

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

September 02, 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. Presentation for City Employees for Years of Service by Mayor Gunter

- b. Florida Urban Forestry Council 2025 Outstanding Professional Award – Recognition of City Arborist

7. LAST CALL FOR COMMENT CARDS

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. APPROVAL OF MINUTES

- a. Regular Meeting – August 19, 2026

10. BUSINESS

- a. Consent Agenda

1. Resolution 185-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving the City Auditor's Office FY27 Strategic Plan and FY27-FY29 Annual Audit Plan; providing for an effective date.

Office: City Auditor's Office

Dollar Value: N/A

Fund: N/A

2. Resolution 209-26

A Resolution of the Mayor and City Council of the City of the City of Cape Coral, Florida, awarding Request for Proposal No, RHR2672KS to Blue Cross and Blue Shield of Florida, Inc. (Florida Blue) for self-funded Medical Plan Administrative Services Only (ASO) and Prescription Benefit Management (PBM) services; Authorizing the City Manager or their designee to execute the Contract(s) and renewals; providing for an effective date.

Department: Human Resources

Annual Dollar Value: \$1,704,135

Fund: Self-Insured Health Fund

Duration: Five years effective January 1, 2027

Procurement Methodology: Competitive Solicitation – Request for Proposal

3. Resolution 249-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, awarding Request for Proposal No. RHR2672KS to Vision Service Plan Insurance Company (VSP) for vision insurance services; Authorizing the City Manager or their designee to execute the Contract(s) and renewals; providing for an effective date.

Department: Human Resources

Dollar Value: N/A

Fund: N/A - Funded by employee contributions through payroll deductions

Duration: Five years effective January 1, 2027

Procurement Methodology: Competitive Solicitation – Request for Proposal

4. Resolution 219-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving the first amendment to the interlocal agreement between the School Board of Lee County, Florida, and the City of Cape Coral, Florida, for the School Resource Officer program to include Cape Coral Police as School Resource Officers at Cape Coral Technical College; authorizing the Mayor to Execute the first amendment to the interlocal agreement and any other related documents; providing for an effective date.

Department: Police

Dollar Value: \$81,267.63 (Receipt of Funds)

Fund: General Fund

Source: The School Board of Lee County

Duration: Through July 31, 2027

5. Resolution 227-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, awarding Bid No. 2026-ITB-UT-001-JM to Coastal Concrete Products, LLC, for the North Reverse Osmosis (RO) Facility Perimeter Wall Construction Project; Approving Contract No. 2026-ITB-UT-001-JM between the City of Cape Coral, Florida and Coastal Concrete Products, LLC, for the North Reverse Osmosis (RO) Facility Perimeter Wall Construction Project, in the amount of \$2,100,405; Providing for approval of a 10% City-controlled contingency in the amount of \$210,040.50, for a total project cost of \$2,310,445.50; 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: Utilities

Dollar Value: \$2,310,445.50

Fund: Water & Sewer Fund

Duration: 390 calendar days after the Notice to Proceed is issued

Procurement Methodology: Competitive Solicitation - Invitation to Bid

6. Resolution 228-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, authorizing the approval of an emergency purchase order for the immediate repair of a roadway depression located in front of 1521 NW 16th Terrace, in an amount not to exceed \$500,000; and further authorizing the City Manager or their designee to execute the emergency purchase order(s) any related documents specific to the emergency purchase; providing for an effective date.

Department: Public Works

Dollar Value: Not-to-Exceed \$500,000

Fund: 6 Cent Gas Tax Fund

Procurement Methodology: Emergency Purchase

7. Resolution 231-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, denying the protest filed by Superior Landscaping & Lawn Service, Inc. in regards to Invitation to Bid No. BPW2613KMR for Greenspace Median Maintenance Areas 1, 11, 13, and 24; and directing the City Manager or their designee to return Superior Landscaping & Lawn Service, Inc.'s bid protest bond; and further authorizing the award of Bid No. BPW2613KMR to the lowest responsible and responsive bidder; providing for an effective date.

Department: Public Works

Dollar Value: N/A

Fund: N/A

Procurement Methodology: In accordance with Section 2-150(a) of the Cape Coral Code of Ordinances – Protest Procedures

8. Resolution 233-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving a Subordination of City Utility Interests Agreement between the State of Florida Department of Transportation and the City of Cape Coral, a Florida municipal corporation, to subordinate to the Florida Department of Transportation the City's interest in utility easements; authorizing the Mayor to execute the Agreement and any other related documents; providing for an effective date.

Department: Public Works - Real Estate Division

Dollar Value: N/A

Fund: N/A

9. Resolution 241-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving the Fiscal Year 2026-2027 Agreement between the State of Florida, Department of Legal Affairs, Office of the Attorney General and the City of Cape Coral, Florida, on behalf of Cape Coral Police Department, providing for grant funding for the Victims of Crime Services Program; accepting grant funding from the State of Florida, Department of Legal Affairs, Office of the Attorney General in the amount of \$127,138.00 for the Victims of Crime Services Program; authorizing the City Manager or their designee to execute agreement and any related documents; providing an effective date.

Department: Police

Dollar Value: \$127,138 (Reimbursement of Funds)

Fund: Police Grant Fund

Source: Office of the Attorney General Division of Victim Services and Bureau of Advocacy and Grants Management – Victims of Crime Act (VOCA) Grant – Reimbursement Grant

Duration: Project Period is 10/1/26 - 09/30/27

Procurement Methodology: N/A

b. Appointments to Boards / Committees / Commissions - None

c. Unfinished Business

1. Follow Up Items for Council

2. Follow Up Items from City Management

d. New Business - None

11. 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. Ordinance 45-26 (TXT26-000010) 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 5.2.1., General Requirements, and Section 5.2.4., Attached and Detached Garages, as set forth within Article 5, Development Standards, Chapter 2, Accessory Structures, regarding attached and detached garages; providing for severability and an effective date.

Planning Staff Recommendation: Approval

Planning and Zoning Commission Recommendation: Approval.

2. Ordinance 51-26 Public Hearing

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, approving the Second Amendment of Conservation Easement Passive Recreational Uses at Yellow Fever Creek Preserve between the City of Cape Coral, Florida and the South Florida Water Management District; Authorizing the Mayor to execute the Second Amendment; providing for severability and an effective date. (Brought forward by City Management)

c. Introductions

1. Ordinance 50-26 Set Public Hearing for September 16, 2026

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, authorizing the issuance of not to exceed \$10,100,000 in principal amount of a Stormwater Utility Revenue Bond of the City of Cape Coral, Florida, to finance the costs of the acquisition, construction and equipping of various capital improvements to the City's Stormwater Utility System; pledging the herein described pledged funds to secure the payment of the debt service on the bond; providing for certain rights of the holders of the bond; and providing an effective date. (Brought forward by City Management)

2. Ordinance 52-26 Set Public Hearing for September 16, 2026

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, amending Ordinance No. 23-04, Ordinance No. 56-07, and Ordinance No. 31-24, of the City of Cape Coral, Florida, to increase the aggregate principal amount of Commercial Paper obligations that may be outstanding under the City's Commercial Paper Program at any one time from \$150,000,000 to \$500,000,000; and providing for an effective date. (Brought forward by City Management)

3. Ordinance 54-26 Set Public Hearing for September 16, 2026

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, authorizing the donation of surplus property as further described herein to Lee Building Industry Association Builders Care Inc., a Florida not for profit corporation, pursuant to Section 2-155 of the City of Cape Coral, Florida, Code of Ordinances; authorizing and directing the City Manager and Clerk to execute a Special Warranty Deed conveying the aforementioned surplus property to Lee Building Industry Association Builders Care, Inc., a Florida not for profit corporation; providing severability and an effective date. (Brought forward by City Council)

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 Meeting is scheduled for Wednesday, September 9, 2026, beginning at 9:00 a.m. in Council Chambers.
- b. A Committee of the Whole is scheduled for Wednesday, September 9, 2026, beginning at 9:30 a.m. in Council Chambers.
- c. A Special Meeting of the Cape Coral City Council is scheduled for Thursday, September 10, 2026, beginning at 5:05 p.m. in Council Chambers - First Budget Hearing

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) 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.