

**CITY OF SANIBEL  
RESOLUTION 25-061**

**A RESOLUTION EXPRESSING THE INTENT OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, TO DECLARE A SPECIAL ASSESSMENT TO FINANCE A PUBLIC IMPROVEMENT AS AUTHORIZED BY THE HOME RULE PROVISION OF THE FLORIDA CONSTITUTION, GENERAL LAW, AND THE SANIBEL CHARTER; ESTABLISHING A SPECIAL ASSESSMENT FOR THE PURPOSE OF DREDGING IN THE SANIBEL HARBOURS INLET, DISPOSAL OF DREDGE MATERIALS, AND RELATED FUTURE DREDGING SURVEYS WITHIN AN AREA TO BE REFERRED TO AS THE "SANIBEL HARBOURS INLET DREDGING ASSESSMENT DISTRICT"; ADOPTING THE PROCEDURES SET FORTH IN CHAPTER 170, FLORIDA STATUTES; PROVIDING FOR A DESCRIPTION OF THE NATURE AND LOCATION OF THE IMPROVEMENT, THE MANNER OF LEVYING AND COLLECTING ASSESSMENTS, SPECIFYING THE PORTION OF THE ASSESSMENT TO BE PAID BY THE CITY TO ACCOUNT FOR GENERAL PUBLIC BENEFIT ACCRUING FROM THE PROJECT, THE ESTIMATED COST, AND THE DESCRIPTION OF THE LANDS UPON WHICH THE ASSESSMENT SHALL BE LEVIED; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Sanibel wishes to establish an assessment district for dredging of the Sanibel Harbours Inlet located within the City of Sanibel, hereinafter referred to as the "Sanibel Harbours Inlet Dredging Assessment District" or the "Assessment District" and shown on the map attached hereto as Exhibit "A"; and

**WHEREAS**, dredging within the Assessment District is a public improvement, and the City is establishing the Assessment District pursuant to its Home Rule Power, the Sanibel Charter, and general law, including but without limitation Chapters 166, 170, and 180, Florida Statutes; and

**WHEREAS**, Section 170.03, Florida Statutes, provides that a municipality making public improvements when utilizing special assessments shall adopt a resolution stating the nature of the improvement, the location of the improvement, the part or portion of the expense to be paid by the special assessments, the manner in which said assessments shall be made, when said assessments are to be paid, what portion, if any, is to be paid from the general improvement fund of the municipality, a designation of the lands upon which the assessments shall be levied, and the total estimated cost of the improvement.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA:**

**Section 1. Determination of Need for Special Assessments; Description of the District.** The City Council of the City of Sanibel hereby makes a finding, based upon requests of residents within the proposed Assessment District, of the need for the levy of special assessments for the public improvement project to include the dredging of the Sanibel Harbours Inlet, the disposal of dredge material, and for as-needed dredging surveys within the Assessment District located within the City of Sanibel, Florida. Such special assessments shall be applicable within the Assessment District, which lands within such Assessment District are depicted on Exhibit "A" and generally described in Exhibit "B" (both exhibits being attached hereto and incorporated herein). The Assessment District shall be a single special assessment district.

**Section 2. Description of the Project.** A more specific description of the dredging improvement project for which the special assessments are being levied and collected (hereafter sometimes referred to as the "Project") is as follows:

- (a) To provide annually collected funds for the dredging of, and material haul from, the Sanibel Harbours Inlet (depicted in Exhibit "A") to provide bay access to all properties within the Assessment District with an existing dock, mooring space, berthing slip or the like, or which has the ability to legally place such a structure on the parcel of property. The dredging will occur on an as-needed basis (currently anticipated to be every five years) to provide for navigability through the Sanibel Harbours Inlet and to protect the health, safety, and welfare of the adjacent owners and public in general; and
- (b) To provide annually collected funds for the future as-needed surveys of the Sanibel Harbours Inlet to determine the need, cost, and scope of any necessary future dredging required within the Assessment District.

**Section 3. Costs and Payment.** The total cost of surveying, dredging, material hauling, financing and interest (if any), engineering (if any), legal costs (if any), permit fees, and administrative costs for the Project (hereinafter "Total Estimated Project Cost"), based on the dredging and removal of 1,200 cubic yards of material, is currently estimated to be \$193,447.81 for the 2030 Project. Cost-sharing for the Project shall be as follows:

- (a) A portion equaling 33.33% of the Total Estimated Project Cost shall be paid by the City and shall be budgeted by the City annually, as follows:

Future Project Assessment:

Total Estimated Project Cost in 2030: \$193,447.81, with City Estimated Cost of \$64,476.16 (33.33%), and an annual budgeting of \$12,895.23 from Fiscal Year 2026 through 2030. The estimate is based on the dredging and removal of 1,200 cubic yards of material.

- (b) A portion equaling 66.67% of the Total Estimated Project Cost shall be paid by assessments levied each year against the real property (44 assessable units) located within the Assessment District, as follows:

Future Project Assessment:

Total Estimated Project Cost in 2030: \$193,447.81, with Private Property Estimated Cost of \$128,971.66 (66.67%), and an Annual Assessment Per Property within the Assessment District of \$586.23/year from 2026 through 2030. The estimate is based on the dredging and removal of 1,200 cubic yards of material.

**Section 4. Method and basis for assessment.** The method and basis for assessment are to assess each parcel within the Assessment District which has an "assessable unit." An "assessable unit" is defined as a parcel with an existing dock, mooring space, berthing slip or the like, or the ability to legally place such a structure on the parcel.

- (a) Each parcel deemed to have an assessable unit shall be subject to assessment.

- (b) As described in Section 3 of this Resolution, the City shall pay for 33.33% of the Project, and the Private Property share shall be 66.67%, shared pro rata among all properties within the Assessment District deemed to have an assessable unit.

**Section 5. Annual assessment to be authorized.** This Assessment District shall be established as an ongoing capital improvement and service assessment district which shall provide a funding source for the as-needed dredging of the Sanibel Harbours Inlet and future as-needed dredging analysis. Such assessments shall continue to be paid as described in this Resolution on an annual basis by the specially benefited property owners as shown on the map attached as Exhibit "A", and as will be reflected each year by the then-existing list of properties and property owners available through the Lee County Property Appraiser's Office at the time of the annual assessment. This assessment district is being established initially for the 2026 tax year as well as for all subsequent tax years and shall be applicable to all future tax years unless and until terminated by the Sanibel City Council. It is specifically determined and found by the City Council that this ongoing yearly capital improvement and service assessment district is necessary, appropriate, and the best method by which to address the need for the as-needed survey, dredging, and disposal of dredge material for the Sanibel Harbours Inlet, with the assessment of the costs described herein to be made annually against the properties benefited thereby.

The methodology and the amount of the yearly assessment for each property shall be set forth in a Preliminary Assessment Roll, a copy of which shall also be kept on file with the City Clerk and available for public inspection and which will be presented to the City Council at a public hearing to establish the Assessment District. All assessments shall be paid on an annual basis. The City will utilize the uniform method of collection (i.e., real estate tax bill collection), beginning in tax year 2026, which begins on October 1, 2026, in accordance with Chapter 197, Florida Statutes, as amended, commencing with the tax year 2026 and the 2026 real estate tax bill, and continuing as an annual capital improvement and service assessment until terminated by City Council.

**Section 6. Intent to establish Assessment District.** The City Council hereby declares and evidences its intent to make such public improvements as described in this Resolution and to finance such improvements and the Project through, in part, a levy and special assessment against all lots and lands adjoining and contiguous, or bounding and abutting upon said improvements, or specially benefited thereby, and further designated by the Assessment Plat attached hereto as Exhibit "A" and on file in the office of the Sanibel City Clerk. The plans and specifications for the 2030 Project, as well as an estimate of the cost of the Project improvements are on file with the City Clerk at Sanibel City Hall, 800 Dunlop Road, Sanibel, Florida, 33957, as of the date of adoption of this resolution.

**Section 7. Publication of Resolution.** The City Clerk is directed to publish this resolution one time in a newspaper of general circulation published in the City of Sanibel, or as otherwise may be required by law.

**Section 8. Effective Date.** This resolution shall take effect immediately upon adoption.

**PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, THIS 7TH DAY OF OCTOBER 2025.**

Attest:

Scotty Lynn Kelly, City Clerk

Approved as to form and legality:

John D. Agnew, City Attorney

Date filed with City Clerk: October 7, 2025

Vote of Council Members:

Miller	<u>Aye</u>
Smith	<u>Aye</u>
DeBruce	<u>Aye</u>
Henshaw	<u>Aye</u>
Johnson	<u>Aye</u>

Mike Miller  
Mike Miller, Mayor

EXHIBIT A



## **EXHIBIT B**

Any parcel with an existing dock, mooring space, berthing slip or the like, or the ability to legally place such a structure on the parcel within the area shown on Exhibit A of Resolution 25-061.