



City of Sanibel

800 Dunlop Road
Sanibel, FL 33957

Meeting Agenda - Final Revised City Council

Wednesday, July 30, 2025

9:00 AM

BIG ARTS - 900 Dunlop Road

Regular Meeting

AS OF 7/25/25 SUPPLEMENT 2: ADDED INFORMATION TO NEW BUSINESS ITEM 11(B) AND NEW CONSENT BUSINESS ITEM 12(g); AS OF 7/24/25 SUPPLEMENT 1: CORRECTED SCRIVENER'S ERROR (NUMBERING) ON DISCUSSION ITEM 7(d) AND FIRST READING ITEM 8(e); ADDED INFORMATION TO OLD BUSINESS ITEM 10(b) AND ADDED NEW BUSINESS ITEM 11(b)

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 BIG ARTS.

- 1. CALL TO ORDER**
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE (Councilmember Johnson)**
- 3. ROLL CALL**
- 4. SET THE AGENDA**
- 5. PUBLIC COMMENTS FOR NON-AGENDA ITEMS**

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

6. PRESENTATION(S)

- a.** Recognition of Patricia Hotton, Human Resources Generalist, Human Resources Department, as the Employee of the 3rd Quarter, Fiscal Year 2025.
- b.** Employee Service Awards
 - i.** Billy Ray Holden, Tradesworker, Sanibel Recreation Department, 30 Year Service Award
(Date of Hire: 7/21/1995)

- c. Proclamation Recognizing July as Parks & Recreation month and July 18, 2025 as Parks and Recreation Professionals Day

Attachments: [Proclamation](#)

7. DISCUSSIONS OF DRAFT LEGISLATION

- a. Alternative Shoreline Stabilization Project Standards

DISCUSSION ONLY - DRAFT ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES TO UPDATE THE ALTERNATIVE SHORELINE STABILIZATION PROJECT STANDARDS TO BE CLASSIFIED AS LIVING SHORELINE STABILIZATION PROJECT AND UPDATING ALL REFERENCES TO THAT TERM, REORGANIZE THE STANDARDS FOR CLARITY, ADD EXAMPLE GRAPHICS, AND ALLOW PROJECTS ON HUMAN-MADE WATER BODIES TO BE PROCESSED ADMINISTRATIVELY; AMENDING SUBPART B, LAND DEVELOPMENT CODE; CHAPTER 90, FEES, ARTICLE II, DEVELOPMENT PERMITS, DIVISION 7, DEVELOPMENT PERMITS IMPLEMENTING CONDITIONAL USE APPROVAL, SECTION 90-192, EROSION CONTROL STRUCTURES ON NATURAL BODIES OF WATER; ARTICLE IV, PUBLIC HEARINGS, DIVISION 4, CONDITIONAL USES, SECTION 90-407, EROSION CONTROL STRUCTURES ON NATURAL BODIES OF WATER; AND CHAPTER 126, ZONING, ARTICLE IV, CONDITIONAL USE, SECTION 126-99, ALTERNATIVE SHORELINE STABILIZATION PROJECT; ARTICLE VII, RESIDENTIAL DISTRICTS, DIVISION 3, B BAY BEACH ZONE, SECTION 126-312, CONDITIONAL USES AND SECTION 126-314, OTHER REGULATIONS; DIVISION 4, E-1 BLIND PASS AREA ZONE, SECTION 126-332, CONDITIONAL USES; AND DIVISION 6, D-1 LOWLAND WETLANDS ZONE, SECTION 126-372, CONDITIONAL USES; FOR THE PURPOSE OF UPDATING THE LAND DEVELOPMENT CODE REGULATIONS.

Attachments: [Agenda Memorandum](#)
[Draft Ordinance 25-14](#)
[PC Resolution 25-14](#)
[PowerPoint Presentation](#)

- b. Deadlines to Re-establish a Non-conforming Use or Structure

DISCUSSION ONLY - DRAFT ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES TO ADOPT AN ORDINANCE AMENDING THE CODE OF ORDINANCES TO EXTEND THE DEADLINES TO RE-ESTABLISH A NONCONFORMING USE OR A NONCONFORMING STRUCTURE; AMENDING SUBPART B, LAND DEVELOPMENT CODE; CHAPTER 126, ZONING; ARTICLE V, NONCONFORMANCES, DIVISION 5, STANDARDS FOR BUILDING-BACK (RECONSTRUCTION) OF STRUCTURES SUBSTANTIALLY DAMAGED BY A NATURAL DISASTER, SECTION 126-212, NONCONFORMING STRUCTURES,

**AND SECTION 126-218, RE-ESTABLISHMENT OF DISCONTINUED OR
ABANDONED USE PROHIBITED; FOR THE PURPOSE OF UPDATING THE
LAND DEVELOPMENT CODE REGULATIONS**

Attachments: [Agenda Memorandum](#)
 [Draft Ordinance 25-015](#)
 [PC Resolution 25-15](#)

c. Permitted Uses in D-2 Upland Wetlands Zone

**DISCUSSION ONLY - DRAFT ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES TO AMEND
THE LIST OF PERMITTED USES IN THE D-2 UPLAND WETLANDS ECOLOGICAL
ZONE TO PERMIT EXISTING MULTIFAMILY BUILDINGS TO REMAIN;
AMENDING SUBPART B, LAND DEVELOPMENT CODE; CHAPTER 126, ZONING;
ARTICLE VII, RESIDENTIAL DISTRICTS, DIVISION 7, D-2 UPLAND WETLANDS
ZONE, SECTION 126-391, PERMITTED USES; FOR THE PURPOSE OF UPDATING
THE LAND DEVELOPMENT CODE REGULATIONS**

Attachments: [Agenda Memorandum](#)
 [Draft Ordinance 25-016](#)
 [PC Resolution 25-16](#)

d. Investment Policy Update

**DISCUSSION ONLY - DRAFT ORDINANCE 25-018 OF THE CITY COUNCIL OF THE
CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES
RELATING TO CHAPTER 50, PERSONNEL, ARTICLE VI, CITY OF SANIBEL
INVESTMENT POLICY; PROVIDING FOR CODIFICATION; PROVIDING FOR
CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE
DATE**

Attachments: [Agenda Memorandum](#)
 [DRAFT Ordinance 25-018](#)
 [Business Impact Estimate](#)

**8. 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. Alternative Shoreline Stabilization Project Standards

**FIRST READING - ORDINANCE 25-014 OF THE CITY COUNCIL OF THE CITY OF
SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES TO UPDATE THE
ALTERNATIVE SHORELINE STABILIZATION PROJECT STANDARDS TO BE
CLASSIFIED AS LIVING SHORELINE STABILIZATION PROJECT AND
UPDATING ALL REFERENCES TO THAT TERM, REORGANIZE THE
STANDARDS FOR CLARITY, ADD EXAMPLE GRAPHICS, AND ALLOW
PROJECTS ON HUMAN-MADE WATER BODIES TO BE PROCESSED**

ADMINISTRATIVELY; AMENDING SUBPART B, LAND DEVELOPMENT CODE; CHAPTER 90, FEES, ARTICLE II, DEVELOPMENT PERMITS, DIVISION 7, DEVELOPMENT PERMITS IMPLEMENTING CONDITIONAL USE APPROVAL, SECTION 90-192, EROSION CONTROL STRUCTURES ON NATURAL BODIES OF WATER; ARTICLE IV, PUBLIC HEARINGS, DIVISION 4, CONDITIONAL USES, SECTION 90-407, EROSION CONTROL STRUCTURES ON NATURAL BODIES OF WATER; AND CHAPTER 126, ZONING, ARTICLE IV, CONDITIONAL USE, SECTION 126-99, ALTERNATIVE SHORELINE STABILIZATION PROJECT; ARTICLE VII, RESIDENTIAL DISTRICTS, DIVISION 3, B BAY BEACH ZONE, SECTION 126-312, CONDITIONAL USES AND SECTION 126-314, OTHER REGULATIONS; DIVISION 4, E-1 BLIND PASS AREA ZONE, SECTION 126-332, CONDITIONAL USES; AND DIVISION 6, D-1 LOWLAND WETLANDS ZONE, SECTION 126-372, CONDITIONAL USES; DIVISION 7, D-2 UPLAND WETLANDS ZONE, SECTION 126-392, CONDITIONAL USES; DIVISION 8, F MID-ISLAND RIDGE ZONE, SECTION 126-412, CONDITIONAL USES; AND DIVISION 10, G ALTERED LAND ZONE, SECTION 126-452, CONDITIONAL USES; FOR THE PURPOSE OF UPDATING THE LAND DEVELOPMENT CODE REGULATIONS

Attachments: [Agenda Memorandum](#)
 [Ordinance 25-014](#)
 [PC Resolution 25-14](#)

- b. Deadlines to Re-establish a Nonconforming Use or Structure
FIRST READING - ORDINANCE 25-015 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES TO ADOPT AN ORDINANCE AMENDING THE CODE OF ORDINANCES TO EXTEND THE DEADLINES TO RE-ESTABLISH A NONCONFORMING USE OR A NONCONFORMING STRUCTURE; AMENDING SUBPART B, LAND DEVELOPMENT CODE; CHAPTER 126, ZONING; ARTICLE V, NONCONFORMANCES, DIVISION 5, STANDARDS FOR BUILDING-BACK (RECONSTRUCTION) OF STRUCTURES SUBSTANTIALLY DAMAGED BY A NATURAL DISASTER, SECTION 126-212, NONCONFORMING STRUCTURES, AND SECTION 126-218, RE-ESTABLISHMENT OF DISCONTINUED OR ABANDONED USE PROHIBITED; FOR THE PURPOSE OF UPDATING THE LAND DEVELOPMENT CODE REGULATIONS

Attachments: [Agenda Memorandum](#)
 [Ordinance 25-015](#)
 [PC Resolution 25-15](#)

- c. Permitted Uses in D-2 Upland Wetlands Zone
FIRST READING - ORDINANCE 25-016 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES TO AMEND THE LIST OF PERMITTED USES IN THE D-2 UPLAND WETLANDS ECOLOGICAL ZONE TO PERMIT EXISTING MULTIFAMILY BUILDINGS TO REMAIN;

AMENDING SUBPART B, LAND DEVELOPMENT CODE; CHAPTER 126, ZONING; ARTICLE VII, RESIDENTIAL DISTRICTS, DIVISION 7, D-2 UPLAND WETLANDS ZONE, SECTION 126-391, PERMITTED USES; FOR THE PURPOSE OF UPDATING THE LAND DEVELOPMENT CODE REGULATIONS

Attachments: [Agenda Memorandum](#)
 [Ordinance 25-016](#)
 [PC Resolution 25-16](#)

d. Chapter 66 - Traffic

FIRST READING - ORDINANCE 25-017 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 66, TRAFFIC, ARTICLE II, PARKING, STOPPING AND STANDING, DIVISION 1, GENERALLY, SECTION 66-37, PENALTY; PAYMENT OF FINE; REFERRAL TO COUNTY COURT; AND DIVISION 2, BEACH AREA PARKING RESTRICTIONS, SUBDIVISION III, REGULATIONS, SECTION 66-101, PROHIBITIONS AND PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE

Attachments: [Agenda Memorandum](#)
 [Ordinance 25-017](#)

e. Investment Policy Update

FIRST READING - ORDINANCE 25-018 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES RELATING TO CHAPTER 50, PERSONNEL, ARTICLE VI, CITY OF SANIBEL INVESTMENT POLICY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE

Attachments: [Agenda Memorandum](#)
 [Ordinance 25-018](#)
 [Business Impact Estimate](#)

9. 12:00 PM - CONVENE AN EXECUTIVE SESSION RELATING TO FRATERNAL ORDER OF POLICE (FOP) UNION NEGOTIATIONS

Mayor Mike Miller
Vice Mayor Holly D. Smith
Councilmember Laura DeBruce
Councilmember John Henshaw
Councilmember Richard Johnson
Sanibel City Manager Dana Souza
Sanibel City Attorney John Agnew
Sanibel Deputy City Manager Steve Chaipel
Human Resources Director Crystal Mansell
Labor Counsel John "J.K." Keller, IV (Allen, Norton & Blue)

10. OLD BUSINESS

- a. Consideration of scheduling second regular meetings for October, November and December 2025

Attachments: [Agenda Memorandum](#)

- b. Surface Water Management Master Plan Update Following Hurricane Ian (2022) (Draft Stormwater Master Plan) (Supplement 1)

Attachments: [DRAFT Report - Supplement 1](#)

11. NEW BUSINESS

- a. Request from The Dunes Golf & Tennis Club to Waive Chapter 30, Article III, Sec. 30-64. - Noise disturbance, for Special Event Permit 26-007

Attachments: [Agenda Memorandum](#)

[Dunes Request Letter](#)

[SE Permit 26-007](#)

- b. C-PACE Interlocal Agreement

RESOLUTION 25-021 OF THE CITY COUNCIL OF THE CITY OF SANIBEL (THE “CITY”), FLORIDA, AUTHORIZING A COMMERCIAL PROPERTY ASSESSED CLEAN ENERGY (CPACE) PROGRAM WITHIN THE CORPORATE LIMITS OF THE CITY; APPROVING A LIMITED PURPOSE PARTY MEMBERSHIP AGREEMENT (AGREEMENT) WITH THE FLORIDA RESILIENCY AND ENERGY DISTRICT; UTILIZING VOLUNTARY NON AD VALOREM ASSESSMENTS TO FINANCE QUALIFYING IMPROVEMENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE
(Supplement 1)

Attachments: [Agenda Memorandum - Supplement 1](#)

[Resolution 25-021 - Supplement 1](#)

[City of Bonita Springs - Recorded 12.27.2018 - Supplement 1](#)

[Fort Myers - LPPMA - Recorded 3.9.2018 - Supplement 1](#)

[Limited Purpose Party Membership Agreement with FRED - Supplement 1](#)

[PowerPoint Presentation - Supplement 2](#)

12. 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 OR AT THE MEETING.

CONSENT ITEMS PULLED FOR DISCUSSION

ADOPTION OF RESOLUTIONS

- a. **RESOLUTION 25-028 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, ADOPTING A COST ALLOCATION PLAN, (ALSO KNOWN AS AN INDIRECT COST PLAN) FOR FISCAL YEAR 2024; 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 PROVIDING AN EFFECTIVE DATE**

Attachments: [Agenda Memorandum](#)
[Resolution 25-028](#)
[Sanibel 2024 Full Cost Plan](#)
[Staff Prepared Comparison to Prior Year](#)

- b. **RESOLUTION 25-029 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, APPROVING BUDGET AMENDMENT 2025-009 TO ADJUST THE ALLOCATION OF INDIRECT COSTS AND PROVIDING AN EFFECTIVE DATE** (To update departmental and fund budgets based on the results of the fiscal year 2024 City of Sanibel Full Cost Allocation Plan prepared by Maguire Associates of Virginia, Inc. This amendment increases revenue to the General fund by \$1,157,092 and increases transfers out in the General fund by \$19,463. The amendment also increases revenues to the Ballfield Maintenance fund by \$37,943 (including \$19,463 increase in transfer from the General fund). The total amendment increases the fiscal year 2025 budget by \$1,195,035 (due to transfers between funds and intergovernmental revenue sources))

Attachments: [Resolution 25-029](#)

- c. **RESOLUTION 25-038 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, APPROVING THE FORGIVENESS OF THE FISCAL YEAR 2026, \$20,000 CASA MARIPOSA DEBT PAYMENT FOR COMMUNITY HOUSING RESOURCES, INC., (CHR); AND PROVIDING AN EFFECTIVE DATE.**

Attachments: [Agenda Memorandum](#)
[Resolution 25-038](#)
[Request for loan forgiveness 6.27.2025](#)

BUSINESS ITEMS

- d. Sanibel Community Association request for sixty (60) special event permits in 2026

Attachments: [AGM SCA Request for 60 SE Permits 2026 07.30.25](#)
[Community House Request for Additional Permits 07.30.25](#)

- e. Approval of a \$44,825 grant award from the Florida Forest Service Urban and Community Forestry - Hurricane Ian Recovery grant program for native tree planting and corrective pruning at Community Park and Frannie's Preserve and authorize the City Manager to execute the agreement.

Attachments: [Agenda Memorandum](#)
 [Application and Award Letter](#)
 [Agreement](#)

- f. Approval of a letter of support for the Cape Coral Police Department and City of Fort Myers Police Department for Edward Byrne Memorial Justice Assistance Grant (JAG) distributions in the total amount of \$167,473.00 to be executed by the Mayor (There is no budget impact)

Attachments: [Agenda Memorandum](#)
 [Letter](#)

- g. Request from Sanibel Historical Museum & Village for permission to reprint 500 copies of the publication *Sanibel's Stories* (Supplement 2)

Attachments: [Agenda Memorandum - Supplement 2](#)
 [SHMV Stories copyright request - Supplement 2](#)
 [Sanibel Stories Book Cover - Supplement 2](#)

13. INFORMATIONAL ITEMS

- a. Dan DeLisi Water Quality Legislative Session Final Report

Attachments: [2025 Legislative Session Report](#)

14. GENERAL CITY COUNCIL DISCUSSION

(Incorporating comments, future agenda items and general discussion)

15. CITY MANAGER'S REPORT

16. CITY ATTORNEY'S REPORT

17. PUBLIC COMMENT

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 SCOTTY LYNN KELLY, 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

Upcoming Important Dates

[Attachments:](#)

[Horizon Schedule](#)

“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.**