



Community Development Block Grant Program 4th Program Year Consolidated Annual Performance and Evaluation Report 2018-2019

Mayor: Randall P. Henderson, Jr
Councilwoman: Teresa Watkins Brown
Councilman: Johnny W. Streets, Jr.
Councilwoman: Terolyn P. Watson
Councilman: Kevin Anderson
Councilman: Fred Burson
Councilwoman: Gaile H. Anthony
City Manager: Saeed Kazemi, P.E.

Dated: December 2, 2019

Created by:
Community Development Department
Housing and Real Estate Division
Submission Date: December 23, 2019

CR-05 - Goals and Outcomes

Progress the jurisdiction has made in carrying out its strategic plan and its action plan. 91.520(a)

This could be an overview that includes major initiatives and highlights that were proposed and executed throughout the program year.

The City provides purchase assistance to low to moderate income household through the SHIP program. The purchase assistance funds were reallocated to Rehabilitation activity in May 2016. The funds were reallocated due to the rising housing cost, residents finding it difficult to qualify for a first mortgage.

Decent housing and suitable living environments were provided to households earning up to 80 percent of the AMI. The City proposed eight (8) rehabilitation projects and administration. The City provided rehabilitation assistance to seventeen (17) households through both the SHIP and CDBG program. Of the seventeen (17) households assisted, eight (8) homes received assistance through the CDBG program for a total of \$191,056.59 expended. The City met its one-year goal.

The City provided specialized training in an Urban Gardening program. The primary beneficiaries of these programs were persons earning less than 80 percent of the AMI. The City contracted with one local non-profit organization, I WILL Mentorship Foundation. The City was scheduled to assist thirty-five (35) people. The City assisted twenty (20) participants during the year and expended \$12,500 in CDBG funds. The subrecipient did not meet its goal.

The City provided a Crime Prevention and Public Safety Services program. The primary beneficiaries of these programs were persons earning less than 80 percent of the AMI. The City contracted with one local non-profit organization, I WILL Mentorship Foundation. I Will Mentorship Foundation was scheduled to assist twenty-four (24) people. I Will assisted forty-three (43) participants during the year and expended \$15,625 in CDBG funds. The City exceeded its one-year goal.

The City provided youth services focused on specialized training in tutoring activities. The City assisted low- to moderate income children 6-18 years of age. The City contracted with one local non-profit organization, Basic Learning Skills Learning Center, Incorporated. Basic Learning Skills Learning Center was scheduled to assist twenty-nine (29) people. They assisted thirty-seven (37) participants and expended \$20,300 in CDBG funds. The City exceeded its one-year goal.

The City provided dental assistance health services. The City assisted low- to moderate income posed assistance for 40 participants this period. The City contracted with one local non-profit organization, Project Dentist Care of Southwest Florida, Incorporated. Project Dentist was scheduled to provide full and partial dentures to forty (40) participants. They provided dentures to twenty-seven (27) low to moderate income individuals. *The organization requested a 60-day extension.* The City did not meet its goal for this activity.

Lastly, the City provided senior services focused on basic computers training and fraud prevention counseling. The primary beneficiaries of this program was low- to moderate income senior citizens. The City contracted with one local non-profit organization, Dr. Piper Center for Social Services, Incorporated. Dr. Piper Center was scheduled to assist fifteen (15) participants. They served twenty (20) participants and expended \$10,000 in CDBG funds. The subrecipient exceeded its goal within the agreement timeframe.

Comparison of the proposed versus actual outcomes for each outcome measure submitted with the consolidated plan and explain, if applicable, why progress was not made toward meeting goals and objectives. 91.520(g)

Categories, priority levels, funding sources and amounts, outcomes/objectives, goal outcome indicators, units of measure, targets, actual outcomes/outputs, and percentage completed for each of the grantee's program year goals.

Goal	Category	Source / Amount	Indicator	Unit of Measure	Expected – Strategic Plan	Actual – Strategic Plan	Percent Complete	Expected – Program Year	Actual – Program Year	Percent Complete
Economic Development	Non-Housing Community Development	CDBG: \$ / City's Attainable Housing Program: \$ / Neighborhood Stabilization Program: \$ / State Housing Initiative Program: \$	Businesses assisted	Businesses Assisted	10	0	0.00%	2	0	0.00%

Public Services	Non-Housing Community Development	CDBG: \$ / City's Attainable Housing Program: \$ / Neighborhood Stabilization Program: \$ / State Housing Initiative Program: \$	Public service activities other than Low/Moderate Income Housing Benefit	Persons Assisted	100	148	148.00%	0	0		
Public Services	Non-Housing Community Development	CDBG: \$ / City's Attainable Housing Program: \$ / Neighborhood Stabilization Program: \$ / State Housing Initiative Program: \$	Public service activities for Low/Moderate Income Housing Benefit	Households Assisted	75	337	449.33%	150	147		98.00%
Public Services	Non-Housing Community Development	CDBG: \$ / City's Attainable Housing Program: \$ / Neighborhood Stabilization Program: \$ / State Housing Initiative Program: \$	Homeowner Housing Rehabilitated	Household Housing Unit	0	1		0	1		

Purchase Assistance	Affordable Housing	CDBG: \$ / City's Attainable Housing Program: \$ / Neighborhood Stabilization Program: \$ / State Housing Initiative Program: \$	Direct Financial Assistance to Homebuyers	Households Assisted	25	0	0.00%		
Rehabilitation	Affordable Housing	CDBG: \$ / City's Attainable Housing Program: \$ / Neighborhood Stabilization Program: \$ / State Housing Initiative Program: \$	Homeowner Housing Rehabilitated	Household Housing Unit	40	31	77.50%	8	100.00%

Table 1 - Accomplishments – Program Year & Strategic Plan to Date

Assess how the jurisdiction’s use of funds, particularly CDBG, addresses the priorities and specific objectives identified in the plan, giving special attention to the highest priority activities identified.

The City utilized CDBG funds effectively to assist owner occupied homeowners and support the efforts of non-profit agencies to benefit low- to moderate income persons and households. The City also uses SHIP grant funds to support emergency repair needs of the low-income residents. SHIP funds are also used for purchase assistance. Rehabilitation program and purchase assistance programs helps to stabilize and

retain housing stock within the community.

CR-10 - Racial and Ethnic composition of families assisted

Describe the families assisted (including the racial and ethnic status of families assisted).

91.520(a)

	CDBG
White	62
Black or African American	239
Asian	4
American Indian or American Native	11
Native Hawaiian or Other Pacific Islander	44
Total	360
Hispanic	30
Not Hispanic	330

Table 2 – Table of assistance to racial and ethnic populations by source of funds

Narrative

According to the 2016 City-Data, the City of Fort Myers has a total population of 77,154. Additionally, the survey shows that 47.38 of the population is White; approximately 26.9% are Black/African American and 26.03% are of other races. Moreover, approximately 22.3 percent of the population is of Hispanic origin. The chart above shows the City assisted 62 white, and 239 black households through the housing and community development programs. The City assisted thirty(30) households of the Hispanic origin.

CR-15 - Resources and Investments 91.520(a)

Identify the resources made available

Source of Funds	Source	Resources Made Available	Amount Expended During Program Year
CDBG	public - federal	1,201,682	
Other	public - federal	991,108	991,108
Other	public - state	991,108	991,108

Table 3 - Resources Made Available

Narrative

The City of Fort Myers receives federal funds from the United States Department of Housing and Urban Development (HUD) for the Community Development Block Grant (CDBG) program and program income from the Neighborhood Stabilization Program (NSP). Additionally, the City receives State Housing Initiative Partnership (SHIP) grant funds from the State of Florida. All anticipated resources will be used to support the development of affordable housing and community development activities.

Identify the geographic distribution and location of investments

Target Area	Planned Percentage of Allocation	Actual Percentage of Allocation	Narrative Description
City of Fort Myers	95	95	Funds are allocated to areas meeting the low to moderate income designations as determined by HUD.

Table 4 – Identify the geographic distribution and location of investments

Narrative

In 2018-2019, continued to be directed citywide with focus in the City's target area, which is census tracts 3.02, 5.02, 5.03. The target area is comprised of groups of census tracts of census block groups in which at least 51 percent of the residents are low to moderate incomes by HUD's Annual Income Guidelines.

The City continues to address the needs of residents who live within the core CDBG neighborhoods. The neighborhoods are comprised of census tracts or census block groups in which at least 51 percent of the residents have low to moderate incomes as defined by HUD. The exhibits indicating each of these census tracts and neighborhood areas are attached. The residents of these areas faced many interrelated problems such as lack of affordable housing, substandard housing, high unemployment rates and higher incidences of criminal activity. To combat the problem, the City of Fort Myers initiated

a comprehensive neighborhood revitalization strategy under the Neighborhood Task Force. This approach encompassed several tools including redevelopment of code lien properties, code enforcement and law enforcement involvement to help revitalize neighborhoods. Moreover, the City continued to utilize public service programs to increase education and employability skills.

Additionally, the City is in the process of establishing a Neighborhood Revitalization Strategy Area to provide economic empowerment of the low- and moderate-income residents and achieve substantial improvement in the delineated areas, generally within a five-year time period, through concentration of effort in an area of manageable size.

Leveraging

Explain how federal funds leveraged additional resources (private, state and local funds), including a description of how matching requirements were satisfied, as well as how any publicly owned land or property located within the jurisdiction that were used to address the needs identified in the plan.

The City of Fort Myers considered the provision of housing as a basic human need, and, therefore, has assumed the responsibility to work towards increasing the availability of affordable workforce housing in the community. The Community Development Department and the workforce housing committee requested the City commit to annually funding programs that specifically target affordable/attainable housing. Developers have requested and been granted waivers from the affordable housing requirements. Due to the significant rise in housing cost in the last year the City is investigating the use inclusionary housing strategies in the proposed revitalization areas.

The City leverages Federal funds with a variety of subrecipients to provide additional educational training and youth services for low to moderate income residents. Additionally, the City continues to use program income from the NSP programs for acquisition, rehabilitation, redevelopment and resell or rental of foreclosed and abandoned properties in the City. The City continues to make progress during the program year, meeting the funding obligation and deadlines established by HUD. Most of the City's NSP beneficiaries are residents with incomes at or below 50 percent area median income. Additionally, the City leverages grant funds through the State Housing Initiative Partnership (SHIP) program to help stabilize and retain housing stock within the community.

CR-20 - Affordable Housing 91.520(b)

Evaluation of the jurisdiction's progress in providing affordable housing, including the number and types of families served, the number of extremely low-income, low-income, moderate-income, and middle-income persons served.

	One-Year Goal	Actual
Number of Homeless households to be provided affordable housing units	0	0
Number of Non-Homeless households to be provided affordable housing units	0	0
Number of Special-Needs households to be provided affordable housing units	0	0
Total	0	0

Table 5 – Number of Households

	One-Year Goal	Actual
Number of households supported through Rental Assistance	0	0
Number of households supported through The Production of New Units	0	0
Number of households supported through Rehab of Existing Units	8	8
Number of households supported through Acquisition of Existing Units	0	0
Total	8	8

Table 6 – Number of Households Supported

Discuss the difference between goals and outcomes and problems encountered in meeting these goals.

The City was scheduled to provide rental assistance to low to moderate income households through the State Housing Initiative Program (SHIP). The SHIP programs provides a short-term rental assistance program. However, the City was unable to provide the service because the need is for a more long term solution.

Decent housing and suitable living environments were provided citywide through housing programs undertaken by the City of Fort Myers. The housing programs included owner occupied rehabilitation,

and temporary relocation in conjunction with rehabilitation and purchase assistance. During FY 2018, households earning up to 80 percent of the AMI were able to receive assistance through the City's Rehabilitation program. The City proposed 8 rehabilitation projects. The City completed eight (8) projects within the fiscal year.

The City provides purchase assistance to low to moderate income household through the SHIP program. The purchase assistance funds were reallocated to Rehabilitation activity in May 2016. The funds were reallocated due to the rising housing cost, residents finding it difficult to qualify for a first mortgage.

Lastly, the City provided pre-homeownership and post-home ownership housing counseling activities. The primary beneficiaries of these programs were persons earning less than 80 percent of the AMI. The City utilized the Affordable Home Ownership Foundation to assist participants with home ownership programs, such as budget and credit counseling, and home maintenance repair programs through the SHIP program.

Discuss how these outcomes will impact future annual action plans.

The City of Fort Myers is satisfied with the results obtained through its programs in FY 2018. The City plans to continue increasing its ability to rehabilitate and reconstruct substandard housing and support the development of affordable workforce housing; establish partnerships with Community Based Development Organizations; provide annual training to contractors; continue annual training of subrecipients; perform more detailed monitoring and continue to engage other community partners in pursuing mutual goals.

Include the number of extremely low-income, low-income, and moderate-income persons served by each activity where information on income by family size is required to determine the eligibility of the activity.

Number of Households Served	CDBG Actual	HOME Actual
Extremely Low-income	1	0
Low-income	6	0
Moderate-income	1	0
Total	8	0

Table 7 – Number of Households Served

Narrative Information

CR-25 - Homeless and Other Special Needs 91.220(d, e); 91.320(d, e); 91.520(c)

Evaluate the jurisdiction's progress in meeting its specific objectives for reducing and ending homelessness through:

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

In the City of Fort Myers, homeless service providers continues to reach out to homeless persons through food pantries, soup kitchens, shelters/emergency housing, and transitional housing. The City will continue to focus employment training programs and micro-enterprise through non-profit organizations, providing homeless adults an opportunity to return to self-sufficiency.

Addressing the emergency shelter and transitional housing needs of homeless persons

Lee County Southwest Florida Human Services determined homeless facilities are needed for all types of housing, but the primary focus continues to be on permanent housing. The City of Fort Myers and COC continue to partner together to identify needs and projects in order to meet the needs of the homeless in Lee County.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: likely to become homeless after being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs

The City of Fort Myers is an active participant in the Lee County Coalition for the Homeless. The Coalition's responsibilities include directing year round planning on homeless issues in Lee County as specified in the Continuum of Care, submitting a cooperative HUD grant application, convening issue ordered subcommittees and work groups, and linking with other organizations.

Additionally, the City will continue to support revised strategies outlined in Lee County Continuum of Care Strategic Plan for addressing chronic homelessness. The City will also help low-income families enhance housing security by for-sale units, assisting low-income households obtain financial planning and homeownership, and supporting employment training, among other economic development and affordable housing efforts.

The City does not receive direct funding targeting homelessness; however, the City continues to participate in the Lee County Homeless Coalition and Continuum of Care.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

To accomplish this goal, additional stable and permanent supportive housing is needed. The City of Fort Myers support the strategies. The City will continue to partner with the County to address homeless issues in the City and assist in implementing the Strategic Plan.

CR-30 - Public Housing 91.220(h); 91.320(j)

Actions taken to address the needs of public housing

The City continues to work with the Housing Authority of the City of Fort Myers (HACFM) to improve public housing initiatives. HACFM offers a variety of activities to assist in improving the living environment of low- and moderate income families residing in public housing. The HACFM offers a Family Self-Sufficiency (FSS) program designed to assist families receiving rental assistance through the Public Housing and Housing Choice Voucher programs become self-reliant and economically self-sufficient within five (5) years. This assistance is provided in the form of coordinated supportive services, education, job training, job placement, personal development, and life management skills.

Actions taken to encourage public housing residents to become more involved in management and participate in homeownership

The Housing Authority of the City Fort Myers offers Life Skills Education and Homebuyers Education workshops to educate families and prepare them to become self-reliant. The Life Skills Education provides an overview of the Family Self-Sufficiency program, achieving and settings goals, career goals-how to increase wages and change in career paths and/or gain employment, and money management classes that assist the families with creating and maintaining a basic budget. The Homebuyers Education Workshops provides families the necessary information on how to prepare to purchase a home and to successfully maintain the home both financially and physically.

Through the ROSS Neighborhood Network grant received from the Housing and Urban Development in 2003, HACFM provides a Community Services Neighborhood Network Center (NNC). The center is a leading resource center for public housing residents and the community. The NNC provides computer access to public housing residents and the community with 12 computers, printers and internet access. Additionally, there is a training room to host workshops, training sessions and resident meetings.

The HACFM also has a Resident Council Association at their public housing developments. The Resident Councils are made up of residents working together to help make a better life for everyone. The Council represents all residents of a particular development and together with the property manager they build on the needs and interests of residents, and acts as a good neighbor to families. The residents also work together to improve the appearance of the community and create a congenial atmosphere. The Resident Council also represents the concerns of the residents by working with the Housing Authority and the police department.

Additionally, the City of Fort Myers continues to work closely with the non-profit organizations for assistance in preparation for home ownership and participation counseling sessions.

Actions taken to provide assistance to troubled PHAs

The Housing Authority of the City of Fort Myers is not a troubled PHA.

CR-35 - Other Actions 91.220(j)-(k); 91.320(i)-(j)

Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

The City will focus on the following strategies to remove or ameliorate the barriers to Affordable Housing:

- Continue rehabilitating, removing slum/blight, building, and reconstructing housing stock to increase and improve the City's affordable housing stock through rehabilitation, demolition, and relocation
- Continue rehabilitating, removing slum/blight, building, and reconstructing housing stock for energy efficient improvement
- Increase homeownership by providing purchase assistance for first time homebuyers
- Increase the supply of affordable housing by acquiring and developing scattered infill sites
- Continue the emergency repair program to address homeowners immediate needs
- Stabilize neighborhoods by acquiring, rehabilitating foreclosed properties and then reselling them to low-moderate income residents as funds become available
- Seek opportunities to partner with affordable housing developers
- Offer FREE Home Buyers' Education and Budget & Credit Repair seminars to all citizens of Fort Myers
- Continue Employment Training opportunities to residents to enhance and improve upon employable skills
- Fair Housing Education and Awareness

Actions taken to address obstacles to meeting underserved needs. 91.220(k); 91.320(j)

The City of Fort Myers continued to place emphasis on comprehensive reporting and long term planning with the Consolidated Plan and the State Housing Initiative Partnership Local Housing Assistance Plan (LHAP). The documents are circulated among agencies to allow for efficient resource utilization and effective program planning. Additionally, the documents are posted to City website and staff holds several community meetings through the year to discuss the City's housing and community development programs. The City continues to work with the Housing Authority of Fort Myers on development and redevelopment projects.

The City also continued to meet with the Local Affordable Housing Advisory Committee, as required by the State of Florida to discuss affordable housing issues including SHIP, CDBG, and NSP programs.

The City spends the majority of funds in areas designated as low to moderate income areas by Census block group. These areas contain the largest concentration of minorities and low income families which are primarily located in the Dunbar-Bellevue and East Fort Myers area (See Map A). Serving the housing needs of minority and disabled residents of Fort Myers is one of the main goals of the City of Fort Myers. Throughout the year, we provide several programs to target minority, disabled, and elderly populations in an effort to overcome effects of negative impediments that hinder these populations from obtaining adequate housing.

In previous years, the City primarily used the CDBG program to assist low to moderate income residents with owner-occupied rehabilitation. The State of Florida State Housing Initiative Program (SHIP) funds were available in a decreased amount in the last three (3) years. This fiscal year the City received funds reduced funds in the amount of \$113,257. The amount is a quarter of the amount the City would generally receive. The City utilized those funds for major rehabilitation, purchase assistance and emergency rehabilitation program.

Additionally, the City continued to use the remaining NSP program income to purchase and rehabilitate foreclosed homes to assist with stabilizing three targeted areas: Dunbar-Bellevue, East Fort Myers, and Central Fort Myers. These areas are all located within the CDBG target area, although with NSP 3 funding, the City narrowed the target area based on the area with the greatest need.

Actions taken to reduce lead-based paint hazards. 91.220(k); 91.320(j)

The City of Fort Myers has incorporated the components of 24 CFR Part 35 Lead Paint Hazard regulations into all of its policies and procedures governing rehabilitation, acquisition and demolition. The City provided education to the owners of units suspected of containing lead base paint. The City's Rehabilitation Specialist attended a Lead Based Training. Contractors that work with the City have attended lead based paint mitigation training for single family rehabilitation. In 2018, one (1) of the eight (8) rehabilitation projects completed required lead-based paint mitigation.

Actions taken to reduce the number of poverty-level families. 91.220(k); 91.320(j)

In an effort to reduce the number of persons living below the poverty level, the City of Fort Myers provided support to the I WILL Mentoring Foundation for urban gardening and educational training programs. Through the program, the City assisted twenty (20) residents with hydro-ponics, aqua ponics and traditional gardening. The participants are encouraged to start a business related to gardening.

Actions taken to develop institutional structure. 91.220(k); 91.320(j)

The City of Fort Myers continued to close gaps and enhance coordination with institutional structures by partnering with Lee County to provide a public access internet-based human service directory, to provide on-site education where needed and as needed and to reduce homelessness. The City also

established partnerships with local governments and the Lee County Coalition of the Homeless to explore grant leveraging opportunities to fund services for our citizens and bring access to online services closer to the customer.

The City will continue to work with the Lee County Human Services Division to implement the Lee County's updated Continuum Care Strategic Plan March 2019-2028. The goals of the plan are to:

- Inform and educate the public about homelessness, including causes and prevention and intervention strategies to help decrease incidences of homelessness through increased community engagement and involvement. Increase housing availability through community collaborates to meet current and emerging needs. Expand wrap-around community-based services to enhance the continuum of care. Improve access to and expand community health care services. Enhance community education systems to reduce barriers to employment and self-sufficiency. Expand employment opportunities to meet community and workforce needs. Develop and/or expand public safety, diversion, and release programs. Reduce transportation barriers to accessing housing, employment, health, and social services.

Additionally, the City continues to explore the process of establishing a Revitalization Area to further the housing, employment and human service needs of the citizens. Various actions will be taken to overcome gaps and enhance coordination with non-profit organizations to ensure accurate identification, coordination and provisions to address local needs.

Actions taken to enhance coordination between public and private housing and social service agencies. 91.220(k); 91.320(j)

The City will continue to enhance coordination between public and private housing and social service agencies for low- to moderate-income residents through the following actions:

Housing

- Continue rehabilitating, removing slum/blight, building, and reconstructing housing stock to increase and improve the City's affordable housing stockContinue to partner with public and private organizations to increase the supply of affordable housing to develop infill sitesStabilize neighborhoods by acquiring, rehabilitating foreclosed properties and then reselling them to low-moderate income residents as funds become availableContinue to support public and private developers, non-profit organizations, and others that provide decent, safe affordable housing through the Florida Housing Finance Corporation's Housing Tax Credit program.

Homeless Needs- Support to the Lee County Coalition for the Homeless

- Continue to partner with Lee County, Housing Authority of the City of Fort Myers (HACFM), City of Cape Coral, Lee County School Board, Lee Memorial Health Systems, and other public and private agencies countywide and regionally in the Continuum of Care activities to serve the homeless Continue to support the Homeless Outreach programs.

Special Needs populations

- Identify and address special needs unique to Fort Myers and create public and private alliances that provide both housing and access to social services

Community Development (non-housing)

- Continue supporting the removal of slum and blight conditions in redevelopment areas. Promote and expand support of employment opportunities through the development of employment/vocational skills and retention of jobs. Continue to promote Fair Housing Education and Awareness through collaboration with Lee County, Housing Authority (HACFM), City of Cape Coral, and Florida Rural Legal Service. Continue to support the economic self-reliance through empowerment programs. Provide opportunities for low income residents through the City's Section 3 program. Provide grant funds and small business loans to businesses to hire low to moderate income residents. Continue to support the HACFM's efforts to promote and reward economic self-sufficiency

Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

A regional Analysis of Impediments to the Fair Housing Choice was completed and approved in August 2019 in cooperation with Lee County, the cities of Cape Coral and Fort Myers. The plan suggested several actions were recommended that the County is currently working on, in collaboration with parties to monitor the actions taken for reporting purposes. The City was in the final stages of preparing the Fair Housing Ordinance to draft to present for City Council approval.

CR-40 - Monitoring 91.220 and 91.230

Describe the standards and procedures used to monitor activities carried out in furtherance of the plan and used to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The monitoring for all CDBG programs is directed by the CDD Director and executed by the Manager of Housing & Real Estate or designee to ensure funds are expended in accordance with federal regulations and City procedures.

Formal monitoring reviews of CDBG recipients are conducted at least annually to ensure that CDBG subrecipients comply with all regulations regarding financial and programmatic operation requirements. It is the City's policy to monitor all agencies at least annually to assure continual compliance.

Monitoring of program activities is handled by the Community Development Department staff and/or CDBG Consultant. Activities are desk monitored on an ongoing basis to ensure funds are expended in accordance with Federal regulations and City procedures.

Monitoring efforts for CDBG subrecipients will be conducted at least annually to ensure compliance with all regulations governing administrative, financial and programmatic operations. For newly funded subrecipients, monitoring will be conducted twice a year. All programs, regardless of their level of performance are monitored annually. Technical assistance, trainings, and workshops will also be offered throughout the year to subrecipients.

Monitoring reports are issued for subrecipient, which list any concerns or findings during the review. Corrective action plans for any concerns or findings are submitted and reviewed within 30 days of issuance, and no such plans are outstanding. Agencies continued to improve internal controls and adherence to federal requirements in Program Year 2018.

The City continued to make progress in meeting priority needs and specific objectives by focusing on creating and maintaining affordable housing, providing a suitable living environment and expanding economic opportunity.

The City continued to make progress in meeting priority needs and specific objectives by focusing on creating and maintaining affordable housing, providing a suitable living environment and expanding economic opportunity. Decent housing and suitable living environments were provided citywide through housing programs undertaken by the City. Housing programs included owner occupied rehabilitation, temporary relocation in conjunction with rehabilitation, and purchase assistance.

As the case with past program years, expanded economic opportunity principally for low and moderate income persons was achieved through public service programs which increased education and employability skills.

This annual report covers the final year of the five years included in the current Consolidated Plan. Among the areas that the City will continue to focus on are economic development and community development projects. The City is working diligently with non-profit organizations to determine the specific needs of the community to better address economic development in the low income neighborhoods. Additionally, the City is looking to partner with a non-profit organization that provides technical assistance and loans to persons interested in starting microenterprises. The task has been very difficult due to limited CDBG funds, which could be best utilized for this need.

Citizen Participation Plan 91.105(d); 91.115(d)

Describe the efforts to provide citizens with reasonable notice and an opportunity to comment on performance reports.

The performance report was provided to citizens in accordance with the Citizen Participation Plan and identified the Federal funds made available for further objectives in the Consolidated Plan. The report provided the grant program, the total amount of funds available, the total amount of funds committed in the program year, the total amount expended in the program year, and the geographic distribution and location of expenditures were all detailed.

The City will hold one public hearing to discuss the report. Additionally, the City held one 15-day Public comment period from November 18, 2019 to December 2, 2019, please see Attachment 1. Through the public comment period residents were able to review the report and discuss the accomplishments of the FY 2018-2019 plan, and the overall direction of the 2019-2020 plan, particularly the priority needs and strategies. The City Council also held a Public Hearing on December 2, 2019. The Public Hearing was used to obtain additional comments on the report from Mayor, City Council and citizens. The City did not receive any comments. The City Council will approve the Plan on December 2, 2019

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

Due to the changing economic environment the City continues to struggle with providing decent and affordable housing.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

CR-45 - CDBG 91.520(c)

Specify the nature of, and reasons for, any changes in the jurisdiction's program objectives and indications of how the jurisdiction would change its programs as a result of its experiences.

Due to the changing economic environment the City continues to struggle with providing decent and affordable housing.

Does this Jurisdiction have any open Brownfields Economic Development Initiative (BEDI) grants?

No

[BEDI grantees] Describe accomplishments and program outcomes during the last year.

Reports



Office of Community Planning and Development
 U.S. Department of Housing and Urban Development
 Integrated Disbursement and Information System
 PR26 - CDBG Financial Summary Report
 Program Year 2018
 FORT MYERS , FL

DATE: 12-23-19
 TIME: 14:23
 PAGE: 1

PART I: SUMMARY OF CDBG RESOURCES

01 UNEXPENDED CDBG FUNDS AT END OF PREVIOUS PROGRAM YEAR	687,908.33
02 ENTITLEMENT GRANT	618,176.00
03 SURPLUS URBAN RENEWAL	0.00
04 SECTION 108 GUARANTEED LOAN FUNDS	0.00
05 CURRENT YEAR PROGRAM INCOME	0.00
05a CURRENT YEAR SECTION 108 PROGRAM INCOME (FOR SI TYPE)	0.00
06 FUNDS RETURNED TO THE LINE-OF-CREDIT	0.00
06a FUNDS RETURNED TO THE LOCAL CDBG ACCOUNT	0.00
07 ADJUSTMENT TO COMPUTE TOTAL AVAILABLE	0.00
08 TOTAL AVAILABLE (SUM, LINES 01-07)	1,306,084.33

PART II: SUMMARY OF CDBG EXPENDITURES

09 DISBURSEMENTS OTHER THAN SECTION 108 REPAYMENTS AND PLANNING/ADMINISTRATION	452,073.70
10 ADJUSTMENT TO COMPUTE TOTAL AMOUNT SUBJECT TO LOW/MOD BENEFIT	0.00
11 AMOUNT SUBJECT TO LOW/MOD BENEFIT (LINE 09 + LINE 10)	452,073.70
12 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	104,179.41
13 DISBURSED IN IDIS FOR SECTION 108 REPAYMENTS	0.00
14 ADJUSTMENT TO COMPUTE TOTAL EXPENDITURES	0.00
15 TOTAL EXPENDITURES (SUM, LINES 11-14)	556,253.11
16 UNEXPENDED BALANCE (LINE 08 - LINE 15)	749,831.22

PART III: LOWMOD BENEFIT THIS REPORTING PERIOD

17 EXPENDED FOR LOW/MOD HOUSING IN SPECIAL AREAS	0.00
18 EXPENDED FOR LOW/MOD MULTI-UNIT HOUSING	0.00
19 DISBURSED FOR OTHER LOW/MOD ACTIVITIES	452,073.70
20 ADJUSTMENT TO COMPUTE TOTAL LOW/MOD CREDIT	0.00
21 TOTAL LOW/MOD CREDIT (SUM, LINES 17-20)	452,073.70
22 PERCENT LOW/MOD CREDIT (LINE 21/LINE 11)	100.00%

LOW/MOD BENEFIT FOR MULTI-YEAR CERTIFICATIONS

23 PROGRAM YEARS(PY) COVERED IN CERTIFICATION	PY: PY: PY:
24 CUMULATIVE NET EXPENDITURES SUBJECT TO LOW/MOD BENEFIT CALCULATION	0.00
25 CUMULATIVE EXPENDITURES BENEFITTING LOW/MOD PERSONS	0.00
26 PERCENT BENEFIT TO LOW/MOD PERSONS (LINE 25/LINE 24)	0.00%

PART IV: PUBLIC SERVICE (PS) CAP CALCULATIONS

27 DISBURSED IN IDIS FOR PUBLIC SERVICES	62,555.00
28 PS UNLIQUIDATED OBLIGATIONS AT END OF CURRENT PROGRAM YEAR	16,595.00
29 PS UNLIQUIDATED OBLIGATIONS AT END OF PREVIOUS PROGRAM YEAR	0.00
30 ADJUSTMENT TO COMPUTE TOTAL PS OBLIGATIONS	0.00
31 TOTAL PS OBLIGATIONS (LINE 27 + LINE 28 - LINE 29 + LINE 30)	79,150.00
32 ENTITLEMENT GRANT	618,176.00
33 PRIOR YEAR PROGRAM INCOME	0.00
34 ADJUSTMENT TO COMPUTE TOTAL SUBJECT TO PS CAP	0.00
35 TOTAL SUBJECT TO PS CAP (SUM, LINES 32-34)	618,176.00
36 PERCENT FUNDS OBLIGATED FOR PS ACTIVITIES (LINE 31/LINE 35)	12.80%

PART V: PLANNING AND ADMINISTRATION (PA) CAP

37 DISBURSED IN IDIS FOR PLANNING/ADMINISTRATION	104,179.41
38 PA UNLIQUIDATED OBLIGATIONS AT END OF CURRENT PROGRAM YEAR	7,631.39
39 PA UNLIQUIDATED OBLIGATIONS AT END OF PREVIOUS PROGRAM YEAR	600.00
40 ADJUSTMENT TO COMPUTE TOTAL PA OBLIGATIONS	0.00
41 TOTAL PA OBLIGATIONS (LINE 37 + LINE 38 - LINE 39 +LINE 40)	111,210.80
42 ENTITLEMENT GRANT	618,176.00
43 CURRENT YEAR PROGRAM INCOME	0.00
44 ADJUSTMENT TO COMPUTE TOTAL SUBJECT TO PA CAP	0.00
45 TOTAL SUBJECT TO PA CAP (SUM, LINES 42-44)	618,176.00
46 PERCENT FUNDS OBLIGATED FOR PA ACTIVITIES (LINE 41/LINE 45)	17.99%



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LINE 17 DETAIL: ACTIVITIES TO CONSIDER IN DETERMINING THE AMOUNT TO ENTER ON LINE 17

Report returned no data.

LINE 18 DETAIL: ACTIVITIES TO CONSIDER IN DETERMINING THE AMOUNT TO ENTER ON LINE 18

Report returned no data.

LINE 19 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 19

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2013	7	803	6250749	Barden/Flint Urban Garden	03E	LMA	\$12,950.00
2013	7	803	6251568	Barden/Flint Urban Garden	03E	LMA	\$1,400.00
2013	7	803	6269194	Barden/Flint Urban Garden	03E	LMA	\$1,778.12
2013	7	803	6271469	Barden/Flint Urban Garden	03E	LMA	\$9,371.88
2013	7	803	6271610	Barden/Flint Urban Garden	03E	LMA	\$7,000.00
03E Matrix Code							\$32,500.00
2018	6	872	6271908	Doctor Piper Center for Social Services	05A	LMC	\$500.00
2018	6	872	6277162	Doctor Piper Center for Social Services	05A	LMC	\$4,500.00
2018	6	872	6308521	Doctor Piper Center for Social Services	05A	LMC	\$4,000.00
2018	6	872	6331338	Doctor Piper Center for Social Services	05A	LMC	\$1,000.00
05A Matrix Code							\$10,000.00
2018	6	870	6271887	Basic Learning Skills Learning Center, Inc.	05D	LMC	\$4,214.00
2018	6	870	6271908	Basic Learning Skills Learning Center, Inc.	05D	LMC	\$9,492.00
2018	6	870	6277162	Basic Learning Skills Learning Center, Inc.	05D	LMC	\$4,564.00
2018	6	870	6308394	Basic Learning Skills Learning Center, Inc.	05D	LMC	\$1,512.00
2018	6	870	6308436	Basic Learning Skills Learning Center, Inc.	05D	LMC	\$518.00
2018	6	877	6308394	I Will Mentor - Youth	05D	LMC	\$10,000.00
05D Matrix Code							\$30,300.00
2018	6	871	6271908	Dentists Care of Sothwest Florida, Inc	05M	LMC	\$6,890.00
2018	6	871	6308521	Dentists Care of Sothwest Florida, Inc	05M	LMC	\$2,120.00
2018	6	871	6331338	Dentists Care of Sothwest Florida, Inc	05M	LMC	\$2,120.00
05M Matrix Code							\$11,130.00
2018	6	873	6308521	I Will Mentorship Foundation Inc. - Garden	05Z	LMC	\$5,500.00
2018	6	873	6331338	I Will Mentorship Foundation Inc. - Garden	05Z	LMC	\$5,625.00
05Z Matrix Code							\$11,125.00
2016	5	839	6319002	1828 S. Markley Ct	14A	LMH	\$1,000.00
2016	5	839	6329634	1828 S. Markley Ct	14A	LMH	\$350.00
2016	5	839	6331338	1828 S. Markley Ct	14A	LMH	\$905.00
2017	1	850	6225272	3422 Dale St	14A	LMH	\$10.00
2017	1	855	6223653	3629 Highland Ave	14A	LMH	\$10.00
2017	1	855	6250659	3629 Highland Ave	14A	LMH	\$38,097.42
2017	1	855	6266242	3629 Highland Ave	14A	LMH	\$5,802.58
2017	1	861	6223653	3405 E. Willard St.	14A	LMH	\$1,300.00
2017	1	861	6253135	3405 E. Willard St.	14A	LMH	\$11,850.00
2017	1	861	6271908	3405 E. Willard St.	14A	LMH	\$14,000.00
2017	1	861	6277162	3405 E. Willard St.	14A	LMH	\$18,000.00
2017	1	861	6308436	3405 E. Willard St.	14A	LMH	\$9,000.00
2017	1	861	6308521	3405 E. Willard St.	14A	LMH	\$42,200.00
2017	1	861	6331338	3405 E. Willard St.	14A	LMH	\$4,000.00
2018	1	862	6223526	2811 Broadway	14A	LMH	\$240.00
2018	1	862	6225272	2811 Broadway	14A	LMH	\$788.50
2018	1	862	6271469	2811 Broadway	14A	LMH	\$91.00
2018	1	862	6277162	2811 Broadway	14A	LMH	\$10,882.60
2018	1	862	6277721	2811 Broadway	14A	LMH	\$30,805.40
2018	1	862	6308394	2811 Broadway	14A	LMH	\$10,072.00
2018	1	863	6223653	3322 Handy Ct	14A	LMH	\$300.00
2018	1	863	6225272	3322 Handy Ct	14A	LMH	\$1,003.11



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2018	1	863	6277162	3322 Handy Ct	14A	LMH	\$5,000.00
2018	1	863	6331338	3322 Handy Ct	14A	LMH	\$10,000.00
2018	1	864	6225272	1806 S Markley Ct	14A	LMH	\$218.50
2018	1	864	6250749	1806 S Markley Ct	14A	LMH	\$75.00
2018	1	864	6251628	1806 S Markley Ct	14A	LMH	\$530.00
2018	1	864	6271469	1806 S Markley Ct	14A	LMH	\$495.00
2018	1	864	6271887	1806 S Markley Ct	14A	LMH	\$3,312.96
2018	1	864	6277640	1806 S Markley Ct	14A	LMH	\$20,100.00
2018	1	864	6277721	1806 S Markley Ct	14A	LMH	\$27,504.10
2018	1	864	6295972	1806 S Markley Ct	14A	LMH	\$8,710.50
2018	1	864	6308634	1806 S Markley Ct	14A	LMH	\$6,190.40
2018	1	864	6319363	1806 S Markley Ct	14A	LMH	\$1,200.00
2018	1	868	6271469	1716 Delaware Ave	14A	LMH	\$200.00
2018	1	868	6308394	1716 Delaware Ave	14A	LMH	\$10,590.00
2018	1	868	6309635	1716 Delaware Ave	14A	LMH	\$750.00
2018	1	868	6331338	1716 Delaware Ave	14A	LMH	\$9,525.00
2018	1	869	6271610	2150 Simon Ct	14A	LMH	\$565.00
2018	1	869	6308394	2150 Simon Ct	14A	LMH	\$240.00
2018	1	874	6271908	2227 Dupree St	14A	LMH	\$11,225.00
2018	1	874	6308521	2227 Dupree St	14A	LMH	\$2,335.00
2018	1	875	6271908	1844 Delaware Ave	14A	LMH	\$75.00
2018	1	875	6308394	1844 Delaware Ave	14A	LMH	\$340.00
2018	1	876	6308394	3311 Bassie Ct	14A	LMH	\$485.00
2018	1	878	6308667	1810 Fountain St	14A	LMH	\$3,280.00
2018	1	878	6319363	1810 Fountain St	14A	LMH	\$6,750.00
2018	1	879	6309873	1526 Veronica Shoemaker	14A	LMH	\$630.00
2018	1	879	6319002	1526 Veronica Shoemaker	14A	LMH	\$2,960.00
2018	1	879	6331338	1526 Veronica Shoemaker	14A	LMH	\$2,485.00
					14A	Matrix Code	\$336,479.07
2018	3	866	6225273	Program Delivery	14H	LMH	\$2,066.50
2018	3	866	6253135	Program Delivery	14H	LMH	\$4,636.80
2018	3	866	6254307	Program Delivery	14H	LMH	\$7,122.16
2018	3	866	6271610	Program Delivery	14H	LMH	\$1,848.80
2018	3	866	6271887	Program Delivery	14H	LMH	\$1,970.10
2018	3	866	6271908	Program Delivery	14H	LMH	\$380.75
2018	3	866	6277721	Program Delivery	14H	LMH	\$1,014.30
2018	3	866	6309873	Program Delivery	14H	LMH	\$1,500.22
					14H	Matrix Code	\$20,539.63
Total							\$452,073.70

LINE 27 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 27

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2018	6	872	6271908	Doctor Piper Center for Social Services	05A	LMC	\$500.00
2018	6	872	6277162	Doctor Piper Center for Social Services	05A	LMC	\$4,500.00
2018	6	872	6308521	Doctor Piper Center for Social Services	05A	LMC	\$4,000.00
2018	6	872	6331338	Doctor Piper Center for Social Services	05A	LMC	\$1,000.00
					05A	Matrix Code	\$10,000.00
2018	6	870	6271887	Basic Learning Skills Learning Center, Inc.	05D	LMC	\$4,214.00
2018	6	870	6271908	Basic Learning Skills Learning Center, Inc.	05D	LMC	\$9,492.00
2018	6	870	6277162	Basic Learning Skills Learning Center, Inc.	05D	LMC	\$4,564.00
2018	6	870	6308394	Basic Learning Skills Learning Center, Inc.	05D	LMC	\$1,512.00
2018	6	870	6308436	Basic Learning Skills Learning Center, Inc.	05D	LMC	\$518.00
2018	6	877	6308394	I Will Mentor - Youth	05D	LMC	\$10,000.00
					05D	Matrix Code	\$30,300.00



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Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2018	6	871	6271908	Dentists Care of Sothwest Florida, Inc	05M	LMC	\$6,890.00
2018	6	871	6308521	Dentists Care of Sothwest Florida, Inc	05M	LMC	\$2,120.00
2018	6	871	6331338	Dentists Care of Sothwest Florida, Inc	05M	LMC	\$2,120.00
					05M	Matrix Code	\$11,130.00
2018	6	873	6308521	I Will Mentorship Foundation Inc. - Garden	05Z	LMC	\$5,500.00
2018	6	873	6331338	I Will Mentorship Foundation Inc. - Garden	05Z	LMC	\$5,625.00
					05Z	Matrix Code	\$11,125.00
Total							\$62,555.00

LINE 37 DETAIL: ACTIVITIES INCLUDED IN THE COMPUTATION OF LINE 37

Plan Year	IDIS Project	IDIS Activity	Voucher Number	Activity Name	Matrix Code	National Objective	Drawn Amount
2017	4	848	6225272	Administration	21A		\$3,151.65
2017	4	848	6271469	Administration	21A		\$390.27
2017	4	848	6329634	Administration	21A		\$631.38
2018	4	865	6225273	Administration	21A		\$16,309.71
2018	4	865	6253135	Administration	21A		\$6,220.32
2018	4	865	6254307	Administration	21A		\$10,426.65
2018	4	865	6271887	Administration	21A		\$9,953.31
2018	4	865	6271908	Administration	21A		\$13,058.24
2018	4	865	6277162	Administration	21A		\$7,884.79
2018	4	865	6308394	Administration	21A		\$11,590.53
2018	4	865	6308436	Administration	21A		\$6,932.34
2018	4	865	6308521	Administration	21A		\$7,819.18
2018	4	865	6330167	Administration	21A		\$810.44
2018	4	865	6331338	Administration	21A		\$9,000.60
					21A	Matrix Code	\$104,179.41
Total							\$104,179.41



FORT MYERS

Count of CDBG Activities with Disbursements by Activity Group & Matrix Code

Activity Group	Activity Category	Open Count	Open Activities Disbursed	Completed Count	Completed Activities Disbursed	Program Year Count	Total Activities Disbursed
Economic Development	Rehab; Publicly or Privately-Owned Commercial/Industrial (14E)	0	\$0.00	1	\$0.00	1	\$0.00
Housing	Total Economic Development	0	\$0.00	1	\$0.00	1	\$0.00
	Rehab; Single-Unit Residential (14A)	12	\$278,999.07	8	\$57,480.00	20	\$336,479.07
	Rehabilitation Administration (14H)	1	\$20,539.63	1	\$0.00	2	\$20,539.63
	Total Housing	13	\$299,538.70	9	\$57,480.00	22	\$357,018.70
Public Facilities and Improvements	Neighborhood Facilities (03E)	1	\$32,500.00	0	\$0.00	1	\$32,500.00
Public Services	Total Public Facilities and Improvements	1	\$32,500.00	0	\$0.00	1	\$32,500.00
	Senior Services (05A)	1	\$10,000.00	1	\$0.00	2	\$10,000.00
	Youth Services (05D)	2	\$30,300.00	2	\$0.00	4	\$30,300.00
	Health Services (05M)	1	\$11,130.00	0	\$0.00	1	\$11,130.00
	Housing Counseling only, under 24 CFR 5.100 (05U)	0	\$0.00	1	\$0.00	1	\$0.00
	Other Public Services Not Listed in 05A-05Y, 03T (05Z)	1	\$11,125.00	1	\$0.00	2	\$11,125.00
General Administration and Planning	Total Public Services	5	\$62,555.00	5	\$0.00	10	\$62,555.00
	General Program Administration (21A)	2	\$104,179.41	0	\$0.00	2	\$104,179.41
	Total General Administration and Planning	2	\$104,179.41	0	\$0.00	2	\$104,179.41
Grand Total		21	\$498,773.11	15	\$57,480.00	36	\$556,253.11



FORT MYERS

CDBG Sum of Actual Accomplishments by Activity Group and Accomplishment Type

Activity Group	Matrix Code	Accomplishment Type	Open Count	Completed Count	Program Year Totals
Economic Development	Rehab; Publicly or Privately-Owned Commercial/Industrial (14E)	Business	0	53,520	53,520
Housing	Total Economic Development		0	53,520	53,520
	Rehab; Single-Unit Residential (14A)	Housing Units	9	8	17
	Rehabilitation Administration (14H)	Housing Units	1	1	2
	Total Housing		10	9	19
Public Facilities and Improvements	Neighborhood Facilities (03E)	Public Facilities	23,850	0	23,850
Public Services	Total Public Facilities and Improvements		23,850	0	23,850
	Senior Services (05A)	Persons	43	81	124
	Youth Services (05D)	Persons	57	74	131
	Health Services (05M)	Persons	27	0	27
	Housing Counseling only, under 24 CFR 5.100 (05U)	Persons	0	38	38
	Other Public Services Not Listed in 05A-05Y, 03T (05Z)	Persons	20	20	40
	Total Public Services		147	213	360
Grand Total			24,007	53,742	77,749



FORT MYERS

CDBG Beneficiaries by Racial / Ethnic Category

Housing-Non Housing	Race	Total Persons		Total Hispanic		Total Hispanic	
		Persons	Households	Persons	Households	Persons	Households
Housing	Black/African American	0	20	0	20	0	0
Non Housing	Total Housing	0	20	0	20	0	0
	White	62	0	9	0	0	0
	Black/African American	239	0	1	0	0	0
	Asian	4	0	0	0	0	0
	American Indian/Alaskan Native & White	1	0	0	0	0	0
	Black/African American & White	8	0	0	0	0	0
	Amer. Indian/Alaskan Native & Black/African Amer.	2	0	0	0	0	0
	Other multi-racial	44	0	20	0	0	0
	Total Non Housing	360	0	30	0	0	0
	Grand Total	White	62	0	9	0	0
Black/African American		239	20	1	0	0	0
Asian		4	0	0	0	0	0
American Indian/Alaskan Native & White		1	0	0	0	0	0
Black/African American & White		8	0	0	0	0	0
Amer. Indian/Alaskan Native & Black/African Amer.		2	0	0	0	0	0
Other multi-racial		44	0	20	0	0	0
Total Grand Total	360	30	30	20	0	0	



FORT MYERS

CDBG Beneficiaries by Income Category

Income Levels	Owner Occupied	Renter Occupied	Persons
Housing			
Extremely Low (<=30%)	1	0	0
Low (>30% and <=50%)	6	0	0
Mod (>50% and <=80%)	1	0	0
Total Low-Mod	8	0	0
Non Low-Mod (>80%)	0	0	0
Total Beneficiaries	8	0	0
Extremely Low (<=30%)	0	0	98
Low (>30% and <=50%)	0	0	26
Mod (>50% and <=80%)	0	0	23
Total Low-Mod	0	0	147
Non Low-Mod (>80%)	0	0	0
Total Beneficiaries	0	0	147
Non Housing			

Section 3 Reports



Section 3 Summary Report

Economic Opportunities for Low- and Very Low-Income Persons

U.S. Department of Housing and Urban Development

Office of Fair Housing and Equal Opportunity

OMB Approval No. 2529-0043
(exp. 11/30/2018)

Disbursement Agency
CITY OF FORT MYERS
PO BOX 2217, FORT MYERS, FL 33902
59-6000321

Reporting Entity
CITY OF FORT MYERS
PO BOX 2217, FORT MYERS, FL 33902

Dollar Amount:	\$610,470.94
Contact Person:	Beverly Reed
Date Report Submitted:	01/06/2020

Reporting Period		Program Area Code	Program Area Name
From	To		
10/1/18	9/30/19	CDB1	Community Devel Block Grants

The expenditure of these funds did not result in any covered contracts or new hires during the 12-month period selected.

**Secure Systems**

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You must login at least once every 90 days to maintain an active ID. If you do not login again before 22 Mar 2020, your ID will be automatically deactivated. If your User ID is deactivated, please contact the TAC to reactivate your ID.

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Warning Notice

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Message of the Day

****** Attention SPEARS Users ******

This notice is to advise all affected users of the Section 3 Performance Evaluation and Registry System (SPEARS) that the system has been taken offline for maintenance due to data and reporting errors. We have identified the error and are working diligently to correct the problem and get the system back online.

Since all reports are due electronically, agencies with reports currently due will not be penalized for late submissions. We encourage you to notify your respective HUD program office representatives, so they are aware of this matter.

We anticipate the system will be fully operational by **January 2, 2020**. If there are any delays in returning the system to service, we will update our notice accordingly. We sincerely apologize for any inconvenience this may cause.

(Message ID# 60500 - Updated by C00722 on Mon Dec 23 11:15:42 EST 2019)

Content updated January 6, 2018

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451 7th Street S.W., Washington, DC 20410
Telephone: (202) 708-1112 TTY: (202) 708-1455

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Public Participation

Citizen Participation

Citizen comments on the 4th Program Year Consolidated Annual Performance and Evaluation Report (CAPER) were solicited through the entire process. A summary of the comments are found below:

- **Comment:** How were the CDBG grant funds allocated?

City Response: *The amount allocated to the City was \$618,176 in CDBG grant funds for fiscal year 2018-2019, the activities completed are as follows:*

Single Family Rehabilitation – \$336,479

Economic Development - \$43,625

Public Services - \$51,430

Administration - \$104,179

- **Comment:** Where can I apply for Rehabilitation Assistance?

City Response: *The City accepts applications for rehabilitation assistance through our new Neighborly software program. The waiting list is open every day and you may apply at any time. Provided you qualify for the program and the extent of the work required for your home the City will be able to assist you within a year. For additional information on the application process you may contact Cary Mock at 239-321-7971 or visit at 1825 Hendry Street, Fort Myers, FL in downtown Fort Myers.*

- **Comment:** Where can I obtain a City owned lot to build a home?

City Response: *The City advertises a list of available lots at least once a year for potential homebuilders (citizens, non-profit and for-profit organizations) to build a home within a three (3) year timeframe. For additional information on the process you may contact Kate Borton at 239-321-7967 or visit at 1825 Hendry Street, Fort Myers, FL.*



**CITY OF FORT MYERS
CITY COUNCIL REGULAR
MONDAY, DECEMBER 2, 2019
4:30 PM**

Oscar M. Corbin, Jr. City Hall
2200 Second Street
Fort Myers, Florida, 33901

ACTION AGENDA

*Randall P.
Henderson, Jr.
Mayor*

*Teresa Watkins
Brown
Ward 1*

*Johnny W. Streets,
Jr
Ward 2*

*Terolyn P. Watson
Ward 3*

*Kevin Anderson
Ward 4*

*Fred Burson
Ward 5*

*Gaile H. Anthony
Ward 6*

*Saeed Kazemi, P.E.
City Manager*

*Grant W. Alley
City Attorney*

PLEDGE OF CIVILITY

*We will be respectful of one another even when we disagree.
We will direct all comments to the Issues.
We will avoid personal attacks*

CALL TO ORDER 4:31 p.m.

OPENING PRAYER/PLEDGE OF ALLEGIANCE

The meeting was opened with prayer by Councilperson Anderson and Father Browning.
(See video @ 4:33 p.m.)

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Pro tem Burson.
(See video @ 4:33 p.m.)

ROLL CALL

Absent: Mayor Henderson (See video @ 4:34 p.m.)

1. PROCLAMATIONS/SPECIAL PRESENTATIONS

- 1.1. 2020 Census Update - Angela Johnson, US Department of Commerce/Census Bureau, Atlanta Regional Office

A motion was not made. (See video @ 4:36 p.m.)

- 1.2. Proclaim December 7, 2019, as League of Women Voters of Lee County, Florida Day

A motion was not made. (See video @ 4:45 p.m.)

- 1.3. Proclaim December 2, 2019 Hearts and Homes for Veterans Day

A motion was not made. (See video @ 4:50 p.m.)

2. APPROVAL OF WALK-ON AGENDA ITEMS – None. (See video @ 4:55 p.m.)

PUBLIC INPUT – NON-PUBLIC HEARING ITEMS

All speakers that wish to speak before, during a public hearing, or on non-agenda items must complete and submit a Request to Speak form to the City Clerk prior to the beginning of the meeting. - Three (3) minutes time limit per speaker - Public input for Public Hearing items will be heard during the Public Hearing.

Martin Byrd, Lee County NAACP, resident, spoke in support of Items 7.4, 7.5 and 7.6. (See video @ 4:55 p.m.)

Anthony Thomas, Jr., resident, discussed Item 4.2. (See video @ 4:56 p.m.)

3. CONSENT AGENDA

(Any Councilperson may remove and Item from the Consent Agenda and place it on the Regular Agenda for discussion following the Consent Agenda)

- 3.1. Minutes of the regular City Council meeting held on November 18, 2019

Approved. (See video @ 5:00 p.m.)

- 3.2. Change Order No. 1, in the amount of (\$94,008.51), and Closeout to Task Authorization No. 4, reducing the contract to Construction Manager at Risk RFQ 12-27-12-PW, with Wright Construction Group, Inc. for the Park's Supervisor's Office, including ADA Improvements for a total contract amount of \$107,590.47, and release final retainage payment, in the amount of \$5,379.52 (Ward 2)

Approved. (See video @ 5:00 p.m.)

- 3.3. Subrecipient Agreement, in the not to exceed amount of \$25,844.00, for the 2019-2020 Community Development Block Grant Program, CDFA No. 14.218, with I WILL Mentorship Foundation Incorporated to provide crime prevention and public safety activities to low to moderate income at-risk youth 12 to 18 years of age effective October 1, 2019, through September 30, 2020

Approved. (See video @ 5:00 p.m.)

- 3.4. Purchase of compressed natural gas for City sanitation vehicles in an amount not to exceed \$400,000.00 annually with TruStar Energy LLC

Approved. (See video @ 5:00 p.m.)

- 3.5. Professional Service Agreement, in the amount of \$692,992.19, RFQ No. 0025-19, Design of the John Yarbrough Linear Park Multi-Use Trail Extension, FDOT Project #440341-1-34-01, with Kisinger Campo & Associates, Corp., and authorize Mayor & City Manager to execute the agreement upon FDOT approval (Wards 3 & 5)

Approved. (See video @ 5:00 p.m.)

- 3.6. Supplemental Task Agreement No. 4, in the amount of \$197,530.00, to RFQ 10-29-14-PW with Exceptional Engineering for the Rockfill Road Drainage and Utility Improvements Design Project (Ward 2)

Approved. (See video @ 5:00 p.m.)

- 3.7. Approve an open-end lease schedule, in an estimated amount of \$1,196,136.00, to provide leasing services for 25 new police vehicles and equipment for a 4 year lease with The Bancorp Bank DBA Mears Leasing
(Removed to Regular Agenda)

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

- 3.8. Piggyback contract #16-014 from the City of Naples for GFA International - Private Provider and Inspection Services for supplemental plan review and inspection services

Approved. (See video @ 5:00 p.m.)

- 3.9. Town Fort Myers Final Plat of 29.29 acres, more or less, to create 1 lot and 2 tracts located at 7922 & 8599 Dani Drive, Fort Myers, Florida, as requested by Donald G. Miller, P.S.M., RWA Engineers, representing RD Town Village Walk, LLC, owner (Ward 6)

Approved. (See video @ 5:00 p.m.)

4. CITY COUNCIL COMMENTS AND ITEMS FOR CONSIDERATION

- 4.1. Donation, in the amount of \$5,000.00, from the Friends of James (Jim) Kinsey for purchase of the 2019 Christmas tree to be placed in Centennial Park
And
Budget amendment, in the amount of \$5,000.00, recognizing funds received from a donation and increasing Parks Operating Expenses budget by like amount (Ward 4)

Approved. (See video @ 5:06 p.m.)

- 4.2. Elect a new Mayor Pro tem, term effective December 3, 2019, through December 7, 2020

Councilperson Watson elected as Mayor Pro tem. (See video @ 5:08 p.m.)

- 4.3. Status of Advisory Boards

A motion was not made. (See video @ 5:09 p.m.)

5. PUBLIC HEARINGS

(Will be heard about 5:15 p.m. or as soon thereafter as can be heard)

- 5.1. Adopt Ordinance No. 3879 amending Chapter 66 Sales, Article II Garage Sales to remove registration requirements and the city providing signage for garage sales

Approved. (See video @ 5:17 p.m.)

- 5.2. Disposition of City-owned real property located at 1785 Glenway Court, located in the Dr. Martin Luther King, Jr. Community Redevelopment

Area (CRA), to Michael Doherty for infill housing development, pursuant to Section 163.380, Florida Statutes and City Code, Section 2-39 (Ward 1)

Anthony Thomas, Jr., resident, inquired about the sale price and required time to build.

Approved. (See video @ 5:21 p.m.)

- 5.3. Disposition of City-owned real property located at 2651 Larmie Street and 2643 Larmie Street, located in the Dr. Martin Luther King, Jr. Community Redevelopment Area (CRA), to Michael Love for infill housing development, pursuant to Section 163.380, Florida Statutes and City Code, Section 2-39 (Ward 3)

Anthony Thomas, Jr., resident, inquired about the property value and required time to build.

Approved. (See video @ 5:26 p.m.)

- 5.4. Disposition of City-owned real property located at 327 Nogales Street, located in the Dr. Martin Luther King, Jr. Community Redevelopment Area (CRA), to Tavaris Gary for infill housing development, pursuant to Section 163.380, Florida Statutes and City Code, Section 2-39 (Ward 1)

Anthony Thomas, Jr., resident, inquired about the property assessed value.

Approved. (See video @ 5:33 p.m.)

- 5.5. Disposition of City-owned real property located at 3341 Canal Street, located in the Dr. Martin Luther King, Jr. Community Redevelopment Area (CRA), to All Belong to Christ, LLC, for infill housing development, pursuant to Section 163.380, Florida Statutes and City Code, Section 2-39 (Ward 2)

Anthony Thomas, Jr., resident, discussed property value.

Roy Kennix, resident, spoke in support of affordable housing initiatives and assistance.

Approved. (See video @ 5:39 p.m.)

- 5.6. The United States Department of Housing and Urban Development (HUD) Community Development Block Grant Program (CDBG) 4th Program Year Consolidated Annual Performance and Evaluation Report (CAPER) for fiscal year 2018-2019

Approved. (See video @ 5:47 p.m.)

6. PERMISSION TO ADVERTISE

- 6.1. Permission to advertise Ordinance No 3889, for a public hearing on January 6, 2020, amending the City Code Article III, Purchasing Section 38-61 to update ordinance to meet current standards and best practices

Approved. (See video @ 5:09 p.m.)

- 6.2. Permission to advertise Ordinance No. 3890 Chapter 118 - Land Use Regulations, for the FIRST public hearing on January 6, 2020, relating to scrivener's errors, various corrections and clarifications, and the addition of language establishing Serena Park platted lots as legal nonconforming single-family lots

Approved. (See video @ 5:11 p.m.)

- 6.3. Permission to advertise Ordinance No. 3891, for a public hearing on January 6, 2020, to consider an amendment to the Treeline Preserve Planned Unit Development located north of Lee Boulevard, south of Buckingham Road, and east of The Forum Boulevard in part of Section 25, Township 44 South, Range 25 East and part of Section 26, Township 45 South, Range 25 East, Fort Myers, Lee County, Florida; rescinding Ordinance No. 3376; providing for severability and providing for an effective date. (Quasi-Judicial) (Ward 6)

Approved. (See video @ 5:12 p.m.)

- 6.4. Permission to advertise Resolution No. 2019-34, for a public hearing on January 6, 2020, vacating a 590-foot-long portion of the Prince Street right of way located south of Edison Avenue and north of the CSX Railroad right of way (Quasi-Judicial) (Ward 3)

Approved. (See video @ 5:12 p.m.)

- 6.5. Permission to advertise, for a public hearing on January 6, 2020, a development agreement for Cypress Village affordable housing development located at 4551 Winkler Ave. regarding parking and traffic circulation issues. (Ward 6).

Approved. (See video @ 5:13 p.m.)

7. CITY MANAGER'S ITEMS

- 7.1. The Housing Authority of The City of Fort Myers, Florida Contract for the Provision of Supplemental Police Services with the City of Fort Myers, Florida for four (4) months, effective June 1, 2019 through September 30, 2019, in the amount of \$18,761.36 paid to the City for two (2) full-time police officers

Approved. (See video @ 5:15 p.m.)

- 7.2. Resolution No. 2019-35 authorizing the Mayor and City Manager to enter into the Federally Funded Subgrant Agreement #H0322 with the Florida Division of Emergency Management Mitigation Bureau and the Federal Emergency Management Agency for funding of the City Wide Canal Armoring
And
Federally Funded Subgrant Agreement #H0322 with the Florida Division of Emergency Management Mitigation Bureau and the Federal Emergency Management Agency for funding of the City Wide Canal Armoring project, providing \$1,659,720.00 in funding to the City with a City match of \$566,688.50, for a total of \$2,226,408.50 (Wards 1, 2, 3, 4, and 5)

Approved. (See video @ 5:48 p.m.)

- 7.3. Commitment of \$50,000.00 to The Housing Authority of the City of Fort Myers and The Related Group, providing local government contribution match to awardee for Florida Housing Finance Corporation funding for State Apartment Incentive Loan (SAIL) Financing of Affordable Multifamily Housing Developments (Ward 5)

Approved. (See video @ 5:50 p.m.)

- 7.4. Commitment of \$50,000.00 to National Development of America, Inc., providing local government contribution match towards Florida Housing Finance Corporation funding for State Apartment Incentive Loan (SAIL) Financing of Affordable Multifamily Housing Developments (Ward 2)

Approved. (See video @ 5:51 p.m.)

- 7.5. Commitment of \$50,000.00 to SP Chestnut, LLC. providing local government contribution match towards Florida Housing Finance Corporation funding for State Apartment Incentive Loan (SAIL) Financing of Affordable Multifamily Housing Developments (Ward 3)

Approved. (See video @ 5:52 p.m.)

- 7.6. Amendment to Purchase and Sale Agreement for the purchase of parcels at 2404 and 2442 Dr. Martin Luther King Jr. Boulevard in the amount of \$8,900,000.00, plus associated closing costs and brokerage fee in the amount of \$133,125.00, from 2442 Dr. Martin Luther King, Jr. Blvd., LLC, a Delaware limited liability company.

Approved. (See video @ 5:52 p.m.)

I DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL THEREOF ON FILE IN MY OFFICE. WITNESS MY HAND AND SEAL OF SAID CITY THIS 21 DAY OF February, A.D. 2019.
[Signature]
DEPUTY CITY CLERK, CITY OF FORT MYERS, FLORIDA

8. CITY ATTORNEY'S ITEMS

- 8.1. Increase purchase order for Donnelly & Gross Law Firm, in the amount of \$125,000.00, in the matter Harris/Ramos V. Josh Steinman and the City of Fort Myers for \$125,000.00.

Approved. (See video @ 6:04 p.m.)

PUBLIC COMMENT – NON-AGENDA ITEMS

Speakers may speak on subject matters not listed on the agenda, provided the subject matter is within the jurisdiction of the City Council – Three (3) minute time limit per speaker

Jeffrey Kiss, Banyan Development Group inquired about a local government contribution commitment for Hibiscus Apartments Phase Two. (See video @ 6:11 p.m.)

Anthony Thomas, Jr., resident, commented on City owned property, leadership and good stewardship. (See video @ 6:17 p.m.)

ADJOURNMENT: 6:19 p.m.

If a 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 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



**CITY OF FORT MYERS
CITY COUNCIL REGULAR
MONDAY, DECEMBER 2, 2019
4:30 PM**

Oscar M. Corbin, Jr. City Hall
2200 Second Street
Fort Myers, Florida, 33901
AGENDA

*Randall P.
Henderson, Jr.
Mayor*

*Teresa Watkins
Brown
Ward 1*

*Johnny W. Streets,
Jr
Ward 2*

*Terolyn P. Watson
Ward 3*

*Kevin Anderson
Ward 4*

*Fred Burson
Ward 5*

*Gaile H. Anthony
Ward 6*

*Saeed Kazemi, P.E.
City Manager*

*Grant W. Alley
City Attorney*

PLEDGE OF CIVILITY

*We will be respectful of one another even when we disagree.
We will direct all comments to the Issues.
We will avoid personal attacks*

CALL TO ORDER

OPENING PRAYER/PLEDGE OF ALLEGIANCE

ROLL CALL

1. PROCLAMATIONS/SPECIAL PRESENTATIONS

- 1.1. 2020 Census Update - Angela Johnson, US Department of Commerce/Census Bureau, Atlanta Regional Office
- 1.2. Proclaim December 7, 2019, as League of Women Voters of Lee County, Florida Day
- 1.3. Proclaim December 2, 2019 Hearts and Homes for Veterans Day

2. APPROVAL OF WALK-ON AGENDA ITEMS

PUBLIC INPUT – NON-PUBLIC HEARING ITEMS

All speakers that wish to speak before, during a public hearing, or on non-agenda items must complete and submit a Request to Speak form to the City Clerk prior to the beginning of the meeting. - Three (3) minutes time limit per speaker - Public input for Public Hearing items will be heard during the Public Hearing.

3. CONSENT AGENDA

(Any Councilperson may remove and Item from the Consent Agenda and place it on the Regular agenda for discussion following the Consent Agenda)

- 3.1. Minutes of the regular City Council meeting held on November 18, 2019

- 3.2. Change Order No. 1, in the amount of (\$94,008.51), and Closeout to Task Authorization No. 4, reducing the contract to Construction Manager at Risk RFQ 12-27-12-PW, with Wright Construction Group, Inc. for the Park's Supervisor's Office, including ADA Improvements for a total contract amount of \$107,590.47, and release final retainage payment, in the amount of \$5,379.52 (Ward 2)
- 3.3. Subrecipient Agreement, in the not to exceed amount of \$25,844.00, for the 2019-2020 Community Development Block Grant Program, CDFA No. 14.218, with I WILL Mentorship Foundation Incorporated to provide crime prevention and public safety activities to low to moderate income at-risk youth 12 to 18 years of age effective October 1, 2019, through September 30, 2020
- 3.4. Purchase of compressed natural gas for City sanitation vehicles in an amount not to exceed \$400,000.00 annually with TruStar Energy LLC
- 3.5. Professional Service Agreement, in the amount of \$692,992.19, RFQ No. 0025-19, Design of the John Yarbrough Linear Park Multi-Use Trail Extension, FDOT Project #440341-1-34-01, with Kisinger Campo & Associates, Corp., and authorize Mayor & City Manager to execute the agreement upon FDOT approval (Wards 3 & 5)
- 3.6. Supplemental Task Agreement No. 4, in the amount of \$197,530.00, to RFQ 10-29-14-PW with Exceptional Engineering for the Rockfill Road Drainage and Utility Improvements Design Project (Ward 2)
- 3.7. Approve an open-end lease schedule, in an estimated amount of \$1,196,136.00, to provide leasing services for 25 new police vehicles and equipment for a 4 year lease with The Bancorp Bank DBA Mears Leasing
- 3.8. Piggyback contract #16-014 from the City of Naples for GFA International - Private Provider and Inspection Services for supplemental plan review and inspection services
- 3.9. Town Fort Myers Final Plat of 29.29 acres, more or less, to create 1 lot and 2 tracts located at 7922 & 8599 Dani Drive, Fort Myers, Florida, as requested by Donald G. Miller, P.S.M., RWA Engineers, representing RD Town Village Walk, LLC, owner (Ward 6)

4. CITY COUNCIL COMMENTS AND ITEMS FOR CONSIDERATION

- 4.1. Donation, in the amount of \$5,000.00, from the Friends of James (Jim) Kinsey for purchase of the 2019 Christmas tree to be placed in

Centennial Park

And

Budget amendment, in the amount of \$5,000.00, recognizing funds received from a donation and increasing Parks Operating Expenses budget by like amount (Ward 4)

4.2. Elect a new Mayor Pro tem, term effective December 3, 2019, through December 7, 2020

4.3. Status of Advisory Boards

5. PUBLIC HEARINGS

(Will be heard about 5:15 p.m. or as soon thereafter as can be heard)

5.1. Adopt Ordinance No. 3879 amending Chapter 66 Sales, Article II Garage Sales to remove registration requirements and the city providing signage for garage sales

5.2. Disposition of City-owned real property located at 1785 Glenway Court, located in the Dr. Martin Luther King, Jr. Community Redevelopment Area (CRA), to Michael Doherty for infill housing development, pursuant to Section 163.380, Florida Statutes and City Code, Section 2-39 (Ward 1)

5.3. Disposition of City-owned real property located at 2651 Larmie Street and 2643 Larmie Street, located in the Dr. Martin Luther King, Jr. Community Redevelopment Area (CRA), to Michael Love for infill housing development, pursuant to Section 163.380, Florida Statutes and City Code, Section 2-39 (Ward 3)

5.4. Disposition of City-owned real property located at 327 Nogales Street, located in the Dr. Martin Luther King, Jr. Community Redevelopment Area (CRA), to Tavaris Gary for infill housing development, pursuant to Section 163.380, Florida Statutes and City Code, Section 2-39 (Ward 1)

5.5. Disposition of City-owned real property located at 3341 Canal Street, located in the Dr. Martin Luther King, Jr. Community Redevelopment Area (CRA), to All Belong to Christ, LLC, for infill housing development, pursuant to Section 163.380, Florida Statutes and City Code, Section 2-39 (Ward 2)

5.6. The United States Department of Housing and Urban Development (HUD) Community Development Block Grant Program (CDBG) 4th Program Year Consolidated Annual Performance and Evaluation Report (CAPER) for fiscal year 2018-2019

6. PERMISSION TO ADVERTISE

- 6.1. Permission to advertise Ordinance No 3889, for a public hearing on January 6, 2020, amending the City Code Article III, Purchasing Section 38-61 to update ordinance to meet current standards and best practices
- 6.2. Permission to advertise Ordinance No. 3890 Chapter 118 - Land Use Regulations, for the FIRST public hearing on January 6, 2020, relating to scrivener's errors, various corrections and clarifications, and the addition of language establishing Serena Park platted lots as legal nonconforming single-family lots
- 6.3. Permission to advertise Ordinance No. 3891, for a public hearing on January 6, 2020, to consider an amendment to the Treeline Preserve Planned Unit Development located north of Lee Boulevard, south of Buckingham Road, and east of The Forum Boulevard in part of Section 25, Township 44 South, Range 25 East and part of Section 26, Township 45 South, Range 25 East, Fort Myers, Lee County, Florida; rescinding Ordinance No. 3376; providing for severability and providing for an effective date. (Quasi-Judicial) (Ward 6)
- 6.4. Permission to advertise Resolution No. 2019-34, for a public hearing on January 6, 2020, vacating a 590-foot-long portion of the Prince Street right of way located south of Edison Avenue and north of the CSX Railroad right of way (Quasi-Judicial) (Ward 3)
- 6.5. Permission to advertise, for a public hearing on January 6, 2020, a development agreement for Cypress Village affordable housing development located at 4551 Winkler Ave. regarding parking and traffic circulation issues. (Ward 6).

7. CITY MANAGER'S ITEMS

- 7.1. The Housing Authority of The City of Fort Myers, Florida Contract for the Provision of Supplemental Police Services with the City of Fort Myers, Florida for four (4) months, effective June 1, 2019 through September 30, 2019, in the amount of \$18,761.36 paid to the City for two (2) full-time police officers
- 7.2. Resolution No. 2019-35 authorizing the Mayor and City Manager to enter into the Federally Funded Subgrant Agreement #H0322 with the Florida Division of Emergency Management Mitigation Bureau and the Federal Emergency Management Agency for funding of the City Wide Canal Armoring
And
Federally Funded Subgrant Agreement #H0322 with the Florida Division of Emergency Management Mitigation Bureau and the Federal Emergency Management Agency for funding of the City Wide Canal Armoring project, providing \$1,659,720.00 in funding to the City with a City match of \$566,688.50, for a total of \$2,226,408.50 (Wards 1, 2, 3, 4,

and 5)

- 7.3. Commitment of \$50,000.00 to The Housing Authority of the City of Fort Myers and The Related Group, providing local government contribution match to awardee for Florida Housing Finance Corporation funding for State Apartment Incentive Loan (SAIL) Financing of Affordable Multifamily Housing Developments (Ward 5)
- 7.4. Commitment of \$50,000.00 to National Development of America, Inc., providing local government contribution match towards Florida Housing Finance Corporation funding for State Apartment Incentive Loan (SAIL) Financing of Affordable Multifamily Housing Developments (Ward 2)
- 7.5. Commitment of \$50,000.00 to SP Chestnut, LLC. providing local government contribution match towards Florida Housing Finance Corporation funding for State Apartment Incentive Loan (SAIL) Financing of Affordable Multifamily Housing Developments (Ward 3)
- 7.6. Amendment to Purchase and Sale Agreement for the purchase of parcels at 2404 and 2442 Dr. Martin Luther King Jr. Boulevard in the amount of \$8,900,000.00, plus associated closing costs and brokerage fee in the amount of \$133,125.00, from 2442 Dr. Martin Luther King, Jr. Blvd., LLC, a Delaware limited liability company.

8. CITY ATTORNEY'S ITEMS

- 8.1. Increase purchase order for Donnelly & Gross Law Firm, in the amount of \$125,000.00, in the matter Harris/Ramos V. Josh Steinman and the City of Fort Myers for \$125,000.00

PUBLIC COMMENT – NON-AGENDA ITEMS

Speakers may speak on subject matters not listed on the agenda, provided the subject matter is within the jurisdiction of the City Council – Three (3) minute time limit per speaker

ADJOURNMENT

If a 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 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.

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**CITY OF FORT MYERS
CITY COUNCIL REGULAR
MONDAY, NOVEMBER 4, 2019
4:30 PM**

Oscar M. Corbin, Jr. City Hall
2200 Second Street
Fort Myers, Florida, 33901
ACTION AGENDA

*Randall P. Henderson, Jr.
Mayor*

*Teresa Watkins Brown
Ward 1*

*Johnny W. Streets, Jr.
Ward 2*

*Terolyn P. Watson
Ward 3*

*Kevin Anderson
Ward 4*

*Fred Burson
Ward 5*

*Gaile H. Anthony
Ward 6*

*Saeed Kazemi, P.E.
City Manager*

*Grant W. Alley
City Attorney*

PLEDGE OF CIVILITY

*We will be respectful of one another even when we disagree.
We will direct all comments to the Issues.
We will avoid personal attacks*

CALL TO ORDER 4:33 p.m.

OPENING PRAYER/PLEDGE OF ALLEGIANCE

The meeting was opened with prayer by Pastor Jim Harper, III, Thomas A. Edison Congregational Church.

(See video @ 4:34 p.m.)

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Henderson.

(See video @ 4:35 p.m.)

ROLL CALL

Absent: Councilperson Watson (See video @ 4:37 p.m.)

1. PROCLAMATIONS/SPECIAL PRESENTATIONS

- 1.1. Recognize and present plaque to Stewart Materials for donation of sand to the Fort Myers Midtown Volleyball Complex

A motion was not made. (See video @ 4:38 p.m.)

- 1.2. Annual report on activities at the Fort Myers - Lee County Garden Council, Inc., a non-profit organization in the State of Florida, located at 2166 Virginia Avenue, lessee, to comply with the Municipal Lease Agreement (Ward 4)

A motion was not made. (See video @ 4:41 p.m.)

- 1.3. Proclaim November 2019 as Hunger and Homelessness Awareness Month

A motion was not made. (See video @ 4:51 p.m.)

- 1.4. Presentation by Habitat for Humanity of Lee and Hendry Counties, Inc., to recognize the City for the outstanding contributions and continued support they have received from the City

A motion was not made. (See video @ 4:57 p.m.)

2. APPROVAL OF WALK-ON AGENDA ITEMS (NONE)

PUBLIC INPUT – NON-PUBLIC HEARING ITEMS

All speakers that wish to speak before, during a public hearing, or on non-agenda items must complete and submit a Request to Speak form to the City Clerk prior to the beginning of the meeting. - Three (3) minutes time limit per speaker - Public input for Public Hearing items will be heard during the Public Hearing.

Anthony Thomas, Jr., resident, spoke in opposition to Item 4.2 and 7.2. (See video @ 5:00 p.m.)

3. CONSENT AGENDA

(Any Councilperson may remove and Item from the Consent Agenda and place it on the Regular agenda for discussion following the Consent Agenda)

- 3.1. Minutes of the regular City Council meeting held on October 21, 2019
Approved. (See video @ 5:06 p.m.)
- 3.2. Waiver of the Rehabilitation Strategy and Emergency Repair Rehabilitation strategy for prior projects that exceed the grant assistance requirement of the 2016-2019 Local Housing Assistance Program (LHAP), as required by the State Housing Initiative Partnership (SHIP)
Approved. (See video @ 5:06 p.m.)
- 3.3. Write off amounts for uncollectible accounts in the amount of \$21,966.67: Yacht Basin, \$2,826.10; Solid Waste, \$3,642.95; and Utilities, \$15,497.62
Approved. (See video @ 5:06 p.m.)
- 3.4. Subrecipient Agreement, in the not to exceed amount of \$22,400.00, for the 2019- 2020 Community Development Block Grant (CDBG) Program, Catalogue of Federal Domestic Assistance (CDFA) No. 14.218, with Basic Learning Skills Learning Center Incorporated to administer a tutoring Youth Services Program for City youth 6 through 18 years of age with low to moderate income effective October 1, 2019, through September 30, 2020 (Removed to Regular Agenda)
Approved. (See video @ 5:07 p.m.)
- 3.5. Budget amendment, in the amount of \$500,000.00, reducing the Unsafe Structured Demolition capital project and creating a new capital improvement project, Unsafe Structure Demolition-Building Code Violations funded with the Building Permits and Inspections Fund reserves
Approved. (See video @ 5:06 p.m.)
- 3.6. Change Order No. 4, in the amount of \$6,259.00, to Amendment No. 2 to STA No. 3 for Professional Services Agreement - Continuing Contract Environmental Engineering Services RFQ No. 03-12-12-PW with GFA International Inc. for the property at 3348 South Street for a total contract price of \$351,068.48 (Ward 2)
Approved. (See video @ 5:06 p.m.)
- 3.7. Professional Services Agreement, in the amount of \$590,045.49, for Design Services for Conversion of First Street and Second Street from

One-Way Streets to Two-Way Streets, Request For Qualifications No. 0024-19, with ADEAS-Q, LLC (Wards 1 & 2) (Removed to Regular Agenda)

Approved. (See video @ 5:09 p.m.)

- 3.8. Sole source procurement, in the amount of \$429,778.00, for the upgrade of forty (40) lift stations to Supervisory Control and Data Acquisition (SCADA) system from Data Flow Systems Inc.

Approved. (See video @ 5:06 p.m.)

- 3.9. Professional Services Agreement, in the amount of \$1,392,353.00, for Advanced Wastewater Treatment Facilities Biosolids Upgrade, Request For Qualifications No. 0022-19, with McKim & Creed, Inc. (Wards 1 & 5)

Approved. (See video @ 5:06 p.m.)

- 3.10. Terminate Interlocal Agreement with the Florida International University Board of Trustees, that was effective on April 1, 2019, on behalf of its Metropolitan Center to undertake an Economic Development Strategy

Approved. (See video @ 5:06 p.m.)

- 3.11. Interlocal Agreement with Florida International University Board of Trustees on behalf of its Metropolitan Center to undertake an Economic Development Plan that will focus on Palm Beach Boulevard, Martin Luther King, Jr. Boulevard, Colonial Avenue, and Fowler Street commercial corridors;

And budget amendment appropriating General Fund reserves in the amount of \$275,000.00 and increasing Professional Services by like amount (Removed to Regular Agenda)

Approved. (See video @ 5:26 p.m.)

- 3.12. Participation in the Florida Sheriffs Association Contract No. FSA 19-VEH 17.0, Heavy Trucks and Equipment for the Purchase of two new 2021 Peterbilt Model 348 Cabs and Chassis with new 14 foot dump bodies from Palm Peterbilt, a local Fort Myers business, in the amount of \$136,919.00 each, for a total amount of \$273,838.00

Approved. (See video @ 5:06 p.m.)

4. CITY COUNCIL COMMENTS AND ITEMS FOR CONSIDERATION

- 4.1. Appoint a Chair and Vice-Chair for the Community Redevelopment Agency Board of Commissioners, term effective November 20, 2019, through November 19, 2021 (Mayor Henderson)

Councilperson Burson appointed as Chair for the Community Redevelopment Agency Board of Commissioners.

(See video @ 5:34 p.m.)

Councilperson Anderson appointed as Vice-Chair for the Community Redevelopment Agency Board of Commissioners.

(See video @ 5:34 p.m.)

4.2. Discuss the Inspector General position at the Fort Myers Police Department (Councilperson Streets)

A motion was not made. (See video @ 5:35 p.m.)

- 4.3. Status update on the Luminary Hotel (Councilperson Anderson)
A motion was not made. (See video @ 5:52 p.m.)
- 4.4. Update from the City Manager on the condition of Billy's Creek (Councilperson Anderson)
A motion was not made. (See video @ 5:58 p.m.)
- 4.5. Discussion in regard to Financial Gap Analysis (Councilperson Streets)
A motion was not made. (See video @ 6:06 p.m.)
- 4.6. Appoint Bobby Douglas Dennis Jr to the Fort Myers Teen Advisory Board, term effective November 4, 2019 through November 3, 2021 (Councilperson Streets)
Approved. (See video @ 6:09 p.m.)
- 4.7. Appoint Mariah C. Bakke as an at large member of the Planning Board, term effective November 4, 2019, through November 3, 2022 (Mayor Henderson)
Approved. (See video @ 6:10 p.m.)
- 4.8. Status of Advisory Boards
A motion was not made. (See video @ 6:11 p.m.)

5. PUBLIC HEARINGS

(Will be heard about 5:15 p.m. or as soon thereafter as can be heard)

- 5.1. SECOND PUBLIC HEARING: Ordinance No. 3883 Accessory Dwelling Units (ADUs) an amendment to the following chapters of the Land Development Code (LDC) Chapter 98 - Administration; Article 3. - Procedures, and Article 4. - Nonconformities; Chapter 118 - Land Use Regulations, Article 2. - Base Districts and Article 3. - Permitted Land Uses; and Chapter 142 – Definitions
Motion to table to the January 6, 2020 City Council Regular Meeting.
(See video @ 6:11 p.m.)
- 5.2. Ordinance No. 3884 to extend the time frame for construction per Ordinance No. 3843 a Planned Unit Development (PUD) on 3066 Cranford Avenue (Quasi-Judicial) (Ward 3)
Approved as amended. (See video @ 6:36 p.m.)

Mayor Henderson left the meeting at 6:47 p.m., Mayor Pro tem Burson presided over the remainder of the meeting

- 5.3. Ordinance No. 3865 rezoning 7.63 acres, more or less, with STRAP number 19-44-25-P3-00600.0010 from Recreation (REC) to Commercial Intensive (CI) located in Section 19, Township 44 South, Range 25 East, as requested by the City of Fort Myers (Quasi-Judicial) (Ward 2)

Residents Carolyn Norris, Roy H, Kennix, Yvonne Hill, Prince Jones, P.A. and Lee Ford spoke in support of Ordinance No. 3865

Residents Anthony Thomas, Jr. and Reverend Thelma Black-Smith, spoke in opposition to Ordinance No. 3865.

Approved. (See video @ 6:47 p.m.)

- 5.4. Ordinance No. 3885, amending Chapter 86 sections 86-241 (Definitions) and Section 86-242 (Prohibited Areas) to include micro mobility devices and motorized scooters

Residents John Moffatt, April Palus, Anthony Thomas and Alva resident, James Knoop spoke in opposition to Ordinance No. 3885

Motion to table to the February 4, 2020 City Council Regular Meeting and bring back more details. (See video @ 7:28 p.m.)

6. PERMISSION TO ADVERTISE

- 6.1. Permission to advertise Ordinance No. 3879 for a public hearing amending Chapter 66 Sales, Article II Garage Sales to remove registration requirements and the city providing signage for garage sales

Approved. (See video @ 7:51 p.m.)

- 6.2. Permission to advertise Ordinance No. 3886, an ordinance of the City Council of the City of Fort Myers, Florida, providing for Future Land Use map amendment 19-MA-02 for properties fronting Lemon Street, bounded by Evans Avenue and Cranford Avenue, providing for legal status, providing for severability, and providing for an effective date (Quasi-Judicial) (Ward 2)

A quorum was not available for this item. City Manager Kazemi to bring back to the November 18, 2019 City Council Regular Meeting.

A motion was not made. (See video @ 7:52 p.m.)

- 6.3. Permission to advertise permission to advertise Ordinance No. 3887, an Ordinance of the City Council of the City of Fort Myers, Florida, rezoning 2.16 acres, more or less, parcels located on properties fronting Lemon Street, bounded by Evans Avenue and Cranford Avenue from Neighborhood Redevelopment (NR-1) to Commercial General (CG), located in Section 13, Township 44 South, Range 24 East; providing for severability, and providing for an effective date (Quasi-Judicial) (Ward 2)

A quorum was not available for this item. City Manager Kazemi to bring back to the November 18, 2019 City Council Regular Meeting.

A motion was not made. (See video @ 7:52 p.m.)

- 6.4. Permission to advertise Resolution No. 2019-32 for a public hearing on November 18, 2019, a Resolution of the City Council of the City of Fort Myers, Florida, approving the affordable housing vacant land inventory list of City-owned property appropriate for use as Affordable Housing, pursuant to Section 166.0451, Florida Statutes; and providing for an effective date.

Approved. (See video @ 7:59 p.m.)

- 6.5. Permission to advertise a 15-day comment period and public hearing for the Fourth Program Year Consolidated Annual Performance and Evaluation Report for Fiscal Year 2018-2019 Community Development Block Grant Program (CDBG), pursuant to U.S. Housing and Urban Development (HUD) requirements

Approved. (See video @ 8:04 p.m.)

- 6.6. Permission to advertise for a public hearing on November 18, 2019, to accept donation of STRAP No. 18-44-25-P4-0010B.0100, a vacant parcel located at 3027 Second Street from Olga Semreen, owner (Ward 1)

Approved. (See video @ 8:04 p.m.)

- 6.7. Permission to advertise for a public hearing on November 18, 2019, to accept donation of STRAP No. 25-44-24-P2-0030B.0110, vacant residential property located at 2830 Cranford Avenue from Geradine Keenan, owner.

Approved. (See video @ 8:05 p.m.)

7. CITY MANAGER'S ITEMS

- 7.1. Resolution 2019-33 authorizing the Mayor and City Manager to enter into the Federally Funded Subgrant Agreement #H0263 with the Florida Division of Emergency Management Mitigation Bureau and the Federal Emergency Management Agency for funding of Phase I Edgewood Neighborhood Drainage Project

And

Federally Funded Subgrant Agreement #H0263 with the Florida Division of Emergency Management Mitigation Bureau and the Federal Emergency Management Agency for funding of Phase I Edgewood Neighborhood Drainage Project, providing \$154,639.58 in funding to the City with a City match of \$52,360.42, for a total of \$207,000.00 (Wards 1 & 2)

Approved. (See video @ 8:06 p.m.)

- 7.2. Employment Agreement, in the annual base salary of \$119,700.00, with Jeffrey A. Meyers, Deputy Police Chief, effective November 22, 2019

Approved. (See video @ 8:08 p.m.)

- 7.3. Interlocal Agreement Providing Transit Service with Lee County, in the amount of \$401,018.00, for the downtown Trolley Routes to operate from November 20, 2019 through May 2, 2020

Approved. (See video @ 8:09 p.m.)

- 7.4. City of Fort Myers 2020 Legislative Agenda and Appropriations Requests for the 2020 General Session of the Florida Legislature

Approved. (See video @ 8:13 p.m.)

8. CITY ATTORNEY'S ITEMS

- 8.1. Settlement of Ruthie Wright v. City of Fort Myers, Case Number 18-CA-00942

Approved. (See video @ 8:20 p.m.)

- 8.2. Payless Holdings, LLC, et al. - Ballot for Voting to Accept Second Amended Joint Plan of Reorganization of Payless Holdings, LLC and its Debtor Affiliates pursuant to Chapter 11 of the Bankruptcy Code

Approved. (See video @ 8:23 p.m.)

- 8.3. Request Executive Session - Case No: 2:18-cv-00195-SPC-UAM United States District Court for the Middle District of Florida, Fort Myers Division - Deretha Miller, Willie Blanks, and Tambitha Blanks, individually, and on behalf of a class of persons similarly situated, Plaintiffs v The City of Fort Myers, a Municipality, Mayor Randall P. Henderson, Jr. in his official capacity as City of Fort Myers Mayor, and Saeed Kazemi, in his official capacity as City of Fort Myers Manager

Approved. (See video @ 8:24 p.m.)

PUBLIC COMMENT – NON-AGENDA ITEMS

Speakers may speak on subject matters not listed on the agenda, provided the subject matter is within the jurisdiction of the City Council – Three (3) minute time limit per speaker

Edward Melton, resident, spoke on the changes implemented by the River District Alliance regarding Downtown Music Night and the actions of the Fort Myers Police Department.

Kynse Leigh Agles, resident, spoke on the positive impact Bike Night has on Downtown businesses.

Anthony Thomas, Jr., resident, spoke on Councilperson Streets comments about the conflict of interest pertaining to the Planning Board and the hiring of an outside attorney to represent the Chief of Police on his ethics complaint. He noted that Councilperson Watson was not present as she had a death in her family.

Shanna Miller, resident, spoke on the changes implemented by the River District Alliance and her opposing the cancellation of Bike Night. She presented a petition with over 2000 signatures from citizens and business owners opposing the termination of Bike Night.

(See video @ 8:26 p.m.)

ADDITIONAL ITEM

Fire Chief John D. Caufield was recognized for his outstanding service to the City of Fort Myers.

(See video @ 8:45 p.m.)

ADJOURNMENT: 8:47 p.m.

If a 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 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.



**CITY OF FORT MYERS
CITY COUNCIL REGULAR
MONDAY, DECEMBER 2, 2019
4:30 PM**

Oscar M. Corbin, Jr. City Hall
2200 Second Street
Fort Myers, Florida, 33901
ACTION AGENDA

*Randall P.
Henderson, Jr.
Mayor*

*Teresa Watkins
Brown
Ward 1*

*Johnny W. Streets,
Jr
Ward 2*

*Terolyn P. Watson
Ward 3*

*Kevin Anderson
Ward 4*

*Fred Burson
Ward 5*

*Gaile H. Anthony
Ward 6*

*Saeed Kazemi, P.E.
City Manager*

*Grant W. Alley
City Attorney*

PLEDGE OF CIVILITY

*We will be respectful of one another even when we disagree.
We will direct all comments to the Issues.
We will avoid personal attacks*

CALL TO ORDER 4:31 p.m.

OPENING PRAYER/PLEDGE OF ALLEGIANCE

The meeting was opened with prayer by Councilperson Anderson and Father Browning.
(See video @ 4:33 p.m.)

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Pro tem Burson.
(See video @ 4:33 p.m.)

ROLL CALL

Absent: Mayor Henderson (See video @ 4:34 p.m.)

1. PROCLAMATIONS/SPECIAL PRESENTATIONS

- 1.1. 2020 Census Update - Angela Johnson, US Department of Commerce/Census Bureau, Atlanta Regional Office

A motion was not made. (See video @ 4:36 p.m.)

- 1.2. Proclaim December 7, 2019, as League of Women Voters of Lee County, Florida Day

A motion was not made. (See video @ 4:45 p.m.)

- 1.3. Proclaim December 2, 2019 Hearts and Homes for Veterans Day

A motion was not made. (See video @ 4:50 p.m.)

2. APPROVAL OF WALK-ON AGENDA ITEMS – None. (See video @ 4:55 p.m.)

PUBLIC INPUT – NON-PUBLIC HEARING ITEMS

All speakers that wish to speak before, during a public hearing, or on non-agenda items must complete and submit a Request to Speak form to the City Clerk prior to the beginning of the meeting. - Three (3) minutes time limit per speaker - Public input for Public Hearing items will be heard during the Public Hearing.

Martin Byrd, Lee County NAACP, resident, spoke in support of Items 7.4, 7.5 and 7.6. (See video @ 4:55 p.m.)

Anthony Thomas, Jr., resident, discussed Item 4.2. (See video @ 4:56 p.m.)

3. CONSENT AGENDA

(Any Councilperson may remove and Item from the Consent Agenda and place it on the Regular Agenda for discussion following the Consent Agenda)

- 3.1. Minutes of the regular City Council meeting held on November 18, 2019

Approved. (See video @ 5:00 p.m.)

- 3.2. Change Order No. 1, in the amount of (\$94,008.51), and Closeout to Task Authorization No. 4, reducing the contract to Construction Manager at Risk RFQ 12-27-12-PW, with Wright Construction Group, Inc. for the Park's Supervisor's Office, including ADA Improvements for a total contract amount of \$107,590.47, and release final retainage payment, in the amount of \$5,379.52 (Ward 2)

Approved. (See video @ 5:00 p.m.)

- 3.3. Subrecipient Agreement, in the not to exceed amount of \$25,844.00, for the 2019-2020 Community Development Block Grant Program, CDFR No. 14.218, with I WILL Mentorship Foundation Incorporated to provide crime prevention and public safety activities to low to moderate income at-risk youth 12 to 18 years of age effective October 1, 2019, through September 30, 2020

Approved. (See video @ 5:00 p.m.)

- 3.4. Purchase of compressed natural gas for City sanitation vehicles in an amount not to exceed \$400,000.00 annually with TruStar Energy LLC

Approved. (See video @ 5:00 p.m.)

- 3.5. Professional Service Agreement, in the amount of \$692,992.19, RFQ No. 0025-19, Design of the John Yarbrough Linear Park Multi-Use Trail Extension, FDOT Project #440341-1-34-01, with Kisinger Campo & Associates, Corp., and authorize Mayor & City Manager to execute the agreement upon FDOT approval (Wards 3 & 5)

Approved. (See video @ 5:00 p.m.)

- 3.6. Supplemental Task Agreement No. 4, in the amount of \$197,530.00, to RFQ 10-29-14-PW with Exceptional Engineering for the Rockfill Road Drainage and Utility Improvements Design Project (Ward 2)

Approved. (See video @ 5:00 p.m.)

- 3.7. Approve an open-end lease schedule, in an estimated amount of \$1,196,136.00, to provide leasing services for 25 new police vehicles and equipment for a 4 year lease with The Bancorp Bank DBA Mears Leasing
(Removed to Regular Agenda)

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

- 3.8. Piggyback contract #16-014 from the City of Naples for GFA International - Private Provider and Inspection Services for supplemental plan review and inspection services

Approved. (See video @ 5:00 p.m.)

- 3.9. Town Fort Myers Final Plat of 29.29 acres, more or less, to create 1 lot and 2 tracts located at 7922 & 8599 Dani Drive, Fort Myers, Florida, as requested by Donald G. Miller, P.S.M., RWA Engineers, representing RD Town Village Walk, LLC, owner (Ward 6)

Approved. (See video @ 5:00 p.m.)

4. CITY COUNCIL COMMENTS AND ITEMS FOR CONSIDERATION

- 4.1. Donation, in the amount of \$5,000.00, from the Friends of James (Jim) Kinsey for purchase of the 2019 Christmas tree to be placed in Centennial Park
And
Budget amendment, in the amount of \$5,000.00, recognizing funds received from a donation and increasing Parks Operating Expenses budget by like amount (Ward 4)

Approved. (See video @ 5:06 p.m.)

- 4.2. Elect a new Mayor Pro tem, term effective December 3, 2019, through December 7, 2020

Councilperson Watson elected as Mayor Pro tem. (See video @ 5:08 p.m.)

- 4.3. Status of Advisory Boards

A motion was not made. (See video @ 5:09 p.m.)

5. PUBLIC HEARINGS

(Will be heard about 5:15 p.m. or as soon thereafter as can be heard)

- 5.1. Adopt Ordinance No. 3879 amending Chapter 66 Sales, Article II Garage Sales to remove registration requirements and the city providing signage for garage sales

Approved. (See video @ 5:17 p.m.)

- 5.2. Disposition of City-owned real property located at 1785 Glenway Court, located in the Dr. Martin Luther King, Jr. Community Redevelopment

Area (CRA), to Michael Doherty for infill housing development, pursuant to Section 163.380, Florida Statutes and City Code, Section 2-39 (Ward 1)

Anthony Thomas, Jr., resident, inquired about the sale price and required time to build.

Approved. (See video @ 5:21 p.m.)

- 5.3. Disposition of City-owned real property located at 2651 Larmie Street and 2643 Larmie Street, located in the Dr. Martin Luther King, Jr. Community Redevelopment Area (CRA), to Michael Love for infill housing development, pursuant to Section 163.380, Florida Statutes and City Code, Section 2-39 (Ward 3)

Anthony Thomas, Jr., resident, inquired about the property value and required time to build.

Approved. (See video @ 5:26 p.m.)

- 5.4. Disposition of City-owned real property located at 327 Nogales Street, located in the Dr. Martin Luther King, Jr. Community Redevelopment Area (CRA), to Tavaris Gary for infill housing development, pursuant to Section 163.380, Florida Statutes and City Code, Section 2-39 (Ward 1)

Anthony Thomas, Jr., resident, inquired about the property assessed value.

Approved. (See video @ 5:33 p.m.)

- 5.5. Disposition of City-owned real property located at 3341 Canal Street, located in the Dr. Martin Luther King, Jr. Community Redevelopment Area (CRA), to All Belong to Christ, LLC, for infill housing development, pursuant to Section 163.380, Florida Statutes and City Code, Section 2-39 (Ward 2)

Anthony Thomas, Jr., resident, discussed property value.

Roy Kennix, resident, spoke in support of affordable housing initiatives and assistance.

Approved. (See video @ 5:39 p.m.)

- 5.6. The United States Department of Housing and Urban Development (HUD) Community Development Block Grant Program (CDBG) 4th Program Year Consolidated Annual Performance and Evaluation Report (CAPER) for fiscal year 2018-2019

Approved. (See video @ 5:47 p.m.)

6. PERMISSION TO ADVERTISE

- 6.1. Permission to advertise Ordinance No 3889, for a public hearing on January 6, 2020, amending the City Code Article III, Purchasing Section 38-61 to update ordinance to meet current standards and best practices

Approved. (See video @ 5:09 p.m.)

- 6.2. Permission to advertise Ordinance No. 3890 Chapter 118 - Land Use Regulations, for the FIRST public hearing on January 6, 2020, relating to scrivener's errors, various corrections and clarifications, and the addition of language establishing Serena Park platted lots as legal nonconforming single-family lots

Approved. (See video @ 5:11 p.m.)

- 6.3. Permission to advertise Ordinance No. 3891, for a public hearing on January 6, 2020, to consider an amendment to the Treeline Preserve Planned Unit Development located north of Lee Boulevard, south of Buckingham Road, and east of The Forum Boulevard in part of Section 25, Township 44 South, Range 25 East and part of Section 26, Township 45 South, Range 25 East, Fort Myers, Lee County, Florida; rescinding Ordinance No. 3376; providing for severability and providing for an effective date. (Quasi-Judicial) (Ward 6)

Approved. (See video @ 5:12 p.m.)

- 6.4. Permission to advertise Resolution No. 2019-34, for a public hearing on January 6, 2020, vacating a 590-foot-long portion of the Prince Street right of way located south of Edison Avenue and north of the CSX Railroad right of way (Quasi-Judicial) (Ward 3)

Approved. (See video @ 5:12 p.m.)

- 6.5. Permission to advertise, for a public hearing on January 6, 2020, a development agreement for Cypress Village affordable housing development located at 4551 Winkler Ave. regarding parking and traffic circulation issues. (Ward 6).

Approved. (See video @ 5:13 p.m.)

7. CITY MANAGER'S ITEMS

- 7.1. The Housing Authority of The City of Fort Myers, Florida Contract for the Provision of Supplemental Police Services with the City of Fort Myers, Florida for four (4) months, effective June 1, 2019 through September 30, 2019, in the amount of \$18,761.36 paid to the City for two (2) full-time police officers

Approved. (See video @ 5:15 p.m.)

- 7.2. Resolution No. 2019-35 authorizing the Mayor and City Manager to enter into the Federally Funded Subgrant Agreement #H0322 with the Florida Division of Emergency Management Mitigation Bureau and the Federal Emergency Management Agency for funding of the City Wide Canal Armoring

And

Federally Funded Subgrant Agreement #H0322 with the Florida Division of Emergency Management Mitigation Bureau and the Federal Emergency Management Agency for funding of the City Wide Canal Armoring project, providing \$1,659,720.00 in funding to the City with a City match of \$566,688.50, for a total of \$2,226,408.50 (Wards 1, 2, 3, 4, and 5)

Approved. (See video @ 5:48 p.m.)

- 7.3. Commitment of \$50,000.00 to The Housing Authority of the City of Fort Myers and The Related Group, providing local government contribution match to awardee for Florida Housing Finance Corporation funding for State Apartment Incentive Loan (SAIL) Financing of Affordable Multifamily Housing Developments (Ward 5)

Approved. (See video @ 5:50 p.m.)

- 7.4. Commitment of \$50,000.00 to National Development of America, Inc., providing local government contribution match towards Florida Housing Finance Corporation funding for State Apartment Incentive Loan (SAIL) Financing of Affordable Multifamily Housing Developments (Ward 2)

Approved. (See video @ 5:51 p.m.)

- 7.5. Commitment of \$50,000.00 to SP Chestnut, LLC. providing local government contribution match towards Florida Housing Finance Corporation funding for State Apartment Incentive Loan (SAIL) Financing of Affordable Multifamily Housing Developments (Ward 3)

Approved. (See video @ 5:52 p.m.)

- 7.6. Amendment to Purchase and Sale Agreement for the purchase of parcels at 2404 and 2442 Dr. Martin Luther King Jr. Boulevard in the amount of \$8,900,000.00, plus associated closing costs and brokerage fee in the amount of \$133,125.00, from 2442 Dr. Martin Luther King, Jr. Blvd., LLC, a Delaware limited liability company.

Approved. (See video @ 5:52 p.m.)

8. CITY ATTORNEY'S ITEMS

- 8.1. Increase purchase order for Donnelly & Gross Law Firm, in the amount of \$125,000.00, in the matter Harris/Ramos V. Josh Steinman and the City of Fort Myers for \$125,000.00.

Approved. (See video @ 6:04 p.m.)

PUBLIC COMMENT – NON-AGENDA ITEMS

Speakers may speak on subject matters not listed on the agenda, provided the subject matter is within the jurisdiction of the City Council – Three (3) minute time limit per speaker

Jeffrey Kiss, Banyan Development Group inquired about a local government contribution commitment for Hibiscus Apartments Phase Two. (See video @ 6:11 p.m.)

Anthony Thomas, Jr., resident, commented on City owned property, leadership and good stewardship. (See video @ 6:17 p.m.)

ADJOURNMENT: 6:19 p.m.

If a 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 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



**CITY OF FORT MYERS
CITY COUNCIL REGULAR
MONDAY, NOVEMBER 4, 2019
4:30 PM**

Oscar M. Corbin, Jr. City Hall
2200 Second Street
Fort Myers, Florida, 33901
AGENDA

*Randall P.
Henderson, Jr.
Mayor*

*Teresa Watkins
Brown
Ward 1*

*Johnny W. Streets,
Jr
Ward 2*

*Terolyn P. Watson
Ward 3*

*Kevin Anderson
Ward 4*

*Fred Burson
Ward 5*

*Gaile H. Anthony
Ward 6*

*Saeed Kazemi, P.E.
City Manager*

*Grant W. Alley
City Attorney*

PLEDGE OF CIVILITY

*We will be respectful of one another even when we disagree.
We will direct all comments to the Issues.
We will avoid personal attacks*

CALL TO ORDER

OPENING PRAYER/PLEDGE OF ALLEGIANCE

ROLL CALL

1. PROCLAMATIONS/SPECIAL PRESENTATIONS

- 1.1. Recognize and present plaque to Stewart Materials for donation of sand to the Fort Myers Midtown Volleyball Complex
- 1.2. Annual report on activities at the Fort Myers - Lee County Garden Council, Inc., a non-profit organization in the State of Florida, located at 2166 Virginia Avenue, lessee, to comply with the Municipal Lease Agreement (Ward 4)
- 1.3. Proclaim November 2019 as Hunger and Homelessness Awareness Month
- 1.4. Presentation by Habitat for Humanity of Lee and Hendry Counties, Inc., to recognize the City for the outstanding contributions and continued support they have received from the City

2. APPROVAL OF WALK-ON AGENDA ITEMS

PUBLIC INPUT – NON-PUBLIC HEARING ITEMS

All speakers that wish to speak before, during a public hearing, or on non-agenda items must complete and submit a Request to Speak form to the City Clerk prior to the beginning of the meeting. - Three (3) minutes time limit per speaker - Public input for Public Hearing items will be heard during the Public Hearing.

3. CONSENT AGENDA

(Any Councilperson may remove and Item from the Consent Agenda and place it on the Regular agenda for discussion following the Consent Agenda)

- 3.1. Minutes of the regular City Council meeting held on October 21, 2019
- 3.2. Waiver of the Rehabilitation Strategy and Emergency Repair Rehabilitation strategy for prior projects that exceed the grant assistance requirement of the 2016-2019 Local Housing Assistance Program (LHAP), as required by the State Housing Initiative Partnership (SHIP)
- 3.3. Write off amounts for uncollectible accounts in the amount of \$21,966.67: Yacht Basin, \$2,826.10; Solid Waste, \$3,642.95; and Utilities, \$15,497.62
- 3.4. Subrecipient Agreement, in the not to exceed amount of \$22,400.00, for the 2019- 2020 Community Development Block Grant (CDBG) Program, Catalogue of Federal Domestic Assistance (CDFA) No. 14.218, with Basic Learning Skills Learning Center Incorporated to administer a tutoring Youth Services Program for City youth 6 through 18 years of age with low to moderate income effective October 1, 2019, through September 30, 2020
- 3.5. Budget amendment, in the amount of \$500,000.00, reducing the Unsafe Structured Demolition capital project and creating a new capital improvement project, Unsafe Structure Demolition-Building Code Violations funded with the Building Permits and Inspections Fund reserves
- 3.6. Change Order No. 4, in the amount of \$6,259.00, to Amendment No. 2 to STA No. 3 for Professional Services Agreement - Continuing Contract Environmental Engineering Services RFQ No. 03-12-12-PW with GFA International Inc. for the property at 3348 South Street for a total contract price of \$351,068.48 (Ward 2)
- 3.7. Professional Services Agreement, in the amount of \$590,045.49, for Design Services for Conversion of First Street and Second Street from One-Way Streets to Two-Way Streets, Request For Qualifications No. 0024-19, with ADEAS-Q, LLC (Wards 1 & 2)
- 3.8. Sole source procurement, in the amount of \$429,778.00, for the upgrade of forty (40) lift stations to Supervisory Control and Data Acquisition (SCADA) system from Data Flow Systems Inc.
- 3.9. Professional Services Agreement, in the amount of \$1,392,353.00, for Advanced Wastewater Treatment Facilities Biosolids Upgrade, Request

For Qualifications No. 0022-19, with McKim & Creed, Inc. (Wards 1 & 5)

- 3.10. Terminate Interlocal Agreement with the Florida International University Board of Trustees, that was effective on April 1, 2019, on behalf of its Metropolitan Center to undertake an Economic Development Strategy
- 3.11. Interlocal Agreement with Florida International University Board of Trustees on behalf of its Metropolitan Center to undertake an Economic Development Plan that will focus on Palm Beach Boulevard, Martin Luther King, Jr. Boulevard, Colonial Avenue, and Fowler Street commercial corridors;
And budget amendment appropriating General Fund reserves in the amount of \$275,000.00 and increasing Professional Services by like amount
- 3.12. Participation in the Florida Sheriffs Association Contract No. FSA 19-VEH 17.0, Heavy Trucks and Equipment for the Purchase of two new 2021 Peterbilt Model 348 Cabs and Chassis with new 14 foot dump bodies from Palm Peterbilt, a local Fort Myers business, in the amount of \$136,919.00 each, for a total amount of \$273,838.00

4. CITY COUNCIL COMMENTS AND ITEMS FOR CONSIDERATION

- 4.1. Appoint a Chair and Vice-Chair for the Community Redevelopment Agency Board of Commissioners, term effective November 20, 2019, through November 19, 2021 (Mayor Henderson)
- 4.2. Discuss the Inspector General position at the Fort Myers Police Department (Councilperson Streets)
- 4.3. Status update on the Luminary Hotel (Councilperson Anderson)
- 4.4. Update from the City Manager on the condition of Billy's Creek (Councilperson Anderson)
- 4.5. Discussion in regard to Financial Gap Analysis (Councilperson Streets)
- 4.6. Appoint Bobby Douglas Dennis Jr to the Fort Myers Teen Advisory Board, term effective November 4, 2019 through November 3, 2021 (Councilperson Streets)
- 4.7. Appoint Mariah C. Bakke as an at large member of the Planning Board, term effective November 4, 2019, through November 3, 2022 (Mayor Henderson)

4.8. Status of Advisory Boards

5. PUBLIC HEARINGS

(Will be heard about 5:15 p.m. or as soon thereafter as can be heard)

- 5.1. SECOND PUBLIC HEARING: Ordinance No. 3883 Accessory Dwelling Units (ADUs) an amendment to the following chapters of the Land Development Code (LDC) Chapter 98 - Administration; Article 3. - Procedures, and Article 4. - Nonconformities; Chapter 118 - Land Use Regulations, Article 2. - Base Districts and Article 3. - Permitted Land Uses; and Chapter 142 – Definitions
- 5.2. Ordinance No. 3884 to extend the time frame for construction per Ordinance No. 3843 a Planned Unit Development (PUD) on 3066 Cranford Avenue (Quasi-Judicial) (Ward 3)
- 5.3. Ordinance No. 3865 rezoning 7.63 acres, more or less, with STRAP number 19-44-25-P3-00600.0010 from Recreation (REC) to Commercial Intensive (CI) located in Section 19, Township 44 South, Range 25 East, as requested by the City of Fort Myers (Quasi-Judicial) (Ward 2)
- 5.4. Ordinance No. 3885, amending Chapter 86 sections 86-241 (Definitions) and Section 86-242 (Prohibited Areas) to include micromobility devices and motorized scooters

6. PERMISSION TO ADVERTISE

- 6.1. Permission to advertise Ordinance No. 3879 for a public hearing amending Chapter 66 Sales, Article II Garage Sales to remove registration requirements and the city providing signage for garage sales
- 6.2. Permission to advertise Ordinance No. 3886, an ordinance of the City Council of the City of Fort Myers, Florida, providing for Future Land Use map amendment 19-MA-02 for properties fronting Lemon Street, bounded by Evans Avenue and Cranford Avenue, providing for legal status, providing for severability, and providing for an effective date (Quasi-Judicial) (Ward 2)
- 6.3. Permission to advertise permission to advertise Ordinance No. 3887, an Ordinance of the City Council of the City of Fort Myers, Florida, rezoning 2.16 acres, more or less, parcels located on properties fronting Lemon Street, bounded by Evans Avenue and Cranford Avenue from Neighborhood Redevelopment (NR-1) to Commercial General (CG), located in Section 13, Township 44 South, Range 24 East; providing for severability, and providing for an effective date (Quasi-Judicial) (Ward 2)
- 6.4. Permission to advertise Resolution No. 2019-32 for a public hearing on

November 18, 2019, a Resolution of the City Council of the City of Fort Myers, Florida, approving the affordable housing vacant land inventory list of City-owned property appropriate for use as Affordable Housing, pursuant to Section 166.0451, Florida Statutes; and providing for an effective date.

- 6.5. Permission to advertise a 15-day comment period and public hearing for the Fourth Program Year Consolidated Annual Performance and Evaluation Report for Fiscal Year 2018-2019 Community Development Block Grant Program (CDBG), pursuant to U.S. Housing and Urban Development (HUD) requirements
- 6.6. Permission to advertise for a public hearing on November 18, 2019, to accept donation of STRAP No. 18-44-25-P4-0010B.0100, a vacant parcel located at 3027 Second Street from Olga Semreen, owner (Ward 1)
- 6.7. Permission to advertise for a public hearing on November 18, 2019, to accept donation of STRAP No. 25-44-24-P2-0030B.0110, vacant residential property located at 2830 Cranford Avenue from Geradine Keenan, owner.

7. CITY MANAGER'S ITEMS

- 7.1. Resolution 2019-33 authorizing the Mayor and City Manager to enter into the Federally Funded Subgrant Agreement #H0263 with the Florida Division of Emergency Management Mitigation Bureau and the Federal Emergency Management Agency for funding of Phase I Edgewood Neighborhood Drainage Project
And
Federally Funded Subgrant Agreement #H0263 with the Florida Division of Emergency Management Mitigation Bureau and the Federal Emergency Management Agency for funding of Phase I Edgewood Neighborhood Drainage Project, providing \$154,639.58 in funding to the City with a City match of \$52,360.42, for a total of \$207,000.00 (Wards 1 & 2)
- 7.2. Employment Agreement, in the annual base salary of \$119,700.00, with Jeffrey A. Meyers, Deputy Police Chief, effective November 22, 2019
- 7.3. Interlocal Agreement Providing Transit Service with Lee County, in the amount of \$401,018.00, for the downtown Trolley Routes to operate from November 20, 2019 through May 2, 2020
- 7.4. City of Fort Myers 2020 Legislative Agenda and Appropriations Requests for the 2020 General Session of the Florida Legislature

8. CITY ATTORNEY'S ITEMS

- 8.1. Settlement of Ruthie Wright v. City of Fort Myers, Case Number 18-CA-00942
- 8.2. Payless Holdings, LLC, et al. - Ballot for Voting to Accept Second Amended Joint Plan of Reorganization of Payless Holdings, LLC and its Debtor Affiliates pursuant to Chapter 11 of the Bankruptcy Code
- 8.3. Request Executive Session - Case No: 2:18-cv-00195-SPC-UAM United States District Court for the Middle District of Florida, Fort Myers Division - Deretha Miller, Willie Blanks, and Tambitha Blanks, individually, and on behalf of a class of persons similarly situated, Plaintiffs v The City of Fort Myers, a Municipality, Mayor Randall P. Henderson, Jr. in his official capacity as City of Fort Myers Mayor, and Saeed Kazemi, in his official capacity as City of Fort Myers Manager

PUBLIC COMMENT – NON-AGENDA ITEMS

Speakers may speak on subject matters not listed on the agenda, provided the subject matter is within the jurisdiction of the City Council – Three (3) minute time limit per speaker

ADJOURNMENT

If a 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 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 Clerks Office at (239) 321-7035 or for the hearing impaired, TDD telephone number (239) 332-2541



City of Fort Myers

Community Development Block Grant Program (CDBG)

4th Program Year

Consolidated Annual Performance and Evaluation Report (CAPER)

City of Fort Myers Council Meeting

November 2, 2019

CDBG Primary Objective

National Objectives:

- Benefit low/moderate income residents
- Aid in the prevention or elimination of slum/blight
- Meet a need having a particular urgency “urgent need”

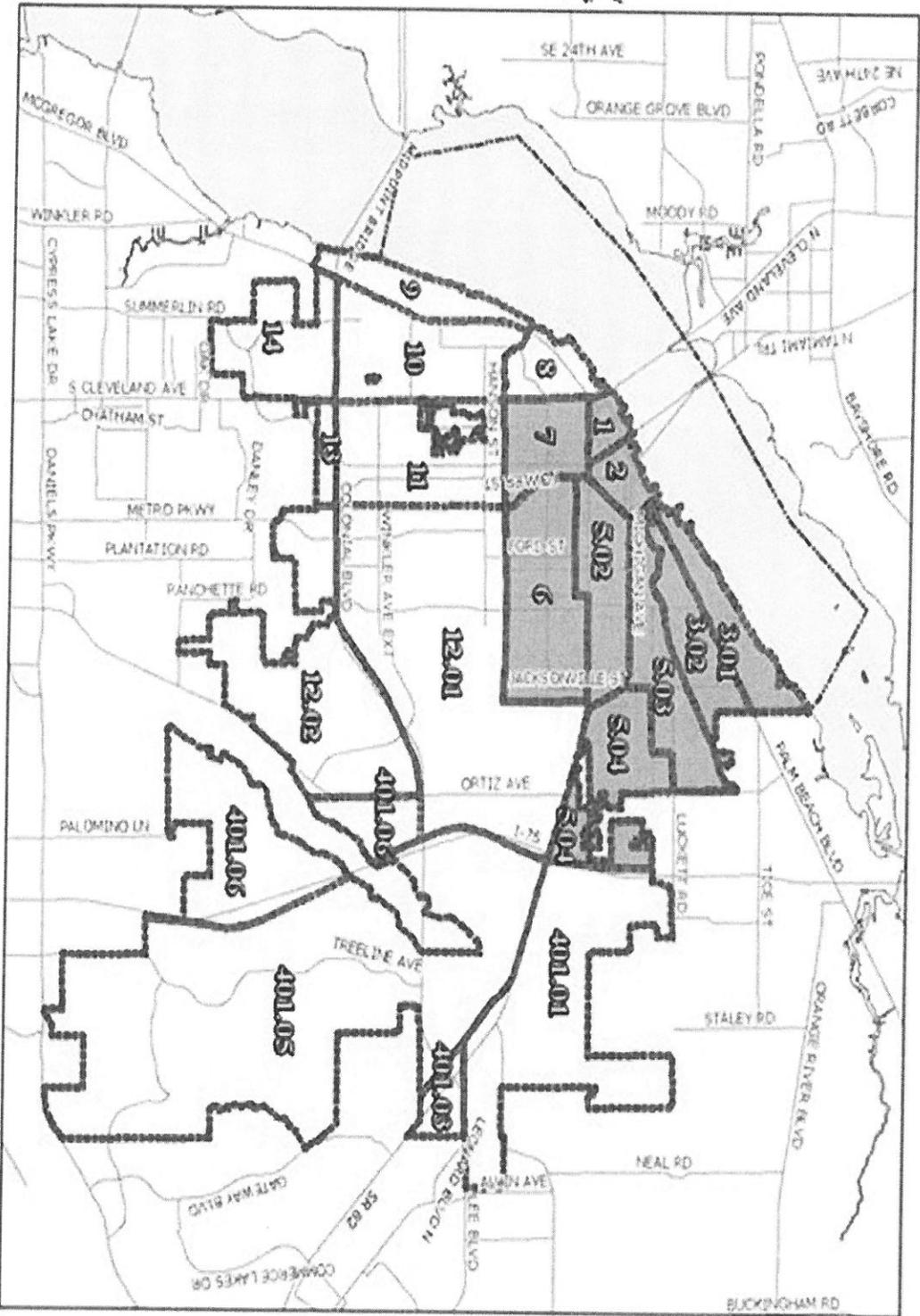
Activities that can be funded:

- Housing
- Public Services (support housing or economic development)
- Economic Development (job creation)
- Public Facilities (Parks, community centers, etc.)

CDBG Target Area

City of
Fort
Myers
Census
Tracts

-  City Boundary
-  Census Tracts
-  Community Development Target Area



Fiscal Year 2018-2019 Funded Activities

- **Housing and Rehabilitation**
 - Owner-Occupied Residential Rehabilitation
 - Reconstruction
 - Emergency Rehabilitation
- **Public Service**
 - Senior Computer Literacy and Fraud Prevention Program
 - Crime Prevention & Public Safety
 - Youth Tutoring Program
- **Economic Development**
 - Urban Community Garden Development

Housing and Rehabilitation Activity

- **Rehabilitated Assistance**
 - Eight (8) owner-occupied homes
 - Homeowners can receive up to \$50,000 as a deferred loan
- **Reconstruction Assistance**
 - Two (2) owner-occupied homes
 - Homeowners can receive up to \$120,000.00 as a deferred loan
- **Emergency Rehabilitation Assistance**
 - One (1) owner-occupied home
 - Homeowners can receive up to \$7,500.00 as a grant

Public Service Programs

DR. ELLA PIPER CENTER OF SOCIAL SERVICES, INC.

- Senior Computer Literacy Program
- Served 20 beneficiaries

BASIC LEARNING SKILLS LEARNING CENTER, INC.

- Tutoring program
- Served 37 beneficiaries

I WILL Mentoring Foundation, Inc.

- Community Garden program
- Served 24 beneficiaries

Economic Development

Southwest Florida Enterprise Center

- Urban Community Garden

Housing Funds Spent by Activity

PD Formula Grant Funds Spent By Activity FY 2017	
Activities	Funds Spent
Single-Family Rehabilitation	\$336,479.07
Public Services	
Basic Learning Skills Center	\$20,300
Dr. Piper Center: Senior Services	\$10,000
I WILL Mentoring Foundation (Youth)	\$10,000
Dentist Care of Southwest Florida	\$11,130
Economic Development	
SWFL Barden/Flick Urban Garden	\$32,500
I WILL Mentoring Foundation (Garden)	\$11,125
Program Delivery	\$20,539
Administration	\$104,179
Total Amount	\$664,431

Thank you...

QUESTIONS OR COMMENTS

Minutes

**MINUTES
CITY OF FORT MYERS
CITY COUNCIL REGULAR
MEETING
NOVEMBER 4, 2019**

CALL TO ORDER

The City Council of the City of Fort Myers, Florida, met in regular session at Oscar M. Corbin, Jr. City Hall, 2200 Second Street, its regular meeting place in the City of Fort Myers, Florida, on Monday, November 4, 2019, at 4:34 p.m. Present were Mayor Randall P. Henderson, Jr., presiding, Council Members Teresa Watkins Brown, Johnny W. Streets, Jr., Kevin Anderson, Fred Burson, and Gaile H. Anthony. Also present were Saeed Kazemi, P.E., City Manager, Gwen Carlisle, MMC, City Clerk and Grant W. Alley, City Attorney. Absent: Council Member Terolyn P. Watson

OPENING PRAYER

The Meeting was opened with prayer by Pastor Jim Harper, III, Thomas A. Edison Congregational Church.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Henderson led the Pledge of Allegiance to the flag of the United States of America.

1. PROCLAMATIONS/SPECIAL PRESENTATIONS

1.1. Recognize and present plaque to Stewart Materials for donation of sand to the Fort Myers Midtown Volleyball Complex

City Manager Kazemi reported that Stewart Materials was not able to accept the plaque and therefore, Richard Moulton, Public Works Director, will accept the plaque on their behalf.

Mr. Moulton stated that he will present the Plaque to Stewart Materials for their donation of 1000 tons of premier sand to the Fort Myers Midtown Volleyball Complex. He noted that Stewart Materials has partnered with the City to give expert ideas and donate materials at the Centennial Park and Gulf View Pool volleyball construction projects.

Mayor Henderson requested that Mr. Mouton share with Stewart Materials the Council's appreciation and gratitude.

1.2. Annual report on activities at the Fort Myers - Lee County Garden Council, Inc., a non-profit organization in the State of Florida, located at 2166 Virginia Avenue, lessee, to comply with the Municipal Lease Agreement (Ward 4)

Mayor Henderson introduced Judy Francino, President, Fort Myers/Lee County Garden Council, Inc. to give an annual report of their activities. He thanked her for the stewardship the organization brings to the City.

Ms. Francino stated that the Fort Myers/Lee County Garden Council's objective since 1957 is to conduct educational programs to enlighten beautification, conservation and historic preservation. She stated that they have over 1700 members and are located at 2166 Virginia Ave. where a 50-year lease was executed in 2004. Ms. Francino felt their crown jewel is the Berne Davis Botanical Garden which is open to the public October through May. She reported that the garden and facility maintenance is their largest use of resources. Ms. Francino reviewed club members, accomplishments, donations, volunteers, and future goals.

1.3. Proclaim November 2019 as Hunger and Homelessness Awareness Month

Janet Bartos, Executive Director, Lee County Homeless Coalition, thanked the Council for bringing awareness to homelessness and Councilperson Anthony for being a Board Member.

Mayor Henderson presented the Proclamation and thanked Ms. Bartos and the Homeless Coalition Board Members for making the City better and touching citizens. Councilperson Anthony mentioned that Board Member Sargent Dion Freeman has been very valuable in making connections with the Fort Myers Police Department (FMPD). Mayor Henderson noted his appreciation for the FMPD engaging in the Homeless Coalition's mission.

1.4. Presentation by Habitat for Humanity of Lee and Hendry Counties, Inc., to recognize the City for the outstanding contributions and continued support they have received from the City

Rick Mercer, President, Habitat for Humanity of Lee/Hendry Counties, reported that they are celebrating the closing of their 1600th home throughout Lee and Hendry Counties. 300 of those homes are in the City of Fort Myers. He presented a plaque to the Mayor and Council Members to commemorate the 35-year relationship which makes affordable homes possible. Councilperson Anderson mentioned that Majorca Palms is a beautiful Habitat neighborhood. Mayor Henderson noted the quality of the homes and Habitat's assistance with homelessness.

2. APPROVAL OF WALK-ON AGENDA ITEMS

Mayor Henderson announced that there are no walk-in items to be heard.

PUBLIC INPUT – NON-PUBLIC HEARING AGENDA ITEMS

Anthony Thomas, Jr., resident, spoke in opposition to Item 4.2 and 7.2.

3. CONSENT AGENDA

Mayor Henderson asked if any Councilperson would like to remove an item from the Consent Agenda and place it on the Regular Agenda; Councilperson Streets pulled Item 3.4, Councilperson Burson pulled Item 3.7, and Councilperson Anthony pulled Item 3.11.

- 3.1. Minutes of the regular City Council meeting held on October 21, 2019
- 3.2. Waiver of the Rehabilitation Strategy and Emergency Repair Rehabilitation strategy for prior projects that exceed the grant assistance requirement of the 2016-2019 Local Housing Assistance Program (LHAP), as required by the State Housing Initiative Partnership (SHIP)
- 3.3. Write off amounts for uncollectible accounts in the amount of \$21,966.67: Yacht Basin, \$2,826.10; Solid Waste, \$3,642.95; and Utilities, \$15,497.62
- 3.4. Subrecipient Agreement, in the not to exceed amount of \$22,400.00, for the 2019-2020 Community Development Block Grant (CDBG) Program, Catalogue of Federal Domestic Assistance (CDFA) No. 14.218, with Basic Learning Skills Learning Center Incorporated to administer a tutoring Youth Services Program for City youth 6 through 18 years of age with low to moderate income effective October 1, 2019, through September 30, 2020 **[MOVED TO REGULAR AGENDA]**

- 3.5. Budget amendment, in the amount of \$500,000.00, reducing the Unsafe Structured Demolition capital project and creating a new capital improvement project, Unsafe Structure Demolition-Building Code Violations funded with the Building Permits and Inspections Fund reserves
- 3.6. Change Order No. 4, in the amount of \$6,259.00, to Amendment No. 2 to STA No. 3 for Professional Services Agreement - Continuing Contract Environmental Engineering Services RFQ No. 03-12-12-PW with GFA International Inc. for the property at 3348 South Street for a total contract price of \$351,068.48 (Ward 2)
- 3.7. Professional Services Agreement, in the amount of \$590,045.49, for Design Services for Conversion of First Street and Second Street from One-Way Streets to Two-Way Streets, Request for Qualifications No.0024-19, with ADEAS-Q, LLC (Wards 1 & 2)

[MOVED TO THE REGULAR AGENDA]

- 3.8. Sole source procurement, in the amount of \$429,778.00, for the upgrade of forty (40) lift stations to Supervisory Control and Data Acquisition (SCADA) system from Data Flow Systems Inc.
- 3.9. Professional Services Agreement, in the amount of \$1,392,353.00, for Advanced Wastewater Treatment Facilities Biosolids Upgrade, Request for Qualifications No. 0022-19, with McKim & Creed, Inc. (Wards 1 &5)
- 3.10. Terminate Interlocal Agreement with the Florida International University Board of Trustees, that was effective on April 1, 2019, on behalf of its Metropolitan Center to undertake an Economic Development Strategy
- 3.11. Interlocal Agreement with Florida International University Board of Trustees on behalf of its Metropolitan Center to undertake an Economic Development Plan that will focus on Palm Beach Boulevard, Martin Luther King, Jr. Boulevard, Colonial Avenue, and Fowler Street commercial corridors; And budget amendment appropriating General Fund reserves in the amount of \$275,000.00 and increasing Professional Services by like amount **[MOVED TO THE REGULAR AGENDA]**
- 3.12. Participation in the Florida Sheriffs Association Contract No. FSA 19- VEH 17.0, Heavy Trucks and Equipment for the Purchase of two new 2021 Peterbilt Model 348 Cabs and Chassis with new 14-foot dump bodies from Palm Peterbilt, a local Fort Myers business, in the amount of \$136,919.00 each, for a total amount of \$273,838.00

MOTION: Councilperson Anderson moved to approve the consent agenda with the exception of Items 3.4, 3.7 and 3.11; seconded by Councilperson Anthony; motion carried unanimously.

ITEMS MOVED TO THE REGULAR AGENDA

- 3.4. Subrecipient Agreement, in the not to exceed amount of \$22,400.00, for the 2019-2020 Community Development Block Grant (CDBG) Program, Catalogue of Federal Domestic Assistance (CDFA) No. 14.218, with Basic Learning Skills Learning Center Incorporated to administer a tutoring Youth Services Program for City youth 6 through 18 years of age with low to moderate income effective October 1, 2019, through September 30, 2020

Councilperson Streets stated that he supports the Basic Learning Skills Learning Center, and commends its members. He is hopeful that the City can provide more support in the future.

MOTION: Councilperson Streets moved to approve the Subrecipient Agreement, in the not to exceed amount of \$22,400.00, for the 2019-2020 Community Development Block Grant (CDBG) Program, Catalogue of Federal Domestic Assistance (CDFA) No. 14.218, with Basic Learning Skills Learning Center Incorporated to administer a tutoring Youth Services Program for City youth 6 through 18 years of age with low to moderate income effective October 1, 2019, through September 30, 2020; seconded by Councilperson Brown; motion carried unanimously.

3.7. Professional Services Agreement, in the amount of \$590,045.49, for Design Services for Conversion of First Street and Second Street from One-Way Streets to Two-Way Streets, Request for Qualifications No. 0024-19, with ADEAS-Q, LLC (Wards 1 & 2)

Councilperson Burson inquired about the conversion completion date. City Manager Kazemi noted that the construction should start after this season and be finished after next season.

Richard Moulton, Public Works Director, stated that they are currently working on developing a schedule based on the timeline presented by the City Manager. He noted the first phase being finished by the end of next year however, it depends on material availability.

Councilperson Burson asked about what is to be completed in each phase. Nicole Monahan, City Engineer, explained that the first phase is turning the roads into two-ways which will involve restriping and new State traffic signals at the intersections. She mentioned that the signals are a big part of the schedule issues and the start of construction depends on permit approval by the State. She stated that the second phase will look at long term options for the intersection at Seaboard Street and Palm Beach Boulevard, historic bridge, additional turn lanes, lengthening turn lanes and bike facilities.

Councilperson Anthony asked if phase one could happen prior to the signalization evaluation completion and Ms. Monahan replied yes. Councilperson Anthony asked if phase one will be finished around this time next year. City Manager Kazemi replied yes and that there will be a public hearing regarding the phase one design. He mentioned that the roads were previously two-way, then they were changed to one-way and now they are coming back to two-way. Councilperson Brown noted that this should be diligently advertised to make the citizens aware of the change. City Manager Kazemi stated that this project was requested by City Council, however the State has been hesitant until a recent study convinced them to change it to two-way. Councilperson Burson felt that the economic vitality of east First Street depends on them becoming a two-way street. Councilperson Brown asked if Fowler Street leading up to the bridge will go back to two-way. City Manager Kazemi stated that Fowler Street and Evans Avenue will stay one-way.

Councilperson Streets noted that letting the citizens know what to expect and listening to their opinions is critical. City Manager Kazemi stated that FDOT is not funding the project, and the Council agreed to collect money from developers to pay for the two-way conversion. Councilperson Streets suggested that the Police Department be involved in the planning to address safety issues. Mayor Henderson stated that the two-way change has been citizen driven.

MOTION: Councilperson Burson moved to approve the Professional Services Agreement, in the amount of \$590,045.49, for Design services for Conversion of First Street and Second Street from One-Way Streets to Two-Way Streets, Request For Qualifications No. 0024-19, with ADEAS-Q, LLC; seconded by Councilperson Anthony; motion carried unanimously.

3.11. Interlocal Agreement with Florida International University Board of Trustees on behalf of its Metropolitan Center to undertake an Economic Development Plan that will focus on Palm Beach Boulevard, Martin Luther King, Jr. Boulevard, Colonial Avenue, and Fowler Street commercial corridors; And budget amendment appropriating General Fund reserves in the amount of \$275,000.00 and increasing Professional Services by like amount

City Manager Kazemi noted that Item 3.10 terminated the existing contract with a new agreement that added SecondMuse as a subconsultant.

Steven Belden, Community Development Director, noted that the next phase will proceed with community outreach and engagement. He felt that the study will accelerate with SecondMuse added and next year would be the goal for completion.

Councilperson Burson questioned the objective of the study. Mr. Belden noted that the primary objective is to analyze major commercial corridor conditions and determine improvements. Councilperson Burson asked whether the study is to analyze the physical or the economic conditions of the areas. Mr. Belden stated that it is a combination of both because it is the economic condition that leads to the physical deterioration.

City Manager Kazemi mentioned that the study will provide promotional commercial data. Councilperson Streets felt that the data collection has already been done in those areas. City Manager Kazemi stated that this study will outline what is missing in those areas and how to encourage development. Councilperson Burson suggested that this data include drive-by traffic, rooftops within a measurable radius, and disposable income within a measurable radius. City Manager Kazemi acknowledged that it will include that type of data so it can be passed on to businesses. Councilperson Streets stated that when an organization wants to examine a location they do their own studies. He recommended that the University data collectors talk to the people who live in the area. Councilperson Streets asked if the local colleges could gather this data. City Manager Kazemi stated that they were asked first for consulting, but they do not have the expertise in this area.

MOTION: Councilperson Anthony moved to approve the Interlocal Agreement with Florida International University Board of Trustees on behalf of its Metropolitan Center to undertake an Economic Development Plan that will focus on Palm Beach Boulevard, Martin Luther King, Jr. Boulevard, Colonial Avenue, and Fowler Street commercial corridors; and budget amendment appropriating General Fund reserves in the amount of \$275,000.00 and increasing Professional Services by like amount; seconded by Councilperson Brown; motion carried unanimously.

4. CITY COUNCIL COMMENTS AND ITEMS FOR CONSIDERATION

4.1. Appoint a Chair and Vice-Chair for the Community Redevelopment Agency Board of Commissioners, term effective November 20, 2019, through November 19, 2021 (Mayor Henderson)

MOTION: Councilperson Anthony moved to approve the appointment of Councilperson Burson as Chair of the Community Redevelopment Agency Board of

Commissioners, term effective November 20, 2019, through November 19, 2021; seconded by Councilperson Anderson; motion carried unanimously.

MOTION: Councilperson Streets moved to approve the appointment of Councilperson Anderson as Vice-Chair of the Community Redevelopment Agency Board of Commissioners, term effective November 20, 2019, through November 19, 2021; seconded by Councilperson Brown; motion carried unanimously.

4.2. Discuss the Inspector General position at the Fort Myers Police Department (Councilperson Streets)

Councilperson Streets stated that he supports the Inspector General position and suggested that the Inspector General not work exclusively for the Fort Myers Police Department (FMPD), but for the City of Fort Myers, independent of any department, and report to the Mayor, Council or City Manager.

Councilperson Anthony felt that the Inspector General should begin working with the FMPD Chief to address the off-duty officers and then see how the position grows. However, she does not agree with Inspector General reporting to the Mayor and Council. Mayor Henderson felt that the City is making great progress and he does not agree with the suggestions. Councilperson Anthony questioned what is allowable in the Charter. Councilperson Anderson stated that he agrees with the recommendation and that complete investigations should be timely and thorough for the accused, public and complainant.

City Attorney Alley stated that the Inspector General position for the FMPD is pursuant to the Internal Affairs Bureau who follow their own law enforcement practices and reports to the Police Chief as it is consistent with State Statutes.

Mayor Henderson mentioned that a task force was assembled from many agencies to provide competent outside advice. Mayor Henderson felt that the independent Freeh Report provided transparency and the City is moving in the right direction.

Councilperson Streets noted that the Freeh Report made recommendations that need to be done as soon as possible and he is proud of the progress made. Councilperson Anderson noted that it is about setting up the right processes to ensure moving into the future in the right direction. Mayor Henderson felt the right process is in place and if it is not being done it should be brought forward. Councilperson Streets asked about the Deputy Chief position and the Inspector General position going through the same approval processes. City Manager Kazemi stated that the Inspector General is a City of Fort Myers employee and the Deputy Chief is a contract employee whereas the contract agreement is currently up for renewal.

4.3. Status update on the Luminary Hotel (Councilperson Anderson)

Councilperson Anderson requested an update on the Luminary Hotel project, and asked if it is on time, on budget, and asked who was watching out for the interest of the City.

City Manager Kazemi stated that he would provide a report. He stated that the developer, Mainsail, has a ground lease agreement to build a hotel on City property. He reported that the hotel includes a garage and for the City to make sure one person oversees everything; the City has a Construction Manager Agreement with Mainsail. In addition, there is a professional City Engineer, looking at the contract. Councilperson Anderson asked who the consultant was. City Manager Kazemi stated that the name of the consultant was AdQuest.

City Manager Kazemi noted that Harborside was leased to the same developer, Mainsail with the understanding that the City would pay for improvements. The City will pay for a portion of improvements on the restaurant and the City pier, and the Amphitheatre will be built by the developer. Councilperson Anderson asked if the project is on time. City Manager Kazemi stated that he spoke with the developers and the hotel and Harborside Center will be done in August 2020. The restaurant will be done at approximately the same time, or very close to it, and the intent is for the Amphitheatre to be on that schedule.

Councilperson Anderson asked City Manager Kazemi to provide an update on the budget for the hotel project. City Manager Kazemi stated that he will provide the report to Council.

4.4. Update from the City Manager on the condition of Billy's Creek (Councilperson Anderson)

Councilperson Anderson asked for an update on Billy's Creek. City Manager Kazemi stated that he is proud to report that the City took initiative on water quality when no one was taking action. The City was the first one to address the water quality on Billy's Creek and built two filter marshes. City Manager Kazemi stated that the City has met water quality requirements based on up to date reports. Councilperson Anderson asked if the water is safe for fishing, swimming or recreational activities. City Manager Kazemi stated that the water is not safe for swimming or fishing, as the water is stormwater. The City placed a sign that says no fishing, and have agreed to include signage that says no swimming. City Manager stated that that the dredging project will be done in stages.

Councilperson Anderson asked if the City tested the sewer lines to make sure there is no leakage and when the signage will be completed. City Manager Kazemi stated that the signage will be completed within the month and also confirmed that the sewer lines are tested. He noted that the City asked the legislature for funding to remove the septic tanks in the City.

Councilperson Brown stated that the City has been working on Billy's Creek for a long time, and in her monthly ward meetings with her constituents, Mr. Richard Moulton, Director of Public Works keeps the residents informed of all aspects of the City including testing of the water.

Councilperson Anderson thanked City Manager Kazemi for the update. Mayor Henderson stated that when he attended the United States Conference of Mayors it was very encouraging and the City has made immense amount of progress in the last twenty years. Mayor Henderson stated that the City is heading in the right direction.

Councilperson Burson stated that last week he represented the City in the Legislative Delegation and asked for a substantial amount of money to clean up Billy's creek and to convert the septic to a sewer system. Councilperson Brown stated that last week when she was in Washington, D.C, the Florida League of Cities were advocating for funding for water, and funding to get rid of the septic tanks in our City. Councilperson Anderson stated that he is sure the residents appreciate the good work that is being done in Billy's Creek and in other waterways.

4.5. Discussion in regard to Financial Gap Analysis (Councilperson Streets)

Councilperson Streets spoke on a Financial Gap Analysis which measures performances of the current amount of money the city has and expenditures to determine gaps that can be closed. It is his understanding that there is a gap analysis control technique incorporated within the City's Finance Department.

City Manager Kazemi stated that budget presentations feature the consultant's model, that provides for future projections and includes the current financial status and what the City can or cannot do.

Councilperson Streets asked if the City had an independent auditor and how long has the City been using the auditor. Holly Simone, Deputy Director of Finance, stated that the current auditors, CliftonLarsonAllen, starting Fiscal Year 2015. Mayor Henderson stated that the auditors are changed regularly. Councilperson Streets noted that in certain government organizations, it is advisable to change auditors and referred to the Management Distribution and Analysis (MD&A) recommendation to utilize an independent auditor. Ms. Simone stated that MD&A is in place, and the Auditors review that for each year. Councilperson Streets stated that he is pleased that the City has this mechanism in place to make sure that the City's money is spent wisely.

- 4.6. Appoint Bobby Douglas Dennis, Jr. to the Fort Myers Teen Advisory Board, term effective November 4, 2019 through November 3, 2021 (Councilperson Streets)

Councilperson Streets recognized Bobby Douglas Dennis, Jr. and thanked him for his willingness to serve on the Fort Myers Teen Advisory Board. Mr. Dennis, Jr. is currently a student at Dunbar High School.

MOTION: Councilperson Streets moved to approve the appointment of Bobby Douglas Dennis, Jr to the Fort Myers Teen Advisory Board, term effective November 4, 2019 through November 3, 2021; seconded by Councilperson Brown; motion carried unanimously.

- 4.7. Appoint Mariah C. Bakke as an at large member of the Planning Board, term effective November 4, 2019, through November 3, 2022 (Mayor Henderson)

MOTION: Councilperson Anderson moved to approve the appointment of Mariah C. Bakke as an at large member of the Planning Board, term effective November 4, 2019 through November 3, 2022; seconded by Councilperson Anthony; motion carried unanimously.

- 4.8. Status of Advisory Boards

Mayor Henderson encouraged residents to come forward and participate in the City's Advisory Boards.

5. PUBLIC HEARINGS

- 5.1. SECOND PUBLIC HEARING: Ordinance No. 3883 Accessory Dwelling Units (ADUs) an amendment to the following chapters of the Land Development Code (LDC) Chapter 98 - Administration; Article 3. - Procedures, and Article 4. - Nonconformities; Chapter 118 - Land Use Regulations, Article 2. - Base Districts and Article 3. - Permitted Land Uses; and Chapter 142 – Definitions

Grant W. Alley, City Attorney, read the title into the record.

Alexis Crespo, Waldrop Engineering, representing Staff, stated that the concept of accessory dwelling units was presented to the City Council approximately a year ago, and they were asked to bring focus on how to balance the interests of neighborhood. Ms. Crespo stated that accessory dwelling units can be an important component of affordable housing programs and are especially important in Southwest Florida where housing costs continue to rise. The basis of what they are presenting is that they have created a process where you can consider accessory dwelling units in single family zoning districts, subject

to specific protections that are much stricter than Lee County, Sarasota County and surrounding jurisdictions. Ms. Crespo stated that they looked at regulations that allow for review to make sure that neighborhoods are being protected.

Ms. Crespo reviewed aspects of neighborhood protection and stated that Accessory Dwelling Units can be located over the garage, a stand-alone unit, or a garage conversion. She noted that they looked at many model ordinances and worked closely with the City Attorney on the development of this, and sources such as the American Planning Association and HUD Case Studies. Ms. Crespo clarified that the definition does not include Boarding or rooming houses. She presented the proposed framework and design standards and components of neighborhood protection including: a public hearing process, site-specific site plan with conditions, property owner residing on the property, architecture and access consistent with single-family dwelling, additional off-street parking required and the accessory dwelling unit must meet all setbacks and lot coverage requirements of surrounding properties.

Councilperson Burson asked if the accessory dwelling units could be rented to non-family members. Ms. Crespo confirmed. He stated he would like to see that amended; as he does not want it to be rented and clarified that if it is strictly an Accessory Dwelling Unit for a family member there should be no reason to be renting or leasing it.

Councilperson Anthony stated that it must come before the Board of Adjustments. Ms. Crespo stated that by not allowing the unit to be rented, it removes it as a tool for affordable housing as you are limited to who can live there. Councilperson Burson stated he does not want to create a neighborhood of duplexes in an area of single-family homes and he does not mind a mother-in-law unit for a family member to live, a sibling, or a child or a grandparent. Mr. Belden stated that the difficulty would be enforcement and determining whether the residents are renting. He noted there are many reasons why people have accessory dwelling units; it could be for a family member, for additional income, and it provides affordable housing options.

Councilperson Burson asked to research how Naples enforces accessory dwelling units. Discussion ensued on how to determine whether a person is renting it and the challenges to enforce it. Councilperson Anderson asked if we have an estimate as to how many the City already has. Mr. Belden stated that many Accessory Dwelling Units were grandfathered under the previous Ordinance.

Councilperson Anderson asked if this allows someone to construct or convert a structure that is already there. Mr. Belden stated that if there is a room on their property or an existing place that can accommodate that. In addition, it will allow them to construct new as well. City Manager Kazemi discussed the process for inspection of a rental unit. Councilperson Streets asked if the Accessory Dwelling Units are subject to a fire assessment fee. City Manager Kazemi stated that fire assessment fees are based on the number of calls. Councilperson Anthony stated that there are physicians who live on McGregor who have been renting to nurses for years, because they can't afford to live in the area, they pay a minimal amount to help with utilities.

Mayor Henderson referred to those units that are grandfathered are well documented. He proposed tabling the item to further research how Naples and other cities are monitoring this.

MOTION: Councilperson Anthony moved to table the Second Public Hearing for Ordinance No. 3883 Accessory Dwelling Units (ADUs) an amendment to the following chapters of the Land Development Code (LDC) Chapter 98 - Administration; Article 3. - Procedures, and Article 4. - Nonconformities; Chapter 118 - Land Use Regulations, Article 2. - Base Districts and Article 3. - Permitted Land Uses; and Chapter 142 - Definitions to the January 6, 2020 City Council Regular Meeting; seconded by Councilperson Streets; motion carried unanimously.

5.2. Ordinance No. 3884 to extend the time frame for construction per Ordinance No. 3843 a Planned Unit Development (PUD) on 3066 Cranford Avenue (Quasi-Judicial) (Ward 3)

Grant W. Alley, City Attorney, read the title into the record.

Exparte: Councilperson Burson –met with Attorney E. Bruce Strayhorn, Attorney Jenna Persons, Joe and Jeannie Dozier, the owners of the property on September 19, 2018 at 9:30 a.m. in City Hall; Councilperson Streets– Met with Attorney Bruce Strayhorn, Attorney Jenna Persons, Joe and Jeannie Dozier on September 19, 2018 at 10:15 a.m. Councilperson Anthony – none; Mayor Henderson met with Joe and Jeannie Dozier, and the law firm of Strayhorn and Persons on September 19, 2018. Councilperson Brown - none. Councilperson Anderson – none.

City Clerk Carlisle administered the oath to people who would give testimony during the quasi-judicial hearing.

Jenna Persons, Attorney, Strayhorn & Persons, stated that no financial remuneration was received to support or deny the issue.

Staff Presentation

Steven Belden, Community Development Director, stated that there is no presentation on this item as this is a request to extend the time frame of the PUD to do certain improvements on site.

Councilperson Burson asked what the requested extension date was.

Mr. Belden stated that the current PUD completion date is October 1, 2020, and they are requesting to extend the completion date to July 21, 2021.

Mayor Henderson opened the Public Hearing and asked for Public Comment.

Attorney Persons, on behalf of the applicant, A&D Scrap Metal, stated that a year ago, October 2018, the PUD was brought forward. She noted that A&D Scrap Metal is a long-standing paper recycling facility on Cranford Avenue. She stated the PUD was approved with site plan improvements to make it a more efficient and modern recycling facility and A&D Scrap Metal had agreed to also, turn in the long standing junk yard license that they had and continue to operate only as a recycling facility. At that time, the time frame was one year to start construction and two years to complete construction. The holdup was pending code violations that needed to be mitigated which were resolved July 11, 2019.

Therefore, they are back for the same time frame, a year from that date, to move forward after the liens were mitigated, to start construction on July 11, 2020 and to complete construction one year thereafter by July 11, 2021. Attorney Persons stated that there was an error in the Ordinance that was presented before them, and they said they commenced construction on July 11, 2019; that wasn't the request, that was the date that the applicant resolved the old code cases. She presented the proposed language and read it to the City Council. Attorney Persons noted the changes to paragraph H in the Ordinance; that construction shall commence by July 11, 2020 and must be completed by July 11, 2021.

City Clerk Carlisle administered the oath to Anthony Thomas, Jr., resident who would give testimony during the quasi-judicial hearing.

Anthony Thomas, Jr. resident, spoke on the quasi-judicial process for exparte.

Councilperson Anthony and Councilperson Brown further clarified that they did not meet on this item.

Mayor Henderson closed the Public Hearing.

MOTION: Councilperson Burson moved to approve Ordinance No. 3884 to extend the time frame for construction per Ordinance No. 3843 a Planned Unit Development (PUD) on 3066 Cranford Avenue as amended; seconded by Councilperson Anthony; motion carried unanimously.

Mayor Henderson left the meeting at 6:47 p.m., Mayor Pro tem Burson presided over the remainder of the meeting.

5.3. Ordinance No. 3865 rezoning 7.63 acres, more or less, with STRAP number 19-44-25-P3-00600.0010 from Recreation (REC) to Commercial Intensive (CI) located in Section 19, Township 44 South, Range 25 East, as requested by the City of Fort Myers (Quasi-Judicial) (Ward 2)

City Attorney Alley read the title of the Ordinance into the record.

Exparte: Councilperson Burson –met on October 18, 2018 at 1:00 p.m. with Roy Kennix and Robert McFarland in City Hall; Councilperson Streets– Met with Roy Kennix, January 31, 2019 at 9:30 a.m. in City Hall Chambers, February 13, 2019 at 4 pm with City Manager Kazemi, John Talmage, Richard Moulton, Steve Belden, Robert McFarland and Roy Kennix. March 5, 2019 at 2 pm he met with City Manager Kazemi, Robert McFarland, City Attorney Alley, Terry Cramer, Steve Belden, Sharon Rozier. August 27, 2019 at 11 a.m., he met Bob McFarland in the office; September 12, 2019 at 6:30 p.m. he attended Towles Gardens meeting at Carrie Robinson Center; Councilperson Anthony stated that she met on October 18, 2019 with Roy Kennix, Ms. Jennings, Mr. McFarland: Councilperson Brown met on October 18, 2019, Ms. Jennings and Mr. McFarland. Councilperson Anderson met with Mr. McFarland in the spring 2019 and attended the meeting at the Carrie Robinson Center.

City Clerk Carlisle administered the oath to people who would give testimony during the quasi-judicial hearing.

Anthony Palermo, Assistant Director of Community Development, stated that no financial remuneration was received to support or deny the issue.

Staff Presentation

Mr. Palermo stated that the Ordinance is a City initiated rezoning from Recreational to Commercial Intensive (CI).

The Recreational zoning district allows for parks, open spaces and recreation. The CI Zoning District permits town houses and multi-family units, 25 units per acre maximum. Mr. Palermo stated that the CI use also permits banks, car washes, day cares, hotels, medical office, restaurant, retail, self-storage and vehicle repairs as examples. Mr. Palermo stated that the property is 7.63 acres, a vacant piece of property, with woods on it. It is in the traditional community, future land use category per the Comprehensive plan which also allows a maximum of 25 units per acre.

Mr. Palermo presented location maps of the area, and an aerial photo of the property which showed the surrounding uses and zoning. He stated that the City posted the sign per the code and the planning board. Mr. Palermo stated that the staff recommended approval and the Planning Board unanimously recommended approval of the rezoning to the CI district. He noted that it is compatible with the neighborhood, is consistent with the comprehensive plan and the land development code.

Councilperson Burson asked if the City owns the property. Mr. Palermo confirmed. Councilperson Burson asked if the City will do a 99-year lease. He further requested information on the roles of the City and the Developer. City Manager Kazemi stated that the City is leasing the property, and the developer was chosen through the City RFP process.

Steve Belden, Director of Community Development stated that the RFP process was completed on the property with the intent of affordable housing development and this property contains a restriction on it, from HUD. It was purchased with HUD funds, and a minimum of 51% must be affordable. Mr. Belden stated that they are currently working on the agreement.

Discussion ensued on the 99-year lease process. Councilperson Burson requested that Mr. Belden add language that addresses the assurance to the individual who purchases the homes, and the land for the City. Mr. Belden confirmed that he would do so.

Mayor pro tem Burson opened the Public Hearing and asked for Public Comment.

Public Comment

Residents Carolyn Norris, Roy H, Kennix, Yvonne Hill, Prince Jones, P.A. and Lee Ford spoke in support of Ordinance No. 3865

Residents Anthony Thomas, Jr. and Reverend Thelma Black-Smith, spoke in opposition to Ordinance No. 3865.

Mayor pro tem Burson closed the Public Hearing.

Councilperson Anderson asked that the City Staff address the concern of the proposed height of the buildings. Mr. Belden stated that the proposed height of the units would be two stories and the proposed density of 25 units per acre is the purpose to rezone to Commercial Incentive Zoning. It is consistent with the surrounding properties as they are zoned Commercial Incentive Zoning. Mr. Belden stated that it is straight zoning, and there is no reason to do a PUD process, that would add time and cost. Councilperson Burson stated that if it was built as planned it will be an asset to the community. He asked for someone on the team to speak to Reverend Thelma Black-Smith on the issue of gentrification and the cost of the units.

Prince Jones, P.A., spoke on the financing of the property with grants and City funding.

Ms. Carolyn Norris spoke on the support that would be offered to purchase a unit as she has access to information on owner home opportunity grants, if its new construction, SHIP monies, state housing initiatives, and state funding is available.

MOTION: Councilperson Streets moved to approve Ordinance No. 3865 rezoning 7.63 acres, more or less, with STRAP number 19-44-25-P3-00600.0010 from Recreation (REC) to Commercial Intensive (CI) located in Section 19, Township 44 South, Range 25 East, as requested by the City of Fort Myers; seconded by Councilperson Anthony; motion carried unanimously.

5.4. Ordinance No. 3885, amending Chapter 86 sections 86-241 (Definitions) and Section 86-242 (Prohibited Areas) to include micromobility devices and motorized scooters

City Attorney Alley read the title of the Ordinance into the record.

City Manager Kazemi stated that they are trying to prohibit the areas in which scooters are allowed. He wants to make sure that they are thinking of the safety of the motorists and the public in the Downton and Midtown areas.

Councilperson Anthony stated that she recently was in San Diego and there is a lawsuit pertaining to people with disability rights as scooters were everywhere on the sidewalk. People with disabilities have a very hard time getting around. Councilperson Anderson stated that there is an issue of sidewalks being passable with cars blocking them, tables, golf carts.

Mayor pro tem Burson opened the Public Hearing and asked for Public Comment.

Residents John Moffatt, April Palus, Anthony Thomas and Alva resident, James Knoop spoke in opposition to Ordinance No. 3885

Mayor pro tem Burson closed the Public Hearing.

Mayor pro tem Burson suggested that the City should not prohibit something that hasn't been applied for in the City, and to wait to the time when the City receives an application to regulate these scooters. City Manager Kazemi stated that the City is trying to be proactive as there are lawsuits on Cities that scooters are allowed. Discussion continued on the size of the City sidewalks compared to other cities throughout the nation.

Councilperson Anderson stated that he is looking at this regarding personal use and for rentals. What concerns him is the rentals. Councilperson Brown stated that people have been contacting her via email in favor of scooters Downtown. Councilperson Streets asked what the regulations were for skateboards. City Manager Kazemi stated that skateboards are not allowed Downtown. Councilperson Streets stated that apparently it is not being enforced.

Sherri Enright, Assistant Administrative Attorney, stated that the micromobility and motorized scooter regulations are prohibiting the same thing as the skateboards and roller blades. Councilperson Streets asked about those who use the motorized wheelchairs. Attorney Enright stated that they would have accommodation that is made for them; as the motorized scooter as defined in the Ordinance is not defining that type of accommodation or that type of device.

Councilperson Streets asked how does law enforcement feel about his matter. Attorney Enright and City Manager Kazemi stated that the request came from law enforcement.

City Manager Kazemi asked to table this item and bring it back with more details to see what the City can or cannot do.

MOTION: Councilperson Anthony moved to table Ordinance No. 3885, amending Chapter 86 sections 86-241 (Definitions) and Section 86-242 (Prohibited Areas) to include micromobility devices and motorized scooters, to the February 4, 2020 City Council Regular Meeting and bring back more details; seconded by Councilperson Brown; motion carried unanimously.

6. PERMISSION TO ADVERTISE

- 6.1. Permission to advertise Ordinance No. 3879 for a public hearing amending Chapter 66 Sales, Article II Garage Sales to remove registration requirements and the city providing signage for garage sales

City Attorney Alley read the title of the Ordinance into the record.

Councilperson Anthony left the meeting at 7:52 p.m.

MOTION: Councilperson Anderson moved to approve the permission to advertise Ordinance No. 3879 for a public hearing amending Chapter 66 Sales, Article II Garage Sales to remove registration requirements and the city providing signage for garage sales; Councilperson Brown seconded; motion carried unanimously.

- 6.2. Permission to advertise Ordinance No. 3886, an ordinance of the City Council of the City of Fort Myers, Florida, providing for Future Land Use map amendment 19-MA-02 for properties fronting Lemon Street, bounded by Evans Avenue and Cranford Avenue, providing for legal status, providing for severability, and providing for an effective date (Quasi-Judicial) (Ward 2)

City Attorney Alley read the title of the Ordinance into the record.

Councilperson Streets reported that he was advised by the City Attorney to recusing himself from voting on this item and the next item due to his lack of support at the Planning Board Meeting. City Attorney Alley stated that based on the Quasi-Judicial Rules, Councilperson Streets' input at a public hearing and statements at the Planning Board, he recommended that Councilperson Streets refrain from voting on this item including the Permission to Advertise.

Mayor pro tem Burson asked if there is a quorum to vote on this item. City Attorney Alley stated that there must be four Council votes to pass a motion. He advised that Items 6.2 and 6.3 be moved to another meeting agenda when there is a quorum present. Mayor pro tem Burson asked if the matter can be deferred to the first meeting in December. City Manager Kazemi stated that the Permission to Advertise can be brought back next meeting, November 18, 2019, and the Public Hearing can be put on the first meeting in December. Mayor pro tem Burson noted that the Permission to Advertise will need to be re-advertised and asked if Council should make a motion on Item 6.2.

MOTION: Councilperson Brown moved to continue Item 6.2 to the November 18, 2019 meeting. City Attorney Alley noted that a motion is not necessary for Items 6.2 and 6.3 and that City Manager Kazemi can reschedule the to a later meeting.

- 6.3. Permission to advertise permission to advertise Ordinance No. 3887, an Ordinance of the City Council of the City of Fort Myers, Florida, rezoning 2.16 acres, more or

less, parcels located on properties fronting Lemon Street, bounded by Evans Avenue and Cranford Avenue from Neighborhood Redevelopment (NR-1) to Commercial General (CG), located in Section 13, Township 44 South, Range 24 East; providing for severability, and providing for an effective date (Quasi-Judicial) (Ward 2)

City Attorney Alley noted that a motion is not necessary for Items 6.2 and 6.3 and that City Manager Kazemi can reschedule the to a later meeting.

- 6.4. Permission to advertise Resolution No. 2019-32 for a public hearing on November 18, 2019, a Resolution of the City Council of the City of Fort Myers, Florida, approving the affordable housing vacant land inventory list of City-owned property appropriate for use as Affordable Housing, pursuant to Section 166.0451, Florida Statutes; and providing for an effective date.

Councilperson Streets asked whether the vacant lot would be available for purchase from the City.

Steven Belden, Community Development Director, stated that this is approving the permission to advertise for bringing the inventory the City has available for purchase. Councilperson Streets asked if there were other options available. Mr. Belden stated this resolution needs to be approved by Council on a yearly basis and they can have more discussion at the final public hearing at the next meeting.

MOTION: Councilperson Brown moved to approve the permission to advertise Resolution No. 2019-32 for a public hearing on November 18, 2019, a Resolution of the City Council of the City of Fort Myers, Florida, approving the affordable housing vacant land inventory list of City-owned property appropriate for use as Affordable Housing, pursuant to Section 166.0451, Florida Statutes; and providing for an effective date; seconded by Councilperson Streets; motion carried unanimously.

- 6.5. Permission to advertise a 15-day comment period and public hearing for the Fourth Program Year Consolidated Annual Performance and Evaluation Report for Fiscal Year 2018-2019 Community Development Block Grant Program (CDBG), pursuant to U.S. Housing and Urban Development (HUD) requirements

MOTION: Councilperson Streets moved to approve the permission to advertise a 15-day comment period and public hearing for the Fourth Program Year Consolidated Annual Performance and Evaluation Report for Fiscal Year 2018-2019 Community Development Block Grant Program (CDBG), pursuant to U.S. Housing and Urban Development (HUD) requirements; seconded by Councilperson Brown; motion carried unanimously.

- 6.6. Permission to advertise for a public hearing on November 18, 2019, to accept donation of STRAP No. 18-44-25-P4-0010B.0100, a vacant parcel located at 3027 Second Street from Olga Semreen, owner (Ward 1)

MOTION: Councilperson Brown moved to approve the permission to advertise for a public hearing on November 18, 2019, to accept donation of STRAP No. 18-44-25-P4-0010B.0100, a vacant parcel located at 3027 Second Street from Olga Semreen, owner; seconded by Councilperson Anderson; motion carried unanimously.

- 6.7. Permission to advertise for a public hearing on November 18, 2019, to accept donation of STRAP No. 25-44-24-P2-0030B.0110, vacant residential property located at 2830 Cranford Avenue from Geraldine Keenan, owner.

MOTION: Councilperson Anderson moved to approve the Permission to advertise for a public hearing on November 18, 2019, to accept donation of STRAP No. 18-44-25-P4-0010B.0100, a vacant parcel located at 3027 Second Street from Olga Semreen, owner; seconded by Councilperson Brown; motion carried unanimously.

7. CITY MANAGER'S ITEMS

- 7.1. Resolution 2019-33 authorizing the Mayor and City Manager to enter into the Federally Funded Subgrant Agreement #H0263 with the Florida Division of Emergency Management Mitigation Bureau and the Federal Emergency Management Agency for funding of Phase I Edgewood Neighborhood Drainage Project; And Federally Funded Subgrant Agreement #H0263 with the Florida Division of Emergency Management Mitigation Bureau and the Federal Emergency Management Agency for funding of Phase I Edgewood Neighborhood Drainage Project, providing \$154,639.58 in funding to the City with a City match of \$52,360.42, for a total of \$207,000.00 (Wards 1 & 2)

City Attorney Alley read the title of the Resolution into the record.

City Manager Kazemi stated that these items would allow the City to apply for additional grant funding.

MOTION: Councilperson Streets moved to approve Resolution 2019-33 authorizing the Mayor and City Manager to enter into the Federally Funded Subgrant Agreement #H0263 with the Florida Division of Emergency Management Mitigation Bureau and the Federal Emergency Management Agency for funding of Phase I Edgewood Neighborhood Drainage Project and Federally Funded Subgrant Agreement #H0263 with the Florida Division of Emergency Management Mitigation Bureau and the Federal Emergency Management Agency for funding of Phase I Edgewood Neighborhood Drainage Project, providing \$154,639.58 in funding to the City with a City match of \$52,360.42, for a total of \$207,000.00; seconded by Councilperson Brown; motion carried unanimously.

- 7.2. Employment Agreement, in the annual base salary of \$119,700.00, with Jeffrey A. Meyers, Deputy Police Chief, effective November 22, 2019

City Manager Kazemi stated that this agreement is the same as the previous agreement except for a 5% increase in salary in two-years, and one additional week of vacation time.

MOTION: Councilperson Anderson moved to approve the Employment Agreement as presented with Jeffrey A. Meyers, Deputy Police Chief, effective November 22, 2019; seconded by Councilperson Brown; motion carried unanimously.

- 7.3. Interlocal Agreement Providing Transit Service with Lee County, in the amount of \$401,018.00, for the downtown Trolley Routes to operate from November 20, 2019 through May 2, 2020

City Manager Kazemi provided a new Exhibit A that includes the CRA contribution of \$200,600.00; the City of Fort Myers contribution of \$200,418.00 and the FDOT contribution of \$401,018.00 for a total amount of \$802,036.00 to the annual project cost.

Chris Tenney, Deputy Director of Budget, provided the cost breakdown of the \$401,018.00: The City's General fund will contribute \$63,600.00; the Developer contributions provide \$62,500.00; the paratransit fund has funds that the City will utilize \$74,318.00; and the CRA will contribute \$200,600.

Chief Administrative Attorney Terry Cramer stated that Exhibit B contains a blue line that identifies the Downtown Area. He stated that the money from the CRA is coming from that Downtown area.

MOTION: Councilperson Anderson moved to approve the Interlocal Agreement, as amended, providing Transit Service with Lee County, in the amount of \$401,018.00, for the downtown Trolley Routes to operate from November 20, 2019 through May 2, 2020; seconded by Councilperson Brown; motion carried unanimously.

7.4. City of Fort Myers 2020 Legislative Agenda and Appropriations Requests for the 2020 General Session of the Florida Legislature

City Manager Kazemi stated that the City is asking for a partnership with the Police Department, and the Boys and Girls Club to include the Shady Oaks Park and facilities with the Police Athletic League (PALS) program. In addition, the City would like to ask for the STARS complex and improvements which allow for improvement and expansion of the STARS to allow a shelter for the City in the amount of \$13.5 million. In addition, the City is asking for Centennial Park improvements, and playground equipment. This the 4th year, and their hope is to receive funding to have a playground to accommodate special need individuals.

Councilperson Burson stated that he represented the City at the legislative delegation meeting, and the City is asking the State legislature for \$4.12M for septic tank conversion, and another \$1.5M for additional clean-up of Billy's Creek to finish that project, and \$2.5M for the facility renovation of the PAL and the Boys and Girls Club at the Shady Oaks Community Center, and other projects. City Manager Kazemi stated that it was \$18M that the City is requesting. Councilperson Streets stated his concern is that no amounts were requested for the East Side of Fort Myers, and there are septic tanks on east of 4th Street that have been there for years, and they need to be taken out.

City Manager Kazemi stated that the City provides the sewer and the water in the area, if they remove the septic tanks, they will have to connect to the County system. Councilperson Streets reiterated that the old septic tanks are still there and need to be removed. City Manager Kazemi stated that this program is connecting the new ones to the system. Councilperson Brown asked the City Manager to find out how many septic tanks are in the City. Mayor pro tem Burson stated that the City is committed to clean them up, and if there are more out there the City will take care of it, he is sure of it.

MOTION: Councilperson Anderson moved to approve the City of Fort Myers 2020 Legislative Agenda and Appropriations Requests for the 2020 General Session of the Florida Legislature; seconded by Councilperson Brown; motion carried unanimously.

8. CITY ATTORNEY'S ITEMS

8.1. Settlement of Ruthie Wright v. City of Fort Myers, Case Number 18-CA-00942

Travis Cary, Assistant City Attorney, stated that this case happened at the Fort Myers Cemetery, it was a trip and fall, the amount of the settlement was for \$3,500 and he recommended approval of the settlement amount. Councilperson Streets asked where the \$6000 accumulated liens came from. Attorney Cary stated that amount pertained to medical bills and damages that occurred for treatment of injuries.

Attorney Cary stated that they negotiated with the plaintiffs' attorney, more specifically the plaintiff, to settle the case for a full and total amount of \$3,500. This lawsuit will be

completed and with the settlement agreement there would be no further lawsuits. Councilperson Streets asked for clarification of whether the plaintiff owes \$6,000. Attorney Cary stated as far as the lawsuit that amount would be taken care of should this be approved.

MOTION: Councilperson Brown moved to approve the Settlement of Ruthie Wright v. City of Fort Myers, Case Number 18-CA-00942; seconded by Councilperson Anderson; motion carried unanimously.

8.2. Payless Holdings, LLC, et al. - Ballot for Voting to Accept Second Amended Joint Plan of Reorganization of Payless Holdings, LLC and its Debtor Affiliates pursuant to Chapter 11 of the Bankruptcy Code

City Attorney Alley stated that he is seeking approval and ratification of this matter as there was a Ballot for Voting to Accept Second Amended Joint Plan of Reorganization of Payless Holdings, LLC, and by way of full disclosure, because of deadline, he had signed it and approved.

MOTION: Councilperson Brown moved to approve the Payless Holdings, LLC, et al. - Ballot for Voting to Accept Second Amended Joint Plan of Reorganization of Payless Holdings, LLC and its Debtor Affiliates pursuant to Chapter 11 of the Bankruptcy Code; seconded by Councilperson Anderson; motion carried unanimously.

8.3. Request Executive Session - Case No: 2:18-cv-00195-SPC-UAM United States District Court for the Middle District of Florida, Fort Myers Division - Deretha Miller, Willie Blanks, and Tambitha Blanks, individually, and on behalf of a class of persons similarly situated, Plaintiffs v The City of Fort Myers, a Municipality, Mayor Randall P. Henderson, Jr. in his official capacity as City of Fort Myers Mayor, and Saeed Kazemi, in his official capacity as City of Fort Myers Manager

City Attorney Alley requested an executive session for Case No: 2:18-cv-00195-SPC-UAM; for it to be scheduled at a time with respect to the City Manager and the Mayor and Council's availability. This is a requirement to be able to meet in Executive Session pursuant to the Sunshine Law.

MOTION: Councilperson Anderson moved to approve the request for an Executive Session - Case No: 2:18-cv-00195-SPC-UAM United States District Court for the Middle District of Florida, Fort Myers Division - Deretha Miller, Willie Blanks, and Tambitha Blanks, individually, and on behalf of a class of persons similarly situated, Plaintiffs v The City of Fort Myers, a Municipality, Mayor Randall P. Henderson, Jr. in his official capacity as City of Fort Myers Mayor, and Saeed Kazemi, in his official capacity as City of Fort Myers Manager; seconded by Councilperson Brown; motion carried unanimously.

PUBLIC COMMENT – NON-AGENDA ITEMS

Edward (Jimmi) Melton, resident, spoke on the changes implemented by the River District Alliance regarding Downtown Music Night and the actions of the Fort Myers Police Department.

Kynse Leigh Agles, resident, spoke on the positive impact Bike Night has on Downtown businesses. In addition, she spoke on changes implemented by the River District Alliance pertaining to Downtown Music Night.

Anthony Thomas, Jr., resident, spoke on Councilperson Streets comments about the conflict of interest pertaining to the Planning Board, and whether the City will be hiring an outside attorney to represent the Chief of Police on the State Ethics complaint. He noted that Councilperson Watson was not present as she had a death in her family.

Shanna Miller, resident, spoke on the changes implemented by the River District Alliance and her opposing the cancellation of Bike Night. She presented a petition with over 2000 signatures from citizens and business owners opposing the relocation of Bike Night.

ADDITIONAL ITEM

City Manager Kazemi noted that Fire Chief John D. Caufield had resigned effective November 15, 2019. The City Manager and City Council recognized Chief Caufield for his outstanding service to the City of Fort Myers.

ADJOURNMENT: Councilperson Streets moved to adjourn the meeting at 8:47 p.m.; seconded by Councilperson Brown; motion carried unanimously.

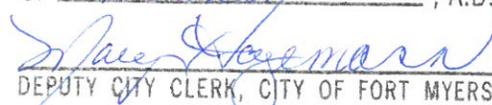
ATTEST:



Gwen Carlisle, MMC

City Clerk

I DO HEREBY CERTIFY THAT THE ABOVE
AND FOREGOING IS A TRUE AND CORRECT
COPY OF THE ORIGINAL THEREOF ON FILE
IN MY OFFICE. WITNESS MY HAND AND
SEAL OF SAID CITY THIS 10 DAY
OF December, A.D. 2019.



DEPUTY CITY CLERK, CITY OF FORT MYERS, FLORIDA

Public Notices



CITY OF FORT MYERS, FLORIDA

CITY CLERK'S OFFICE
POST OFFICE BOX 2217
FORT MYERS, FLORIDA 33902
239-321-7035 TEL
239-344-5927 FAX

NOTICE OF 15 DAY COMMENT PERIOD AND PUBLIC HEARING FOR THE CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT FOR FISCAL YEAR 2018-2019 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The Fort Myers City Council will hold a PUBLIC HEARING in the Council Chambers at Oscar M. Corbin, Jr. City Hall, 2200 Second Street, Fort Myers, Florida, on Monday, December 2, 2019, on or about 5:15 o'clock p.m., or as soon thereafter as can be heard, to consider the Fourth Program Year Consolidated Annual Performance and Evaluation Report (CAPER) for Fiscal Year 2018-2019 Community Development Block Grant Program (CDBG). The CAPER is a review and summary of the City's performance in meeting these goals in Fiscal Year 2018-2019.

Comments will be accepted during a 15-day period from November 18, 2019, through December 3, 2019

To obtain a copy or submit comments, contact the City of Fort Myers Community Development Department, Housing and Real Estate Division, 1825 Hendry Street, Fort Myers, Florida 33901, phone (239) 321-7968, or smason@cityftmyers.com. All comments from citizens will be considered before submission of the final report to the HUD.

The documents can also be viewed at the Dunbar-Juniper Hammon Public Library, Fort Myers Regional Public Library and on the City's website at <https://www.cityftmyers.com/819/Documents-and-Reports>.

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 or require someone to translate or sign, please contact the City of Fort Myers Community Development Department, Housing and Real Estate Division at (239) 321-7970 no less than 5 days prior to the meeting date. Requisito especial: Si usted requiere la ayuda o servicios especiales como dirigido en el Acto de Americanos Incapaciados o requiere alguien para traducir el idioma o firmar, por favor de comunicarse con el City of Fort Myers Community Development Department, Housing and Real Estate Division al (239) 321-7970 no menos de 5 días antes de la reunión.

CITY OF FORT MYERS

By: Beverly Reed, Housing & Development Planner



CIUDAD DE FORT MYERS, FLORIDA

OFICINA ADMINISTRATIVA DE LA CIUDAD
CASILLA DE CORREO 2217
FORT MYERS, FLORIDA 33902
239-321-7035 TELÉFONO
239-344-5927 FAX

AVISO DEL PERÍODO DE 15 DÍAS PARA COMENTARIOS Y AUDIENCIA PÚBLICA PARA EL REPORTE DE EVALUACIÓN Y DESEMPEÑO CONSOLIDADO ANUAL PARA EL PERÍODO FISCAL 2018 - 2019 PROGRAMA DE SUBVENCIÓN EN BLOQUE PARA EL DESARROLLO COMUNITARIO

El Consejo de la Ciudad de Fort Myers celebrará una AUDIENCIA PÚBLICA en la Cámara del Consejo en Oscar M. Corbin Jr. de la Municipalidad, 2200 Second Street, Fort Myers, Florida el lunes, 2 de diciembre de 2019 a las o alrededor de las 5:15 p.m., o tan pronto como sea posible celebrarla, para considerar el Reporte de Evaluación y Desempeño Consolidado del Cuarto Año (CAPER) para el período fiscal 2018-2019 del Programa de Subvención en Bloque para el Desarrollo Comunitario (CDBG). Las personas interesadas podrán presentarse a la audiencia y ser escuchadas con respecto al reporte.

Se aceptarán comentarios durante el periodo de 15 días desde el 18 de noviembre de 2019, al 3 de diciembre de 2019

Para obtener una copia o presentar comentarios, sírvase contactar al Departamento de Desarrollo Comunitario de la Ciudad de Fort Myers, 1825 Hendry Street, Fort Myers, Florida 33901, teléfono (239) 321-7968 o smason@cityftmyers.com. Todos los comentarios de los ciudadanos serán considerados antes de la presentación del reporte final al HUD.

Los documentos también se pueden ver en la Biblioteca Pública Dunbar-Juniper, la Biblioteca Pública Regional de Fort Myers y en el sitio web de la ciudad en: <https://www.cityftmyers.com/819/Documents-and-Reports>.

Si una persona decide apelar cualquier decisión tomada por el Consejo de la Ciudad con respecto a cualquier tema considerado en tal reunión o audiencia, él o ella necesitará un registro de los procedimientos, y a tal efecto, él o ella necesitará asegurarse de que un registro textual de los procedimientos sea llevado a cabo, lo que incluye el testimonio y la prueba en los cuales se base la apelación.

Requerimientos Especiales: Si usted requiere asistencia o servicios especiales en los términos de la Ley de Americanos con Discapacidades o requiere que alguien le traduzca o use lenguaje de señas, por favor contáctese con el Departamento de Desarrollo Comunitario de la Ciudad de Fort Myers, División Vivienda y Propiedad Inmueble al (239) 321-7970 con al menos 5 días de antelación a la fecha de la reunión.

CIUDAD DE FORT MYERS

Por: Beverly reed, Housing & Development Planner

CITY OF FT MYERS HOUSING
1825 HENDRY ST. STE 101
FT MYERS, FL 33901-3054

STATE OF WISCONSIN COUNTY OF BROWN:

Before the undersigned authority personally appeared said legal clerk, who on oath says that he or she is a Legal Assistant of the News-Press, a daily newspaper published at Fort Myers in Lee County, Florida; that the attached copy of advertisement, being a Legal Ad in the matter of

PUBLIC NOTICE

In the Twentieth Judicial Circuit Court was published in said newspaper in the issues of:

11/18/19

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida, and that the said newspaper has heretofore been continuously published in said Lee County, Florida each day and has been entered as periodicals matter at the post office in Fort Myers, in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has never paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and Subscribed before me this 18th of NOVEMBER 2019.

Legal Clerk

Vicky Felty

Notary Public State of Wisconsin County of Brown

9-19-19

My commission expires

