



AGENDA MEMORANDUM

City Manager

City Council Meeting: October 3, 2023

To: City Council
From: Dana A. Souza, City Manager
Date: September 26, 2023

SUBJECT: Lee County Charter Review Commission – Voluntary Annexation

BACKGROUND:

On September 12, 2023, Mayor Johnson, Vice Mayor Miller, City Attorney Agnew, and I attended the Lee County Charter Review Commission where a proposed Charter Amendment related to Voluntary Annexation was discussed. This matter was briefly discussed with the City Council at the September 11, 2023, City Council meeting during the City Manager's Report.

Mayor Johnson spoke in opposition to the proposed Voluntary Annexation Charter Amendment. The Mayors of Fort Myers and Estero also spoke in opposition. The City of Bonita Springs sent a letter in opposition. The Bonita Springs letter is included in the agenda packet for this item.

County Commissioner Pendergrass has been supportive of the Voluntary Annexation Charter Amendment. City Councilmembers and I received a letter from Commissioner Pendergrass on September 27, 2023, that is follow-up to the cities that have opposed the proposed amendment. Commissioner Pendergrass's letter is included in the agenda packet for this item.

A summary of the Voluntary Annexation discussions at the Charter Commission meetings is provided below:

- The Charter Commission began meeting in March 2023 and has met every month since, except for July. There are 15 commission members that have been appointed by the BOCC (3 each). Sanibel resident Doug Congress serves on the Commission. [Click here](#) to see who has been appointed to the Charter Commission.
- At the May 9 Charter Commission meeting, the Voluntary Annexation discussion was first raised by County Commissioner Pendergrass. You may [click here](#) to read the minutes from the May 9 meeting.
- At the June 13 Charter Commission meeting, Commissioner Pendergrass attended to speak on the issue of Voluntary Annexation. You may [click here](#) to read the minutes from the June 13 meeting.

Sanibel is and shall remain a barrier island sanctuary

- At the August 8 Charter Commission meeting, the County Attorney's office provided a draft proposed amendment concerning Voluntary Annexation for discussion. The Commission unanimously (not all 15 in attendance) approved a motion to proceed with the discussion on Voluntary Annexation and unanimously approved a motion to invite the Lee County cities to the next meeting.

The agenda packet includes a letter Mayor Johnson received in August 2023 concerning the Voluntary Annexation Charter Amendment from the Chair of the Charter Review Commission (previously provided to the City Council). The draft proposed amendment drafted by the County Attorney's office is attached to the letter sent to Mayor Johnson.

Mayor Johnson and staff will provide an update concerning the September 12, Charter Commission meeting.

RECOMMENDED ACTION:

Discussion and direction.