



City of Sanibel

800 Dunlop Road
Sanibel, FL 33957

Meeting Minutes - Final City Council

Tuesday, October 3, 2023

9:00 AM

BIG ARTS - 900 Dunlop Rd

1. CALL TO ORDER

Due to severe traffic issues from Causeway construction and repairs, the meeting convened at 10:00 a.m.

2. INVOCATION AND PLEDGE OF ALLEGIANCE (Vice Mayor Miller)

Vice Mayor Miller gave the Invocation and led the Pledge of Allegiance.

3. ROLL CALL

Present: 5 - Mayor Richard Johnson, Vice Mayor Mike Miller, Councilmember Scott Crater, Councilmember John Henshaw, and Councilmember Holly Smith

4. SET THE AGENDA

Discussion ensued regarding moving items 8 and 9 to the end of the meeting, allowing to move items up in the agenda as needed. City Manager Souza requested keeping item 9 as scheduled.

Councilmember Smith moved, seconded by Councilmember Crater, to move item 8 to end of meeting, allowing items on the agenda to be moved forward as needed. The motion carried.

5. PRESENTATION(S)

- a. Employee of the Quarter
 - i. 3rd Quarter - Erin Tansey, Fiscal Assistant (Finance Department)
 - ii. 4th Quarter - Oisin Dolley, Assistant City Engineer (Public Works Department)

City Manager Souza spoke to Erin Tansey being the Employee of the 3rd quarter and noted other nominees were Anna Hicks, Deputy City Clerk (Legislative), Jacklyn L'Archevesque, Support Services Assistant (Planning), Roma Patel, Senior Accountant (Finance), Ron Kirk, Tradesworker, and Jermaine Sears, Tradesworker. Council presented Ms. Tansey with a letter of commendation and check.

City Manager Souza then spoke to Oisin Dolley being the Employee of the 4th quarter and noted Ron Kirk was the other nominee. Council presented Mr. Dolley with a letter of commendation and check. Deputy Public Works Director Scott Krawczuk spoke his appreciation for Mr. Dolley and his efforts.

b. Breast Cancer Awareness Month Proclamation

Mayor Johnson read into record the proclamation declaring October as Breast Cancer Awareness Month and presented proclamations to Mary Bondurant on behalf of San Cap Pink Project, Inc “Let’s Pink Out!” and Fire Chief Kevin Barbot.

c. 2023 Florida Native Plant Month on Sanibel Island Proclamation

Mayor Johnson read into record the proclamation declaring October as Florida Native Plant Month on Sanibel and presented proclamations to representatives of the Vegetation Committee. Natural Resources Director Holly Milbrandt introduced the Vegetation Committee Members in attendance and spoke to the background for the proclamation.

d. John Lai, Sanibel Captiva Chamber of Commerce President & CEO, Chamber Update

John Lai, Sanibel Captiva Chamber of Commerce President & CEO gave a brief PowerPoint presentation and update.

Discussion ensued regarding the Chamber having had 9 months in reserves and working recovery efforts in 6-month intervals, operating at reduced revenues, and staffing, and preparing to launch fundraising efforts with a goal to provide operation grants to businesses on island. Council spoke to the purpose for the Chamber to assist with tourism and expressing appreciation for the partnership. Discussion continued regarding the economic impacts not including losses to employment on the island and looking to broaden the economic impact study.

Council inquired if there are any aspects of the CDBG-DR grants/funding that is available for the chamber, Mr. Lai responded that they are looking into it. Discussion ensued regarding staff working closely with the Chamber to not only get the Chamber back up and going, but also the businesses and lodging establishments. Mr. Lai expressed his appreciation for the partnership and open communication with City Manager Souza and Staff.

Discussion ensued regarding the role of volunteers at the Chamber, Mr. Lai noted utilizing a grant for staffing which runs out at the end of the month and reestablishing the volunteer program.

e. Presentation on the Sanibel Island Post Hurricane Ian Emergency Berm/Beach Recovery Project by Brett Moore, Humiston & Moore Engineers, P.A.

Natural Resources Director Holly Milbrandt gave a brief background for the project and introduced Brett Moore. Mr. Moore gave a brief PowerPoint presentation and

update of the project.

Council inquired as to the project estimating 200-250 truck loads of sand per day and strategic plans. Discussion ensued regarding mailings going out regarding easements for the project, Ms. Milbrandt spoke to the documents needing to be notarized and submitted. Further discussion ensued regarding if there are any locations that do not need sand and how funding was addressed relating to private properties. City Manager Souza spoke to limitations of the funding.

Discussion ensued regarding road maintenance and rehabilitation following the project and there being plans for open communications if/when areas need to be closed during the project.

6. PLANNING COMMISSION REPORT (Commissioner DeBruce)

Since last report the Planning Commission and Below Market Rate Housing Review Subcommittee each met.

At the September 12th Planning Commission meeting:

- Public Hearing for consideration of a variance from the requirements for flood proofing and storm proofing for the historic building located at 1019 Periwinkle Way (Priscilla Murphy Center). The application was approved 5-0 with Commissioners DeBruce and Symroski excused.
- Public Hearing for consideration of a variance from the requirements for flood proofing and storm proofing for the structures at the Historical Museum and Village located at 950 Dunlop Road. The application was approved 5-0 with Commissioners DeBruce and Symroski excused.

At the September 26th BMRH meeting:

- There was discussion relating to the Live Local Act
- An update relating to the Housing Needs Analysis
- An update relating to CDBG Entitlement Program for the Casa Mariposa Elevator
- An extensive annual report by CHR Executive Director Nicole McHale
- A general update of Affordable Housing program
- An update regarding the submission of the Lee County CDBG-DR Action Plan

The October 10th Planning Commission meeting has been cancelled, a special meeting of the Planning Commission has been scheduled for 5:30 p.m., Thursday, October 19, 2023, relating to building height regulations. The next regular meeting is at 9 a.m. on October 24, 2023, here at BIG ARTS.

7. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

Public Comment:

- Noah Stewart

9. CITY COUNCIL CONSIDERATIONS FOR FUTURE AGENDAS

a. Beach Area Parking Fines Discussion

Discussion ensued regarding the increase of complaints for the \$150 fine. Sanibel Police Chief William Dalton provided a background for the increased parking fine of \$150, noting the Parking Supervisor suggesting the A/B Sticker lots staying at \$150 while reducing the fee at pay lots. City Manager Souza spoke to providing the background materials in the agenda packet. Discussion ensued regarding the hearing magistrate having the option to reduce the fines during judgment.

Councilmember Smith spoke in support of keeping the A/B lots at \$150, the boat ramp at \$250, and reducing the pay lots. Councilmember Henshaw noted not being in support of reducing the fines, and improving signage and communication efforts.

Council concurred with the item being on the next agenda for discussion.

14. 12:00 P.M. - CONVENE AN EXECUTIVE SESSION RELATING TO CYBER SECURITY

Attorney Agnew spoke to the purpose for the shade session and advised those that would be in attendance.

The meeting recessed at 12:05 p.m. and reconvened at 1:17 p.m.

15. 1:00 P.M. - QUASI-JUDICIAL HEARING

a. Coastal Creek Appeal

RESOLUTION 23-049 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, UPHOLDING/REVERSING/MODIFYING/REMANDING THE PLANNING COMMISSION'S DECISION DETAILED IN SANIBEL PLANNING COMMISSION RESOLUTION 23-024, REGARDING DEVELOPMENT PERMIT APPLICATION NO. DP-2021-001803 AND MAJOR SUBDIVISION APPLICATION NO. SPLT 2022-000074 DATED JANUARY 24, 2023, FOR THE PROJECT KNOWN AS COASTAL CREEK SUBDIVISION AND LOCATED AT 5301-5325 SANIBEL CAPTIVA ROAD; AND PROVIDING AN EFFECTIVE DATE.

Attorney Agnew spoke to the background and process for the appeal. Dr. Crater spoke to not having any ex-parte communications. Vice Mayor Miller spoke to having cursory discussions regarding the hearing with Larry Schopp and James Evans as well as speaking with Attorney Agnew regarding process. Mayor Johnson noted no communications. Councilmember Smith noted no communications. Councilmember Henshaw spoke to process discussions with Attorney Agnew and receiving a call though not having engaged in communications with the caller. Attorney Agnew noted

the attorneys in the room, spoke to each having 40 minutes to speak, and stated the options for Council decision being to uphold the Planning Commission decision, remand back to Commission, or reverse the decision.

Attorney Ralf Brookes, on behalf of the Appellants, spoke to allowing Appellant Sally Haines to speak during his allotted time frame. Attorney Agnew advised the 40 minutes included the initial presentation and rebuttal.

Attorney Sawyer Smith, Wilbur Smith Attorneys at Law, on behalf of the Appellees, Dan Dodrill and Buckingham 225 Development Inc., introduced himself and Leonard Feuer of the Feuer Law Firm.

Mr. Brookes provided a brief presentation, spoke to phosphorous testing having been completed in July, and requesting compliance with Land Development Code Sections 14-244, 14-247, and 78-15. Sally Haines briefly spoke to community concerns relating to the lake and water quality issues.

Deputy Planning Director Craig Chandler spoke to items from the July 25, 2023, Planning Commission meeting to be added to the record and gave a brief statement, noting there were 25 conditions listed with approval, nine of which relate to vegetative standards.

Mr. Leonard Furrer spoke on behalf of the applicant Buckingham 225 Development Inc. Mr. Sawyer Smith stated he would reserve the remainder of time for rebuttal.

Mr. Brookes again spoke to concerns with capping the soil with the construction of homes. Mr. Chandler spoke to the City being obligated to approve permits if all the standards have been met, noting the applications in question both met the standards. He further reiterated that none of the lots in the proposed development abut the Heron's Landing Lake.

Mr. Smith spoke on behalf of the applicant, advising Mr. Dodrill has agreed to all the conditions listed with the Planning Commission approval of the applications and met all the standards and should be allowed to proceed with development.

The meeting recessed at 2:40 p.m. and reconvened at 2:48 p.m.

Council discussion ensued regarding if there were any comparable phosphorous levels measured on island. Mr. Brookes noted there were no test results from residential properties on the island in the record. Council inquired if any of the potential development sites abut the lake. Mr. Brookes noted the parcel that touches the lake is owned by the City. Mr. Chandler spoke to the portion of the property owned by the City which abuts the water body, clarifying that the applicant does not own property

that touches the water.

Council inquired what the contamination levels in soil boring 5 (SB5) were compared to and if there is anything in the record that demonstrates what the hazard is. Mr. Brookes responded it was causing algae blooms and that the Sanibel Captiva Conservation Foundation (SCCF) studies from 2017-2018 stated the groundwater runoff was causing the damage.

Council inquired as to the conditions included in the approval and if the condition of 100% native vegetation would be important. Mr. Chandler responded that native vegetation does not require fertilization and would not increase nutrient load. Councilmember Smith read into record the relevant section from the minutes relating to the approval.

Discussion ensued regarding removing the soil being an intervention to improve the situation. Council inquired if there is an official process for declaring a property “hazardous”. Mr. Agnew spoke to the relevant section of code.

Discussion ensued regarding the options that Council has regarding the decision to be made, concerns that there are no standards to reference and enforce, and possibility of adding a condition to include removing excavated soil. Attorney Agnew spoke to the decision having to be made on established criteria and read into record a draft of code language related to defining excavated soil.

Discussion ensued regarding this not being affected by Senate Bill 250 (SB250).

Councilmember Henshaw moved, seconded by Vice Mayor Miller, to modify the Planning Commission decision with the addition of further clarification of excavated soil as specified during Planning Commission discussions.

Discussion ensued regarding upholding or modifying the Commission decision and specifying what the modification is. Attorney Agnew read into record the proposed modification for condition #22.

Vice Mayor Miller moved to amend the motion to include the requirement that all landscaping in the community be 100% native (modifying condition 19). Motion to amend failed due to lack of a second.

Discussion ensued regarding concerns that the motion is more restrictive and requesting Staff clarification of their understanding of the motion. Mr. Chandler spoke to the importance of the clarification for excavation to be included in the approval.

Discussion ensued regarding testing the sediment at the bottom of the lake to clarify if

the land or the lake is the culprit. Attorney Agnew spoke to there not being a standard in existence that would support adding a condition such as that.

Councilmember Henshaw moved, seconded by Vice Mayor Miller, to modify the Planning Commission decision with the addition of further clarification of excavated soil as specified during Planning Commission discussions. The motion carried 4-1 with Councilmember Crater opposed.

Opposed: 1 - Councilmember Scott Crater

The meeting recessed at 3:50 p.m. and reconvened at 4:10 p.m.

Attorney Agnew spoke to the document provided, noting the changes in Section 2 as adding 2(d), 2(e) and Section 3. Mr. Agnew read into record the title of Resolution 23-049 and spoke to the approval being to uphold the Planning Commission decision with a minor modification to condition #22.

Discussion ensued regarding the resolution being actionable by the applicants by complying with the conditions listed in approval.

Councilmember Henshaw moved, seconded by Vice Mayor Miller, to approve Resolution 23-049. The motion carried by a vote of 4-1 with Councilmember Crater opposed.

Opposed: 1 - Councilmember Scott Crater

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

a. Resort Housing District Building Height

ORDINANCE 23-024 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, TO AMEND THE CODE OF ORDINANCES TO UPDATE RESORT HOUSING DEVELOPMENT REGULATIONS, AMENDING CHAPTER 126, ZONING, ARTICLE XII, RESORT HOUSING DISTRICT, SECTION 126-637, RESORT HOUSING DEVELOPMENT REGULATIONS, FOR THE PURPOSE OF UPDATING LAND DEVELOPMENT CODE REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE

Attorney Agnew read into record the title of Ordinance 23-024.

Second reading and public hearing scheduled for 5:40 p.m., Tuesday, November 7, 2023.

11. 9:10 - SECOND READING AND PUBLIC HEARING

a. Architectural Design Standards - Multifamily - Amending Ordinance 23-006

ORDINANCE 23-021 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, RELATING TO ARCHITECTURAL DESIGN REQUIREMENTS FOR MULTIFAMILY HOUSING TO CLARIFY REGULATORY LANGUAGE AND

ENSURE THAT REDEVELOPMENT WILL BE CONDUCTED CONSISTENT WITH ISLAND STYLE CHARACTER AND SCENIC PRESERVATION WITHIN THE BUILT ENVIRONMENT BY AMENDING SUBPART B LAND DEVELOPMENT CODE, CHAPTER 86, DEVELOPMENT STANDARDS, ARTICLE ILL, RESIDENTIAL, DIVISION 3, UNIFIED RESIDENTIAL HOUSING (CLUSTER HOUSING) AND MULTIFAMILY HOUSING, SUBDIVISION ILL, MULTIFAMILY HOUSING, SECTION 86-169, ARCHITECTURAL DESIGN STANDARDS AND EXAMPLES, SUBSECTION (C); AND DELETING SUBSECTION (E); FOR THE PURPOSE OF AMENDING LAND DEVELOPMENT CODE REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

Attorney Agnew read into record the title of Ordinance 23-021.

Planning Director Paula McMichael summarized the amendments and proposed ordinance.

Councilmember Smith moved, seconded by Vice Mayor Miller, to adopt Ordinance 23-021. The motion carried.

b. Amending Ordinance 23-009 To Correct Scrivener's Error

ORDINANCE 23-022 AMENDING ORDINANCE 22-009 TO CORRECT A SCRIVENER'S ERROR CONTAINED IN SECTION 4, CONDITION 3, RELATING TO THE EXTERIOR OF THE ORIGINAL BUILDING, NAMELY PROPERTY OWNED BY PRISCILLA MURPHY CENTER, A CONDOMINIUM, AND LOCATED AT 1019 PERIWINKLE WAY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.

Attorney Agnew read into record the title of Ordinance 23-022.

Planning Director Paula McMichael summarized the amendments and proposed ordinance.

Vice Mayor Miller moved, seconded by Councilmember Henshaw, to adopt Ordinance 23-022. The motion carried.

12. CONSENT AGENDA

a. ADOPTION OF RESOLUTIONS

i. RESOLUTION 23-060 APPROVING AN AMENDMENT TO RESOLUTION 15-099, THE CASA MARIPOSA AGREEMENT REPAYMENT SCHEDULE BY COMMUNITY HOUSING RESOURCES, INC., (CHR); AND PROVIDING AN EFFECTIVE DATE.

ii. RESOLUTION 23-067 APPROVING BUDGET AMENDMENT 2023-011; AND PROVIDING AN EFFECTIVE DATE (To adjust appropriations

and amendments made to the fiscal year 2023 governmental funds budgets to reflect activity post Hurricane Ian. (This amendment increases the fiscal year 2023 budget by \$3,263,428 due to the increase in third party revenues related to Hurricane Ian reimbursements. Net results of increases and decreases in fund budgets are placed in the budgeted ending fund balance for that fund.))

- iii. **RESOLUTION 23-063 APPROVING THE CITY OF SANIBEL FISCAL YEAR 2023-2024 COMPENSATION AND CLASSIFICATION PLAN; ADDING APPROVED POSITIONS ADOPTED IN THE FISCAL YEAR 2024 BUDGET DOCUMENT; AND AMENDING EXISTING JOB CLASSES AND JOB RECLASSIFICATIONS TO FACILITATE REORGANIZATION OF BUILDING, FINANCE, PUBLIC WORKS, AND RECREATION DEPARTMENTS; AUTHORIZING THE CITY MANAGER TO AMEND JOB DESCRIPTIONS AS NECESSARY TO KEEP SUCH DESCRIPTIONS CURRENT; AND PROVIDING AN EFFECTIVE DATE.**

Attorney Agnew read into record the titles of Resolutions 23-060, 23-067, and 23-063.

Councilmember Smith moved, seconded by Councilmember Crater, to adopt Resolutions 23-060, 23-067, and 23-063. The motion carried.

b. BUSINESS ITEMS

- i. Adoption of Minutes - September 11, 2023 Regular Meeting; September 11, 2023 First Budget Hearing; September 27, 2023 Final Budget Hearing
- ii. Engineering Services in Conjunction with the City's National Pollutant Discharge Elimination System Permit (NPDES). Staff recommends that Council approve the proposal submitted by Johnson Engineering for FY2024 NPDES-related work for a fee of \$84,192.
- iii. Approval of a grant from the Florida Department of Environmental Protection (FDEP) Resilient Florida Program for "Vulnerability Assessment and Adaptation Planning for Sanibel Island" in an amount of \$124,000.00 and authorize the City Manager to execute the same (this does not increase the FY24 budget).
- iv. Approval of an agreement between the City of Sanibel and CliftonLarsonAllen LLP for auditing services and approval of Statements of Work for the fiscal year 2023 financial audit and authorize Mayor and City Manager to execute same.
- v. Approval of a 30-day extension to the Professional Services Agreement between the City of Sanibel and Tidal Basin Government Consulting, LLC and authorize City Manager to execute same.

Approval of consent business items 12(b)(i), (ii), (iii), (iv), and (v).

Vice Mayor Miller moved, seconded by Councilmember Smith, to approve consent business items 12(b)(i), (ii), (iii), (iv), and (v). The motion carried.

CONSENT ITEMS PULLED FOR DISCUSSION

No items were pulled for discussion.

13. INFORMATIONAL ITEMS

- b. Hazard Mitigation Grant Project Updates (East Rocks)
- c. Water Quality Report from Natural Resources Department
- d. Causeway Counts - August 2023 and Calendar and Fiscal Year 2023
- a. Donax and Phase IV Sewer Update

Council inquired as to the hazard mitigation intentions with respect to the lift stations and control panels. City Manager Souza noted the first step was to repair the panels damaged by the storm and second to implement telescopic capabilities to elevate above potential storm surge in the future. Council further inquired if there were concerns that design specifications would not be met when flows are operating normally. Jason Goodrich, Deputy Utilities Director, responded that when the plant was put online in August 2021 there was a marked decline in nitrogen and phosphorus, however the plant was not able to be optimized prior to the storm.

- e. Hurricane Ian Recovery Update

Council inquired as to addressing code enforcement activities related to distressed properties. City Manager Souza responded that following the storm the goal was compliance and working with property owners to address hardships. Mr. Souza noted the process for violations, from notification to enforcement hearings if required. He noted Code Officers were systematically going through neighborhoods looking for violations and to direct calls to the Planning Department to report distressed property concerns.

16. COMMITTEES BOARDS COMMISSION

- a. **RESOLUTION 23-040 APPOINTING SEVEN MEMBERS TO THE PARKS AND RECREATION ADVISORY COMMITTEE AND PROVIDING AN EFFECTIVE DATE** (Seven residents shall be appointed by City Council from applications submitted to the City of Sanibel. Initial appointments shall be three (3) one-year terms, two (2) two-year terms, and two (2) three-year terms.) (Applicants listed in alphabetical order by last name.)

Attorney Agnew read into record the title of Resolution 23-040. Ballots were passed out to the Council members.

Discussion ensued regarding options for voting for the three separate term limits, ensuring a balance of age and gender on the committee and one of the applicants currently serving on the Vegetation Committee.

Attorney Agnew noted the first vote was for seven members and the top two nominees would get the three-year terms. Attorney Agnew tallied the votes and advised the results as Angi Semler Welch and Audrey Stewart.

Attorney Agnew noted the second vote was for five members and the top two nominees would get the two-year terms. Attorney Agnew tallied the votes and advised the results as Ralph Quillen being appointed and a tie between Christopher Denick, Kyle Sweet, Wendy Walker, and Thomas Williams. Discussion ensued regarding the options for a tie breaker. Council voted Tommy Williams for the second two-year term; appointing Christopher Denick, Kyle Sweet, and Wendy Walker for the three one-year terms.

Attorney Agnew read into record the title of Resolution 23-040, noting the names to fill the blanks.

Councilmember Smith moved, seconded by Councilmember Crater, to adopt Resolution 23-040 with the names filled as Angi Semler Welch and Audrey Stewart for the three-year terms, Ralph Quillen and Tommy Williams for the two-year terms, and Christopher Denick, Kyle Sweet, and Wendy Walker for the one-year terms. The motion carried.

17. OLD BUSINESS

- a. Supplemental Carbon Product for the Donax Water Reclamation (WRF) - Staff recommends that City Council approve the purchase of MicroC® 2000 with Environmental Operating Solutions, Inc. (EOSi) as a sole source provider.

City Manager Souza provided a brief background, Jason Goodrich, Deputy Utilities Director, spoke to the purpose for the implementation of the carbon and the requests being to meet the requirements as well as working towards the goals of the project.

Vice Mayor Miller moved, seconded by Councilmember Smith, to approve the purchase of MicroC® 2000 with Environmental Operating Solutions, Inc as a sole source provider. The motion carried.

- b. Tradewinds Subdivision Drainage Improvements Project Update

City Manager Souza noted that the item was for informational purposes. Assistant City Engineer Oisin Dolley spoke to the bids that were received being substantially higher than the cost estimates and possible alternatives that could be advertised when re-bidding the project. Discussion ensued regarding the bids coming in three times higher than expected; exceeding the grant availability. Mr. Dolley spoke to the benefit analysis process. Discussion ensued regarding the seven recommendations made by

Haley-Ward, Mr. Dolley noted they would need further research. Discussion ensued regarding the proposed materials for the project which could bring the price down.

c. Sanibel Plan Update - Proposed schedule and plan to review all elements

Planning Director Paula McMichael provided a brief PowerPoint presentation summarizing the timeline. Discussion ensued regarding if the plan is being looked at globally or as a tiered approach, if the original plan developers had been reached out to, getting outside perspective for updates, and how water quality fits into the plan. Ms. McMichael noted water quality is throughout the plan and starting the program with community outreach. Director McMichael spoke to the requirements from the State for inclusion in the plan. Discussion ensued regarding technological advances today, data available for review and research, supporting the idea of outside perspective, and this being an update of the plan.

d. Lee County Charter Commission Review - Voluntary Annexation

City Manager Souza spoke to the information included in the agenda packet and moving in the direction of setting up a meeting of the Mayors, Managers, and City Attorneys for collaboration. Attorney Agnew spoke to the difficulties of getting the larger number of people together to draft an interlocal agreement in an effort to offer the County a viable alternative. Council concurred that Sanibel would continue to be opposed to the proposed charter amendment as written and would continue to work with the other municipalities to develop alternatives.

e. Legislative Priorities (Information to be provided in supplemental agenda)

City Manager Souza noted the document passed out by the City Clerk and summarized the changes to the proposed priorities. Discussion ensued regarding possible inclusion of beach dune vegetation in the legislative requests. Mr. Souza responded yes, noting it would be added to the priority list. Council commented on the requests totaling approximately \$95 million, which is more than prior years requests.

Discussion ensued regarding the guiding principals, concerns with a proposed bill for building permit time frames, agreement with the request for loan forgiveness, and managing cash flow during recovery while waiting for reimbursements to be received.

18. NEW BUSINESS

- a. Request for Qualifications - City-wide - Architectural and Engineering Services.** Staff recommends that Council accept the recommendation of the selection committee and authorize the City Manager to enter into contracts, with Cummins Cederberg, Inc., Diversified Technology Consultants, Inc., Florida Technical Consultants, LLC., Haley Ward, Inc., Hole Montes, a Bowman Company, Humiston &

Moore Engineers, P.A., Johnson Engineering, Inc., K2M Design, Kimley Horn and Associates, Inc., Stantec Consulting Services, Inc., T.Y. Lin International, Tetra Tech, Inc., and Weston & Sampson Engineers, Inc. for the subject services. Any of the firms may be selected and utilized to provide the services subject to the availability of each firm's resources, time schedule and expertise.

City Manager Souza spoke to this being a library of consultants that has been properly procured in accordance with FEMA requirements. Deputy Public Works Director Scott Krawczuk spoke to any projects costing \$25,000 or more would come before Council for approval as per policy. Discussion ensued regarding the contracts being bid to follow state requirements and this being to create a library of consultants to draw from as needed.

Vice Mayor Miller moved, seconded by Councilmember Smith, to approve the recommendations of the selection committee and authorize the City Manager to execute the contracts. The motion carried.

19. CITY MANAGER'S REPORT

City Manager Souza spoke to items provided to Council via email relating to opposition to the Lee County Comprehensive Plan Amendments and working with Attorney Agnew to prepare opposition statement.

Discussion ensued related to the Sanibel Housing Survey. Deputy Planning Director Craig Chandler spoke to working with Bright Community Trust and FEMA to create and distribute a survey related to housing needs on the island and summarized the purpose of the survey. Discussion ensued regarding any fees incurred for the project, Mr. Chandler spoke to the scope of services that was presented during the Planning Commission Below Market Rate Housing Subcommittee meeting.

20. CITY ATTORNEY'S REPORT

No further report.

21. COUNCIL MEMBERS' REPORTS

Councilmember Smith thanked Staff for their efforts on the budget, spoke to the Recovery Task Force meetings, noted free tolls ended this past Sunday, and acknowledged celebrations held following the one-year anniversary of Hurricane Ian.

Mayor Johnson spoke to attending the Hurricane Ian remembrance events, spending time at the Sanibel School on Thursday, and acknowledging Eagle Scout Ryan Powers on his project remembering those who lost their lives in the hurricane.

Vice Mayor Miller thanked Mayor Johnson and Councilmember Smith for their participation in the remembrance events.

8. CITY COUNCIL COMMENTS

Discussion ensued regarding the walk/bike to school event tomorrow morning.

22. PUBLIC COMMENT

Public Comment:

- Arlene Dillon - Tradewinds HOA Vice President - spoke to the neighborhood being small, City streets not private, and advising the purpose for the request for assistance with the drainage project.
- Matt DePaolis - Environmental Policy Director for SCCF - spoke to lakes on island that need to be addressed for water quality remediation and appreciation for the update of the Sanibel Plan and proposed legislative priorities.

23. ADJOURNMENT

There being no further business, the meeting adjourned at 6:45 p.m.