



# City of Sanibel

800 Dunlop Road  
Sanibel, FL 33957

## Meeting Minutes - Draft City Council

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Tuesday, May 5, 2026

9:00 AM

MacKenzie Hall - 800 Dunlop Road

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### 1. CALL TO ORDER

The meeting convened at 9:00 a.m.

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

Mayor Miller 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

The agenda was set as published.

### 5. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

Jason Halliburton, Sanibel Resident, addressed the Council regarding support for the Sanibel School, noting concerns over social media comments questioning the school's importance amid Lee County school budget cuts. He encouraged all residents and businesses to actively support the school and its fundraising organizations, including the PTA and Sanibel School Fund.

Vice Mayor Henshaw offered a statement of clarification regarding comments he made at the prior meeting referencing a nationally organized political demonstration on Sanibel. He stated he did not intend to identify or single out local organizers or attendees, and that his remarks reflected personal disappointment at divisive political activity on the island rather than any opposition to the right to free speech or protest. He affirmed his nonpartisan commitment and apologized if his remarks caused offense.

Mayor Miller echoed Council's unified support for the Sanibel School.

City Manager Souza introduced new Deputy Planning Director Gabriel Quintas. Mr. Quintas provided a brief introduction, expressing appreciation for the opportunity.

### 6. PRESENTATION(S)

- a.** Proclamation declaring May 6, 2026 as Sergeant Anthony Neri Day on Sanibel

Mayor Miller read a proclamation honoring Sergeant Anthony Neri, who passed away during a training exercise on May 6, 2019, after nearly seven years of service with the Sanibel Police Department. The proclamation recognized his sacrifice and service to the community. Police Chief William Dalton expressed gratitude on behalf of the department and indicated he would deliver the proclamation to Sergeant Neri's wife.

- b.** Lee County Bar Association Law Day and Officer of the Year Proclamation

Mayor Miller read a proclamation recognizing Law Week and honoring Officer Christofer Chiappy of the Sanibel Police Department, who was named Lee County Law Enforcement Officer of the Year on May 1, 2026. The proclamation highlighted Officer Chiappy's career progression from part-time police aide to sworn officer and his consistent recognition by residents and visitors for professionalism and compassion. Chief Dalton publicly thanked Officer Chiappy for his dedication and flexibility during periods of staffing shortage.

- c.** Proclamation recognizing the week of May 3, 2026 through May 9, 2026 as the 57th Annual Professional Municipal Clerks Week

Mayor Miller read a proclamation honoring the week of May 3-9, 2026 as Professional Municipal Clerks Week, recognizing City Clerk Scotty Lynn Kelly, Florida Certified and Master Municipal Clerk, and Deputy Clerk Anna Hicks, Certified Municipal Clerk.

- d.** Proclamation declaring the week of May 15-21, 2026 as National Public Works Week

Mayor Miller read a proclamation designating May 15-21, 2026 as National Public Works Week. Public Works Director Fred Mittl accepted on behalf of his department.

- e.** Proclamation declaring May 2026 as National Cities, Towns, and Villages Month

Mayor Miller read a proclamation celebrating National Cities, Towns, and Villages Month in conjunction with the National League of Cities' centennial anniversary. Councilmember Smith, serving as President of the Florida League of Cities and a board member of the National League of Cities, accepted the proclamation and remarked on the importance of local government representation at the state and national levels, emphasizing nonpartisan advocacy and the value of intergovernmental relationships.

- f.** Presentation of the Fiscal Year 2025 Annual Comprehensive Financial Report (ACFR) Prepared by the Finance Department and Audited by CliftonLarsonAllen LLP. Presentation by Steve C. Chaipel,

## Deputy City Manager/CFO with Chris Kessler and Rob Willems of CliftonLarsonAllen LLP

Deputy City Manager/CFO Steve Chaipel presented the Fiscal Year 2025 Annual Comprehensive Financial Report (ACFR). He highlighted that the city's total net position reached approximately \$116 million, one of the highest figures since incorporation, driven in large part by recognition of Hurricane Ian-related grant revenues. He noted that the general fund financial statements reflect a near-term focus and that approximately \$18.5 million in grant revenues were classified as "unavailable" under fund accounting rules due to the 60-day cash receipt requirement, and would likely be recognized in FY 2026.

Mr. Chaipel also discussed a prior period adjustment of \$94,000 in the transportation capital projects fund resulting from a revenue recognition error in FY 2024, and noted the adoption of new GASB standard No. 101 governing compensated absences, which required greater analysis of historical sick leave usage trends. He reported that approximately \$23 million in combined federal and state grant activity flowed through the city in FY 2025, and that this volume is expected to grow in FY 2026 due to CDBG-DR pass-through activity for the fire district, FISH, and the new police station project.

Chris Kessler of CliftonLarsonAllen (CLA) presented the audit results. The city received unmodified (clean) audit opinions on both the financial statements and the federal single audit. However, one material weakness was identified related to audit adjustments in the financial statements, and one significant deficiency was noted in the single audit related to grant reporting. Mr. Kessler clarified that the distinction between a material weakness and a significant deficiency relates primarily to the dollar threshold of impact.

Council discussion focused on the implications of the material weakness, the city's role as a subrecipient for CDBG-DR grants flowing to the fire district and FISH, and the risk of a third consecutive year with a similar finding. Councilmember Smith raised concern about the potential consequences of a third-year recurrence and the responsibility the city bears for the compliance of its sub-recipients. Chaipel confirmed that a written Grants Management Policy (Administrative Policy 26-001) was implemented effective May 1, 2026, establishing clear roles, responsibilities, and reporting deadlines to address the finding. City Manager Souza credited the full staff effort and noted the policy establishes firm expectations for timely reporting, including disciplinary provisions. Mr. Kessler confirmed that the corrective action plan was sufficient and that compliance with the new policy would be expected to resolve the finding.

Vice Mayor Henshaw and Councilmember Johnson commended the finance team and expressed confidence in the new policy. Mr. Chaipel noted the city's goal is to return to presenting the ACFR at the March Council meeting and filing with the GFOA by

March 31st annually. He also acknowledged that FY 2025 marked the 40th consecutive year the city received the GFOA Certificate of Achievement for Excellence in Financial Reporting.

**g. Emergency Operations Plan Executive Summary Presentation**

Chief Dalton introduced Andrew Forcucci, Vice President of Planning and Analysis for the Olson Group, who presented an executive summary of the city's newly rewritten Emergency Operations Plan (EOP). The prior EOP dated from 2019, and the update was necessitated by changes in federal guidance, the COVID-19 pandemic, Hurricane Ian, and organizational changes within the city.

Forcucci explained that the updated plan moves from an emergency support function (ESF) framework to a functionally based organization aligned with the newest FEMA Comprehensive Preparedness Guide (CPG 101, Version 3.1, updated May 2025). The plan includes five annexes covering action planning, prevention and mitigation, preparedness, response, and recovery, along with job action sheets tailored to each city department. It incorporates updated census and seasonal population data, transportation dependencies, access and functional needs (AFN/TAFN) planning, and lessons learned from Hurricane Ian. A new Police Department Operations Center activation framework was also memorialized in the plan, establishing tiered activation levels mirroring Lee County.

City Manager Souza noted that while the executive summary was being made public, the full plan and annexes would be reviewed by the City Attorney for potential redactions before release, with the preparedness annex specifically recommended for public distribution. Council discussion included questions on coordination with the Sanibel Fire District (which maintains its own plan), the Lee County Sheriff, and partner agencies such as LCEC, the school district, FISH, and others. Chief Dalton described the annual Hurricane Partners Meeting, which brings together approximately 40 partner entities to align communication and coordination protocols. Tabletop exercises are being developed by staff for later in the year.

Councilmember Smith emphasized the value of having a publicly facing document, and noted the importance of making the mandatory evacuation decision in a timely manner, referencing the challenges experienced during Hurricane Ian.

**Public Comments:**

- Lyman Welch - Sanibel Resident - commended the transparency effort and expressed particular appreciation for the inclusion of school safety preparedness.

City Manager Souza acknowledged that the city's expanded PIO capacity and improved coordination with the county have strengthened pre-storm messaging.

Vice Mayor Henshaw moved, seconded by Councilmember Smith, to accept the Emergency Operations Plan Executive Summary as presented. The motion carried.

## 7. 9:05 AM - SECOND READING AND PUBLIC HEARING

### a. Vegetation - Chapter 122

**ORDINANCE 26-006 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES SUBPART B LAND DEVELOPMENT CODE, 122, VEGETATION, ARTICLE II, LANDSCAPING, DIVISION 2, COMMERCIAL AND INSTITUTIONAL USES, SECTION 122-49, TYPES, VARIETIES AND NUMBERS OF PLANTS REQUIRED, SECTION 122-50, INSTALLATION STANDARDS, AND SECTION 122-51, MAINTENANCE STANDARDS, TO REVISE THE VEGETATION BUFFER STANDARDS FOR COMMERCIAL AND INSTITUTIONAL USES, FOR THE PURPOSE OF UPDATING THE 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 26-006. Environmental Biologist, Dana Dettmar, provided a summary of what minor changes were made to the ordinance. Ms. Dettmar confirmed that the only change from the first reading was the addition of clarifying language in Section 122-49(f) to address situations where site constraints prevent a vegetation buffer from meeting standard depth requirements. No public comments were received.

Councilmember DeBruce moved, seconded by Councilmember Johnson, to adopt Ordinance 26-006 as presented. The motion carried.

### b. Remove Obsolete Prohibition of Flat Roofs for Multifamily Buildings (PC Res 26-07)

**ORDINANCE 26-008 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES SUBPART B LAND DEVELOPMENT CODE, CHAPTER 86, DEVELOPMENT STANDARDS, ARTICLE III, RESIDENTIAL, DIVISION 3, UNIFIED RESIDENTIAL HOUSING (CLUSTER HOUSING) AND MULTIFAMILY HOUSING, SUBDIVISION III, MULTIFAMILY HOUSING, SECTION 86-164, LIMITATIONS ON PRINCIPAL BUILDINGS, FOR THE PURPOSE OF UPDATING THE 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 26-008. Planning Director Paula McMichael briefly described the ordinance as a straightforward amendment removing an outdated prohibition on flat roofs for multifamily buildings, making the code internally consistent with architectural standards adopted the prior year. No public comments were received.

Councilmember Smith moved, seconded by Vice Mayor Henshaw, to adopt Ordinance 26-008 as

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presented. The motion carried.

c. Gasoline-Powered Leaf Blowers

**ORDINANCE 26-010 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES, BY DELETING IN ITS ENTIRETY CHAPTER 30, ENVIRONMENT, ARTICLE III, NOISE, SECTION 30-70, GAS POWERED LEAF BLOWERS, TO COMPLY WITH CHAPTER 2026-3, LAWS OF FLORIDA; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE**

Attorney Agnew read into record the title of Ordinance 26-010. Mayor Miller noted that this ordinance was necessitated by the Florida Legislature's passage of Senate Bill 290, which preempts local governments from enforcing any prohibition on gas-powered leaf blowers. Councilmember Johnson expressed regret that the community-driven restriction was being removed. No public comments were received.

Councilmember Smith moved, seconded by Councilmember Johnson, to adopt Ordinance 26-010 as presented. The motion carried.

## 8. DISCUSSIONS OF DRAFT LEGISLATION

a. Limited exception for height, elevating existing structure

**DISCUSSION ONLY - DRAFT ORDINANCE 26-009 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES SUBPART B LAND DEVELOPMENT CODE, CHAPTER 126, ZONING, ARTICLE V, NONCONFORMANCES DIVISION 3, STRUCTURES, SECTION 126-172, (NONCONFORMING STRUCTURES) IMPROVEMENT, RECONSTRUCTION, OR RELOCATION PROHIBITED; EXCEPTIONS; AND DIVISION 5, STANDARDS FOR BUILDING-BACK (RECONSTRUCTION) OF STRUCTURES SUBSTANTIALLY DAMAGED BY A NATURAL DISASTER, SECTION 126-212, NONCONFORMING STRUCTURES, TO ALLOW A LIMITED EXCEPTION TO HEIGHT LIMITATIONS FOR ELEVATION OF EXISTING STRUCTURES; FOR THE PURPOSE OF UPDATING THE LAND DEVELOPMENT CODE REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE**

Planning Director McMichael presented Draft Ordinance 26-009, which extends a previously adopted allowance permitting substantially damaged nonconforming structures to be elevated up to 10 feet above grade without regard to height limitations to also cover nonconforming structures that are voluntarily elevating for flood resilience but have not met the substantial damage threshold.

Two staff-proposed refinements were discussed: expanding the grade reference to

include "highest adjacent grade" in addition to "predevelopment grade," so that homeowners lacking historical grade records have an alternative reference point; and replacing the word "proportionately" in the height exception language with the phrase "as a result thereof" to more accurately describe the relationship between elevation and any resulting height exceedance. Mayor Miller and City Attorney Agnew both supported the language change, and Councilmember Smith confirmed the amendment would appear in both applicable code sections. Council was also assured that existing requirements for on-site stormwater retention would still apply even when a structure is elevated.

**Councilmember Johnson moved, seconded by Councilmember DeBruce, to move Ordinance 26-009 to first reading. The motion carried.**

The meeting recessed at 11:53 a.m. and reconvened at 12:05 p.m.

**b. Speed Limits**

**DISCUSSION ONLY - DRAFT ORDINANCE 26-011 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, 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; TO SPECIFY SPEED LIMITS ON PUBLICLY OWNED ROADWAYS WITHIN THE CITY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE**

City Manager Souza presented a reorganized version of Draft Ordinance 26-011 governing speed limits on city roadways. The presentation was structured section by section, consistent with Council's direction to codify all speed limit changes by ordinance, ensuring public comment opportunities for any future modifications.

Section 66-121(A) - General unlawfulness provision: Council accepted the language establishing that exceeding posted speed limits is unlawful. Councilmember Smith suggested adding explicit language that speed limits will be enforced; City Manager Souza agreed to incorporate language that preserves officer discretion while reflecting that commitment.

Section 66-121(B) - 35 mph maximum: No objection. Council agreed that 35 mph shall remain the maximum lawful speed on city roadways.

Sections 66-121(C) and (D) - Sanibel-Captiva Road: Following substantial discussion, Council reached consensus by a majority to leave the speed limit on the entire length of Sanibel-Captiva Road at 35 mph, declining to reduce the contested stretch between Rabbit Road and the school zone to 30 mph. Councilmembers DeBruce and Johnson both cited observations that the Slow Down Sanibel campaign and increased enforcement presence had already improved compliance on that

corridor. Councilmember Smith favored island-wide consistency. Vice Mayor Henshaw, while noting wildlife mortality concerns, deferred to those who travel the corridor more frequently and agreed to monitor outcomes. Council also discussed wildlife strike data with Natural Resources Coordinator Rachel Rainbolt, who confirmed that new corridor signage had been installed by Public Works and that a wildlife mortality dashboard was being developed for public access. A year-over-year comparative analysis was discussed as the most meaningful metric, with a target update presentation in November.

Section 66-121(D2) - Periwinkle Way (Causeway Blvd. to Tarpon Bay Road) and Palm Ridge Road: Council reached a 3-2 consensus to reduce the speed limit on this stretch of Periwinkle Way, including Palm Ridge Road, from 35 mph to 30 mph. Vice Mayor Henshaw, Councilmember DeBruce, and Mayor Miller favored the change, citing pedestrian activity, commercial access turning movements, the commercial character of the corridor, and the existing 30 mph speed on the causeway approach. Councilmembers Smith and Johnson did not find a 5 mph reduction compelling given existing traffic conditions.

Section 66-121(E) - East Periwinkle Way (Causeway Blvd. to Lighthouse Beach Park): Council discussed three options. Option 1 (reducing the entire stretch to 25 mph) was eliminated by consensus as unreasonable. Council settled on a modified version of Option 2, establishing 25 mph from Causeway Boulevard to a point east of the intersection at North Yachtsman Drive (consistent with the engineering design speed of the new East Periwinkle Way bridge), with the remainder of East Periwinkle at 30 mph until the existing 30 mph and 20 mph zones near the park. City Manager Souza noted that Skiff Place would be evaluated as a specific eastern terminus of the 25 mph zone when the ordinance is redrafted. Vice Mayor Henshaw cited safety concerns at the North Yachtsman crossing and the marina area as justification for the extension beyond Anchor Drive.

Section 66-121(F) - Sub-development roads (The Dunes, The Sanctuary): Existing approved speed limits were carried forward without discussion.

Section 66-121(G) - Bridge at Bay Drive/Buell Creek: Existing 10 mph limit retained.

Section 66-121(H) - All other public roads: Confirmed at 30 mph as the default, consistent with existing posted signage island-wide.

Section 66-121(I) - City Manager discretionary authority: This provision drew the most Council discussion. As drafted, it authorized the City Manager to designate reduced speed limits on specific sections of roadway - including curves, culverts, and bridges - and to post advisory, temporary, or permanent signage.

Public Comments:

- Lyman Welch, Sanibel Resident, supported leaving Sanibel-Captiva Road at 35 mph and opposed Section I as drafted insofar as it permitted permanent changes without public input.
- Mitch Koppelman, on behalf of the Committee of the Islands, expressed support for the overall ordinance direction and suggested adding "specific and limited" to the language in Section I and clarifying that emergency or natural-disaster conditions would be among the "other conditions" qualifying for manager discretion, with any change beyond 30 days returning to Council.

Councilmember Smith and public commenters expressed concern that the language was too broad and could allow permanent speed limit changes without Council or public input. Councilmember DeBruce and Vice Mayor Henshaw expressed general support for the operational flexibility but acknowledged the need for refinement. Councilmember Johnson suggested striking the word "permanent" to limit the manager's unilateral authority to temporary or advisory designations, with permanent changes returning to Council. Mayor Miller suggested a notification requirement whereby Council would be advised within 30 days of any manager-initiated change. City Manager Souza confirmed that codifying specific known locations such as Legion's Curve would also be explored. Council directed staff to rework this section and bring it back as part of a future discussion, not a first reading.

City Manager Souza confirmed sufficient direction to proceed with redrafting the ordinance for a future discussion session.

## 9. FIRST READING OF AN ORDINANCE AND SCHEDULING OF PUBLIC HEARING

- a. Limited exception for height, elevating existing structure (PC Res 26-08)

**FIRST READING - ORDINANCE 26-009 ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES SUBPART B LAND DEVELOPMENT CODE, CHAPTER 126, ZONING, ARTICLE V, NONCONFORMANCES DIVISION 3, STRUCTURES, SECTION 126-172, (NONCONFORMING STRUCTURES) IMPROVEMENT, RECONSTRUCTION, OR RELOCATION PROHIBITED; EXCEPTIONS; AND DIVISION 5, STANDARDS FOR BUILDING-BACK (RECONSTRUCTION) OF STRUCTURES SUBSTANTIALLY DAMAGED BY A NATURAL DISASTER, SECTION 126-212, NONCONFORMING STRUCTURES, TO ALLOW A LIMITED EXCEPTION TO HEIGHT LIMITATIONS FOR ELEVATION OF EXISTING STRUCTURES; FOR THE PURPOSE OF UPDATING THE 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 26-009.

Second reading and public hearing scheduled for 9:05 a.m., Tuesday, June 2, 2026.

## 10. COUNCIL COMMENTS

Council members deferred individual comments to Item 15, General Council Discussion, in the interest of time.

## 11. COMMITTEES BOARDS COMMISSION

- a. National Flood Insurance Program (NFIP) Program for Public Information (PPI) Local Liaison Appointment

**RESOLUTION 26-015 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, APPOINTING A SANIBEL RESIDENT AND THE CITY OF SANIBEL BUILDING DIRECTOR TO SERVE ON THE LEE COUNTY MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION (PPI) COMMITTEE; AND PROVIDING AN EFFECTIVE DATE (Applicants listed alphabetically by last name)**

Building Official Craig Mole presented Resolution 26-015, explaining that the city's voluntary participation in FEMA's Community Rating System (CRS) requires a local resident representative on the Lee County Multi-Jurisdictional Program for Public Information (PPI) Committee. Participation in this activity earns up to 350 points toward the city's CRS rating, which directly benefits residents through flood insurance premium discounts. Three candidates applied. City Manager Souza passed out ballots (to be added to the record following the meeting). City Attorney Agnew read the title of Resolution 26-015 and tallied the votes. Mr. Agnew advised Jason Cohen received four votes and Teresa Russell received one vote (cast by Vice Mayor Henshaw). Council members praised all three candidates.

**Councilmember Smith moved, seconded by Councilmember Johnson, to adopt Resolution 26-015 appointing Jason Cohen. The motion carried.**

## 12. OLD BUSINESS

- b. Fiscal Year 2027 Budget Discussion:  
i. Strategic Goals

City Manager Souza presented the existing City Council strategic goals for annual review. Council members expressed general satisfaction with the current goals and their priority ordering, noting the city remains in a recovery posture. Council directed the City Manager to propose revised language under the Quality of Life goal to incorporate the concept of developing a community gathering place, reflecting ongoing discussions around a town center or civic space. Vice Mayor Henshaw suggested the language also address amenities and quality of life programming. City Manager Souza noted that work on SMART goals and KPIs tied to a public-facing dashboard is underway with Hammerhead Technologies, and that a town center discussion is

planned for June 16, 2026. Staff will return with revised goal language at the next meeting.

Councilmember Smith stepped out of the meeting at 1:44 p.m. and returned at 1:46 p.m.

**a. E-bike Registration Program**

Recreation Director Andrea Miller presented a draft E-bike Registration Policy developed in response to Council's March direction to bring forward a registration framework rather than advance the draft ordinance expanding shared use path access to Class 2 and 3 e-bikes. The draft policy would require all e-bikes operated on the city's shared use paths to display a color-coded annual registration decal indicating their class. Class 1 registration would be open to all users; Class 2 and 3 registration would be limited to residents and on-island employees. A proposed fee of \$10 across all classes was included.

Council discussion raised several substantive concerns. Councilmember Smith argued that requiring Class 1 registration - already lawful on the path - would be overly burdensome and difficult to enforce, citing the analogy of dog license compliance (158 licenses issued for a far larger dog population). She supported Class 2 and 3 registration to legitimize access for residents and employees but opposed any fee. Mayor Miller acknowledged the practical difficulty of Class 1 inclusion but saw value in the code of conduct acknowledgment and marginal safety benefit. Vice Mayor Henshaw supported registering all classes for residents and businesses to simplify enforcement, while recognizing enforcement challenges. Councilmembers DeBruce and Johnson expressed alignment with limiting the program to Class 2 and 3 bikes for residents and employees, and hesitation regarding a fee given the unknown administrative cost.

Chief Dalton was candid about enforcement limitations, noting that rangers are already encountering hostile resistance from some users, particularly older residents who feel the program is unnecessary. He could not guarantee success but committed to best efforts. City Manager Souza explained that the rationale for including Class 1 in the registration system was to give rangers a visible means of identifying lawfully registered bikes on the path, as without it, they cannot readily distinguish classes. Council acknowledged that challenge but the majority concluded that the practical and political barriers to Class 1 registration outweighed the benefit.

Council also acknowledged that Senate Bill 382, which would introduce new statewide rules for e-bike safety on shared use paths, had been sent to the Governor and, if signed, would require policy adjustments.

By majority consensus, Council directed staff to bring back a revised program

focused on Class 2 and 3 registration for residents and on-island employees only, with no registration fee, for further discussion.

- c. Approval of a contract with Marolf Environmental, Inc. in the amount of \$2,325,808.04 for the Post Hurricane Ian Lift Station Control Panel and Platform Improvements - Phase 1 project and authorize the City Manager to execute the contract

Deputy Utilities Director Jason Goodrich presented the recommended contract award for Phase 1 of the post-Hurricane Ian Lift Station Control Panel and Platform Improvements project. Five bids were received following public advertisement; Marolf Environmental, Inc. submitted the low bid of \$2,325,808.04, with no exceptions, and demonstrated relevant project experience. The project will utilize previously approved grant-funded control panels to elevate the first 10 lift stations above the 500-year flood elevation. The city has approximately 135 lift stations in total requiring attention; prioritization is based on public health risk, service area impact, and current condition. Councilmember Johnson inquired about the broader program scope and funding strategy. Mr. Goodrich confirmed that panels for the next 30 sites are already being procured and that FEMA funding is being pursued for additional phases. Vice Mayor Henshaw raised the question of aesthetic screening for elevated control panels; City Manager Souza indicated that screening would need to be funded separately and would require coordination with operations staff.

**Councilmember Smith moved, seconded by Councilmember DeBruce, to approve a contract with Marolf Environmental, Inc. in the amount of \$2,325,808.04 for the Post Hurricane Ian Lift Station Control Panel and Platform Improvements - Phase 1 project and authorize the City Manager to execute the contract. The motion carried.**

- d. Council Liaison Discussion and Appointments

Council reviewed and confirmed liaison assignments for all boards, committees, and external organizations. Notable changes included: Councilmember Johnson assuming the primary liaison role for the Community Housing Resources (CHR) Board with Councilmember DeBruce as alternate (swapping prior roles); Councilmember DeBruce added as alternate for the Lee County School District liaison (Councilmember Smith remaining primary); and Councilmember Smith added as alternate for the Historical Museum and Village (Vice Mayor Henshaw continuing as primary). All other assignments were continued as previously held. Policy committee assignments for the Florida League of Cities were deferred to a later date when the application period opens. City Clerk Kelly confirmed the complete list of assignments on the record. City Manager Souza advised the list would come back at the next meeting as a consent item for formal acceptance.

### 13. CONSENT AGENDA

#### CONSENT ITEMS PULLED FOR DISCUSSION

Consent Agenda Item 13(b), Adoption of Minutes, was pulled by Councilmember

DeBruce for a minor language correction.

#### ADOPTION OF RESOLUTIONS

- a. RESOLUTION 26-017 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, APPROVING BUDGET AMENDMENT 2026-004 TO ADJUST THE BEGINNING AND ENDING FUND BALANCES AND PROVIDING AN EFFECTIVE DATE**

Attorney Agnew read into record the title of Resolution 26-017.

**Councilmember Smith moved, seconded by Councilmember Johnson, to adopt Resolution 26-017 as presented. The motion carried.**

#### BUSINESS ITEMS

- b. Adoption of Minutes**

Councilmember DeBruce requested a revision to the March 17, 2026 meeting minutes on page 4, changing the phrase "align with the Sanibel Plan in order to have the project approved" to read "bring the project closer to aligning with the Sanibel Plan in order to have the project approved," to more accurately reflect the substance of Council's discussion regarding the CHR ordinance conditions.

**Councilmember DeBruce moved, seconded by Councilmember Smith, to adopt the March 17, 2026 meeting minutes as amended. The motion carried.**

- c. St. Michael & All Angels Episcopal Church request for City of Sanibel co-sponsorship of the annual Love Sanibel Back event and to waive costs associated with Police and Recreation staffing services**

**Councilmember Smith moved, seconded by Councilmember Johnson, to approve the St. Michael & All Angels Episcopal Church request for City co-sponsorship of the annual Love Sanibel Back event and waiver of Police and Recreation staffing costs. The motion carried.**

#### 14. INFORMATIONAL ITEMS

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

No items were pulled for discussion.

#### 15. GENERAL COUNCIL DISCUSSION

Councilmember DeBruce congratulated the Sanibel School Fund on its successful casino night and golf tournament fundraiser held over the weekend, noting strong community turnout.

Councilmember Johnson acknowledged Mayor Miller's invocation and commended its appropriateness. He also urged Council members to remain mindful of the city manager's and staff's capacity, noting that while City Manager Souza consistently responds affirmatively to requests, Council should be attentive to workload implications and willing to ask what should be deprioritized when new items are added. Councilmember Smith echoed this sentiment.

Councilmember Smith provided several updates: she commended Police Chief Dalton and the Lee County Bar Association law luncheon; noted that Governor DeSantis was present in the area for bill signings related to school legislation, providing an opportunity to speak with Superintendent Carlin about Lee County school budget pressures; recognized Tom Mueller's United Way champion award; congratulated Congress Jewelers on receiving a Gulf Shore Life best jeweler award; advised that she will travel to Washington, D.C. twice in June in connection with ongoing FEMA-related advocacy; acknowledged the difficult news regarding the anticipated departure of Sanibel School Principal Lusk; and provided a legislative update noting that the state budget special session is scheduled for May 12-29, with a potential subsequent special session on tax reform. She also updated Council on TDC funding, noting that beach park operations (\$2,120,000) and monitoring (\$50,000) were approved, but a shared use path funding request was not advanced due to an oversubscribed nature center category and questions about appropriate use of TDC funds. She offered closing congratulations to City Clerk Kelly on Professional Municipal Clerks Week and recognized the professional development of city staff across departments.

Vice Mayor Henshaw announced that on June 7, 2026, Team Sanibel - a group of 15 participants including members of the Sanibel Police Department, Sanibel Fire and Rescue, City Manager's Office, and community members - will travel to New York to participate in the Tunnel to Towers Foundation Tower Climb, ascending 104 stories of One World Trade Center in honor of fallen first responders and to raise funds for programs benefiting gold star families and injured veterans. Team participants include Chief Dalton, Sergeant Matt Kosola, Officer Chris Chiappy, CFO Steve Chaipel, City Attorney John Agnew, PIO Eric Jackson, Fire Chief Barbeau, and others. Vice Mayor Henshaw noted the team has raised over \$48,000 and ranks third nationally. Donations can be made at [nyctowerclimb.t2t.org/teamSanibel2026](https://nyctowerclimb.t2t.org/teamSanibel2026).

Mayor Miller announced that the annual Ride of Silence will take place on Wednesday, May 20, 2026, at 6:30 PM, beginning at the Sanibel Community Park. The event commemorates cyclists killed in traffic crashes and requires only a helmet. Mayor Miller noted that Florida leads the nation in bicycle fatalities and that Lee County has experienced three cycling deaths already in 2026. Mayor Miller also announced that the City of Sanibel has been designated as a Trail Town by the

Florida Greenways and Trails Council - the 24th such designation statewide - recognizing the city's relationship to the Florida Gulf Coast Trail, through the efforts of Jim Meyer and PIO Eric Jackson.

a. Future Agenda Items Matrix

No discussion was held on this item.

## 16. CITY MANAGER'S REPORT

### 9-11 Program (Supplement 1)

Recreation Director Miller presented a proposed two-year program to honor the 25th anniversary of September 11. For 2026, staff proposes selling 2,977 American flags (one for each life lost) beginning at the Fourth of July community event, displaying the flags at Community Park for approximately one week, and holding a community remembrance event on September 11, 2026, potentially in collaboration with the Community House. For 2027, staff proposes bringing the Tunnel to Towers "Never Forget" mobile exhibit to Sanibel over Veterans Day weekend (November 11-14, 2027), including a youth day in partnership with the Sanibel School and other educational groups. The exhibit is scheduled to be in Florida that month, reducing the cost of bringing it to the island. Council expressed unanimous enthusiasm for both proposals. City Manager Souza confirmed that no formal objections were raised and that staff will proceed with securing the 2027 exhibit commitment and finalizing the 2026 event plan.

City Manager Souza also reported that the Sanibel Historical Museum and Village has engaged Elaine Reed, a consultant with prior experience at the Naples historical society, as interim executive director. The board is working to reframe its leadership model from volunteer-driven operations to a policy-focused structure with a professional staff team, and is actively searching for a permanent executive director with a revised compensation framework. City Manager Souza expressed encouragement at the board's renewed energy and direction.

Finally, City Manager Souza confirmed that the June 16, 2026 meeting - previously listed as an "if needed" date - will be needed. A budget workshop is scheduled for 3:00 PM that afternoon. Staff will advise on whether the Council meeting will begin at 9:00 AM or a later time.

## 17. CITY ATTORNEY'S REPORT

City Attorney Agnew offered three updates. First, he confirmed that all 15 Tunnel to Towers Tower Climb participants are volunteers and that no city funds are being used toward the effort.

Second, he reported that on May 1, 2026 (Law Day), the Sixth District Court of Appeal heard oral argument in the Captiva/South Seas density limit appeal, which concerns whether the 2003 settlement agreement capping South Seas at 912 units remains valid. A decision could take anywhere from one month to over a year.

Third, Attorney Agnew provided a substantive update on the CHR Riverview II project and the city's two CHR-related ordinances (26-004 and 26-005). Following a conference call with Lee County staff, county legal counsel, and CHR representatives, it was communicated that HUD staff had informally indicated that both ordinances - particularly the mandate requiring all future residents to be Sanibel residents, employees, or long-term retired workers - may be inconsistent with the Fair Housing Act and Section 109 of the Housing and Community Development Act due to potential disparate impact concerns. HUD's feedback came from grant-level staff rather than its legal department, and no formal written opinion was issued or expected. Attorney Agnew recommended retaining a private Fair Housing Act specialist (described as the leading authority used by the Florida Commission on Human Relations) to conduct a disparate impact analysis of both ordinances and provide a written opinion. City Manager Souza and Attorney Agnew intend to speak with the attorney this week. If her analysis identifies problems, amendments to the ordinances would be brought before Council - potentially at the June 2026 meeting - prior to submission to the county and HUD. If her analysis is favorable, that opinion would be forwarded to the county for sharing with HUD, though no guarantee exists that HUD would formally respond.

Council discussion acknowledged the compressed timeline for CHR's construction schedule, the possibility of a BOCC-granted deadline extension, and the risk that the city, as CDBG-DR subrecipient, could face repayment obligations if the ordinances are later found to be noncompliant. Councilmember Smith emphasized that the goal is to determine whether the ordinances as passed can lawfully support the project, and that both Council and staff remain committed to ensuring compliance.

## 18. PUBLIC COMMENT

Public Comments:

- Mitch Koppelman - Sanibel Resident - addressed the Council in recognition of World Pulmonary Hypertension Day, sharing that the disease has personally affected his family and that he will assume chairmanship of the Pulmonary Hypertension Association board next month.
- Arlene Dillon - Vice President of Tradewinds HOA - appreciation for those participating in the Tunnel to Towers climb, and asked Council not to forget a prior discussion regarding the use of remaining loan funds to assist the Tradewinds neighborhood with its longstanding water project, noting the issue has not appeared on recent agendas.

Councilmember Johnson spoke to the Islands Night event on Friday, May 8th, encouraging community involvement.

**19. ADJOURNMENT**

There being no further business, the meeting adjourned at 4:04 p.m.