



City of Sanibel

800 Dunlop Road
Sanibel, FL 33957

Meeting Agenda - Final Revised City Council

Tuesday, May 5, 2020

9:00 AM

City Hall

TO ASSIST CITY COMPLIANCE WITH SOCIAL DISTANCING GUIDELINES, ANYONE WISHING TO MAKE PUBLIC COMMENT REGARDING ANY AGENDA OR NON-AGENDA ITEM IS ASKED TO PLEASE EMAIL THE CITY CLERK AT pamela.smith@mysanibel.com BY 3:00 P.M. MONDAY, MAY 04, 2020, RATHER THAN PERSONALLY ATTEND THE MEETING. COMMENTS RECEIVED BY THAT TIME WILL BE POSTED ON THE AGENDA FOR REVIEW IN ADVANCE BY CITY COUNCIL. ADDITIONALLY, PUBLIC COMMENTS WILL ALSO BE TAKEN IN PERSON AT THE MEETING.

TO LISTEN TO CITY COUNCIL'S SPECIAL MEETING GO TO WWW.MYSANIBEL.COM. CLICK "AGENDAS AND MINUTES" IN THE BLUE RIBBON, THEN CLICK ON THE RED "CLICK HERE"; WHEN PAGE OPENS LOOK AT LEFT-TOP SIDE FOR DROP-DOWN ARROW TO CHOOSE 2020 AND IN THE NEXT DROP-DOWN ARROW BOX CHOOSE CITY COUNCIL. THEN LOCATE MAY 05, 2020. CLICK ON "MEETING IN PROGRESS"

ADDITIONS TO THE AGENDA: 7. OLD BUSINESS (d) UPDATED LANGUAGE AND 8. NEW BUSINESS (b) ADDED

PLEASE NOTE THAT THE CITY COUNCIL AGENDA IS SUBJECT TO CHANGE.

A COPY OF THE AGENDA PACKET IS AVAILABLE ON THE CITY'S WEBSITE AT WWW.MYSANIBEL.COM

"The Rules of Civility for Public Participation" as adopted by City Council can be found on the last page of this agenda. Reminder: Please turn all cell phones on to vibrate while in MacKenzie Hall.

1. CALL TO ORDER

2. INVOCATION AND PLEDGE OF ALLEGIANCE (Councilman Johnson)

3. ROLL CALL

4. PUBLIC COMMENTS FOR AGENDA AND NON-AGENDA ITEMS

(Maximum time allotted, 20 minutes, with a limitation of 3 minutes per speaker.)

- a. Emails

Attachments: [Emails](#)

5. COUNCIL COMMENTS

6. CONSENT AGENDA

ANY PERSON MAY REQUEST THAT COUNCIL REMOVE AN ITEM FROM THE CONSENT AGENDA FOR DISCUSSION BY NOTIFYING THE CITY MANAGER, CITY CLERK, OR A COUNCIL MEMBER PRIOR TO THE MEETING.

- a. Approval of Minutes - March 18, 25, 27, April 10, and 27, 2020 Special Meetings and April 07, 2020 Regular Meeting

Attachments: [March 18](#)
[March 25](#)
[March 27](#)
[April 07](#)
[April 10](#)
[April 27](#)

- b. **RESOLUTION 20-025 REVERSING ON APPEAL THE PLANNING COMMISSION'S APPROVAL OF VARIANCE APPLICATION NO. 19-11618V; QUASHING PLANNING COMMISSION RESOLUTION 19-13; AND PROVIDING AN EFFECTIVE DATE**

Attachments: [Resolution 20-025](#)

- c. Approval of a letter of support for the Cape Coral Police Department for a grant (Edward Byrne Memorial Justice Assistance Grant) in the total amount of \$184,284 to be executed by the Mayor (There is no budget impact)

Attachments: [Letter](#)

- d. Approval of a Memorandum of Understanding between Lee County Port Authority Police Department and Sanibel Police Department for use of the airport gun range and authorize the City Manager and Chief of Police to execute same (There is no budget impact)

Attachments: [Memorandum of Understanding](#)

- e. Approval of a Memorandum of Understanding between the Cape Coral Police Department, Fort Myers Police Department, Sanibel Police Department, the Lee County Board of County

Commissioners and the Lee County Sheriff's Office for partnering regarding Stonegarden (There is no budget impact)

Attachments: [Memorandum of Understanding](#)

- f. Award the Beach Park Sand Trap Installation Project contract to MAJ Contracting, Inc. in the amount of \$151,473.56 and authorize the City Manager to execute the contract (This project is funded by Lee County Tourism Development grant funds)

Attachments: [Staff Memorandum](#)
 [Contract](#)
 [Proposal](#)

7. OLD BUSINESS

- a. Water Quality Issues

- i. Report from Director Evans

1. Staff Memorandum

Attachments: [Staff Memorandum](#)

- ii. Dan DeLisi Legislative Report

Attachments: [Report](#)

- iii. Update on City's new Clean Canals Program

1. Staff Memorandum
2. Sanibel Capivta Conservation Foundation (SCCF) Clean Canals Monitoring Report

Attachments: [Staff Memorandum](#)
 [Monitoring Report](#)
 [Best Practices](#)

- iv. Shorebird Information

1. Staff Memorandum
2. Press Release
3. Video Link

Attachments: [Staff Memorandum](#)
 [Press Release](#)
 [Shorebird Video](#)

- v. Letter dated April 08, 2020 from Mayor Ruane to the South Florida Water Management District

Attachments: [Letter](#)

- vi. Letter dated April 27, 2020 from Mayor Ruane in support of the modifications to the City of Cape Coral fertilizer ordinance

Attachments: [Letter](#)

- b. Discussion and direction to staff regarding next steps for the Blind Pass Interlocal between the City of Sanibel, Lee County and Captiva Erosion Control District (CEPD)
- i. Previous Interlocal Agreement

ii. Report on attendance at the Captiva Erosion Control District meeting on Thursday, April 23
(Councilman Maughan and Councilwoman Smith)

Attachments: [Previous Agreement](#)

- c. Coyote Management Plan Update
- i. Staff Memorandum
 - ii. Coyote Tracking Website
 - iii. Coyote Research Proposal--University of Georgia
 - iv. Coyote Research proposal-University of Florida/USDA
 - v. Coyote Awareness Signage Pilot Project
 - vi. Coyote Trapping Proposal
 - vii. Citizen Wildlife Camera Reports

Attachments: [Staff Memorandum](#)
[Tracking Website](#)
[University of Georgia Proposal](#)
[University of Florida Proposal](#)
[Coyote Signage Project](#)
[Trapping Proposal](#)
[Citizen Coyote Wildlife Camera Report](#)

- d. Discussion regarding Governor DeSantis' Executive Orders 20-111 and 20-112, and potential modifications of City-imposed prohibitions and restrictions

8. NEW BUSINESS

- a. South Florida Water Management District Water restrictions
- i. Countywide Landscape Irrigation Restrictions Ordered by South Florida Water Management District
 - ii. Draft Ordinance

Attachments: [Island Water Email](#)
[Island Water Association Support](#)
[Draft Ordinance](#)

- b. Discussion and direction to staff regarding consideration of amending the Land Development Code to allow installation of vinyl seawalls waterward of existing seawalls

9. CITY MANAGER

- a. Informational Items
- i. Pamela Smith, MMC, City Clerk elected as the International Institute of Municipal Clerks' (IIMC) Vice President

Attachments: [Press Release](#)

- ii. Status Report on the Donax Rehabilitation Project
 - 1. PowerPoint
 - 2. Sewer Fund Cash Flow Analysis Report

Attachments: [PowerPoint](#)
 [Sewer Fund Cash Flow Analysis](#)

- iii. Letter of support to the Bailey-Matthews National Shell Museum for grant funding dated May 05, 2020 (INFORMATION TO COME)

Attachments: [Letter](#)

10. CITY ATTORNEY'S REPORT

11. COUNCIL MEMBER'S REPORT

- a. Report on status of plans for Sanitary Sewers on Captiva (Mayor Ruane)
 - 1. Jay Brown Correspondence
 - 2. Captiva Community Panel Straw Vote

Attachments: [Correspondence](#)
 [Email](#)

12. PUBLIC COMMENT

13. ADJOURNMENT

IF A PERSON DECIDES, TO APPEAL A DECISION MADE BY THE COUNCIL ON ANY MATTER CONSIDERED AT THIS MEETING/HEARING, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, TO INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH ANY SUCH APPEAL IS TO BE BASED.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS NEEDING A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING, TO INCLUDE HEARING IMPAIRMENT, SHOULD CONTACT PAMELA SMITH, CITY CLERK, NO LATER THAN ONE DAY PRIOR TO THE PROCEEDINGS AT (239) 472-3700. FOR ADDITIONAL ASSISTANCE IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE AT 711.

Citizens may request to receive Sanibel City Council and Planning Commission meeting agenda directly via e-mail. Citizens wishing to receive a copy of the agenda via e-mail may do so by visiting the City's website at www.mysanibel.com. Additionally, citizens may register to receive City announcements such as press releases.

Prior to requesting the agendas, the website reminds citizens that all e-mail addresses and requests submitted to the City are public information and governed by the applicable Florida Statute.

HORIZON - UPCOMING IMPORTANT DATES

Monday	May 25, 2020	City Hall Closed in Observance of Memorial Day		
Tuesday	June 02, 2020	City Council Meeting	MacKenzie Hall	9:00 a.m.
Saturday	June 06, 2020	D-Day		

Sunday	June 14, 2020	Flag Day		
Friday	July 03, 2020	City Hall Closed in Observance of Independence Day		
Saturday	July 04, 2020	Independence Day		
Tuesday	July 14, 2020	City Council Meeting Set Proposed Millage Rate	MacKenzie Hall	9:00 a.m.
Tuesday	August 18, 2020	City Council Meeting Solid Waste Assessment Public hearing	MacKenzie Hall	9:00 a.m.
Friday	August 14, 2020	Victory Over Japan Day		
Monday	September 07, 2020	City Hall Closed in Observance of Labor Day		
Saturday/Sunday	September 19/20, 2020	Rosh Hashana		
Friday	September 11, 2020	Patriot Day		
Monday	September 14, 2020	City Council Meeting First Budget Hearing	MacKenzie Hall 5:01 p.m.	9:00 a.m.
Monday	September 28, 2020	Yom Kippur		
Tuesday	September 29, 2020	Final Budget Hearing	MacKenzie Hall	5:01 p.m.
Tuesday	October 06, 2020	City Council Meeting	MacKenzie Hall	9:00 a.m.
Monday	October 12, 2020	City Hall Closed in Observance of Columbus Day		
Tuesday	November 03, 2020	City Council Meeting	MacKenzie Hall	9:00 a.m.
Wednesday	November 11, 2020	City Hall Closed in Observance of Veterans Day		
Wednesday	November 11, 2020	Veterans Day Celebration - City Hall Flagpole		11:00 a.m.
TBD	TBD	Student Government Day	MacKenzie Hall	9:45 a.m.
Thursday/Friday	November 26/27, 2020	City Hall Closed in Observance of Thanksgiving		
Tuesday	December 01, 2020	City Council Meeting	MacKenzie Hall	9:00 a.m.
Monday	December 07, 2020	Pearl Harbor Day		
Friday to Friday	December 11/18	Chanukah		
Friday	December 25, 2020	City Hall Closed in Observance of Christmas		
Friday	January 01, 2021	City Hall Closed in Observance of New Year's Day		

“RULES OF CIVILITY FOR PUBLIC PARTICIPATION”

In recognition that public discourse is essential to the democratic system of government on April 16, 2002, Sanibel City Council adopted a Proclamation embracing civility in public deliberations. These rules were updated February 22, 2007.

Therefore, Sanibel City Council sanctioned these rules for public participation while conducting meetings and workshops:

1. Speakers are permitted to deliver his or her comments without interruption.
2. Speakers and debates should focus on issues, not on persons or personalities.
3. Persons are encouraged to participate in the governmental process.
4. To allow time to hear all points of view, speakers are allotted 3 minutes each time they are recognized.
5. Sidebar discussions while others are speaking are not permitted in Council Chambers. These discussions are to be removed from the chamber so as not to be disruptive to those conducting and following Council business.
6. Only the speaker recognized by the Chairperson has the floor. Speakers should raise their hand to be recognized. Speakers should identify themselves for the record. Speakers should utilize the microphone so that their comments can be recorded.
7. Anyone wishing to speak on an issue is given an opportunity to speak before speakers are recognized for an opportunity to speak a second time on an issue.
8. We seek to understand one another's points of view.
9. Anger, rudeness, ridicule, impatience and lack of respect for others are not acceptable behavior. Demonstrations in support or opposition to a speaker or idea such as clapping, cheering, booing or hissing or intimidating body language are not permitted in Council Chambers or workshop facilities.
10. We should all take initiative to make things better. Our goal is to foster an environment, which encourages a fair discussion and exchange of ideas without fear of personal attacks.