RESOLUTIONS

a. Public Hearings - Quasi-Judicial Hearings

1. Ordinance 16-26 (RZN25-000006*) Public Hearing

*Quasi-Judicial, All Persons Providing Testimony Must Be Sworn In
An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, that amends the City of Cape Coral, Florida Official Zoning District Map of all property within the limits of the City of Cape Coral, by rezoning property described as a parcel of land located within Lots 20 and 21, Block 163, Cape Coral Unit 3, as more particularly described herein, from Residential Multi-Family Low (RML) to Professional (P) zone; property located at 124 Cape Coral Parkway West; providing for severability and an effective date.

Applicant: Carlos Lerena

Address: 124 Cape Coral PKWY W

Acreage: 10,000 SF or 0.23 Acres

Request: Residential Multi-Family Low to Professional

City Planning Staff Recommendation: Approval

Hearing Examiner Recommendation: Approval

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 18-26 Public Hearing

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, amending City of Cape Coral Ordinance 3-26, which amended Ordinance 50-25, which adopted the City of Cape Coral operating budget, revenues and expenditures, and capital budget for Fiscal Year 2026, by increasing the total revenues and expenditures by a total of \$11,323,646; providing for severability and an effective date. (Brought forward by City Management)

c. Last Call for Comment Cards

d. Introductions

1. Resolution 91-26 (VAC26-000001*) Set Public Hearing for May 6, 2026

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

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, providing for the vacation of plat for a portion of alley right-of-way between Lots 1 through 41, and Lots 42 through 82, Block 4185, Unit 59; providing for the vacation of platted easements located within Lots 34 through 37, and Lots 47 through 49, Block 4185, Unit 59; providing for the vacation of easements underlying the alley right-of-way between Lots 34 through 37, and Lots 46 through 49, Block 4185, Unit 59; properties located at 3300-3510 Tropicana Parkway and 3301-3513 NW 7th Terrace; providing for an effective date.

Applicant: City of Cape Coral

Address: 3300-3510 Tropicana Parkway and 3301-3513 NW 7th Terrace

Acreage: 33,586.5 sq. ft.

Requests: The City requests vacating 33,586.5 sq. Ft. of alley right-of-way between Lots 1-41 and 42-82 in Block 4185, Unit 59. The City also requests vacating platted easements located in Lots 34-37 and 47-49, and easements underlying the alley right-of-way between Lots 34-37 and 46-49, all in Block 4185, Unit 59.

City Planning Staff Recommendation: Approval with conditions

Hearing Examiner Recommendation: Approval

2. Resolution 92-26 (VAC26-000002*) Set Public Hearing for May 6, 2026

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

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, providing for the vacation of plat for a portion of alley right-of-way, and underlying easements, between Lots 1 through 21, and Lots 22 through 43, Block 4278, Unit 61; providing for the vacation of interior platted easements located within Lots 19 through 21, and Lots 22 through 26, Block 4278, Unit 61; properties located at 3246-3322 NW 16th Terrace and 3235-3327 Gulfstream Parkway; providing for an effective date.

Applicant: City of Cape Coral

Address: 3246-3322 NW 16th Ter and 3235-3327 Gulfstream Pkwy

Acreage: 17,584.6 sq. Ft.

Request: The City requests vacating 17,584.6 sq. ft. of alley right-of-way and underlying easements between Lots 1-21 and Lots 22-43 in Block 4278, Unit 61. The City also requests to vacate platted easements located in Lots 19-21 and Lots 22-26 in Block 4278, Unit 61.

City Planning Staff Recommendation: Approval with Conditions

Hearing Examiner Recommendation: Approval

3. Ordinance 10-26 (TXT26-000002) Set Public Hearing for May 6, 2026

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, amending the Land Development Code of the City of Cape Coral, Florida, Section 1.15. Measurements, as set forth within Article 1, General Provisions; and Section 3.3.6. Administrative Deviations, as set forth within Article 3, Development Review, Chapter 3, Specific Review Procedures-Administrative permits and approvals; and Section 5.1.12. as set forth within Article 5, Development Standards; Chapter 1, General requirements for all development, regarding height restrictions for both buildings and structures; providing for severability and an effective date. (Brought forward by City Management)

City Planning Staff Recommendation: Approval

Planning and Zoning Commission Recommendation: Approval

4. Ordinance 17-26 (TXT26-000001) Set Public Hearing for May 6, 2026

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, amending the City of Cape Coral, Florida, Land Development Code, by amending Section 5.2.1., General Requirements, set forth within Article 5, Development Standards, Chapter 2, Accessory Structures; amending Section 5.2.7., Fences and walls, set forth within Article 5, Development Standards, Chapter 2, Accessory Structures, regarding the general requirements and restrictions on fences and walls; providing for severability and an effective date. (Brought forward by City Management)

City Planning Staff Recommendation: Approval

Planning and Zoning Commission Recommendation: Approval

5. Ordinance 24-26 Set Public Hearing for May 6, 2026

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida authorizing the issuance of not to exceed \$103,500,000 in aggregate principal amount of Utility Improvement Assessment Bonds (North 1 East Area), Series 2026, of the City of Cape Coral, Florida for the principal purpose of financing and refinancing the development, construction and installation of certain potable water, wastewater and irrigation water utility capital improvements within the North 1 East area of the City; pledging special assessment proceeds to secure payment of the principal of, redemption premium, if any, and interest on the bonds; allowing for the use of net revenues of the City's water and sewer utility system to pay debt service on the bonds or make up deficiencies in the reserve account in the event such special assessment proceeds are insufficient for such purpose; providing for an effective date. (Brought forward by City Management)

6. Ordinance 25-26 Set Public Hearing for May 6, 2026

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, authorizing the issuance of not to exceed \$100,000,000 in aggregate principal amount of Water and Sewer Revenue Bonds, Series 2026, of the City of Cape Coral, Florida to finance and refinance costs of the acquisition, construction and equipping of various capital improvements to the City's water and sewer utility system; pledging the herein described pledged funds to secure the payment of the principal of, redemption premium, if any, and interest on such bonds; providing for certain rights of the holders of such bonds; and providing an effective date. (Brought forward by City Management)

7. Ordinance 26-26 Set Public Hearing for May 6, 2026

An Ordinance of the Mayor and City Council approving the Consent to Assignment and Assumption of Lease Agreement and Estoppel Certificate, to assign the Lease Agreement from PPW Cape Coral, LLC, to Ripley's Sun Splash Waterpark, LLC, a Delaware limited liability company, relating to property owned by the City of Cape Coral, Florida, located at 400 Santa Barbara Boulevard, known as Sun Splash Waterpark; authorizing the City Manager or their designee to execute the Consent to Assignment of Lease Agreement, Estoppel Certificate and any and all related documents; providing for severability and an effective date. (Brought forward by City Management)

10. 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.

11. REPORTS OF THE MAYOR AND COUNCIL MEMBERS

12. REPORTS OF THE CITY ATTORNEY AND CITY MANAGER

13. TIME AND PLACE OF FUTURE MEETINGS

- a. A Committee of the Whole is Scheduled for Wednesday, April 22, 2026, beginning at 9:00 a.m. in Council Chambers.

14. 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) 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.