



City of Sanibel

800 Dunlop Road
Sanibel, FL 33957

Meeting Agenda - Final Revised City Council

Tuesday, July 14, 2020

9:00 AM

City Hall

ANYONE WISHING TO MAKE A PUBLIC COMMENT IN ADVANCE REGARDING THE SPECIAL MEETING IS ASKED TO PLEASE EMAIL THE CITY CLERK AT pamela.smith@mysanibel.com BY 3:00 P.M. JULY 13, 2020. COMMENTS RECEIVED BY THAT TIME WILL BE POSTED TO THE AGENDA FOR CITY COUNCIL'S REVIEW IN ADVANCE OF THE MEETING. ALL PUBLIC COMMENTS SUBMITTED TO COUNCIL IN ADVANCE OF THE MEETING WILL BE POSTED ON THE AGENDA FOR THE RECORD. EMAILS WILL NOT BE READ INTO THE RECORD. ADDITIONALLY, ANYONE WISHING TO MAKE PUBLIC COMMENT IN PERSON MAY DO SO, SUBJECT TO A 3 MINUTE MAXIMUM SPEAKING TIME PER PERSON, PER AGENDA ITEM.

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 JULY 14, 2020. CLICK ON "MEETING IN PROGRESS"

ITEMS ADDED: CONSENT AGENDA (b) ADDED AGREEMENT, UPDATED LANGUAGE CONSENT AGENDA ITEM (j), DISCUSSION OF FY2021 BUDGET ITEM (c) ADDED MEMORANDUM, NEW BUSINESS ITEM (c) ADDED MEMORANDUM

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. PLANNING COMMISSION REPORT (Chair Ketteiman)

5. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

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

6. COUNCIL COMMENTS

7. FIRST READING OF AN ORDINANCE AND SCHEDULING OF PUBLIC HEARING

Note: The First Reading is not a public hearing and no discussion or testimony will be taken unless the ordinance changes permitted conditional or prohibited uses as required by State Statute

- a. ORDINANCE 20-001 AMENDING THE SANIBEL CODE OF ORDINANCES, CHAPTER 70-UTILITIES, ARTICLE II - WATER; DIVISION 3 - CONSERVATION; AMENDING SECTION 70-66, WATER SHORTAGE PLAN; ADDING WATER CONSERVATION RESTRICTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

- i. Island Water Letter and Response
- ii. South Florida Water Management District emails
- iii. Department of Natural Resources email

Attachments:

[Ordinance 20-001](#)

[Island Water Association Letter](#)

[Island Water Association Response](#)

[South Florida Water Management District Emails](#)

[Natural Resources email](#)

8. 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 - May 12, 21, and June 30, 2020 Special Meetings and May 05 and June 02, 2020 Regular Meetings

Attachments: [05052020](#)
 [05122020](#)
 [05212020](#)
 [06022020](#)
 [06302020](#)

- b. Approval of an agreement between the School Board of Lee County and the City of Sanibel for a School Resource Officer (SRO) in the amount of \$50,000 beginning August 1, 2020 through July 31, 2021 and authorize the Mayor to execute same

Attachments: [Agreement](#)

- c. Award contract for 2020 Sanibel River Clearing Project to Seahawk Florida Investments, Inc., in the amount of \$79,850 and authorize the City Manager to execute same (This does not increase the adopted FY2020 budget)

Attachments: [Staff Memorandum](#)
 [Bid Tabulation](#)
 [Map](#)
 [Contract](#)

- d. Award contract for replacement of City Hall Police Wing HVAC system to Johnson Controls, Inc., in the amount of \$178,672 and authorize the City Manager to execute same (This does not increase the FY-2020 adopted budget)

Attachments: [Staff Memorandum](#)
 [Bid Tabulation](#)
 [Contract](#)

- e. Approval of a request for consideration of a total of 20 Special Events Permits for 2020 additional Special Events for Casa Ybel

Attachments: [Request](#)

- f. **RESOLUTION 20-042 AUTHORIZING THE CITY MANAGER TO DISPOSE OF OBSOLETE OR SURPLUS CAPITAL ASSETS; AND PROVIDING AN EFFECTIVE DATE**

Attachments: [Staff Memorandum](#)
 [Resolution 20-042](#)

- g. Approval of an Interlocal Agreement between the City of Sanibel and Lee County for Solid Waste Collection

i. Lee County Letter

- ii. Proposed Agreement
- iii. Statutory Timeline
- iv. Assessment History
- v. Current Agreements

Attachments: [Lee County Letter](#)
[Proposed Interlocal Agreement](#)
[Statutory Timeline](#)
[Assessment Collection History](#)
[Current Agreements](#)

- h. Approval of an agreement between the City of Sanibel and RAFTELIS formerly Public Resources Management Group, Inc., to perform the 2020 Wasterwater and Reclaimed Water Revenue Sufficiency and Rate Study in the amount of \$24,000 (This agreement cost does not increase/decrease the FY20 adopted budget)

Attachments: [Agreement](#)

- i. Award Shoreline Stabilization Project at Turner Beach Park to Thomas Marine Construction, Inc. in the amount of \$518,376.87 and authorize the City Manager to execute same (This Project is funded through Lee County TDC funds and does not increase the FY20 budget)

Attachments: [Staff Memorandum](#)
[Bid Tabulation](#)
[Contract](#)

- j. Award a contract to Native Outdoor Service, Inc., for three years with an option for 1 additional 2-year term in the amount of \$7,000 per month for Ballfield maintenance, Pavilion and restroom cleaning (funded through an Interlocal Agreement with Lee County and the School Board of Lee County where each entity pays one-third of the cost) and authorize the City Manager to execute same

Attachments: [Contract](#)

- k. Approval of an Agreement between Participating Agencies and the Florida Department of Law Enforcement to form a Fort Myers Regional Operations Center Child Abduction Response Team and authorize Chief Dalton to execute same

Attachments: [Contract](#)

- l. **RESOLUTION 20-047 OPTING A COST ALLOCATION PLAN, (ALSO KNOWN AS AN INDIRECT COST PLAN) FOR THE FISCAL YEAR 2020; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CERTIFICATE OF COST ALLOCATION PLAN IN ACCORDANCE WITH THE REQUIREMENTS OF OMB 2 CFR PART 200 AND FULL COST PLAN; AUTHORIZING THE DISTRIBUTION OF THE CENTRAL SERVICE OVERHEAD COSTS TO QUALIFYING GRANTS AND FUNDS; ESTABLISHING THAT REGULAR UPDATES TO THE COST ALLOCATION PLAN BE MADE; AND ESTABLISHING AN EFFECTIVE DATE**

Attachments: [Resolution 20-047](#)
[Fiscal Year 2019 Full Cost Allocation Plan](#)
[Comparison of Fiscal Year 2019 to Fiscal Year 2018](#)

9. OLD BUSINESS

- a. Water Quality Issues
 - i. Reports from Director Evans
 - ii. Letter of Support University of Florida and Florida Gulf Coast University Proposal to Develop Modeling Tools to Help Government Assess their Current and Future Vulnerabilities to Sea-level Rise, Storminess, and Freshwater Flooding

Attachments: [Letter](#)

- 1. Previous PowerPoint Presentation

Attachments: [Presentation](#)

10. COMMITTEES BOARDS COMMISSION

- a. **RESOLUTION 20-043 APPOINTING A MEMBER TO THE METROPOLITAN PLANNING (MPO) BICYCLE PEDESTRIAN COORDINATING COMMITTEE (BPCC); AND PROVIDING AN EFFECTIVE DATE**
 - i. **Michael Cohn**
 - ii. **Sterling Fulmer**
 - iii. **Edward Holden**

Attachments: [Resolution 20-043](#)
[Cohn, Michael](#)
[Fulmer, Sterling](#)
[Holden, Edward](#)

- b. Acceptance of resignation from Historical Preservation Committee Member Susan Cassell

Attachments: [Resignation](#)

- c. Planning Commission recommendation regarding seawalls (Councilwoman Smith)
 - i. Planning Commission draft minutes for June 09, 2020

Attachments: [Draft Minutes](#)

11. DISCUSSION OF FY2021 BUDGET

- a. Distribution of DRAFT Budget and Supplemental Material (City Manager)
 - i. Fiscal Year 2021 Draft Budget

Attachments: [FY2021 Budget](#)

- ii. Supplemental Budget Information

1. City of Sanibel Taxable Property Values History
2. Millage Rate to Dollar Comparison

Attachments: [Property Values History](#)
[MILLS to Dollars Proposed Millage](#)

- b. Update of the Police Department Renovations
- c. Options for Operating Recreation Center for remainder of Fiscal Year (August 1 through September 30, 2020)
 - i. Staff Recommendations

Attachments: [Staff Memorandum](#)

ii. RESOLUTION 20-048 AMENDING THE RECREATION USER FEES IN THE SANIBEL CODE OF ORDINANCES, CHAPTER 90 - FEES; AMENDING SECTION 90-501 - RECREATION USER FEES; PROVIDING FOR AN INCREASE IN AFTER SCHOOL CARE PROGRAM FEES; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING AN EFFECTIVE DATE

Attachments: [Resolution 20-048](#)

- d. Legislative Department staffing request for remainder of Fiscal Year (July 15 to September 30, 2020)

Attachments: [Request](#)

- e. **RESOLUTION 20-044 ADVISING THE LEE COUNTY PROPERTY APPRAISER OF THE PROPOSED OPERATING MILLAGE RATE, THE ROLLED-BACK RATE, THE PROPOSED AGGREGATE MILLAGE RATE, THE MILLAGE LEVY FOR THE SEWER VOTED DEBT SERVICE, THE LAND ACQUISITION VOTED DEBT SERVICE, AND THE RECREATION CENTER VOTED DEBT SERVICE AND THE DATE, TIME AND PLACE AT WHICH A PUBLIC HEARING WILL BE HELD TO CONSIDER THE TENTATIVE OPERATING MILLAGE RATE FOR TAX (CALENDAR) YEAR 2020 AND TENTATIVE BUDGET FOR THE CITY OF SANIBEL FISCAL YEAR 2021; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PROVIDE CERTIFICATION OF SAME; AND PROVIDING AN EFFECTIVE DATE**

Attachments: [Resolution 20-044](#)

**ALL DISCUSSION REGARDING PENDING SPECIAL EVENT PERMITS
ARE RESCHEDULED TO AUGUST 18, 2020 CITY COUNCIL MEETING**

- f. Discussion regarding Coronavirus Disease 2019 (COVID-19), including consideration of extending, modifying or terminating any or all prohibitions and restrictions related to or concerning the declared State of Local Emergency resulting from the outbreak of COVID-19
 - i. Emails

Attachments: [COVID-19 Emails](#)

- i. Pending requests for Upcoming Special Events
 1. Approval of a two Special Event Permits sponsored by J.N. “Ding” Darling
 - a. 75th Anniversary Gala Celebration December 01, 2020
 - b. Annual Go Wild February 10, 2021

Attachments: Request

2. Approval of the Special Event for the FISH 10K Race October 24, 2020

Attachments: [Request](#)

3. Approval of the Special Event for the Veterans Day Program at the City Hall flagpole

Attachments: [Veterans Day](#)

4. Rotary Art Fair 2021

Attachments: [Request](#)

12. NEW BUSINESS

- a. **RESOLUTION 20-045 OF THE SANIBEL CITY COUNCIL RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE, RECYCLABLES AND HORTICULTURAL WASTE, IN THE CITY OF SANIBEL CONSTITUTING THE CITY’S 2020-2021 FISCAL YEAR INITIAL ASSESSMENT RESOLUTION RELATING TO THE ANNUAL SPECIAL SERVICE ASSESSMENT TO FUND THE COLLECTION AND DISPOSAL OF SOLID WASTE, RECYCLABLES AND HORTICULTURAL WASTE AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF SANIBEL FOR THE FISCAL YEAR OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021; CONFIRMING AND AUTHORIZING MATTERS RELATING TO SUCH ASSESSMENT; SCHEDULING A PUBLIC HEARING TO CONSIDER THE ADOPTION OF THE ANNUAL RATE RESOLUTION AND TO CONFIRM COLLECTION OF SUCH SPECIAL SERVICE ASSESSMENTS THROUGH THE UNIFORM METHOD OF COLLECTION (i.e., ANNUAL LEE COUNTY TAX BILL); PROVIDING DIRECTION FOR THE PREPARATION OF THE ASSESSMENT ROLL AND NOTICES REQUIRED BY LAW; AND PROVIDING AN EFFECTIVE DATE**

Attachments: [Resolution 20-045](#)

- b. **RESOLUTION 20-046 APPROVING A SOLID WASTE RATE STRUCTURE FOR FISCAL YEAR 2020-2021; ESTABLISHING SOLID WASTE, RECYCLABLES AND HORTICULTURE WASTE RATES FOR RESIDENTIAL, COMMERCIAL AND MULTI-FAMILY PROPERTIES; APPROVING A SOLID WASTE FRANCHISE FEE AND A SOLID WASTE DISPOSAL SURCHARGE; AND PROVIDING AN EFFECTIVE DATE**

Attachments: [Resolution 20-046](#)

- c. Discuss on policy and procedures for filling City Council vacancies (Vice Mayor Denham)
 - i. City Attorney Memorandum

Attachments: [Staff Memorandum](#)

13. CITY MANAGER

- a. Informational Items
 - i. Status Report on the Donax Rehabilitation Project
 - 1. PowerPoint

Attachments: [PowerPoint](#)

Sanibel Causeway Traffic Counts - May 2020

Attachments: [Staff Memorandum](#)

14. CITY ATTORNEY'S REPORT

15. COUNCIL MEMBER'S REPORT

16. PUBLIC COMMENT

17. CONVENE AN EXECUTIVE SESSION RELATING TO UNION NEGOTIATIONS

In attendance shall be only the following persons:

Mayor Kevin Ruane

Vice Mayor Denham

Councilman Richard Johnson

Councilman Jason Maughan

Councilwoman Holly Smith

Sanibel City Manager Judie Zimomra

Sanibel City Attorney John Agnew

Jim Isom, Director of Administrative Services

Steve Chaipel, Finance Director

William "Bill" Dalton, Police Chief

Crystal Mansell, Human Resources Generalist

Keith Williams, Community Services Director

Wayne Helsby, Labor Counsel (Allen, Norton & Blue) (Participating remotely)

18. 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

a.	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	9:00 a.m. 5:01 p.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.