



City of Sanibel

800 Dunlop Road
Sanibel, FL 33957

Meeting Minutes - Draft City Council

Tuesday, July 21, 2026

9:00 AM

MacKenzie Hall - 800 Dunlop Road

Set Proposed Millage Rate

1. CALL TO ORDER

The meeting convened at 9:07 a.m.

2. INVOCATION AND PLEDGE OF ALLEGIANCE (Councilmember Johnson)

Councilmember Johnson gave the Invocation and led the Pledge of Allegiance.

3. ROLL CALL

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

4. SET THE AGENDA

Mayor Miller noted one time certain item scheduled for 9:05 a.m. The agenda was set as published.

5. PLANNING COMMISSION REPORT (Commissioner Sergeant)

Planning Commissioner Kate Sergeant reported on two recent Planning Commission meetings and one Capital Improvement Subcommittee meeting. At the June 9th meeting, three applications for the Sanibel Register of Historical Landmarks were considered. The Sanibel Lighthouse and the Sanibel Cemetery on Algiers were approved unanimously. The Wulfert Cemetery application was not approved pending additional information, as its precise location near the Sanctuary Golf Course could not be adequately identified. At the June 23rd meeting, two variances for boat lifts were passed unanimously. The Capital Improvements Subcommittee reviewed and approved the proposed Capital Improvements Plan as consistent with the Sanibel Plan, with a recommendation to study flooding on Bailey Road and similar streets. Commissioner Sergeant noted the five-year capital plan totals \$67.6 million, with more than 80 percent being funded through Hurricane Ian-related grants.

6. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

There were no public comments from the audience.

7. PRESENTATION(S)

- a. Recognition of Dakota Phillips, Tradesworker (Facilities), Public Works Department, as Employee of the 3rd Quarter, Fiscal Year 2026.

Human Resources Director Crystal Mansell presented the Employee of the Quarter award for the third quarter of Fiscal Year 2026 to Dakota Phillips, Tradesworker in the Facilities Division. Director Mansell noted the program has been in place since 2000 and recognizes employees for exceptional customer service, heroic actions, or significant achievements. Two additional nominees were recognized: Kathleen Towne, Senior Permit Technician, and Holly Vetter, Lead Permit Coordinator, both from the Building Department. Mayor Miller highlighted Mr. Phillips's distinguished family of public servants and noted his key role in recent city projects, including the remodeling of the employee lunchroom. Councilmember Smith offered personal remarks about having watched Mr. Phillips grow up in the community.

- b. Proclamation Recognizing July as Parks & Recreation Month

Mayor Miller read into record a proclamation recognizing July as Parks and Recreation Month in the City of Sanibel, highlighting the role of parks and recreation in promoting health and wellness, environmental stewardship, economic prosperity, and community resilience. Recreation Director Andrea Miller accepted the proclamation on behalf of the department and expressed gratitude for the continued support of the City Council, city staff, volunteers, and community partners.

8. 9:05 AM - SECOND READING AND PUBLIC HEARING

- a. Accessory Structures

SECOND READING - ORDINANCE 26-007 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES, SUBPART B LAND DEVELOPMENT CODE, CHAPTER 126, ZONING, ARTICLE XIV, SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 2, ACCESSORY STRUCTURES, SUBDIVISION I, IN GENERAL, SECTION 126-852, REQUIREMENTS, AND SECTION 126-853, FRONT YARDS, TO ALLOW ACCESSORY STRUCTURES IN FRONT YARDS EXCEPT ACCESSORY STORAGE STRUCTURES SUBJECT TO FRONT SETBACK REQUIREMENTS WITH LIMITED EXCEPTIONS; AND DIVISION 3, BUILDING AND AREA REQUIREMENTS, SUBDIVISION I, IN GENERAL, SECTION 126-933, MULTIPLE-FRONTAGE LOTS, FOR THE PURPOSE OF UPDATING THE LAND DEVELOPMENT CODE REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE

City Attorney John Agnew read into record the title of Ordinance 26-007. Planning Director Paula McMichael presented a brief summary, noting the amendment was a staff-initiated effort to provide better clarity and consistency in evaluating accessory structures within front yards, including on multiple-frontage lots. The changes

consolidate front yard setback regulations into a single code section, remove redundant provisions, add a cross-reference for fences, and introduce regulations pertaining to little free libraries located in front yards. The Planning Commission recommended code amendments were unanimously approved following several months of review which began in December 2025. No public comments were received.

Councilmember Smith moved, seconded by Councilmember Johnson, to adopt Ordinance 26-007. The motion carried by unanimous vote.

9. DISCUSSIONS OF DRAFT LEGISLATION

a. **DISCUSSION ONLY - DRAFT ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING ORDINANCES 26-004 AND 26-005, SECTION 2, MORE FULLY DESCRIBED HEREIN; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE (Supplement 2)**

Mayor Miller introduced the discussion item. City Attorney Agnew provided background on both items, explaining that both stem from the Riverview II affordable housing project approved on March 31, 2026, under Ordinances 26-004 and 26-005. Those ordinances included a condition imposing residency and workforce requirements on tenants. Lee County, which is largely funding the project through the CDBG-DR program, expressed reservations about that condition and about the city's Section 102-102 regulations governing its housing program more broadly. The city subsequently retained outside fair housing counsel, the firm Klein Hornig of Boston, to conduct a comprehensive review of all relevant code provisions and policies for compliance with the Fair Housing Act (FHA). Klein Hornig's recommendations included removing the specific condition from the approving ordinances and deferring to a revised Section 102-102. City Attorney Agnew noted that any amendment to Ordinances 26-004 and 26-005 would require a supermajority vote of four out of five council members, while amendments to Section 102-102, after going through the Planning Commission, would require only a simple majority.

Councilmember Johnson, serving as the CHR liaison, moved that the Council hear public comment, engage in council discussion, and then table a final decision in order to convene a joint workshop with the Planning Commission to allow more thorough deliberation with subject matter experts present. He emphasized the importance of the issue as foundational to the community and expressed his desire to hear from both the public and fellow council members before any action. Councilmember Smith seconded the motion and indicated she would potentially call a special council-only meeting in advance of the joint workshop to prepare more thoroughly. Councilmember DeBruce expressed her readiness to have a substantive discussion during the current meeting rather than scheduling a separate special meeting beforehand. Council reached consensus that the current meeting afforded sufficient

time for discussion, with any formal decision deferred to after the workshop.

Councilmember Johnson moved, seconded by Councilmember DeBruce, to table both agenda items 9(a) and 9(b) and to schedule a joint workshop with the Planning Commission. The motion carried.

Public Comments:

- Denise Rodenburg - A Sanibel homeowner and business owner opposed the Riverview II project. She argued that the project was primarily driven by the goal of meeting a three-percent housing benchmark. Denise expressed concern that using federal funds would necessitate accepting applicants from throughout Lee County, a change she feels the community hasn't agreed to. She also mentioned that some residents might be reluctant to oppose the project due to fear of social repercussions.
- Nancy Orr - A Sanibel resident, expressed apprehension regarding the CHR affordable housing project. She emphasized her understanding that CHR's charter obliged residents of its housing to be employed on Sanibel, and she voiced her support for maintaining this stipulation. Ms. Orr stated her belief in representing the majority opinion on the island, arguing against the necessity for opening CHR housing to other Lee County residents. She asserted that it should remain exclusively for those with a vested interest in the island.
- Ellen Israel - A Sanibel resident for approximately 1.5 years, supported affordable housing initiatives. She highlighted workforce shortages in local businesses and described the housing shortage as a crisis, emphasizing the need for workforce housing.
- Steve Rodenburg - The co-owner of Kona Kai, also opposed the project, citing data about around 58 local businesses that had yet to reopen following Hurricane Ian. Mr. Rodenburg questioned the current feasibility and timing of the project and raised issues regarding grant provisions that might convert into a loan obligation for the city under certain conditions, such as vacancies or financial shortfalls.
- Bridgit Budd - A 25-year resident and landlord, provided an anecdotal observation about the current occupants of CHR housing. In her experience, the majority are not first responders or teachers but rather consist of service workers and others. Ms. Budd expressed skepticism about whether the housing units could be filled efficiently.

Following public comment, Councilmember DeBruce offered detailed remarks. She stated that she had prepared a written memorandum responding to the Klein Hornig analysis, which she requested be distributed to all council members. She argued that while the Fair Housing Act and related federal law apply broadly, current CHR policies and the Land Development Code do not discriminate on their face. She stated that the primary legal concern would be disparate impact liability, but noted that the current federal administration and the present composition of the Supreme Court have moved away from enforcing disparate impact claims in the absence of intentional

discrimination. She cited case law from jurisdictions such as Aspen, Colorado and Monroe County, Florida, where workforce housing programs requiring employment in a specific location have been upheld. She expressed confidence that a legally defensible workforce housing program is achievable and stated she would not agree to removing her condition from Ordinances 26-004 and 26-005 until Section 102-102 was revised to robustly protect the workforce housing mission. She also stressed the importance of engaging Lee County commissioners, noting they may not be fully apprised of the city's current analysis and the direction of the legal review.

Vice Mayor Henshaw agreed on the need for a joint workshop and raised the question of timing relative to the CDBG-DR grant process, noting the project had been slated for the Lee County Board of County Commissioners' August agenda but was now expected to be delayed to September. City Manager Dana Souza confirmed that a realistic completion of the process, including Planning Commission review of any 102-102 amendments and first reading at a council meeting, could potentially be achieved by October, with some steps potentially completed as early as September if a special meeting were scheduled alongside budget hearings.

Councilmember Smith indicated she would be submitting written questions to be answered by city staff and outside counsel in advance of the workshop. She also raised the issue of ground leases on city-owned land where CHR buildings are located, suggesting that landowner rights may provide an additional avenue to protect the workforce housing mission. She further noted the financial complexity of the project, including the distinction between which entity would serve as the CDBG-DR subrecipient, and called for the relevant information to be made available to all council members and the public well in advance of any meeting.

Mayor Miller stated he would support the motion to proceed with a workshop but indicated his key question throughout the process would be whether imposing more stringent residency or workforce requirements than those recommended by Klein Hornig would increase the risk of a clawback by HUD, given that the terms of the loan agreement and any subrecipient guarantees had not yet been reviewed.

Councilmember Johnson offered closing remarks reaffirming his strong belief in the importance of workforce housing to the island's future, particularly as development in Lee County continues to grow and attract workers away from island-based employers. He expressed support for moving the process forward carefully, with transparency and full community engagement.

City Manager Souza confirmed that the City Clerk would poll council members and Planning Commission members for availability to schedule the joint workshop, with consideration of venues with sufficient space for a working session format and public attendance. The possibility of holding the workshop at BIG ARTS was noted as a

preferred option. Coordination with outside counsel to ensure their availability was also identified as necessary.

- b. Discussion of Proposed Amendments to Chapter 102, Article II - Below Market Rate Housing
(Supplement 2)

As discussed with the previous item, this item was tabled.

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

- a. Speed Zones

FIRST READING - ORDINANCE 26-011 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA; TO SPECIFY SPEED LIMITS ON PUBLICLY OWNED ROADWAYS WITHIN THE CITY; AMENDING THE CODE OF ORDINANCES, CHAPTER 66, TRAFFIC, ARTICLE III, SPEED LIMITS, DIVISION 1, GENERALLY, SECTION 66-121, THIRTY-FIVE MILE PER HOUR SPEED LIMIT, DELETING SECTION 66-122, BRIDGE AT BUELL CREEK; SPEED LIMIT AND RENUMBERING SUBSEQUENT SECTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE

Attorney Agnew read into record the title of Ordinance 26-011.

Second reading and public hearing scheduled for 9:05 a.m., Tuesday, August 18, 2026.

- b. Amending Ordinance 26-004 & 26-005

ORDINANCE 26-013 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING ORDINANCES 26-004 AND 26-005, SECTION 2, MORE FULLY DESCRIBED HEREIN; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE (Supplement 2)

Due to items 9(a) and 9(b) being tabled, this item was also tabled. No discussion was held.

11. COUNCIL COMMENTS

Vice Mayor Henshaw provided an update on the Roots in Resilience program, noting that landscaping work along Causeway Boulevard was underway and nearing visible completion. He also announced that fundraising efforts would soon begin for the "pocket park" at the corner of Casibel and Periwinkle Way, with the goal of installing a shade tree, pavers, and a bike rack to create a small public amenity. He proposed that the Council authorize a proclamation recognizing Lee County Commissioner Kevin Ruane for his staunch support of Sanibel on matters including the CHR project, fire and police services, the fishing pier, and FEMA appeals. Council reached

consensus to proceed with preparing that proclamation.

Councilmember Smith thanked the community for supporting the Love Sanibel Back Wild Mile initiative during the week and encouraged support for all participating nonprofits. She noted that a reception welcoming the new Sanibel School principal would be held at St. Michael's on Friday and encouraged community attendance. She provided an update on her presidency of the Florida League of Cities, which concludes August 15, noting the breadth of advocacy work undertaken during the year, including travel to the Florida Panhandle, the National League of Cities in Kentucky, and Washington, D.C. She noted that her trip to D.C. focused on FEMA reimbursement issues and that FEMA Regional Director Asch committed to visiting Sanibel to review projects in question. She acknowledged the work of the offices of Senator Scott, Senator Moody, and Congressman Donalds in supporting the city's FEMA efforts.

Councilmember Johnson commended Recreation Director Andrea Miller and her team, particularly event coordinator Denise, for organizing a highly successful Fourth of July celebration at the Recreation Center that drew over 1,100 attendees. He also praised the recent employee appreciation event organized by city staff. He echoed Vice Mayor Henshaw's positive comments on the Roots in Resilience landscaping work and closed by reaffirming his belief in the importance of CHR and workforce housing for the community's long-term vitality.

Councilmember DeBruce expressed appreciation to citizens who came forward to speak during the meeting and acknowledged that it can be difficult to voice opinions publicly. She noted the Shell Museum's free admission evening as part of Love Sanibel Back and thanked Councilmember Smith for her service as Florida League of Cities president.

Mayor Miller recognized Recreation Director Miller for the department's year-to-date revenue being at a ten-year high, double that of the pre-Ian fiscal year 2022, with total memberships also at a decade high. He mentioned the Field of Heroes display at the Recreation Center, which will culminate in a September 11th ceremony. Mayor Miller expressed disappointment at Governor DeSantis's veto of Senate Bill 382, which would have established new safety rules for electric bike riders, and stated that even without the new law, existing Florida statutes require cyclists to give audible warning when overtaking pedestrians. He noted that rumors of a new bike rental business on the island prompted him to ask City Attorney Agnew to provide a public memorandum on what authority the city and planning commission have to limit the number of businesses of a specific type, consistent with equal protection and other legal constraints.

Councilmember Smith moved, seconded by Councilmember Johnson, to move item 13a before item 12. The motion carried.

a. Update on the 2026 Sea Turtle Nesting Season, Coyote Depredation Mitigation Strategies, and Efforts to Improve Understanding of the Sanibel Coyote Population

Natural Resources Director Holly Milbrandt introduced the item, providing context from the February 3rd council meeting at which the Sanibel Captiva Conservation Foundation (SCCF) had requested authorization for a targeted lethal removal program for coyotes on Sanibel's western beaches during the 2026 sea turtle nesting season. Council did not approve that program at that time, instead directing staff to hold a workshop and gather more information. Director Milbrandt explained that given the time constraints before the nesting season began, the lethal removal program was taken off the table for 2026, and staff focused on non-lethal strategies and compiling a comprehensive technical response to questions raised by council and the public.

Director Milbrandt reported that staff engaged with several outside organizations and experts, including Humane World for Animals (formerly the Humane Society), who had limited applicable expertise; Dr. McCarron of the Sea Turtle Conservancy and the Florida Predation Management Working Group; and researchers from IFAS/University of Florida and the USDA Wildlife Services. Staff also released a formal Request for Proposals for a coyote population, spatial ecology, and genetics research study through the city's Demand Star procurement platform. The study is framed to run approximately one year, with proposals due in mid-August, evaluation occurring through September, and a potential start date of October 2026. The study is intended to answer foundational questions about how many coyotes are on the island, how they use habitats, and their movement patterns. Director Milbrandt also noted that the city's coyote reporting website, sanibel-coyote.com, was nearly ready to launch publicly.

SCCF Sea Turtle Biologist Jack Brzoza presented mid-season nesting data as of July 6, 2026. The overall Sanibel depredation rate stood at approximately 15 percent as of July 6, rising to 17.4 percent by July 20-above the 10 percent management threshold established in the Loggerhead Recovery Plan and incorporated into FWC's Marine Turtle Conservation Handbook. Depredation rates are highest on the western portion of the island between Bowman's Beach and Blind Pass. Historical data show that depredation rates typically increase from mid-season through the end of the nesting period, making a final rate above 10 percent virtually certain for 2026. Brzoza also reported a significant new development: coyote depredation of shorebird nests, with an approximately 72 percent depredation rate on Sanibel shorebird nests-a substantially elevated and newly confirmed threat.

SCCF Coastal Wildlife Director Kelly Sloan presented on two mitigation strategies being piloted in the 2026 season. First, a decoy nest study deployed alongside real turtle nests on the western end of the island showed that coyotes are clearly detecting and interacting with decoys, but it is too early to determine whether they confer any

conservation benefit by diverting predatory attention from real nests. Second, new larger-gauge screens (4' x 5') were deployed but showed counterintuitively higher depredation rates (23 percent) compared to the standard smaller screens (8 percent). Based on preliminary results, SCCF decided to transition back to mixing in the standard smaller screens rather than continuing exclusive use of the larger ones. Sloan also reported that an independent biological statistician confirmed SCCF's long-term finding that nest predation has increased significantly over time, and that storm washouts have not shown a long-term increasing trend-refuting a question raised at the prior meeting.

SCCF CEO James Evans presented a budget request, noting that SCCF spends approximately \$329,000 annually on the Sanibel sea turtle and shorebird monitoring program and requested that the city consider contributing 20-25 percent of program costs, or approximately \$65,000-\$82,000 annually. Evans indicated this funding would help sustain and grow the program, including additional seasonal staff capacity. Director Milbrandt provided a historical overview of the city's prior financial contributions to SCCF's sea turtle program, including cost-share arrangements for education materials and the use of city vehicles.

Council discussion reflected strong support for funding both the coyote population research study and a contribution to SCCF's sea turtle monitoring program. Councilmembers Smith and DeBruce expressed enthusiastic support for conservation funding. Councilmember Smith pledged to seek budget line items to support SCCF and encouraged both city funding and public private partnership contributions. Vice Mayor Henshaw noted concern about the total expenditure in the context of anticipated property tax revenue pressures but acknowledged the obligation to address depredation. Mayor Miller noted that the population study and the depredation mitigation strategy are on separate tracks and asked about timeline, receiving confirmation that study results would be expected by approximately October 2027. Council also discussed the prospect of a post-season workshop or return to council in November or December to plan mitigation strategies for the 2027 nesting season, before study results are available.

Councilmember Smith moved, seconded by Councilmember DeBruce, to include in the Fiscal Year 2027 budget both the cost of the coyote population research study and a contribution of approximately \$75,000 to SCCF for the sea turtle depredation minimization program. The motion carried.

The meeting recessed at 12:19 p.m. and reconvened at 12:53 p.m.

12. DISCUSSION OF FY2027 BUDGET

b. Potential Stormwater Assessment

Deputy City Manager Chaipel introduced a presentation by Kyle Stephens of Stantec

on a preliminary stormwater assessment study. Stantec was engaged to analyze the costs of providing stormwater services and to develop a potential fee structure to fund those services through a dedicated special assessment on the annual Lee County tax bill rather than through the general fund.

Mr. Stephens presented findings based on an analysis of current stormwater-related expenditures, totaling approximately \$1.65 million annually when accounting for personnel, operations and maintenance, cash-funded capital, and a contribution to reserves. When adjusted to include the tax collector's administrative costs and a statutory early payment discount, the total revenue requirement is approximately \$1.75 million. Using aerial photography and deep learning algorithms to measure impervious area city-wide-totaling approximately 37 million square feet-Stantec developed a fee structure with three customer categories: a flat fee for single-family homes of \$277.55 per year; a per-unit fee of \$80.51 for condominiums (based on an average impervious area of approximately 1,800 square feet per unit, or 0.29 Equivalent Residential Units); and a measured fee for all other parcels calculated based on their individual impervious area divided by 6,300 square feet (the average single-family home footprint). Stephens noted the proposed fee is in the middle range when compared to other barrier island communities in Florida that have similar programs. He presented a financial projection showing the need for modest fee increases in future years as capital projects come online, with more significant increases potentially required around 2030-2031 if substantial master plan projects are debt-financed. Stephens also outlined the statutory timeline for proceeding, including a required notice to all affected property owners by July 29, a first public hearing on August 18, a final public hearing on September 13, and inclusion on the November tax bill.

Council discussion centered on several themes. Councilmember DeBruce confirmed her understanding that this would function as a new dedicated revenue source-not a net new financial burden-and asked about the impact on the operating budget. Chaipel clarified that the expenses are already in the budget; the assessment would provide an alternative dedicated funding stream, with the treatment of the millage rate remaining a separate policy decision made during the budget process. Mayor Miller noted key benefits of the assessment structure, including enhanced borrowing capacity for future stormwater capital projects. Councilmember Smith observed that based on her research, the City of Sanibel and Lee County are among the only remaining jurisdictions in the area without a stormwater assessment, and she expressed support for moving forward. Vice Mayor Henshaw and Councilmember Johnson expressed the view that the fee should function as a revenue replacement rather than an additive burden. City Attorney Agnew and City Manager Souza clarified that while this is the council's stated intent, the formal offset against the millage rate is a separate policy decision to be addressed during budget hearings and cannot be binding beyond the current year. Council directed staff to ensure that all public communications about the

assessment clearly convey that it is intended to fund existing services and is not intended to impose an additional net financial burden on residents.

Councilmember Smith moved, seconded by Councilmember Johnson, to proceed with the stormwater assessment process and return to the August 18 meeting with a formal resolution. The motion carried.

Vice Mayor Henshaw moved, seconded by Councilmember Smith, to direct staff to communicate to the public that the stormwater assessment is intended as a revenue replacement, not an additional burden, and to have the messaging reviewed by the Mayor and City Attorney prior to distribution. The motion carried.

a. City of Sanibel Fiscal Year 2027 Draft Budget

Deputy City Manager/CFO Steve Chaipel presented an overview of the Fiscal Year 2027 draft budget. The total draft budget stands at approximately \$187 million, heavily influenced by Hurricane Ian recovery grant funding from the State of Florida. The draft operating budget is approximately \$44 million, prepared at a millage rate of 2.5 mills, the same as in Fiscal Year 2026. Taxable property values increased 8.2 percent from the prior year, bringing the total to approximately \$6 billion, though still approximately 4.7 percent below pre-Ian levels. The general fund ending balance was noted as a working figure of approximately \$870,000, which Mr. Chaipel acknowledged as low relative to prior years, though he expressed confidence that further work before the August workshop would improve that figure. The capital budget stands at approximately \$61 million, with approximately \$24 million representing projects carried forward from FY2026 due to grant approval delays or project deferrals. The five-year Capital Improvement Plan continues to be primarily grant-driven. Mr. Chaipel noted that the FY27 budget, when adjusted for inflation relative to prior years, is approximately five percent below those earlier budgets in real terms. A budget workshop is scheduled for August 18, 2026, at 5:30 PM, followed by required public budget hearings on September 14 and September 28, with final adoption of the budget required by September 30.

Councilmember Smith raised the potential financial implications of a November ballot measure on homestead exemptions and requested that CFO Chaipel model scenarios reflecting both passage and failure of that measure for presentation at the August workshop. She also encouraged the city to begin reviewing long-standing interlocal agreements, including those with the School District and Lee County related to shared facilities.

c. Proposed Operating Millage Rate

RESOLUTION 26-023 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, 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 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 2026 AND
TENTATIVE BUDGET FOR THE CITY OF SANIBEL FISCAL YEAR 2027;
AUTHORIZING AND DIRECTING THE CITY MANAGER TO PROVIDE
CERTIFICATION OF SAME; AND PROVIDING AN EFFECTIVE DATE.**

City Attorney Agnew read the title of Resolution 26-023. CFO Chaipel presented the proposed preliminary operating millage rate of 2.5 mills for Fiscal Year 2027, consistent with the current year. The rollback rate was calculated at 2.3384 mills. Chaipel noted a change in state law this year requiring a supermajority vote of four out of five council members to adopt any millage rate above the rollback rate, meaning the proposed 2.5 mill rate would require a supermajority. The aggregate millage rate, including the recreation center voted debt service, would be 2.6 mills. Council members expressed general support for the 2.5 mill ceiling while acknowledging the desire to reduce it if budget conditions allow. Mayor Miller noted that while there were arguments for a slight reduction-given property value growth exceeding inflation and the potential stormwater assessment shifting some expenditures-the low general fund ending balance and the number of unfunded items left limited room for reduction at this stage. City Manager Souza committed to making expenditure adjustments before the August workshop.

Vice Mayor Henshaw moved, seconded by Councilmember Smith, to approve Resolution 26-023, setting the proposed operating millage rate at 2.5000 mills, the aggregate millage rate at 2.6000 mills, and the total proposed budget at \$187,087,616.00. The motion carried.

13. OLD BUSINESS

- b. Periwinkle Way/Causeway Boulevard/Lindgren Boulevard Intersection - Topographic Survey Results and Consideration of an Advisory Referendum on Construction of a Roundabout**

City Manager Souza provided background, noting that at the March 3rd meeting, Council directed staff to complete a topographic survey of the Periwinkle Way/Causeway Boulevard/Lindgren Boulevard intersection and overlay it on the existing conceptual roundabout design before proceeding to a community referendum. Bill Waddill of Kimley Horn presented the survey findings, confirming that both the single-lane and two-lane roundabout configurations fit entirely within existing city right-of-way, with no encroachment into Pond Apple Park. This eliminates the need for a charter-required referendum on removal of environmentally sensitive land. Minor encroachments into the Tulip Lane right-of-way and an existing sidewalk at the southwest corner would be addressed through standard construction easements. City Manager Souza confirmed that a voluntary advisory referendum-consistent with Council's earlier direction-was the appropriate next step, and presented three options: inclusion on the March 2027 municipal election ballot (approximately \$400 in additional cost for translation), a standalone election (\$25,000), or a mail ballot election (cost to be confirmed but likely between the two options). Council expressed consensus to proceed with the March 2027 election as the most cost-effective option

and one that would attract meaningful voter participation.

Council discussion highlighted the importance of providing residents with clear, balanced educational materials summarizing the pros and cons of the roundabout proposal-including safety benefits for traffic control staff, air quality and efficiency improvements from reduced idling, throughput performance across all seasons, and aesthetic considerations-prior to the election. City Manager Souza confirmed that funds remain within the existing MPO grant contract with Kimley Horn to prepare supplemental graphics and educational materials. The City Attorney confirmed that the city may provide factual, neutral information but may not advocate for a particular outcome. Councilmember Smith disclosed that she had been lobbied in Washington, D.C. by an elected official to support the roundabout and expressed discomfort with that approach.

Councilmember Johnson moved, seconded by Councilmember Smith, to direct the City Manager and City Attorney to prepare a resolution with ballot language for Council consideration at the August 18 meeting, to place an advisory referendum question regarding the roundabout on the March 2027 municipal election ballot. The motion carried.

c. Presentation by Altumint Regarding the School Zone Speed Detection System Erroneous Speed Reporting and Corrective Actions

Police Chief William Dalton introduced the item, explaining that in the second half of 2025, the department began receiving complaints from motorists-primarily those traveling westbound through the school zone-who were confident they had not been speeding. After multiple on-site verifications that failed to replicate errors, a motorist provided GPS data showing a discrepancy. The department ceased issuing citations and engaged the vendor, Altumint, to investigate.

Jason Norton of Altumint presented findings, explaining that when the westbound camera was relocated farther from the roadway for safety reasons in November 2025, it was inadvertently positioned behind a tree. The radar tracking data-visualized as a series of detection dots-was interrupted by the tree, making it impossible to reliably confirm whether speed measurements were accurate. Mr. Norton emphasized that Altumint's review process requires a human reviewer on both the vendor and police department sides before any citation is issued, and that all available citations were reviewed. However, because the tree interference could result in either over- or under-reporting of speeds, the accuracy of individual citations during the affected period cannot be confirmed to a courtroom standard.

Altumint's remediation actions included installation of a gantry arm to move the camera around the tree. Subsequent testing-using five different radar speed measurement devices and observed by police department personnel-confirmed that both the westbound and eastbound camera systems are now performing accurately. Going forward, monthly testing will be conducted with police department verification. Altumint also developed a new "Roadrunner" vehicle tracking tool to automatically

review radar detection patterns daily across all camera systems.

With respect to the approximately 1,701 citations issued during the affected period (November 2025 onward), Altumint committed to proactively refunding all paid citations and dismissing all unpaid citations. For any citations that escalated to Uniform Traffic Citations (UTCs) and may have resulted in license suspensions or additional fees, Altumint committed to working with the Police Department and Clerk of Courts to make affected motorists whole. City Manager Souza clarified that only citations issued to westbound motorists are affected; citations issued to eastbound motorists were verified as accurately issued and will stand. Contact information for Altumint's customer service will be made available on the city website.

Council members expressed appreciation for Altumint's accountability and transparency in identifying and rectifying the error, while emphasizing that continued monitoring and monthly verification are essential to maintaining public trust in the system.

14. NEW BUSINESS

a. Solid Waste Initial Assessment

RESOLUTION 26-020 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, RELATING TO THE COLLECTION AND DISPOSAL OF SOLID WASTE, RECYCLABLES, AND HORTICULTURAL WASTE, IN THE CITY OF SANIBEL CONSTITUTING THE CITY'S 2026-2027 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, 2026 THROUGH SEPTEMBER 30, 2027; 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

City Attorney Agnew read the title of Resolution 26-020. CFO Chaipel explained that the resolution initiates the required statutory process for the annual solid waste special assessment. The franchise hauler, Waste Management (WM), requested a 3.84 percent cost increase in accordance with CPI provisions in the franchise agreement; however, through internal efficiencies, the city is proposing a lower overall rate increase of approximately 2.44 percent for standard curbside residential collection, raising the annual rate from \$525.66 to \$538.51. No rate increase was requested on the commercial side. A public hearing on the final assessment rate is

scheduled for August 18, 2026.

Vice Mayor Henshaw moved, seconded by Councilmember Johnson, to adopt Resolution 26-020. The motion carried.

b. Solid Waste Rates

RESOLUTION 26-021 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, APPROVING A SOLID WASTE RATE STRUCTURE FOR FISCAL YEAR 2026-2027; ESTABLISHING SOLID WASTE, RECYCLABLES, AND HORTICULTURE WASTE RATES FOR RESIDENTIAL, COMMERCIAL, AND MULTI-FAMILY PROPERTIES; APPROVING A SOLID WASTE FRANCHISE FEE; APPROVING A SOLID WASTE DISPOSAL SURCHARGE; AND PROVIDING AN EFFECTIVE DATE.

City Attorney Agnew read the title of Resolution 26-021, approving the solid waste rate structure for Fiscal Year 2026-2027.

Councilmember Johnson moved, seconded by Councilmember Smith, to adopt Resolution 26-021. The motion carried.

c. Request from Sundial Beach Resort and Spa to consider accommodation to Chapter 30, Article III, Sec 30-63 (13) and Sec. 30-64, for a New Years Eve event to be held at 1451 Middle Gulf Dr.

City Manager Souza presented a request from Sundial Beach Resort and Spa to hold a New Year's Eve event on the pool deck for approximately 150 guests, extending beyond the standard 10:00 PM noise ordinance limit. Consistent with the approach taken for the same event in the prior year, staff recommended approving the event until 12:30 AM to allow guests to complete a midnight celebration before music concludes. Councilmember Johnson confirmed that the prior year's event had proceeded without significant issues.

Councilmember Smith moved, seconded by Councilmember Johnson, to approve the Sundial Beach Resort and Spa's New Year's Eve event accommodation until 12:30 AM. The motion carried.

15. CONSENT AGENDA

CONSENT ITEMS PULLED FOR DISCUSSION

No items were pulled for individual discussion.

ADOPTION OF RESOLUTIONS

a. Pier

RESOLUTION 26-022 APPROVING BUDGET AMENDMENT 2026-006 TO APPROPRIATE FUNDING FOR THE FISHING PIER PROJECT AND PROVIDING AN EFFECTIVE DATE

Attorney Agnew read into record the title of Resolution 26-022.

Councilmember Smith moved, seconded by Councilmember DeBruce, to adopt Resolution 26-022, approving Budget Amendment 2026-006 to appropriate funding for the Fishing Pier

Project. The motion carried.

BUSINESS ITEMS

- b.** Adoption of Minutes
- c.** Sundial Beach Resort request for thirty-five (35) special event permits in 2027
- d.** Portable Generators/Bypass Pumps
- e.** Approval of Five-Year Extension to Professional Services Agreement with Apex Companies, LLC for the National Pollutant Discharge Elimination System (NPDES) Program and Stormwater System
- f.** Award Vegetation Trimming Services Contracts Project
- g.** Award Landscape Maintenance Contracts
- h.** Approve a contract with Apex Companies LLC (formerly Johnson Engineering LLC) for Engineering Services related to the Sanibel Roads Reconstruction Project in the amount of \$1,301,045.83, and authorize the City Manager to execute the contract

Approval of Consent Agenda Business Items 15(b), (c), (d), (e), (f), (g), and (h)

Vice Mayor Henshaw moved, seconded by Councilmember Johnson, to approve Consent Agenda Business Items 15(b), (c), (d), (e), (f), (g), and (h). The motion carried.

16. INFORMATIONAL ITEMS

- a.** Water Quality Report from Natural Resources Department
- b.** Finance Department Reports
 - i.** Causeway Counts
 - ii.** Grants Report

Mayor Miller recognized Finance Department staff and Grants Manager Mark Harmon for their continued work tracking compliance with grants totaling over \$129 million in city funding.

17. GENERAL COUNCIL DISCUSSION

- a.** Future Agenda Items Matrix

Councilmember DeBruce raised the recurring issue of boats approaching too close to

swimmers on the beach, noting prior discussion about establishing swim zones. City Manager Souza confirmed the topic remains within the city's strategic objectives and committed to bringing options back for council review before the next high season. Councilmember DeBruce also asked City Attorney Agnew to follow up on the question of how the March 2027 election will handle the two council seats up for election—one full term and one partial term—given that the city charter does not specifically address this scenario. City Attorney Agnew confirmed he would seek written guidance from the Supervisor of Elections and report back.

Councilmember Smith raised a water quality concern discovered during her trip to Washington, D.C. She reported that language inserted into the House version of the WRDA bill by Congressman Mast would eliminate harmful flows to the St. Lucie River while only reducing harmful flows to the Caloosahatchee River estuary—a distinction that could effectively divert more discharge toward Sanibel. She confirmed this language had been verified as actual bill language and stated that she, Congressman Donalds's office, and the Everglades Foundation are actively working to ensure the Senate version retains "reducing" language for both estuaries and to prevent the House's "eliminating/reducing" disparity from being folded into a final bill. Councilmember DeBruce noted that many environmental partners in Florida are now aware of this issue.

Mayor Miller requested a follow-up on whether a letter to General Kelly requesting an extension of Major Bell's service assignment had been sent, and asked that it be transmitted if not yet done.

Vice Mayor Henshaw requested a briefing or Zoom meeting with Planning Director McMichael and the transportation planning consultants on the integration of the transportation master plan with the comprehensive Sanibel Plan update. City Manager Souza confirmed the transportation plan is expected to be completed by end of year, with planning commission and council review to follow.

18. CITY MANAGER'S REPORT

City Manager Souza commended the team of city employees who organized the recent employee appreciation event, noting a record number of attendees. He thanked Council for navigating a challenging agenda and noted the productive outcomes of the day's discussions. He reported that Natural Resources staff member Rachel Rainbolt, who had been expected to present on the coyote website, welcomed a new baby on July 13th, and that both mother and child are doing well. He provided additional context on the Washington, D.C. FEMA meeting, reiterating that while overall results were disappointing, the commitment from FEMA Regional Administrator Asch to visit Sanibel in person to review projects was a meaningful outcome.

19. CITY ATTORNEY'S REPORT

City Attorney Agnew provided supplemental clarification on several matters arising from the day's discussion of below market rate housing. He confirmed that city-owned land on which CHR housing is located will not receive different treatment under any revised program framework, as all housing units are administered under the same program. He clarified that the city's existing housing program in Section 102-102 has historically operated as a preference-based system, not a workforce mandate-and that the explicit workforce mandate had been an internal CHR policy, not a codified city requirement, until Councilmember DeBruce's condition was added to Ordinances 26-004 and 26-005 in March 2026. He emphasized that everything governing the program should be housed in the city's code and under council's control. He confirmed that Klein Hornig was given broad direction to review all aspects of the program and to help the city codify a legally defensible policy. He reiterated the importance of focusing on Option 3 of the three proposed revisions to Section 102-102 as the most suitable starting point, noting that Options 1 and 2 are minor variations of each other and that Option 3 is substantively different and closer to what council appears to want. He also addressed the distinction between disparate impact liability as a federal enforcement matter versus as a private right of action, noting that even if the federal government declines to enforce, private plaintiffs retain a legal avenue-and the city must remain attentive to that risk. Council confirmed its preference to focus preparation and the upcoming workshop on Option 3 of the 102-102 amendments.

20. PUBLIC COMMENT

No public comments were received from the audience.

21. ADJOURNMENT

There being no further business, the meeting adjourned at 5:32 p.m.