



City of Sanibel

800 Dunlop Road
Sanibel, FL 33957

Meeting Minutes - Draft City Council

Tuesday, March 18, 2025

9:00 AM

BIG ARTS - 900 Dunlop Road

Organizational Meeting

1. OATHS OF OFFICE

a. Oath of Office - Laura Jane DeBruce

City Clerk Scotty Lynn Kelly administered the oath of office and swore in Councilmember Laura DeBruce.

b. Oath of Office - John L. Henshaw

City Clerk Scotty Lynn Kelly administered the oath of office and swore in Councilmember John Henshaw.

c. Oath of Office - Mike Miller

City Clerk Scotty Lynn Kelly administered the oath of office and swore in Councilmember Mike Miller.

2. CALL TO ORDER BY JOHN AGNEW, CITY ATTORNEY

City Attorney John Agnew called the meeting to order at 9:06 a.m.

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Councilmember Smith gave the invocation and led the Pledge of Allegiance.

4. ROLL CALL

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

5. ELECTION OF MAYOR AND OATH OF OFFICE

Attorney John Agnew spoke to the nomination process for Mayor and Vice Mayor, noting no second is required for nominations. Councilmember Smith nominated Mike Miller, there were no further nominations.

Councilmember Smith nominated Mike Miller as Mayor. The vote carried unanimously.

City Clerk Scotty Lynn Kelly administered the oath of office and swore in Mayor Mike Miller.

6. ELECTION OF VICE MAYOR AND OATH OF OFFICE

Mayor Miller spoke his appreciation for the election and asked for nominations for Vice Mayor. Councilmember DeBruce nominated Holly Smith, Councilmember Johnson nominated John Henshaw.

Roll call vote in order of nominations, vote for Holly Smith. The nomination passed by a majority vote.

Opposed: 2 - Councilmember Richard Johnson, and Councilmember John Henshaw

City Clerk Scotty Lynn Kelly administered the oath of office and swore in Vice Mayor Holly Smith.

RECESS FOR PHOTO OF CITY COUNCIL

Mayor Miller spoke to taking a brief recess for the Council group photo, noting refreshments were available out in the lobby.

The meeting recessed at 9:19 a.m. and reconvened at 9:38 a.m.

7. SET THE AGENDA

City Manager Souza advised that item 10a Employee Service Awards and item 18c Request from Sanctuary Home Owners Association were both deferred to the April 1, 2025 meeting.

The agenda was set as published.

8. PLANNING COMMISSION REPORT

Planning Commission Vice Chair Erika Steiner congratulated Mayor Miller and Vice Mayor Smith and thanked Councilmember Johnson for his service as Mayor. Ms. Steiner provided the following brief report of the March 4th meeting:

- Prioritized items that were not covered in the Joint City Council/Planning Commission meeting
- Heard staff recommendations for granting height exceptions for “building-back”. After consideration of staff recommendations, the Planning Commission requested that staff draft legislation for further consideration regarding non-conforming homes that need to be elevated, and that homeowners be granted latitude to develop the space from the ground to the first habitable level up to 10 feet to maximize resilience.
- Discussed the topic of “fill” and the Commission approved adding language to the definitions of “developed area” to include fill, clarifying the definition to be consistent with FEMA regulations and required that fill be no more than 24” above average grade of the property, and requested that staff bring back some

changes to the proposed language.

- Discussed a request to extend the use of short forms for “eating places, restaurants, grocery stores, etc.” which expired on December 31, 2024 through the end of the current calendar year. Several commissioners expressed concern over the concept of extending the timing of short forms because that in effect takes the matter away from a formal Planning Commission process. Planning Commission voted to move this item forward to the City Council.
- Discussed a requested expansion of conditional use short forms for 21 recognized conditional uses set forth in Section 126 of the code. In this case, the Commission asked that staff return a significantly reduced list. As noted, the Planning Commission wants to have the ability to review some of the less common conditional uses in a public meeting, such as car washes, theatres or formula retail stores.

Planning Commission’s next meeting is scheduled at 9:00 on March 25 (one week from today) where they look forward to concluding discussions on items 1, 3 and 4.

9. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

Public Comments:

- Rick Herrmann - Sanibel Community Group for the Sanibel Island Golf Club - requested no opposition to the sale of the golf course to the Community group
- Jason Cohen - 5847 Pine Tree - requested assistance with finding funding opportunities for dredging Wulfert Canal and Dinkins Bayou
- Eric Pfeifer - congratulated Mayor Miller and Vice Mayor Smith upon their elections and thanked Council for their service. Mr. Pfeifer then spoke to a group organized to assist in devising solutions for problems in critical areas, specifically the sustainability of the islands recovery. He read into record action items requested of City Council.
- Doug Congress - Sanibel Resident - congratulated Council upon their elections and further spoke to the score card program described by Mr. Pfeifer.

10. PRESENTATION(S)

- a. Employee Service Awards
 - i. Thomas Wierda, Wastewater Plant Operator III, 10 Year Service Award (Date of Hire: 3/19/2015) (Postponed to April 1 - Supplement 1)
- b. Proclamation recognizing the 65th Anniversary of MacIntosh Books and Paper

Mayor Mike Miller read into record and presented a proclamation recognizing the 65th anniversary of MacIntosh Books and Paper to Rebecca Binkowski who thanked the City for the recognition and proclamation. Vice Mayor Smith congratulated Ms. Binkowski on her efforts and success in recovery and returning the business to the island following the hurricane.

c. Charitable Foundation of the Islands (CFI) Accelerate Small Business Loan Program Update

Doug Congress, on behalf of Charitable Foundation of the Islands (CFI), provided a brief background and update of the Accelerate Small Business Loan Program. Rudi Hamer, Sanibel Captiva Community Bank Loan Officer, spoke to the process for the loans, encouraging businesses to apply.

Council expressed appreciation for CFI and the loan program and inquired if these loans would be available to assist with property owners looking to participate in the Elevate Florida program. Mr. Congress advised he would bring it up at the next board meeting.

Council inquired if businesses were having trouble finding funding outside of the loan program. Mr. Congress spoke to the issues resulting from the Small Business Administration (SBA) loans program.

d. Sanibel Prescribed Fire Task Force Presentation

Natural Resources Director Holly Milbrandt introduced the topic and Kevin Godsea, J.N. Ding Darling Refuge Manager, who provided a brief PowerPoint presentation on behalf of the Sanibel Prescribed Fire Task Force.

Discussion ensued regarding how the prescribed fires improve soil nutrient intakes and vegetative growth, not affecting nutrient loads in the waterways, the benefits of the prescribed burns, the locations of the proposed burns, and the process for removing or addressing/removing storm damaged trees. Further discussion ensued regarding recovery efforts in the marsh areas, who people could reach out to for further information (Fire Department, Natural Resources Department, the Refuge), and attending the prescribed fire public workshop.

Ms. Milbrandt spoke to the task force webpage.

Council inquired who issues the permits for the prescribed burns to which Mr. Godsea advised was the Florida Forest Service. Council reminded citizens of the Prescribed Fire Task Force public meeting on March 27th at the Recreation Center at 11:30 a.m.

e. Presentation from Community Housing and Resources, Inc. (CHR) Executive Director Nicole Decker-McHale

Nicole Decker McHale, Executive Director for Community Housing and Resources, Inc. (CHR) provided a brief PowerPoint presentation status update of the island's below market rate housing (BMRH) program. CHR Resident Amber Edwards,

spoke to the benefits of living in the BMRH housing offered by CHR.

Council expressed their appreciation for the program and Ms. McHale's efforts and achievements since becoming Executive Director of CHR.

Council inquired about Spoonbill Preserve and what assistance is needed. Ms. McHale spoke to meeting with County Commissioners and getting approval from the South Florida Water Management District.

- f. Red Tide Mitigation & Technology Development Initiative Presentation by Kevin Claridge, Vice President of Sponsored Research and Coastal Policy Programs, Mote Marine Laboratory & Aquarium, Sarasota, FL ([Supplement 1](#))

Natural Resources Director Holly Milbrandt introduced Kevin Claridge, Mote Marine Laboratory & Aquarium, who provided a brief PowerPoint presentation regarding the Red Tide Mitigation and Technology Development Initiative.

Discussion ensued regarding whether the dead materials would become fodder for the next cycle of red tide, the purpose for and next steps of the initiative, what Council could do to assist or support, and efforts to protect the waterways and agricultural areas.

The meeting recessed at 11:52 a.m. and reconvened at 12:31 p.m.

11. CITY COUNCIL COMMENTS

Vice Mayor Smith congratulated Mayor Miller upon his election and thanked Councilmember Johnson for his service as Mayor the last 2 years. She further congratulated Councilmembers DeBruce and Henshaw upon their re-elections and applauded Chip Welch for running in the election. Ms. Smith spoke to the desire to move the Council meetings back to MacKenzie Hall, preferably for the May meeting. She spoke to attending pre-legislative meetings and workshops locally, heading to Tallahassee for Legislative Action Days, and attending the hearings for South Seas re-zoning. Finally, she spoke to the retirement of Detective Jon Eicher and expressed appreciation for his service.

Councilmember Johnson expressed his congratulations to Mayor and Vice Mayor upon their elections and to the members that were re-elected to Council. Mr. Johnson spoke to the importance of the grant and loan programs being offered by CFI, requesting the item become an informational item on upcoming agendas. He further spoke to the desire to return to MacKenzie Hall and expressed his appreciation for the service of Detective Eicher. Mr. Johnson spoke to meeting Code Enforcement Manager Glen Nixon and welcomed him to the City. Finally, Mr. Johnson spoke to the importance of the City's relationship with the Lee County Board of County Commissioners (BoCC).

Discussion ensued regarding Councilmember Johnson meeting with BoCC Chair Kevin Ruane regarding traffic before stepping back to allow Mayor Miller to take the lead as Lee County Metropolitan Planning Organization (MPO) Liaison.

Councilmember DeBruce concurred with congratulations for all elections and expressed her appreciation for Councilmember Johnson's service as Mayor. Ms. DeBruce spoke to Island Water Association (IWA) receiving the 2024 Planned Excellence Award from the Florida Department of Environmental Protection (FDEP). She congratulated the Public Works Department on the excellent public workshop on the stormwater master plan update. Finally, she gave a shout out to Detective Eicher for his service and dedication to the City.

Councilmember Henshaw congratulated Mayor Miller and Councilmember DeBruce for their re-election, thanked the citizenry for the re-election, congratulated Mayor and Vice Mayor upon their elections, and thanked Chip Welch for running in the election. Next he spoke to the need for metrics relating to Ian recovery (economic, physical, etc.) and relating to recovery costs (permits, distressed/dangerous properties, complaints and compliance, etc.) and providing a survey at the end of projects to monitor successes and what can be improved in the future. He further spoke to making the information visible to the all, such as posting in Directors offices and at City Hall.

Discussion ensued regarding ways to minimize costs for recovery, estimating what the costs were from the last storm, and helping to ensure homes are compliant prior to the next emergency.

Mayor Miller expressed his appreciation for Oisin Dolley and the success of the stormwater workshop and concurred with the desire to move back to MacKenzie Hall while looking to address technology issues. Mr. Miller spoke to accolades and achievements of Detective Eicher while in service to the City. He advised Corporal James Serrago had been nominated as Officer of the Year and congratulated Recreation Director Andrea Miller for the successful report and update. Finally he spoke to attending the Florida League of Cities (FLC) Leadership Class and expressed appreciation for the unity of the current Council.

Vice Mayor Smith spoke to being in Washington DC, communicating with the BoCC members regarding letters to Department of Housing and Urban Development (HUD), and there being possible funding for the construction of the new Police Department. Ms. Smith spoke to meetings at Senator Scott's office, discussions regarding the lift stations, and the need for having a lobbyist in DC. She further spoke to the ability for using Facebook Live for meetings from MacKenzie Hall, allowing for the costs to be allocated differently as needed. Council requested City Manager

Souza bring back recommendations for updating MacKenzie Hall. Mr. Souza spoke to the item being later in the agenda under his report.

Councilmember DeBruce spoke to meeting with the Donax Home Owners Association (HOA) regarding the entire community working together to raise the homes and participating in the Elevate Florida program.

Councilmember Johnson spoke to Lee County having a Federal Lobbyist in place and Chair Ruane offering the opportunity to coordinate shared services.

12. CITY COUNCIL CONSIDERATIONS FOR FUTURE AGENDAS

Councilmember DeBruce requested the following items:

- Inviting Island Water Association (IWA) to give a presentation regarding plant upgrades and updates
- Ask staff to look into implementing ozonix for red-tide (cost, time-line, etc.)
- Proposed putting together a resolution for the next meeting for the promotion of tourism

Discussion ensued regarding components of the resolution and the Sanibel Captiva Chamber of Commerce being supportive of the promotional movement. Attorney Agnew spoke to needing consensus from the Council providing authorization for Staff to work with a Councilmember for drafting a resolution. Discussion ensued regarding whether it should be a resolution or proclamation, and consensus was to have Mayor Miller work with staff to draft in the form that provides the greatest impact. City Manager Souza spoke to another item under the City Managers report regarding funding for marketing the community.

Councilmember Henshaw requested:

- Adding the topic of metrics to the next agenda.

City Manager Souza spoke to the upcoming capital improvement projects budget calendar and objectives.

Vice Mayor Smith requested:

- MacKenzie Hall remodel update
- Presentation relating to the Sanibel Rangers program
- Update regarding software program and code enforcement relating to short term rentals

Discussion ensued regarding Council not being interested in changing regulations for short term rentals, nor losing the current grandfathered status the City holds. Council inquired what could be done to market the information relating to short term rentals. City Manager Souza recommended drafting a position paper to be published in the

newspaper.

Mayor Miller proposed:

- Discussion on House Bill 503 (HB503) which is a bill to establish a cap for business tax revenue

Discussion ensued regarding how to request from the Legislature a 4-year look back as opposed to 2-years.

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

a. Distressed Property

First Reading - ORDINANCE 25-004 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING CHAPTER 126, ZONING, ARTICLE XIV, SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 17, DISTRESSED PROPERTIES, SECTION 126-1314, MAINTENANCE AND SECURITY STANDARDS, SECTION 126-1317, ABATEMENT PLAN, AND SECTION 126-1319, ENFORCEMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE (Supplement 1)

Attorney Agnew read into record the title of Ordinance 25-004 and advised the version of the ordinance included in supplement 1 was the current draft.

Second reading and public hearing scheduled for 9:10a.m., Tuesday, April 1, 2025.

14. 9:10 - SECOND READING AND PUBLIC HEARING

a. Open Bodies of Water

ORDINANCE 25-001 OF THE CITY COUNCIL OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES IN RELATION TO OPEN BODY OF WATER; AMENDING SUBPART B, LAND DEVELOPMENT CODE, CHAPTER 78, GENERAL PROVISIONS, SECTION 78-1, RULES OF CONSTRUCTION AND DEFINITIONS; CHAPTER 82, ADMINISTRATION, ARTICLE IV, DEVELOPMENT PERMITS, DIVISION 1, GENERALLY, SECTION 82-363, ENVIRONMENTAL ASSESSMENT REPORT; DIVISION 2, PROCEDURE, SUBDIVISION I, GENERALLY, SECTION 82-382, FILING PROCEDURE; CHAPTER 86, DEVELOPMENT STANDARDS, ARTICLE II, SITE PREPARATION, CREATING A NEW SECTION, SECTION 86-45, DETERMINATION AND DELINEATION OF OPEN BODY OF WATER; CHAPTER 118, UTILITIES, ARTICLE II, WATER, SECTION 118-59, DEFINITIONS; CHAPTER 126, ZONING, ARTICLE VI, DISTRICTS GENERALLY, CREATING A NEW SECTION, SECTION 126-250, ADMINISTRATIVE WAIVER FROM OPEN BODY OF WATER SETBACK; ARTICLE XIV, SUPPLEMENTARY DISTRICT REGULATIONS, DIVISION 2, ACCESSORY STRUCTURES, SECTION 126-852, REQUIREMENTS; AND DIVISION 3, BUILDING AND AREA REQUIREMENTS, SUBDIVISION III, LOTS,

SECTION 126-977, LOTS WITH OPEN BODIES OF WATER, FOR THE PURPOSE OF UPDATING LAND DEVELOPMENT CODE REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE

Attorney Agnew read into record the title of Ordinance 25-001. Planning Director Paula McMichael provided a brief background for the hearing.

Discussion ensued regarding some Councilmembers being in support as written while some still have concerns. Council inquired how the two definitions of open bodies of water apply. Ms. McMichael spoke to the application of the definitions. Attorney Agnew spoke to spoke to the two sections being in conjunction with each other.

Public Comments:

- Arlene Dillon - congratulated all Council upon their elections, thanked Councilmember Johnson for his service as Mayor, and spoke to option to request an environmental assessment.

Ms. McMichael responded that Staff would be able to request the assessment and if there were any discrepancies it could go to Planning Commission for consideration.

Public Comments:

- Matt DePaolis - Sanibel Captiva Conservation Foundation (SCCF) - congratulated all Council upon their elections and expressed appreciation for the hard work put into the ordinance and noted support of the ordinance.

Councilmember Johnson moved, seconded by Councilmember DeBruce, to adopt Ordinance 25-001. The motion carried by a vote of 4-1 with Vice Mayor Smith opposed.

Opposed: 1 - Vice Mayor Holly Smith

b. Amending Building Fee Schedule

ORDINANCE 25-002 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, TO UPDATE BUILDING FEES BY AMENDING CHAPTER 14, BUILDINGS AND BUILDING REGULATIONS, ARTICLE IV, PERMITS; SECTION 14-188, FEE SCHEDULE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE

Attorney Agnew read into record the title of Ordinance 25-002. Building Official Craig Mole provided a brief background for the ordinance, noting the benefits of the updates.

Discussion ensued regarding support of the ordinance and appreciation for Staff efforts to draft the legislation. Council inquired if the underlying objective was to have a method that matches the fee with the costs incurred in management of a permit, which Mr. Mole confirmed. Council inquired what is multi-family and what is

commercial. Mr. Mole advised that structures with more than two units are commercial, and 1-2 units are classified as residential.

There were no public comments from the audience. City Manager Souza thanked Craig Mole and Julian Halitaj for their efforts getting the study completed and updating services in the Building Department.

Vice Mayor Smith moved, seconded by Councilmember Henshaw, to adopt Ordinance 25-002. The motion carried.

15. CONSENT AGENDA

CONSENT ITEMS PULLED FOR DISCUSSION

Mayor Miller requested to pull item 15.b.v. for discussion.

v. Professional Services in Conjunction with the City's FEMA Dune Walkover Repair Project

Consider approving a proposal from Cummins Cederberg, Inc. to provide professional engineering services in the amount of \$410,521.00 for Hurricane Ian related dune walkover repairs and authorize the City Manager to execute the agreement. Funding for these services will come from FEMA PA project funding.

Deputy City Manager Steve Chaipel spoke to the funding sources and options for the project, noting projects that were not currently obligated.

Councilmember Johnson moved, seconded by Vice Mayor Smith, to approve a proposal from Cummins Cederberg, Inc. to provide professional engineering services in the amount of \$410,521.00 for Hurricane Ian related dune walkover repairs and authorize the City Manager to execute the agreement. The motion carried.

Mr. Chaipel spoke to scheduling a presentation for Council relating to the public assistance program and insurance reimbursements.

a. ADOPTION OF RESOLUTIONS

i. Acknowledging Vote of the Electors

RESOLUTION 25-016 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, ACKNOWLEDGING THE VOTE OF THE ELECTORS OF THE MARCH 4, 2025, MUNICIPAL ELECTION FOR THE CITY OF SANIBEL, FLORIDA; ACKNOWLEDGING THE ELECTED COUNCIL MEMBERS ARE LAURA JANE DEBRUCE, JOHN L. HENSHAW, AND MIKE MILLER; AND PROVIDING AN EFFECTIVE DATE

Attorney Agnew read into record the title of Resolution 25-016

Vice Mayor Smith moved, seconded by Councilmember Johnson, to adopt Resolution 25-016. The motion carried.

b. BUSINESS ITEMS

- i. Adoption of Minutes: January 14, 2025, Regular Meeting; February 4, 2025, Regular Meeting
- ii. Champions for Children request to hold outdoor benefit concert on Friday, April 25, 2025
- iii. Sanibel Isles / Water Shadows Civic Improvement Association request to serve alcohol at Bock Park
- iv. Sundial Beach Resort request for twenty (20) special event permits in 2025
- vi. Approval of an extension for the receipt of the Sanibel Historical Museum & Village, Inc. fiscal year 2024 audited financial statements to April 18, 2025

Approval of Consent Agenda Business Items 15(b)(i), (ii), (iii), (iv), and (vi).

Vice Mayor Smith moved, seconded by Councilmember Johnson, to approve Consent Agenda Business Items 15(b)(i), (ii), (iii), (iv), and (vi). The motion carried.

16. INFORMATIONAL ITEMS

- a. Hazard Mitigation Grant Project Update (East Rocks)
- b. Water Quality Report from Natural Resources Department
- c. Finance Department Reports
 - i. Causeway Counts
 - ii. Grants Report
 - iii. Financial Statement Audit Update
 - iv. Quarterly Financial Report for 1st Quarter Fiscal Year 2025
 - v. Quarterly Investment Portfolio Report for 1st Quarter Fiscal Year 2025
- d. Sanibel Historical Museum & Village Financial Reports
- e. Community Housing & Resources (CHR), Inc. Fiscal Year 2024 Audited Financial Statements
- f. Distressed Properties and Dangerous Buildings - Informational Item

Discussion ensued regarding the progress of the audit of financial statements.

17. COMMITTEES BOARDS COMMISSION

a. Vegetation Committee Appointments

RESOLUTION 25-007 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, APPOINTING MEMBERS TO THE VEGETATION COMMITTEE FOR ONE-YEAR TERMS BEGINNING MARCH 5, 2025, AND EXPIRING MARCH 4, 2026; AND PROVIDING AN EFFECTIVE DATE. (Committee Composition: Five (5) or more members who are residents of Sanibel, non-residents can be adjunct members, 1-year terms) (Applications listed in alphabetical order by last name)

Attorney Agnew read into record the title of Resolution 25-007. City Manager Souza passed out ballots to Council. Attorney Agnew tallied the votes as all applicants were unanimously appointed.

Council expressed appreciation for the quality of the applicants.

Councilmember DeBruce moved, seconded by Councilmember Henshaw, to adopt Resolution 25-007 with the full member blanks filled as Barbara Boyce, Barbara Horvath, Pam Miller, Vincent Simonelli, and Barbara Wyskowski and Ruth Brooks as the adjunct member. The motion carried.

18. OLD BUSINESS

a. Post Hurricane Ian Stormwater System Damage Repairs

1. Motion to approve a contract with EZ Contracting LLC in the amount of \$2,390,379.43 for the Post Hurricane Ian Stormwater System Damage Repairs project and authorize the City Manager to execute the contract.
2. Motion to approve a proposal from Johnson Engineering Inc. to provide for construction services in the amount of \$180,350.00 and authorize the City Manager to initiate the services.

City Engineer Oisin Dolley provided a brief background for the request.

Discussion ensued regarding the work beginning in May with an expected completion of July. Further discussion ensued regarding if any of the funding could be transferred and used in Tradewinds. Mr. Dolley spoke to specific tasks in Tradewinds that could be addressed, though the infrastructure improvement project could not be addressed.

Council inquired if the maintenance would improve storage capacity. Mr. Dolley summarized the proposed repairs and maintenance. Discussion ensued regarding maps that could label the swales and culverts. Mr. Dolley advised there was a map book included in the agenda packet and looking to include GIS capabilities and charts with the master plan update. Council inquired if a link/button could be included on the website for ease of accessing the information. City Manager Souza advised Staff was working on implementing such on the website.

Vice Mayor Smith moved, seconded by Councilmember Henshaw, to approve a contract with EZ Contracting LLC in the amount of \$2,390,379.43 for the Post Hurricane Ian Stormwater System Damage Repairs project and authorize the City Manager to execute the contract. The

motion carried.

Council expressed appreciation for the excellent stormwater master plan update public workshop.

Vice Mayor Smith moved, seconded by Councilmember Henshaw, to approve a proposal from Johnson Engineering Inc. to provide for construction services in the amount of \$180,350.00 and authorize the City Manager to initiate the services. The motion carried.

- b. **RESOLUTION 25-014 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING RESOLUTION 24-043, WHICH ESTABLISHED A TEMPORARY USE PERMIT FOR BEACH CLUB DAY PASSES, BY EXTENDING THE AUTHORIZATION TO DECEMBER 31, 2025; AND PROVIDING AN EFFECTIVE DATE.**

Attorney Agnew read into record the title of Resolution 25-014. Planning Director Paula McMichael provided the background.

Discussion ensued regarding support of the resolution and inquired if the option should be extended as more resorts are re-opening. Becky Miller, Sundial Resort, spoke to expecting 75% occupancy by the end of the year, and possibly 100% by the end of the first quarter 2026. March 31, 2026 was the recommended date for the extension.

Vice Mayor Smith moved, seconded by Councilmember Johnson, to adopt Resolution 25-014, with the expiration date extended to March 31, 2026. The motion carried.

- c. Request from Sanctuary Home Owners Association (HOA) to reduce the speed limit on Wulfert Road from 30mph to 20 mph (Postponed to April 1 meeting per HOA request)

- d. Development Permit Fees

RESOLUTION 25-003 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING RESOLUTION 24-036 BY EXTENDING CERTAIN DEVELOPMENT PERMIT FEE WAIVERS AND DISCOUNTS; SAME TO EXPIRE UPON CITY COUNCIL ADOPTING A NEW/REVISED DEVELOPMENT PERMIT FEE SCHEDULE; AND PROVIDING AN EFFECTIVE DATE

Attorney Agnew read into record the title of Resolution 25-003. Planning Director Paula McMichael provided the background.

Councilmember Johnson moved, seconded by Vice Mayor Smith, to adopt Resolution 25-003. The motion carried.

- e. Variance Application Fee Waiver

RESOLUTION 25-015 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, WAIVING THE APPLICATION FEE FOR VARIANCES SOUGHT TO AID IN RECOVERY FROM HURRICANE DAMAGE OR FOR RESILIENCY, SAME TO EXPIRE ON DECEMBER 31, 2025; AND PROVIDING AN EFFECTIVE DATE

Attorney Agnew read into record the title of Resolution 25-015. Planning Director Paula McMichael provided the background.

Discussion ensued regarding the option for extending if needed.

Vice Mayor Smith moved, seconded by Councilmember Johnson, to adopt Resolution 25-015. The motion carried.

f. City of Sanibel 50th Anniversary Informational Updates (Fireworks, Tree Lighting, Record Setting Attempt)

Recreation Director Andrea Miller provided a background for the three requests.

Discussion ensued regarding support of the fireworks event and by consensus Council agreed to request Tourist Development Council (TDC) funding assistance.

Discussion turned to consideration of a tree lighting event contract. City Manager Souza requested a motion for approval as opposed to consensus.

Vice Mayor Smith moved, seconded by Councilmember Johnson, to approve the Blingle three-year contract for an annual Community Tree Lighting and authorize City Manager to execute same. The motion carried.

Ms. Miller spoke to the third request being a record setting event, noting the issues with the longest ribbon cutting record attempt and recommended attempting the most people simultaneously shelling within a designated area.

Discussion ensued regarding any possibility of cost recovery, what the costs allow the City to do, possibility of TDC funding assistance, proposed event dates, and response due date. Further discussion ensued regarding Councilmember Johnson communicating with BoCC Chair Ruane tomorrow and Vice Mayor Smith to bring up at the April TDC meeting.

**g. Florida Department of Transportation (FDOT) Transportation Project List for FY2030-2031
(Supplement 1)**

City Manager Dana Souza provided a brief background for the discussion and spoke to the process and next steps.

Discussion ensued regarding some members of Council not in support of a round-about, there being no commitment of money to progress with the 30% design, and the need to get on the project list to be prepared for the future. Council inquired if round-about language could be excluded, and spoke to the need for intersection improvements. Further discussion ensued regarding the Local Agency Program (LAP) certification, getting on the FDOT capital improvement projects (CIP) list, and taking the step to determine the "choke point" of the causeway. Mr. Souza clarified items in the memorandum and the use of "round-about" in the verbiage.

Discussion ensued regarding the possible downside of not applying or taking "round-about" out of the application. Some Councilmembers supported leaving out "round-about", expressed concerns that removal of the words could diminish chances

of approval, and by consensus authorized the application submission. Mr. Souza spoke to next steps for the application process, advising he'd report back to Council following his meeting with Don Scott.

There were no public comments from the audience.

19. NEW BUSINESS

a. Proposed policies from Parks and Recreation Advisory Committee

i. **RESOLUTION 25-012 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, ESTABLISHING A POLICY FOR THE ACCEPTANCE AND ADMINISTRATION OF DONATIONS FOR PUBLIC PROGRAMS, PROJECTS, OR PURPOSES; AND PROVIDING AN EFFECTIVE DATE**

Attorney Agnew read into record the title of Resolution 25-012. Recreation Director Andrea Miller spoke to the background for the proposed policies.

Council inquired if there were a current policy in place to which Ms. Miller advised there was not. Discussion ensued regarding whose responsibility it would be for maintaining items that are donated and if an agreement would be included.

Vice Mayor Smith moved, seconded by Councilmember Johnson, to adopt Resolution 25-012 as written. The motion carried.

ii. Naming Rights Policy

RESOLUTION 25-013 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, ESTABLISHING A POLICY FOR NAMING OF PARKS AND PUBLIC FACILITIES; AND PROVIDING AN EFFECTIVE DATE

Attorney Agnew read into record the title of Resolution 25-013. Recreation Director Miller provided additional background for the policy.

Council inquired if there were a current policy, to which Ms. Miller responded there was not. Discussion ensued regarding process, staying apolitical with naming rights, approval process going through Council, and how to ensure a distinct relationship/history with the city regarding naming rights.

Attorney Agnew spoke to adding "local" under 1b, and read into record recommended language. Discussion ensued regarding including "significant" and "Sanibel".

Discussion ensued regarding the impetus of the proposed policy, including the word "historical", and whether there were a need for the policy. City Manager Souza read into record the purpose statement from the policy.

Attorney Agnew read into record additional proposed language for 1b.

By consensus, Council declined to move forward with the policy.

Mr. Souza spoke to drafting a letter to the Parks & Recreation Advisory Committee (PARC) thanking them for their hard work on drafting these policies.

b. Approval of the Fiscal Year 2026 Budget Adoption Calendar

Deputy City Manager Steve Chaipel spoke to the background and advised the document labeled supplement 1 is the version for approval.

Vice Mayor Smith moved, seconded by Councilmember Henshaw, to approve the Fiscal Year 2026 Budget Adoption Calendar. The motion carried.

20. CITY MANAGER'S REPORT

a. Status Update and Permit Report on Rebuilding and Recovery Efforts (Verbal presentation during meeting - Supplement 1)

City Manager Souza spoke to the background of the item and introduced Brian Dye, GIS/IT Systems Manager, who provided a brief PowerPoint presentation.

Mr. Dye spoke to the ability of the maps, garnishing information from outside entities like the Condo Associations of Sanibel Island (CASI) and Sanibel Captiva Conservation Foundation (SCCF) and further detailed the benefits of having this information included. City Manager Souza offered Council 1-on-1 meetings with Mr. Dye to have a more in depth understanding of the functionality of the program.

Council inquired about the dashboard feature and inquired what additional information would be provided from the dashboard. Mr. Dye spoke to the hovering feature that allows more information to be displayed, further clicking on these items would bring you to a landing page with full details. Council additionally inquired if this was different from what Mr. Congress and Mr. Pfeifer were talking about in earlier public comments. City Manager Souza spoke to this tracking recovery process in relation to funding, this being how the public might be able to see progress on recovery, as well as how many permits are pulled for a particular property. He spoke additionally on the capability to track and search distressed and dangerous properties.

Discussion continued regarding tracking the taxable value, taxable value versus true value, comparing other city's recovery efforts with ours, and the metrics to measure success. Looking at these metrics to measure and compare with the new map, as well as the benefits of comparing this map with previous years over time. Council further spoke to departmental key performance indicators for driving performance, such as permitting data or a customer satisfaction survey, and tying it into the needs of the community as discussed by public comment earlier in the meeting. Additionally, Council spoke in agreement with seeing a departmental dashboard of key

performance indicators and devoting metrics around meeting objectives. Further inquiry was made by Council regarding Business Tax Receipts and Dwelling Rental Licenses. City Manager Souza thanked Mr. Dye for his presentation.

City Manager Souza started his report by congratulating Council upon re-elections as well as the election for Mayor and Vice Mayor. Spoke to upcoming trip to Tallahassee April 2-4, noted the bills being watched and Council spoke additionally to the bills being watched by the League of Cities. It was noted it was good timing to visit before the appropriations meetings.

Mr. Souza spoke to the appropriations for the shared use path, marketing videos that were made, and the marketing campaign for tourism.

Discussion ensued regarding the efficiency of Council meetings, the potential to limit presentations to 15 minutes, a potential limit on the presentations, and how to shorten meetings. Mr. Souza continued his report and spoke to potential changes to Council Chambers, creating a more flexible space. Brief discussion ensued on having a permanent dais or not and fixed chairs. Mr. Souza noted the potential for the space including joint meetings and public workshops. He expressed concerns for ADA compliance with the ramps leading to the second level of the dais space. Council spoke positively to the idea of a flexible space for meetings, this being economically smart, and looking at what the community needs are. Concerns were expressed for safety

In concluding his report, Mr. Souza spoke to the article in Southern Living which listed Sanibel as #6 beach town, and #1 in Florida.

21. CITY ATTORNEY'S REPORT

Attorney Agnew spoke to circling back to item 19a (Resolution 25-012), noting Recreation Director Andrea Miller had advised there was a cross reference in the donor policy that referenced the naming rights policy that was not adopted. Mr. Agnew read into record verbiage for making the correction on page 7 of the resolution and policy.

Councilmember DeBruce moved, seconded by Vice Mayor Smith, to authorize the correction to the approval of the donor policy as stated by Attorney Agnew. The motion carried.

Attorney Agnew spoke to information provided on item 16f (distressed and dangerous properties) and advised that 11 code hearings were being scheduled for March 31st, noting next steps for code enforcement being: abatement, code hearings, foreclosure, and liens.

Discussion ensued regarding cases having situational differences and decisions and Council inquired what authority was already allotted to the city. Attorney Agnew spoke to options for reporting to Council being 1) provide a list of code orders older

than 3 months and/or 2) when fines accrue to a set threshold. Discussion ensued regarding limitations on measures that can be taken regarding distressed properties.

22. COUNCIL MEMBERS' REPORTS

Vice Mayor Smith spoke to the process for legislation going through the house and senate during the legislative session.

23. PUBLIC COMMENT

Public Comment:

- Arlene Dillon - Vice President of Tradewinds HOA - spoke to working hard to improve the neighborhood and requested Tradewinds get back on the capital projects list.

24. ADJOURNMENT

There being no further business, the meeting adjourned at 5:13 p.m.