



Meeting Type City Council – Regular Meeting

Meeting Date August 27, 2025

Agenda Request Form

City of Cape Coral

Title

Resolution 246-25 Final Public Hearing

Ordinances and Resolutions

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving the Fiscal Year 2025-2026 Non-Ad Valorem Assessment Roll for assessments imposed to collect certain delinquent Water, Wastewater, Irrigation, Fire Service Non-Ad Valorem Special Assessments and Capital Expansion and Contributions In Aid of Construction loans; approving the amounts, and providing for collection of the assessments pursuant to the Uniform Assessment Collection Act; and providing for an effective date. (Brought forward by City Management)

Requested Action Approve or Deny

Summary Explanation and Background

Chapter 17 of the City Code provides a uniform process for the imposition and annual administration of Assessments imposed to fund essential services and capital improvements, including the assessments imposed by the City.

Currently, the City has a number of delinquent hardship deferrals, deferred assessments, and loans. The resolution, if approved, will allow the imposition of the outstanding balances on the tax roll utilizing the uniform method of collection. The following provides detail of each category.

Hardship Deferrals

The City's hardship program provides low-income property owners a means to defer all or part of certain UEP and Fire Service assessments each year based on HUD guidelines. Owners must apply for the program annually and all deferred amounts are recorded as liens against the properties in the Clerk of Courts. Currently, there are nineteen (19) properties in Southwest 6 & 7, North 2, and North 1 assessment areas where the deferred hardship amounts remain outstanding. In four (4) cases, ownership has changed and the deferred amounts were not remitted to the City. The remaining fifteen (15) properties are owned by individuals who are no longer enrolled in the hardship program.

Legacy Deferred Assessment Program

For the Southwest 2, Southwest 4, Southwest 5, Southeast 1, Surfside, and North Central Loop UEP assessments, the City offered property owners the option to defer assessment payments. This program allowed owners to voluntarily place a lien on their property during a designated period before the City began annual tax bill installments. The deferral matched the full 20-year term of the assessment, with the balance increasing monthly as interest and administrative costs accrued. Owners could make payments at any time, provided the payment met the minimum amount required at that date. Each year, participants received a notice detailing their current balance, a 12-month Agenda Request Form – City of Cape Coral Page 2 of 3 balance projection, and the minimum monthly payment amounts for the upcoming year. Certain events, such as refinancing, a change in ownership, or the sale of the property, required the full assessment to be paid immediately.

There are seven (7) properties that were enrolled in the legacy deferred assessment program and either completed the 20-year term or an event occurred that required payment (i.e. refinance, change in property ownership, or sale), but the City has not been paid in full.

Delinquent Utility Loans

Prior to 2023, property owners could finance Utility Capital Expansion Fees (UCEF) for up to 6 years and Contribution in Aid of Construction (CIAC) fees for up to 15 years by entering into a voluntary lien agreement with the City. These legacy loans were billed annually by the City, not through property tax bills. If a loan becomes more than six months delinquent, City ordinance allows staff to seek Council approval to transfer the outstanding balance to the property tax bill for collection in installments. This process has been used in previous years. Currently, there is one property with two delinquent CIAC loans. The number of annual installments for repayment is based on the following:

- Balances less than \$1,000 - 1 installment
- \$1,000 to \$1,999.99 - 3 installments
- \$2,000 to \$9,999.99 - 5 installments
- Over \$9,999.99 - 10 installments

For this particular property, the total outstanding for Water CIAC is \$1,719.50, which will be billed over 3 annual installments. The total outstanding for Sewer CIAC is \$5,642.09, which will be billed over 5 annual installments.

Strategic Plan Alignment

Is this a Strategic Decision? ☒ YES

If No, will it harm the intent or success of the Strategic Plan? ☐ NO

If Yes, Priority Goals Supported are listed below:

- ☒ CITY SERVICES AND AMENITIES: DELIVER EXCEPTIONAL CITY SERVICES AND HIGH-QUALITY AMENITIES
- ☐ COMMUNICATION: CULTIVATE AN ENGAGED AND INFORMED COMMUNITY AND WORKFORCE
- ☐ ECONOMY, EDUCATION, AND WORKFORCE: CREATE A COMMUNITY OF PROSPEROUS RESIDENTS, THRIVING NEIGHBORHOODS, AND SUCCESSFUL BUSINESSES
- ☐ FISCAL SUSTAINABILITY: MAINTAIN A FINANCIALLY SOUND GOVERNMENT AND HIGH-PERFORMING ORGANIZATION
- ☐ INFRASTRUCTURE: INVEST IN RESILIENT INFRASTRUCTURE
- ☐ ENVIRONMENTAL SUSTAINABILITY: PRESERVE CAPE CORAL'S NATURAL RESOURCES FOR CURRENT AND FUTURE GENERATIONS

Is this a Consultant recommendation? ☐ NO

Is this contained in a Master Plan? ☐ NO

If yes to either question, please provide details of the name of Consultant or name of the Master Plan when applicable:

Recommendations

Approve Resolution 246-25

Source of Additional Information

Crystal Feast, Financial Services Director, cfeast@capecoral.gov, (239)574-0491

Fiscal Impact/Funding Sources(s)/Budget Consideration

Revenue generated from the approved Resolution will be used to reimburse the City for assessments paid on the Property Owners' behalf.

Will this action result in a Budget Amendment? NO

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