



# City of Sanibel

800 Dunlop Road  
Sanibel, FL 33957

## Meeting Agenda - Final Revised City Council

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Monday, September 14, 2020

9:00 AM

City Hall

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

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**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.**

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**INFORMATION ADDED OLD BUSINESS a.(ii.), 8(b.) CITY MANAGER REPORT a.(i.), 10(d.) and 7(f.)**

**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](mailto:pamela.smith@mysanibel.com) BY 3:00 P.M. September 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](http://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 September 14, 2020 at 9:00 A.M. CLICK ON “MEETING IN PROGRESS”**

**1. CALL TO ORDER****2. INVOCATION AND PLEDGE OF ALLEGIANCE (Mayor Ruane)****3. ROLL CALL****4. PUBLIC COMMENTS FOR NON-AGENDA ITEMS**

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

**5. COUNCIL COMMENTS****6. 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 20-002 AMENDING THE SANIBEL CODE OF ORDINANCES, CHAPTER 2-ADMINISTRATION, ARTICLE II - CITY COUNCIL, DIVISION 3 - MEETINGS; AMENDING SECTION 2-66, MEETINGS OF CITY COUNCIL; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

Attachments:            [Ordinance 20-002](#)

- b. ORDINANCE 20-003 AMENDING THE SANIBEL CODE OF ORDINANCES, CHAPTER 22-CIVIL EMERGENCIES, ARTICLE II - DISASTER PREPAREDNESS, DIVISION 2 - STATE OF EMERGENCY; AMENDING SECTION 22-57, TERMINATION OF PROCLAMATION; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE**

Attachments:            [Ordinance 20-003](#)

- c. ORDINANCE 20-004 AMENDING CHAPTER 50, ARTICLE III, POLICE OFFICERS' RETIREMENT, DIVISION 2, PENSION PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF SANIBEL, AMENDING SECTION 50-356, INTERNAL REVENUE CODE COMPLIANCE, TO PROVIDE FOR COMPLIANCE WITH THE SECURE ACT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT AND SEVERANCE; AND PROVIDING AN EFFECTIVE DATE**

Attachments:            [Ordinance 20-004](#)

## 7. 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 - August 18, 2020 Regular Meeting

Attachments:            [Minutes](#)

- b. **RESOLUTION 20-064 ESTABLISHING THE SANIBEL CITY COUNCIL REGULARLY SCHEDULED MEETING DATES FOR THE 2021 CALENDAR YEAR; AND PROVIDING AN EFFECTIVE DATE**

Attachments:            [Resolution 20-064](#)

- c. **RESOLUTION 20-067 ADOPTING THE CITY OF SANIBEL EMERGENCY OPERATIONS PLAN; PROVIDING THAT SUCH PLAN SUPERSEDES ANY AND ALL PRIOR INCONSISTENT COMPREHENSIVE EMERGENCY MANAGEMENT PLANS AND EMERGENCY OPERATION PLANS DEVELOPED FOR THE CITY OF SANIBEL; AND PROVIDING AN EFFECTIVE DATE**

Attachments:            [Resolution 20-067](#)

- d. Approval of a West Coast Inland Navigation District (WCIND) subgrant agreement between the City of Sanibel and Lee County Board of Commissioners (BOCC) in an amount not to exceed \$25,000 for one Marine Patrol Officer and authorize the City Manager to execute same (Funds included in the FY20/21 budget)

Attachments:            [Agreement](#)

- e. **RESOLUTION 20-066 ROLLING OVER THE CLASSIFICATION PLAN AND PAY SCHEDULE FOR FISCAL YEAR 2019-2020 TO FISCAL YEAR 2020-2021; AUTHORIZING THE CITY MANAGER TO AMEND JOB DESCRIPTIONS AS NECESSARY TO KEEP SUCH DESCRIPTIONS CURRENT; AND PROVIDING AN EFFECTIVE DATE**

Attachments:            [Resolution 20-066](#)

- f. Approval of a Memorandum of Understanding (formerly know as “Cooperative Agreement”) between the City, Sanibel Captiva Conservation Foundation and J.N. “Ding” Darling National Wildlife Refuge and authorize the City Manager to execute same

Attachments:            [Proposed Memorandum of Understanding](#)  
[2015 Agreement](#)

- g. Approve the Professional Services Proposal submitted by Tetra Tech, Inc. for design and construction services for the Donax Wastewater Reclamation Facility Process Improvements in the amount of \$299,990 (This does not increase the draft FY 2021 budget)

Attachments:            [Staff Memorandum](#)  
                                  [Second Amendment](#)  
                                  [2011 Tetra Tech Agreement](#)  
                                  [Proposal for Phase 3](#)

- h. **RESOLUTION 20-063 ADOPTING AND ESTABLISHING A REVISED SCHEDULE OF RATES FOR THE SANIBEL SEWER SYSTEM AND PROVIDING FOR A 2.0% INCREASE IN RESIDENTIAL, COMMERCIAL, AND RECLAIMED WATER RATES; AND PROVIDING AN EFFECTIVE DATE.**

Attachments:            [Resolution 20-063](#)  
                                  [Staff Memorandum](#)  
                                  [2020 Sanibel Revenue Sufficiency Report](#)  
                                  [Rate Increase Schedule](#)

## 8. OLD BUSINESS

- a. Water Quality Issues
- i. Reports from Acting Director Milbrandt
  - ii. Follow-up discussion and direction to Staff regarding the Humiston & Moore Engineers, P.A. “Report on Beach Re-nourishment Options and Costs for North Sanibel”
    - 1. Staff Memorandum
    - 2. Humiston & Moore Engineers, P.A, Report on Beach Re-nourishment Options and Costs for North Sanibel
    - 3. Previous Blind Pass Interlocal Agreement between City of Sanibel, Lee County and Captiva Erosion Control District (CEPD), 2000-2015
    - 4. Correspondence dated August 27, 2020 from Chairman Michael Mullins

Attachments:            [Staff Memorandum](#)  
                                  [Humiston and Moore Report](#)  
                                  [Previous Agreement 2000-2015](#)  
                                  [Michael Mullins Correspondence](#)

- b. Discussion regarding draft Manatee ordinance

Attachments:            [Staff Memorandum](#)  
                                  [DRAFT Ordinance](#)  
                                  [Sanibel Captiva Conservation Foundation Manatee and Seagrass Survey Repo](#)

- c. Discussion regarding Special Magistrate's Recommendation in Request for Relief sought by Christopher and Lisa Heidrick under Florida Land Use and Environmental Dispute Resolution ACT (FLUEDRA) (Attorney Agnew)
- i. FLUEDRA Report and Recommendations
  - ii. City Council Resolution 20-025
  - iii. Planning Commission Resolution 19-013
  - iv. Heidrick's post FLUEDRA Hearing Proposal

Attachments:            [FLUEDRA Report and Recommendation](#)  
                                  [City Council Resolution 20-025](#)  
                                  [Planning Commission Resolution 19-013](#)  
                                  [Heidrick's post FLUEDRA Hearing proposal](#)

- d. Status and direction to Staff regarding Rental Dwelling Unit Licensing Program and re-establishment of licensing deadline (Councilwoman Smith)
- i. Staff Memorandum

Attachments:            [Staff Memorandum](#)

- e. Discussion and direction for Capital Projects

- i. Center4Life Renovations
  1. Current Status
  2. Timeline
  3. Funding Update
  4. Direction to Staff on next steps

Attachments:            [Staff Memeorandum Timeline](#)  
                                  [Staff Memorandum Funding Update](#)

- ii. Police Department Modernization Renovation
  1. Current Status
  2. Architect's Report
  3. Funding Options
  4. Directions to Staff on Next Steps

Attachments:            [Architect's Report](#)  
                                  [Staff Memorandum](#)  
                                  [Permit Fees](#)

- f. Status of Sale of 2021 Beach Parking Permits & Direction to City Staff

- i. Historical Data and Background
- ii. Options
- iii. Directions to Staff on next steps

Attachments:            [Historical Data](#)

## 9. COMMITTEES BOARDS COMMISSION

- a. **RESOLUTION 20-065 AMENDING RESOLUTION 19-016 RELATING TO THE SANIBEL RECREATION FINANCIAL COMMITTEE; PROVIDING FOR AN AMENDMENT TO SECTION 1 OF SUCH RESOLUTION IN ORDER TO AMEND AND UPDATE ADDITIONAL RECREATION RELATED PROGRAMS TO BE CONSIDERED BY THE COMMITTEE; SETTING FORTH THE CURRENT “SLIDING SCALE” FEE SCHEDULE; AND PROVIDING AN EFFECTIVE DATE**

Attachments: [Resolution 20-065](#)

- b. **RESOLUTION 20-068 RATIFYING THE RESULTS OF THE EMPLOYEE ELECTION FOR THE GENERAL EMPLOYEES’ RETIREMENT PLAN BOARD; REAPPOINTING FIVE TRUSTEES; APPOINTING THE CITY MANAGER DESIGNEE; AND PROVIDING FOR AN EFFECTIVE DATE**

Attachments: [Resolution 20-068](#)

[Clark, Ralph](#)

[Decker, John](#)

[Garmager, Tim](#)

## 10. CITY MANAGER

- a. Informational Items
- i. Status Report on the Donax Rehabilitation Project
1. Powerpoint
- ii. Sanibel Causeway Traffic Counts for July and YTD 2020

Attachments: [PowerPoint](#)

Attachments: [Staff Memorandum](#)

- b. Status of Recreation Center and Afterschool Program
- c. Status of Special Events

Attachments: [Special Event Status](#)

- d. Important deadlines

Attachments: [Press Release](#)

## 11. CITY ATTORNEY'S REPORT

## 12. COUNCIL MEMBER'S REPORT

## 13. PUBLIC COMMENT

## 14. 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](http://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**

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.
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.
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.**