

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

August 27, 2025

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 Steinke

3. PLEDGE OF ALLEGIANCE

a. Councilmember Steinke

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 - None

8. BUSINESS

a. Consent Agenda

1. Resolution 236-25

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving the plat known as “Hancock Terminus Center” Florida Tropical Farms Subdivision Replat; providing for an effective date.

Department: Development Services

Dollar Value: N/A

Fund: N/A

2. Resolution 242-25

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, establishing Fiscal Year 2025-2026 Solid Waste Collection rates for commercial establishments and large-scale multi-family dwellings for the City of Cape Coral mandatory refuse collection program; providing for an effective date.

Department: Financial Services

Dollar Value: N/A; Fund: N/A

Duration: Fiscal Year 2025-2026

3. Resolution 248-25

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, awarding Bid No. BPW25108KMR to Tony’s Lawn and Landscaping, LLC, for the Del Prado Extension Reforestation Project; approving Contract No. BPW25108KMR between the City of Cape Coral, Florida, and Tony’s Lawn and Landscaping, LLC, for the Del Prado Extension Reforestation Project in the amount of \$224,766.25; 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: \$224,766.25

Fund: General Fund

Duration: 270 calendar days after the Notice to Proceed is issued

Procurement Methodology: Competitive Solicitation – Invitation to Bid

4. Resolution 254-25

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving the Federal Financial Assistance Subrecipient Agreement between the Florida Department of Agriculture and Consumer Services, Division of Administration and the City of Cape Coral, Florida; authorizing and accepting grant funds in the amount of \$50,000 from Florida Department of Agriculture and Consumer Services, Division of Administration, to plant a minimum of 300 native, wind resistant trees within Crystal Lake Park; authorizing the City to provide a matching contribution in the amount of \$12,500; authorizing the City Manager or their designee to execute the Agreement and any and all documents related to this specific grant award; providing for an effective date.

Department: Public Works

Grant Dollar Value: \$50,000; Match: \$12,500

Fund: Median Maintenance

Duration: Grant Agreement expires June 1, 2026

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

1. Youth Council Quarterly Report

9. ORDINANCES/RESOLUTIONS

a. Public Hearings - Quasi-Judicial Hearings

1. Ordinance 48-25 (RZN24-000013*) 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 at Lots 6 through 8, Block 1039, Unit 24, Cape Coral Subdivision, from Professional (P) to Residential Multi-Family Low (RML) zone; property located at 1213 Academy Boulevard; providing for severability and an effective date.

City Planning Staff Recommendation: Denial

Hearing Examiner Recommendation: Grant
Applicant: Ascot Realty Acquisitions USE LLC
Address: 1213 Academy Boulevard
Acreage: 0.34 Acres

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. Resolution 240-25 Final Public Hearing

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 fund Lot Mowing services; approving the assessment rates for such Fiscal Year and providing for collection of the assessments pursuant to the Uniform Assessment Collection Act; providing for severability and an effective date. (Brought forward by City Management)

2. Resolution 241-25 Final Public Hearing

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 Solid Waste Service Assessments; approving the Solid Waste Service Assessment rates for such Fiscal Year and providing for collection of the assessments pursuant to the Uniform Assessment Collection Act; providing for severability and providing for an effective date. (Brought forward by City Management)

3. Resolution 243-25 Final Public Hearing

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 Fire Protection Assessments; approving the Fire Protection Assessment rates for such fiscal year and providing for the collection of the assessments pursuant to the Uniform Assessment Collection Act; providing for hardship deferrals; establishing an administrative petition procedure regarding the number of Tier 2 equivalent benefit units attributed to tax parcels; providing for severability and providing for an effective date. (Brought forward by City Management)

4. Resolution 244-25 Final Public Hearing

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, relating to the imposition of Stormwater User Fees; establishing the amount of the user fee for the Fiscal Year beginning October 1, 2025; imposing user fees against property within the City to fund the City's stormwater program; authorizing the collection of delinquent stormwater charges; approving the stormwater user fee roll; and providing for an effective date. (Brought forward by City Management)

5. Resolution 245-25 Final Public Hearing

A Resolution of the Mayor and City Council of the City of Cape Coral, Florida, approving the Fiscal Year 2025-2026 assessment rolls for various Non-Ad Valorem Assessments levied and imposed pursuant to Florida Law and the City of Cape Coral Code of Ordinances including Chapters 2, 17 and 19, thereof and Ordinance 29-05; describing the lien associated therewith; directing that the assessment rolls be certified to the Lee County Tax Collector; and providing for an effective date.
(Brought forward by City Management)

6. Resolution 246-25 Final Public Hearing

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)

7. Resolution 247-25 Final Public Hearing

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 to collect certain previously exempted North 1 West Irrigation Non-Ad Valorem Special Assessments; 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)

c. Last Call for Comment Cards

d. Introductions - None

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 Regular Meeting of the Cape Coral City Council is Scheduled for Wednesday, September 3, 2025, beginning at 4:00 p.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.

Note: This Agenda should not be viewed as containing definitive information on matters of law with respect to ordinance and resolution summaries.