

**ACTION AGENDA  
CITY COUNCIL MEETING**

September 18, 2017  
4:30 o'clock p.m.



<b>FORT MYERS CITY COUNCIL</b>						
<b>Mayor</b> Randall P. Henderson, Jr.	<b>Ward 1</b> Teresa Watkins Brown	<b>Ward 2</b> Johnny W. Streets, Jr.	<b>Ward 3</b> Terolyn P. Watson	<b>Ward 4</b> Michael Flanders	<b>Ward 5</b> Forrest Banks	<b>Ward 6</b> Gaile H. Anthony

**OSCAR M. CORBIN, JR. CITY HALL, 2200 SECOND STREET  
FORT MYERS, FLORIDA**

**For full agenda Packet [Click Here](#). Larger files may take longer to download.**

Please complete a "Request to Speak" form if you plan to address the City Council and submit to the City Clerk prior to the start of the meeting.

**CALL TO ORDER (4:38 p.m.)**

**Opening Prayer**

The meeting was opened with prayer by Mayor Henderson.  
  
(See video @ 4:38 p.m.)

**Pledge of Allegiance to the Flag of the United States of America**

Mayor Henderson led the Pledge of Allegiance to the Flag of the United States of America.  
  
(See video @ 4:38 p.m.)

**Roll Call**

Absent: None.  
  
(See video @ 4:39 p.m.)

**PROCLAMATIONS AND SPECIAL PRESENTATIONS**

1. Presentation of Years of Service awards

Removed from agenda by Saeed Kazemi, City Manager, on September 18, 2017.

2. Proclamation proclaiming September 29, 2017, as Blessings in a Backpack Day

A motion was not made.  
  
(See video @ 4:40 p.m.)

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**PUBLIC INPUT – NON-PUBLIC HEARING  
AGENDA ITEMS:** (Four (4) minute time limit per speaker)

There was no one present to be heard.

**Public Hearings: (Item Nos. 9-11) (Public input will be heard during the public hearing)**

**CONSENT AGENDA (Item Nos. 3-8)**

**Any Council Member may have an item removed from the consent agenda and placed on the regular agenda for discussion following the consent agenda.**

3. Confirmation Order Form with WebsEdge, a global film and broadcasting company, to highlight the work of law enforcement and collaborators

Approved.  
(See video @ 4:41 p.m.)

4. Software Licensing Agreement Amendment to the Computer Aided Design interface module with ImageTrend Inc.

Approved.  
(See video @ 4:41 p.m.)

5. Approve Property, Boiler and Machinery, and Crime and Employee Dishonesty insurance, in the amount of \$486,975, with Ascension Benefits & Insurance Solutions of Florida for \$10,000,000 in property insurance for named windstorms and \$20,000,000 for all other perils.

Approved.  
(See video @ 4:41 p.m.)

*And*  
Approve Casualty Insurance, in the amount of \$542,523, with Ascension Benefits & Insurance Solutions of Florida for Excess General Liability, Law Enforcement Liability, Public Officials Liability, Excess Automobile Liability, Cyber Liability and Excess Workers Compensation, and Statutory Blanket Accident for Police & Firemen, in the amount of \$8,894, with Brown & Brown

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**CONSENT AGENDA** – Continued

- 6. Third Party Workers Compensation, in the amount of \$85,000, with Preferred Governmental Claims Solutions (PGCS) for Third Party Administrator of Workers Compensation Claims and Liability claims
- 7. Purchase Order, in the amount of \$110,000, with Waldrop Engineering subcontracting with Calvin-Giordano & Associates for Land Development Code Re-Write/Planning Services
- 8. Bridgetown at the Plantation, Phase Four final plat of 149.04 acres, more or less, to create 34 single-family detached lots, 1 right-of-way tract, 5 lake tracts, and 3 conservation tracts, 5 future development tracts, and 9 landscape tracts, located south of Colonial Boulevard and east of Treeline Avenue (Ward 6)

Approved.  
  
(See video @ 4:41 p.m.)

Removed from the Consent Agenda for discussion by Councilman Flanders.  
  
(See video @ 4:41 p.m.)

Approved.  
  
(See video @ 4:41 p.m.)

**ITEMS REMOVED FROM CONSENT AGENDA**

- 7. Purchase Order, in the amount of \$110,000, with Waldrop Engineering subcontracting with Calvin-Giordano & Associates for Land Development Code Re-Write/Planning Services

Approved.  
  
(See video @ 4:59 p.m.)

**CITY MANAGER'S ITEMS**

- 18b. Authorize City Manager to sign and transmit the Public Assistance Alternative Procedures Pilot Program for Debris Removal Acknowledgement Form for FEMA-4337-DR (Hurricane Irma)

Approved.  
  
(See video @ 5:01 p.m.)

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**CITY MANAGER'S ITEMS** – Continued

18d. Authorize City Manager to sign and transmit the request for removal and disposal of debris from private roads and gated communities for FEMA-4337-DR (Hurricane Irma)

Approved.  
(See video @ 5:02 p.m.)

**CITY COUNCIL COMMENTS AND ITEMS FOR CONSIDERATION**

12. Nomination of Christopher Pierce for appointment, as alternate member, to the Bicycle and Pedestrian Advisory Board, term effective September 18, 2017, through September 17, 2020 (Mayor Henderson)

Approved.  
(See video @ 5:04 p.m.)

13. Nomination of Barbara W. Vinson for reappointment to the Special Events Advisory Board, term effective October 21, 2017, through October 20, 2020 (Councilwoman Anthony)

Approved.  
(See video @ 5:04 p.m.)

14. Report on 23 advisory board vacancies

A motion was not made.  
(See video @ 5:04 p.m.)

**PERMISSION TO ADVERTISE**

**CITY MANAGER'S ITEMS** - Continued

15. Resolution amending the Construction Standards for Procedures for City Owned Property for Affordable Housing Development and rescinding Resolution No. 2017-4

Resolution No. 2017-20 adopted.  
(See video @ 5:06 p.m.)

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**CITY MANAGER'S ITEMS** - Continued

<p>16. Resolution urging all members of the Florida Legislature to oppose legislation that would restrict or eliminate community redevelopment agencies; directing the City Manager to transmit a certified copy of this resolution to the Florida League of Cities, Lee County Legislative Delegation, and any other interested parties</p>	<p>Resolution No. 2017-21 adopted.  (See video @ 5:07 p.m.)</p>
<p>17. Resolution opposing legislative efforts to impede the constitutional right Florida's citizens have enjoyed for nearly 50 years to govern themselves under municipal home rule powers; opposing the legislature's persistent intrusion into local finances, which are necessary to provide financial stability and essential services uniquely required by municipal residents and local businesses; directing the City Manager to transmit a certified copy of this resolution to the Florida League of Cities, Lee County Legislative Delegation, and any other interested parties</p>	<p>Resolution No. 2017-22 adopted.  (See video @ 5:08 p.m.)</p>
<p>18. Resolution supporting legislation that preserves local control of transportation planning, provides for a more equitable transportation funding formula between municipalities and counties, and provides for additional dedicated revenue options for municipal transportation infrastructure and transit projects; directing the City Manager to transmit a certified copy of this resolution to the Florida League of Cities, Lee County Legislative Delegation, and any other interested parties</p>	<p>Resolution No. 2017-23 adopted.  (See video @ 5:10 p.m.)</p>
<p>18a. Resolution temporarily waiving building and inspection permit fees related to Hurricane Irma storm damages</p>	<p>Resolution No. 2017-24 adopted.  (See video @ 5:11 p.m.)</p>

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**CITY MANAGER'S ITEMS** - Continued

18c. Waiver of Invitation to Bid procedure and approve participation in the Service Provider Agreement between Lee County and Adjusters International for a not to exceed amount of \$100,000	Approved.  (See video @ 5:12 p.m.)
18e. Budget amendment, in the amount of \$3,000,000, appropriating funds from General Fund Reserves and increasing FEMA Fund expenditures by like amount	Approved.  (See video @ 5:13 p.m.)
18f. Revise date of primary election to be held on October 3, 2017, for the Mayor and City Council, Ward 1, Ward 3, and Ward 5, in accordance with Executive Order No. 244, issued by Governor Rick Scott on September 15, 2017. <i>And</i> Revise dates for early voting for the primary election as September 28, 29, and 30, 2017.	Approved.  (See video @ 5:13 p.m.)
18g. Eastwood Village Phase One replat of a 30.76 more or less, portion of lots 75, 76, 85, 86, 91, 92, 101, 102, and 107 of the "Pine Crest" subdivision, located south of Dr. Martin Luther King Jr. Boulevard and west of Ortiz Avenue	Approved.  (See video @ 5:14 p.m.)

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**PUBLIC HEARINGS** (on or about 5:15 o'clock p.m. or as soon thereafter as can be heard)

9. Ordinance No. 3811 amending the City Code, Chapter 62, Pensions, Retirement and Other Employee Benefits, Article V, General Employees' Pension Plan; Section 62-185, Contributions Subsection (a) Member Contributions; repealing all ordinances in conflict herewith; providing for severability; and providing an effective date

Ordinance No. 3811 adopted.  
(See video @ 5:15 p.m.)

10. Ordinance No. 3812 amending the City Code, Chapter 90, Utilities, Article II Water, Section 90-35 Rates and charges established; due date; delinquencies; Article IV Sewers, Section 90-112 Service rates and charges; by rescinding the four percent increase in water, sewer, and irrigation water rates for Fiscal Year 2018; amending the scheduled rate increases for water, sewer and irrigation water for Fiscal Years 2019, 2020, 2021 and 2022 based on the four percent reduction

Ordinance No. 3812 adopted.  
(See video @ 5:20 p.m.)

11. Ordinance No. 3813 amending City Code, Chapter 90, Utilities, Article V reclaimed water rates by 10% per 1,000 gallons effective October 1, 2017, October 1, 2018, October 1, 2019, October 1, 2020 and October 1, 2021

Ordinance No. 3813 adopted.  
(See video @ 5:22 p.m.)

**CITY ATTORNEY'S ITEMS**

18h. Settlement in the amount of \$40,000.00 in Case No.: 15-CA-002821; ESTELLA WILSON, as Personal Representative of the Estate of EXPAVIOUS TYRELL TAYLOR, deceased v. The City of Fort Myers

Approved.  
(See video @ 5:24 p.m.)

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**CITY ATTORNEY'S ITEMS** - Continued

**WALK ON:** Resolution of the City Council of the City of Fort Myers, Florida Declaring the City of Fort Myers a Major Disaster Area due to the Damage Caused by Hurricane Irma

Resolution No. 2017-25 adopted.  
(See video @ 5:25 p.m.)

**Adjourned: 6:07 o'clock p.m.**

If a person decides to appeal any decision made by 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.

Special Requirements: If you require special aid or services as addressed in the Americans with Disabilities Act, please contact the City Clerk's Office at (239) 321-7035 or for the hearing impaired, TDD telephone number (239) 332-2541.