

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 16, 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. BUSINESS MEETING CALLED TO ORDER

- a. Mayor Gunter

2. INVOCATION/MOMENT OF SILENCE

- a. Councilmember Kaduk

3. PLEDGE OF ALLEGIANCE

- a. Councilmember Kaduk

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. Prisoners of War and Missing in Action Recognition

- b. Presentation for City Employees for Years of Service by Mayor Gunter
- c. Achievement of Excellence Award from the National Procurement Institute

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 26, 2026
- b. Regular Meeting – September 2, 2026

10. CONSENT AGENDA

- a. Resolution 218-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, adopting amended Financial Management Policies for the City of Cape Coral, Florida, relating to management of the City's operating budget, debt management, accounts management and financial planning, and economic resources management; providing for an effective date.

Department: Finance

Dollar Value: N/A

Fund: N/A

- b. Resolution 232-26

A Resolution of the Mayor and City Council of the City Of Cape Coral, Florida, approving Amendment 1 of the ---- [software name confidential and exempt per section 119.0725 of the Florida Statutes], with ---, a sole source provider, for Fiscal Year 2027 in the amount of \$222,788.70, Fiscal Year 2028 in the amount of \$233,928.12, and Fiscal Year 2029 in the amount of \$245,624.53, contingent on annual appropriations; and authorizing the City Manager or their designee to execute the Amendment, purchase order(s) and any related document(s); providing an effective date.

Department: Public Works

Dollar Value: FY 2027: \$222,788.70, FY 2028: \$233,928.12 and FY 2029: \$245,624.53

Fund: Facilities Management Fund

Duration: Fiscal Year 2027 thru Fiscal Year 2029

Procurement Methodology: Sole Source Amendment and Renewal

c. Resolution 237-26

A Resolution of the Mayor and City Council of the City Of Cape Coral, Florida, awarding Bid No. 2026-ITB-PW-009-MR to H.P. Sod, Inc. and Greenspace Innovations, Inc., for the purchase and/or installation of muck-grown and/or sand-grown sod within their respective awarded areas; and approving Unit Price Contract No. 2026-ITB-PW-009-MR-A with H.P. Sod, Inc., and Unit Price Contract No. 2026-ITB-PW-009-MR-B with Greenspace Innovations, Inc., within their respective awarded areas, for an estimated annual amount of \$750,000, not to exceed budgetary limits; and further authorizing the City Manager or their designee to execute the Contract(s), purchase order(s) and certain change order(s); providing for an effective date

Department: Public Works

Dollar Value: \$750,000

Fund: Stormwater Fund

Duration: Three-year term with the option to renew for one additional three-year period

Procurement Methodology: Invitation to Bid

d. Resolution 238-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, awarding Request For Proposal No. RUT2653JM to Pape-Dawson Consulting Engineers, LLC, for permitting, design, and professional engineering services for the rehabilitation of Master Pump Station 200; and approving Contract No. RUT2653JM with Pape-Dawson Consulting Engineers, LLC, for permitting, design, and professional engineering services for the rehabilitation of Master Pump Station 200, for an amount not to exceed \$1,201,852.05; and further 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: \$1,201,852.05

Fund: Water and Sewer Fund

Duration: 360 calendar days for engineering and design after the Notice to Proceed is issued; total project duration will be 810 calendar days which includes the engineering and completion of construction

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

e. Resolution 240-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, declaring certain real property described herein to be surplus property; and authorizing the City Manager to sell the surplus property described herein pursuant to Section 2-155 of the City of Cape Coral, Florida, Code of Ordinances; providing for an effective date.

Department: Public Works / Real Estate Division

Dollar Value: N/A

Fund: N/A

f. Resolution 242-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, authorizing the direction issued by the Mayor and City Council to the City Administration regarding those items that were presented at the Committee of the Whole meeting held on August 12, 2026; providing for an effective date.

Department: City Clerk

Dollar Value: N/A

Fund: N/A

g. Resolution 248-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, designating the City's Licensing Investigators, Research Specialists, Horticulture Inspectors, Contract Parking Enforcement Specialists, Contract Code Compliance Specialists, Stormwater Managers, Stormwater Operations Supervisors, Streets Operations Supervisors, Floodplain Managers, Floodplain Coordinators, Assessment Coordinators, Permits Specialist, Senior Planners, Planners, and Pre-Treatment Inspectors as Code Enforcement Officers for the purpose of enforcing the Codes and Ordinances adopted by the City; certifying and conferring upon the City's Licensing Investigators, Research Specialists, Horticulture Inspectors, Contract Parking Enforcement Specialists, Contract Code Compliance Specialists, Stormwater Managers, Stormwater Operations Supervisors, Streets Operations Supervisors, Floodplain Managers, Floodplain Coordinators, Assessment Coordinators, Permits Specialists, Senior Planners, Planners and Pre-Treatment Inspectors the power to perform any and all code enforcement duties as may be assigned by the department director responsible for compliance with the applicable code within the City; providing for an effective date.

Department: Various

Dollar Value: N/A

Fund: N/A

h. Resolution 250-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, authorizing the approval of purchase order(s) with TechnicalRescue.com, in accordance with Lake County, Florida, Contract No. 22-730J, for the purchase of Paratech Technical Rescue equipment and Rescom Elite communication system, in the amount of \$145,710.53, not to exceed budgetary limits; and authorizing the City Manager or their designee to execute the purchase order(s) and any related documents; providing for an effective date.

Department: Fire Department
Dollar Value: \$145,710.53
Fund: Fire Operations
Procurement Methodology: Piggyback

i. Resolution 258-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving the License Agreement between the City of Cape Coral, a Florida Municipal Corporation, and Charlotte Harbor Paddlers, Inc., a Florida Not for Profit Corporation, doing business as Cape Coral Dragon Boat Club, for use by Charlotte Harbor Paddlers, Inc., doing business as Cape Coral Dragon Boat Club, of City owned property for the purpose of recreational instruction, training in the sport of paddling, and the storage of associated equipment located at Crystal Lake Park; authorizing the City Manager or their Designee to execute the license agreement; providing for an effective date.

Department: Parks and Recreation

Duration: License term of 10 years with three five-year extension periods

j. Resolution 259-26

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving Amendment No. 1 to Contract No. RPW25141KMR with Charles Perry Partners, Inc., to set the Guaranteed Maximum Price 1 ("GMP 1") for construction of the North Cape Government Complex Fleet Maintenance Facility, in the amount of \$23,250,414, for a total contract amount of \$23,438,870, including contingencies; and authorizing the City Manager or their designee to execute the Amendment and purchase order(s); providing for an effective date.

Department: Public Works

Dollar Value: \$23,250,414

Fund: Fleet Capital Projects Fund

Procurement methodology: Amendment to Contract #RPW25141KMR pursuant to section 1.2 and section 2.1 of the contract

11. APPOINTMENTS TO BOARDS / COMMITTEES / COMMISSIONS

- a. Southwest Florida League of Cities Voting Delegate

12. UNFINISHED BUSINESS

- a. Follow Up Items for Council
- b. Follow Up Items from City Management

13. NEW BUSINESS - None

14. 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. City of Cape Coral School Zone Speed Enforcement Annual Report 2025-2026 – Public Input

2. Ordinance 50-26 Public Hearing

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, authorizing the issuance of not to exceed \$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)

3. Resolution 210-26 Public Input

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida supplementing Resolution No. 297-23, which Resolution, among other things, authorizes the issuance from time to time of City of Cape Coral, Florida Stormwater Utility Revenue Bonds, authorizing the issuance by the City of not exceeding \$10,100,000 principal amount of a City of Cape Coral, Florida Stormwater Utility Revenue Bonds, Series 2026 in order to finance costs of the acquisition, construction, construction and equipping of various capital improvements to the City's Stormwater utility system; providing certain terms and details of such Series 2026 Bond and the award of Series 2026 Bond and authorizing a negotiated sale of said Series 2026 Bond and the award of the Series 2026 Bond pursuant to the proposal of Webster Public Finance Corporation, a subsidiary of Santander Bank, N.A.; delegating certain authority to the City Manager and the Financial Services Director with respect to the Series 2026 Bond; providing certain other provisions with respect to the Series

2026 Bond; and providing an effective date. (Brought forward by City Management)

4. Ordinance 52-26 Public Hearing

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)

5. Resolution 230-26 Public Input

A Resolution of the Mayor and the City Council of the City of Cape Coral, Florida, amending Resolution No. 231-24 adopted by the Mayor and the City Council on July 17, 2024, 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; authorizing the execution and delivery of certain amendments to existing agreements in connection with the Commercial Paper program; authorizing the distribution of an Offering Memorandum with respect thereto; providing for severability; and providing an effective date. (Brought forward by City Management)

6. Ordinance 54-26 Public Hearing

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)

7. Continue to October 7, 2026 - Ordinance 55-26 First Public Hearing; Set Second and Final Public Hearing for October 21, 2026

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, authorizing and approving the declaration of certain real property, as more particularly described herein, as surplus property; and approving the Development Agreement by and between the City of Cape Coral, a Florida

municipal corporation, Crown Development, Inc., a North Dakota profit organization and Bimini Basin Redevelopment Company, LLC, a Florida limited liability company, for a mixed-use project known as "Bimini East," generally located south of Cape Coral Parkway East, east of the Versaille Canal, west of Coronado Parkway, and north of Victoria Drive; and authorizing the City Manager or their designee to execute the Development Agreement, Purchase and Sale Agreement, and any other related documents set forth within the Development Agreement; providing for severability and an effective date. (Brought forward by City Management)

c. Introductions

1. Ordinance 53-26 Set Public Hearing for October 7, 2026

An Ordinance of the Mayor and City Council of the City of Cape Coral, Florida, approving and granting to Lee County Electric Cooperative, Inc., a Florida not for profit organization, an easement for a right-of-way to be used for the construction, operation, and maintenance of one or more overhead and underground electric distribution or transmission lines over, under, in, on, upon, and across certain real property owned by the City as more particularly described herein; and authorizing and directing the Mayor to execute the easement; providing for severability and an effective date. (Brought forward by City Management)

15. REPORTS OF THE MAYOR AND COUNCIL MEMBERS

16. REPORTS OF THE CITY ATTORNEY AND CITY MANAGER

17. TIME AND PLACE OF FUTURE MEETINGS

- a. A Committee of the Whole is scheduled for Wednesday, September 23, 2026, beginning at 9:00 a.m. in Council Chambers.
- b. A Special Meeting of the Cape Coral City Council is scheduled for Wednesday, September 23, 2026, beginning at 10:00 a.m. in Conference Room 220A.
- c. A Special Meeting of the Cape Coral City Council is scheduled for Thursday, September 24, 2026, beginning at 5:05 p.m. in Council Chambers - Second and Final Budget Hearing.

18. 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.