

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**

May 20, 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. Memorial Day Tribute – Mayor Gunter

3. PLEDGE OF ALLEGIANCE

a. National Anthem performed by Allison Tarabokija from Oasis High School

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 - None

7. APPROVAL OF MINUTES

- a. Regular Meeting – May 6, 2026

8. BUSINESS

- a. Consent Agenda

1. Resolution 7-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, Awarding Request for Proposal No. RPW25141KMR to Charles Perry Partners, Inc. For Construction Manager at Risk Services for the North Cape Government Complex Fleet Maintenance Facility and the Property Management Facility; Approving Contract No. RPW25141KMR with Charles Perry Partners, Inc. For Construction Manager at Risk Services for the North Cape Government Complex Fleet Maintenance and Property Management Facilities, Authorizing Pre-Construction Services for an Amount Not to Exceed \$188,456; Authorizing the City Manager or Their Designee to Execute the Contract and Purchase Order(s); providing for an effective date.

Department: Public Works

Dollar value: \$188,456

Fund: Capital Projects

Funding Source: Debt

Duration: 260 calendar days upon issuance of Notice to Proceed

Procurement Methodology: RFP-Consultants' Competitive Negotiation Act (F.S. § 287.055)

2. Resolution 82-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, Approving Contract No. PPW2686MR Between the City of Cape Coral, Florida, and EP Rents, LLC, for a Street Sweeper Rental, In Accordance with City of Clearwater ITB No. 27-25, for \$10,500 per 28-Day Billing Cycle, Not to Exceed Budgetary Limits; Authorizing the City Manager or Their Designee to Execute the Contract, Purchase Order(s), and Any Related Documents; providing for an effective date.

Department: Public Works

Dollar Value: \$136,500

Fund: Stormwater

Duration: The term of the contract is for one year with the options to renew for two additional one-year renewal periods. The initial contract period is August 16, 2025 to September 30, 2026.

Procurement Methodology: Piggyback

3. Resolution 100-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving Affordable Housing Impact Fee Deferral Developer Agreements between the City of Cape Coral, Florida, a Florida municipal corporation and Habitat for Humanity of Lee and Hendry Counties, Inc., a Florida not for profit corporation, for nine properties that have applied for the Single-Family Impact Fee Deferral Program in accordance with Chapter 2, Administration, Article II, Fees, Division 9, Single-Family Impact Fee Deferral Program; authorizing the City Manager or their designee to execute the Agreement(s) and any and all other related documents; providing for an effective date.

Department: Development Services

Dollar Value: \$54,059.94

4. Resolution 101-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving an agreement between the School Board of Lee County, Florida and the City of Cape Coral, a Florida Municipal Corporation for the City's Parks & Recreation Department to operate summer camp programs located at Cape Elementary School, 4519 Vincennes Boulevard; authorizing the City Manager or their designee to execute the agreement and any other related documents; providing for an effective date.

Department: Parks and Recreation

Dollar Value: \$1,980

Fund: General

Duration: Expires 7/25/2026

5. Resolution 103-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, Awarding Request for Proposal No. RIT2614DB to Stanley Utility Contractor, Inc. For Fiber Optic Locates and Emergency Services; Approving Contract No. RIT2614DB to Stanley Utility Contractor, Inc. For Fiber Optic Locates and Emergency Services, in the Annual Amount of \$273,000, no to Exceed Budgetary Limits; Authorizing the City Manager or Their Designee to Execute the Contract, Purchase Order(s), and any Future Renewal(s); providing for an effective date.

Department: Information Technology

Dollar Value: \$273,000

Fund: General Fund

Duration: One (1) year with Three (3) additional one-year renewals.

Procurement Methodology: Competitive Solicitation - Request for Proposal

6. Resolution 104-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving Substantial Amendment No. 3 to the 2025-2026 One Year Action Plan for the Community Development Block Grant (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

Grant Dollar Amount: \$300,000 reallocation

Fund: Community Development Block Grant

Source: Community Development Block Grant

7. Resolution 109-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving the Economic Development Incentive Participation Agreement between the City of Cape Coral, Florida and Liberty Health Park , LLC, regarding the construction of a commercial building; authorizing a Business Infrastructure Grant award to Liberty Health Park, LLC, in the amount of \$197,636; authorizing the City Manager or their designee to execute the Agreement, any other related documents and provide grants funds to Liberty Health Park, LLC, in an amount not to exceed \$197,636; providing for an effective date.

Office: City Manager; Economic and Business Development Office

Dollar Value: \$197,636

Fund: Economic Development

8. Resolution 112-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving an Interlocal Agreement between Charlotte County, a political subdivision of the State of Florida, on behalf of the Coastal & Heartland National Estuary Partnership, and the City of Cape Coral, a Florida municipal corporation for services supporting Coastal & Heartland National Estuary's Comprehensive Conservation and Management Plan; authorizing the City Manager or their designee to execute the agreement, work assignment(s), and any other related documents; providing for an effective date

Department: Public Works

Dollar Value: N/A

Fund: N/A

Duration: N/A

Procurement Methodology: N/A

9. Resolution 117-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, Awarding a Unit Price Quote for Sod to Terranova Sod & Transport, Inc., for the Purchase and Supply of Sod on an As-Needed Basis, in an Amount Not to Exceed \$250,000; Authorizing the City Manager or Their Designee to Execute the Purchase Order(s) and Any Related Document(s); providing for an effective date.

Department: Public Works

Dollar Value: \$250,000

Fund: Stormwater

Duration: September 30, 2026

Procurement Methodology: Quotes

10. Resolution 119-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, Approving the Renewal of [SOFTWARE NAME CONFIDENTIAL AND EXEMPT PER SECTION 119.0725 OF THE FLORIDA STATUTES] as the Sole Source Provider for the City's ---- in the Annual Amount of \$180,400, for a Term of Three (3) Years, in the Total Amount of \$541,200; Authorizing the City Manager or Their Designee to Execute the Agreement and Any Other Related Documents; providing for an effective date.

Department: Information Technology

Annual Dollar Value: \$180,400 annually (three-year term for a total of \$541,200)

Fund: General

Duration: 3-year Agreement

Procurement Methodology: Sole/Single Source

11. Resolution 121-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, awarding bid no. BPW2613KMR to Duval Landscape Maintenance, LLC, Grow Care Outdoor Solutions, LLC, John Fideli Landscapes, LLC, P&T Lawn & Tractor Services, Inc, and VisualScape, Inc., for the landscape and irrigation maintenance of landscape-improved medians and greenspaces within the greenspace median maintenance project; approving contract no. BPW2613KMR-A between the City of Cape Coral, Florida and Duval Landscape Maintenance, LLC in the amount of \$215,315.00, contract no. BPW2613KMR-B between the City of Cape Coral, Florida and Grow Care Outdoor Solutions, LLC in the amount of \$765,760.00, contract no. BPW2613KMR-C between the City of Cape Coral, Florida and John Fideli Landscapes, LLC in the amount of \$102,121.00, contract no. BPW2613KMR-D between the City of Cape Coral, Florida and P&T Lawn & Tractor Services, Inc in the amount of \$60,110.00, and contract no. BPW2613KMR-E between the City of Cape Coral, Florida and VisualScape, Inc. in the amount of \$24,969.00, providing for approval of 5% City-controlled contingency in the amount of \$58,413.75, for a total project amount of \$1,226,688.75; authorizing the City Manager or their designee to execute the contracts, contract amendment(s), purchase order(s), renewal(s), and certain change order(s); providing for an effective date.

Department: Public Works

Dollar Value: \$1,226,688.75

Fund: General

Duration: Three (3) years with an optional Three (3) one-year renewals, starting on October 1, 2026.

Procurement Methodology: Competitive Solicitation – Invitation to Bid

12. Resolution 122-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, Approving Contract Amendment No. 2 to Contract No. RPW2212MM between the City of Cape Coral, Florida, and Weston & Sampson Engineers, Inc. For Additional Professional Design, Permitting, and Construction Related Services Associated with the City's North Cape Government Complex; Authorizing the City Manager or Their Designee to Execute Contract Amendment No. 2 and Purchase Order(s); providing for an effective date.

Department: Public Works

Dollar Value: \$304,937.06

Fund: Fleet Capital Projects

Duration: 790 days upon approval of Amendment No. 2

Procurement Methodology: Amendment to CON-RPW2212MM, pursuant to

Article 5 of the contract

13. Resolution 123-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, Approving Work Authorization Form No. JF-05 with John Fideli Landscapes, LLC, Utilizing Master Agreement No. RPW2563KMR-B, to Provide Landscaping Materials and Services, and the Purchase and Installation of Bahia Sod, for Medians Throughout the City, in the Amount of \$118,750; Authorizing the City Manager or Their Designee to Execute Work Authorization Form JF-05 and Purchase Order(s); providing for an effective date.

Department: Public Works

Annual Dollar Value: \$118,750

Fund: General

Duration: Work Authorization end date is September 30, 2026.

Procurement Methodology: Work Authorization – Provide Landscape Material and Services Master Agreement #RPW2563KMR-B

14. Resolution 127-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, Approving Contract #PFN26108MR between the City of Cape Coral, Florida, and Johnson-Laux Construction, LLC, for Repair to City Hall Storefront Due to Hurricane Damages, in Accordance with Sourcewell Cooperative Contract FL-R5-GC-092524-JLC; Authorizing the City Manager or Their Designee to Execute the Contract, Purchase Order(s), and any Related Documents; providing for an effective date.

Department: Public Works

Dollar Value: \$622,986.21

Fund: General Fund

Duration: 183 calendar days after the Notice to Proceed is issued

Procurement Methodology: Piggyback

15. Resolution 128-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, awarding bid no. BPW2676KMR to P&T Lawn & Tractor Service, Inc. for the Surfside Boulevard Median Beautification Project; approving contract no. BPW2676KMR between the City of Cape Coral, Florida, and P&T Lawn & Tractor Service, Inc. for the Surfside Boulevard Median Beautification Project, in the amount of \$441,200.77; providing for approval of 5% City-controlled contingency in the amount of \$22,060.04, for a total project amount of \$463,260.81; authorizing the City Manager or their designee to execute the contract, contract amendment(s), purchase order(s), and certain change

order(s); providing for an effective date.

Department: Public Works

Dollar Value: \$463,260.81

Fund: Capital Projects

Funding Source: General Fund

Duration: 365 calendar days from Notice to Proceed

Procurement Methodology: Competitive Solicitation – Invitation to Bid

16. Resolution 129-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, awarding bid no. BPW2675KMR to P&T Lawn & Tractor Service, Inc. for the Shelby Parkway median beautification project; approving contract no. BPW2675KMR between the City of Cape Coral, Florida, and P&T Lawn & Tractor Service, Inc. for Shelby Parkway median beautification project, in the amount of \$325,238.03, providing for approval of 5% City-controlled contingency in the amount of \$16,261.90, for a total project amount of \$341,499.93; authorizing the City Manager or their designee to execute the contract, contract amendment(s), purchase order(s), and certain change order(s); providing for an effective date.

Department: Public Works

Dollar Value: \$341,499.93

Fund: Capital Projects

Funding Source: General Fund

Duration: 365 calendar days from Notice to Proceed

Procurement Methodology: Competitive Solicitation – Invitation to Bid

17. Resolution 130-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, Electing to Refer to the Department of Administrative Hearings the Bid Protest Submitted by Superior Landscaping and Lawn Service, Inc., with Respect to Invitation to Bid #BPW2613KMR for Greenspace Median Maintenance (Areas 1, 11, 13 and 24), Pursuant to Section 2-150(a) of the City of Cape Coral, Florida, Code of Ordinances; providing for an effective date.

18. Resolution 131-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, Awarding Request for Proposal No. RUT25104LC to Vanguard Utility Service, Inc. For the Potable Water Meter Exchange and Installation Program; Approving Unit Price Contract No. RUT25104LC with Vanguard Utility Service, Inc. For the Potable Water Meter Exchange and Installation Program, for an Amount not to Exceed Budgetary Limits and Contingent on Annual Appropriations; Authorizing

the City Manager or Their Designee to Execute the Contract, Purchase Order(s), and Any Related Document(s); providing for an effective date.

Department: Utilities

Dollar Value: Unit price contract, not to Exceed Budgetary Limits and contingent on annual appropriations

Fund: Water & Sewer

Duration: Three (3) years from the effective date with the option to renew for two (2) additional, two (2) year periods

Procurement Methodology: Competitive Solicitation - Request for Proposals (RFP)

19. Resolution 132-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving the memorandum of agreement between Lee County Department of Public Safety Division of Emergency Management and all participating organizations, including the City of Cape Coral, Florida, to utilize the AlertLee Mass Notification System; authorizing the City Manager or their designee to execute the agreement and any other related documents; providing for an effective date.

Department: Emergency Management and Resilience

Dollar Value: \$0

Fund: N/A

Duration: This agreement is for five (5) years with five (5) one -year renewals.

20. Resolution 135-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, Approving Contract No. QPW26114LC with ECS Florida, LLC, for Emergency Subsurface Exploration and Geotechnical Test Borings at 1521 NW 16th Terrace, in an Amount Not to Exceed \$170,765; Authorizing the City Manager or Their Designee to Execute the Contract and Purchase Order(s); providing for an effective date.

Department: Public Works

Dollar Value: \$170,765

Fund: General

Duration: 28 calendar days after the Notice to Proceed is issued

Procurement Methodology: Governed Article VII, Division 1, Section 2-144 (i) Consultants' Competitive Negotiation Act (F.S. § 287.055) (2) (a)

21. Amend CRA By-Laws

b. Appointments to Boards / Committees / Commissions

1. Florida League of Cities – Voting Delegate
2. Florida League of Mayors
3. Southwest Florida League of Cities

c. Unfinished Business

1. Follow Up Items for Council
2. Follow Up Items from City Management
3. Jaycee Park Concessionaire Term Sheet

d. New Business

1. Resolution 124-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, awarding bid no. BPW2691KMR to Andrew Site Work, LLC for the Hector Cafferata sidewalks and turn lanes project; approving contract no. BPW2691KMR between the City of Cape Coral, Florida, and Andrew Site Work, LLC for the Hector Cafferata sidewalks and turn lanes project, in the amount of \$865,000.00; providing for approval of 5% City-controlled contingency in the amount of \$43,250.00, for a total project amount of \$908,250.00; authorizing the City Manager or their designee to execute the contract, contract amendment(s), purchase order(s), and certain change order(s); providing for an effective date.

Department: Public Works

Dollar Value: \$908,250

Funding Source: General Fund and Road Impact Fees

Fund: Transportation Capital Projects

Duration: 90 calendar days after the Notice to Proceed is issued

Procurement Methodology: Competitive Solicitation – Invitation to Bid

9. ORDINANCES/RESOLUTIONS

a. Public Hearings - Quasi-Judicial Hearings

1. Ordinance 22-26 (RZN25-000010*) 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 parcel of land located within Lots 9, 10, and 11, Block 350, Cape Coral Unit 7, as more particularly described herein, from Residential Multi-Family Low (RML) to South Cape (SC) zone; property located at 1620 SE 46th Street; providing for severability and an effective date.

Applicant: BPMP Consulting Inc

Address: 1620 SE 46th St

Acreage: 0.41 Acres

City Planning Staff Recommendation: Approval

Hearing Examiner Recommendation: Approval

2. Ordinance 23-26 (RZN24-000014*) 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 parcels of land located within Lots 9 through 14, Block 3230, Cape Coral Unit 66, as more particularly described herein, from Professional Office (P-1) to Commercial (C) zone; property located at 1513 Gleason Parkway; providing for severability and an effective date.

Applicant: Courtney Neuhausel

Address: 1513 Gleason Pkwy

Acreage: 28,938 Sq. Ft.

City Planning Team 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 17-26 (TXT26-000001) Public Hearing (Continued from the May 6, 2026 Regular Meeting)

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 5.2.7., 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

2. Ordinance 8-26 Public Hearing

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 repealing Section 3.3.10, Special Events, which is set forth within Article 3, Development Review, Chapter 3, Specific Review Procedures-Administrative Permits and Approvals; amending the City of Cape Coral, Florida, Code of Ordinances, Chapter 12 ½, Parks and Recreation, by creating a new Article II, Special Events, Section 12 ½ - 10, Special Events, pertaining to the regulation of special events in the City; providing for codification and resolution of conflicting laws; providing for severability and an effective date. (Brought forward by City Management.)

Parks and Recreation Recommendation: Approval

Planning and Zoning Commission Recommendation: Approval

3. Ordinance 19-26 (TXT26-000009) Public Hearing

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 3.1.3., Development Approval Process; Table 3.1.3., set forth within Article 3, Development Review, Chapter 1, Development Review Procedures; amending Section 3.6.1., Outdoor Display of Merchandise, set forth within Article 3, Development Review, Chapter 6, Other Approvals; and amending Section 5.9.3. Outdoor Display of Merchandise, set forth within Article 5, Development Standards, Chapter 9, Temporary Uses, regarding the decision-making authority of outdoor display of merchandise; 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 27-26 Public Hearing

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, authorizing the issuance of not to exceed \$65,000,000 in principal amount of bonds to finance and refinance the acquisition, construction and equipping of various capital improvements within the City; providing for a covenant to budget and appropriate legally available non-ad valorem revenues to pay debt service on the bonds; providing for the rights of the holders of such bonds; and providing severability and an effective date. (Brought forward by City Management)

5. Resolution 106-26 Public Input

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida authorizing the issuance of not exceeding \$65,000,000 in aggregate principal amount of City of Cape Coral, Florida Special Obligation Revenue Bonds, Series 2026, in order to finance and refinance the acquisition, construction and equipping of various capital improvements within the City; covenanting to budget and appropriate certain legally available Non-Ad Valorem Revenues to pay Debt Service on the Bonds; providing for the rights of the Holders of Bonds issued hereunder; making certain other covenants and agreements in connection with the Bonds issued hereunder; delegating certain authority to the City Manager and the Financial Services Director for the authorization, execution and delivery of a Bond Purchase Agreement with respect thereto and the approval of the terms and details of such Bonds; appointing the Paying Agent and Registrar for said Bonds; authorizing the distribution of a Preliminary Official Statement and the execution and delivery of an Official Statement with respect to such Bonds; authorizing the execution and delivery of a Continuing Disclosure Certificate with respect to the Bonds and the appointment of a Dissemination Agent thereto; delegating authority to the City Manager and the Financial Services Director to determine whether to utilize Municipal Bond Insurance for the Series 2026 Bonds; and providing for an effective date for this Resolution. (Brought forward by City Management)

c. Last Call for Comment Cards

d. Introductions

1. Resolution 120-26 (VAC26-000003*) Set Public Hearing for June 3, 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 6, and Lots 43 through 48,

Block 2475, Unit 36; providing for the vacation of platted easements located within Lots 1 through 6, Block 2475, Unit 36; providing for the vacation of platted easements between Lots 43 through 48, Block 2475, Unit 36; properties located at 5 Diplomat Parkway East and 6 NE 16th Terrace; providing for an effective date.

Applicant: Donald G. Anderson and R. Dawn Anderson

Address: 5 Diplomat Pkwy E and 6 NE 16th Ter

Acreage: 5,100 sq. ft. of alley right-of-way and 7,776 sq. ft. of easements

City Planning Staff Recommendation: Approval with Conditions

Hearing Examiner Recommendation: Approval

2. Ordinance 21-26 Set Public Hearing for June 3, 2026

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, repealing Section 5.9.4., Garage sales, set forth within Article 5, Development Standards, Chapter 9, Temporary Uses, regarding garage sale permits within the City of Cape Coral, Florida, Land Development Code; and amending the City of Cape Coral, Florida, Code of Ordinances, Chapter 12, Offenses and Miscellaneous Provisions, by creating Article XIX, Registration & Permits, Section 12-146, Garage sales; providing for codification and resolution of conflicting laws; providing for severability and an effective date. (Brought forward by City Management)

City Management Recommendation: Approval, as presented

Planning & Zoning Recommendation: Approval of transfer to the Clerk's Department

3. Ordinance 29-26 (TXT26-000006) Set Public Hearing for June 3, 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 4.1.5., Projections and Encroachments into setbacks, as set forth within Article 4, Zoning Districts, Chapter 1, General Provisions, regarding the placement of certain equipment within building setback requirements; 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 30-26 (RZN25-000008*) Set Public Hearing for June 3, 2026

*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 at the Northeast corner of Santa Barbara Boulevard North and Kismet Parkway West, Block 2297B, Unit 36, Cape Coral Subdivision, as more particularly described herein, from Single-Family Residential (R-1) to Commercial (C) zone; providing for severability and an effective date.

Applicant: City of Cape Coral

Address: Intersection of Santa Barbara Blvd and Kismet Pkwy all of Block 2297B

Acreage: 69,944.56 sq. Ft.

City Planning Staff Recommendation: Approval

Hearing Examiner Recommendation: Approval

5. Ordinance 31-26 Set Public Hearing for June 3, 2026

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, amending Ordinance 9-26, which provided for a referendum to consider the adoption of amendments to Section 4.06, "Mayor; Mayor Pro Tem," of the City of Cape Coral, Florida, Charter concerning the election of a Council member to serve as Mayor Pro Tem, by amending the referendum ballot title; providing for publication of a notice of the referendum election; providing for severability and an effective date. (Brought forward by City Attorney)

6. Ordinance 32-26 Set Public Hearing for June 3, 2026

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, amending Ordinance 14-26, which provided for a referendum to consider the adoption of amendments to Section 4.05, "Candidate Qualifications and Election," of the City of Cape Coral, Florida, Charter concerning the required submission of proof of residency for candidates eligible to hold office of Mayor or Council member, by amending the referendum ballot title; providing for publication of a notice of the referendum election; providing for severability and an effective date. (Brought forward by City Attorney)

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, May 27, 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.