

March 2009

**CITY OF SANIBEL**

**RESOLUTION 09-023**

**A RESOLUTION ACKNOWLEDGING THE VOTE OF THE ELECTORS OF THE MARCH 3, 2009 MUNICIPAL ELECTION FOR THE CITY OF SANIBEL, FLORIDA; ACKNOWLEDGING THAT THE ELECTED COUNCIL MEMBERS ARE MICK DENHAM, KEVIN RUANE AND MARTIN J. HARRITY; ACKNOWLEDGING THE APPROVAL BY THE ELECTORATE OF THE CITY REFERENDUM APPROVING THE EXCHANGE OF .6 ACRES OWNED BY THE CITY (BLOCK 14, LOTS 11, 13, 19, 25, BLOCK 13, LOT 6) FOR .6 ACRES OWNED BY SANIBEL-CAPTIVA CONSERVATION FOUNDATION (BLOCK 17, LOTS 1-4, BLOCK 6, LOT 5) WITH BOTH PROPERTIES LOCATED IN SANIBEL GARDENS SUBDIVISION AND BOTH DESIGNATED ENVIRONMENTALLY SENSITIVE LANDS CONSERVATION DISTRICT IN ORDER TO CONSOLIDATE SCCF PROPERTY ALONG THE SANIBEL RIVER AND THE CITY PROPERTY ALONG ISLAND INN ROAD; ACKNOWLEDGING THAT THE CITY ELECTORATE DID NOT APPROVE THE CITY REFERENDUM FOR THE REMOVAL OF LAND FROM THE ENVIRONMENTALLY SENSITIVE LANDS CONSERVATION DISTRICT FOR DOG PARK USE; AND PROVIDING AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Sanibel, Florida:

**SECTION 1.** The Certificate of City Canvassing Board showing the results of the March 3, 2009 Municipal Election for the City of Sanibel, a true copy of which is attached hereto and incorporated herein as Exhibit "A", is hereby acknowledged, and by this Resolution is recorded in the official journal of Council proceedings.

**SECTION 2.** The persons elected as members of City Council of the City of Sanibel are as follows:

Mick Denham  
Kevin Ruane  
Martin J. Harrity

**SECTION 3.** The City Referendum entitled "Exchange of Land Ownership Within the Environmentally Sensitive Lands Conservation District" was approved by the electorate.

**SECTION 4.** The City Referendum entitled "Removal of Land From the Environmentally Sensitive Lands Conservation District for Dog Park Use" was not approved by the electorate.



**SECTION 5.** Effective Date.

This resolution shall take effect immediately upon adoption.

**DULY PASSED AND ENACTED** by the Council of the City of Sanibel,  
Florida, this 17th day of March, 2009.

**AUTHENTICATION:**

\_\_\_\_\_  
, Mayor

\_\_\_\_\_  
Pamela Smith, City Clerk

APPROVED AS TO FORM: *Kenneth B. Cuyler* 3/10/09  
Kenneth B. Cuyler, City Attorney Date

Vote of Council Members:

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date filed with City Clerk: \_\_\_\_\_

**\*\*OFFICAL\*\***  
**CERTIFICATE OF CITY CANVASSING BOARD**

STATE OF FLORIDA

Lee County, City of Sanibel

We, the undersigned, Pamela Smith, City Clerk, Jim Jennings, City Councilman and Sharon L. Harrington, Supervisor of Elections, constituting the Board of City Canvassers in and for said City, do hereby certify that we met on the 5<sup>th</sup> day of March, A.D., 2009, and proceeded publicly to canvass the votes given at the Municipal Election held on the 3rd day of March A.D., 2009, as shown by the returns on file in the office of the Supervisor of Elections. We do hereby certify from said returns as follows:

For Council Seats the total number of votes cast was 8,188 of which:

David BATH received	<u>1,052</u>	votes
David BERGER received	<u>1,267</u>	votes
Mick DENHAM received	<u>2,264</u>	votes
Martin J. HARRITY received	<u>1,686</u>	votes
Kevin RUANE received	<u>1,919</u>	votes

**CITY CHARTER AMENDMENTS**

**EXCHANGE OF LAND OWNERSHIP WITHIN THE ENVIRONMENTALLY  
SENSITIVE LANDS CONSERVATION DISTRICT**

Do you approve the exchange of .6 acres owned by the City (Block 14, Lots 11, 13, 19, 25; Block 13, Lot 6) for .6 acres owned by Sanibel-Captiva Conservation Foundation (Block 17, Lots 1-4; Block 6 Lot 5), with both properties located in Sanibel Gardens Subdivision and both designated Environmentally Sensitive Lands Conservation District, in order to consolidate SCCF property along the Sanibel River and City property along Island Inn Road?

Shall the above-described be approved?

YES, for approval received	<u>1,996</u>	votes
NO, for rejection received	<u>896</u>	votes

EXHIBIT "A"



REMOVAL OF LAND FROM THE ENVIRONMENTALLY SENSITIVE LANDS  
CONSERVATION DISTRICT FOR DOG PARK USE

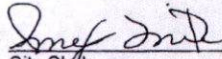
Do you approve the removal of approximately 1.42 acres of land from the City's Environmentally Sensitive Lands Conservation District so that a Dog Park, financed by Sanibel Dog Club, Inc., can be located thereon, such land, which will also remain as an emergency burn site, generally described as located within the Sanibel Gardens Subdivision adjacent to Island Inn Road extending from approximately .25 miles to approximately .33 miles west of Tarpon Bay Road?

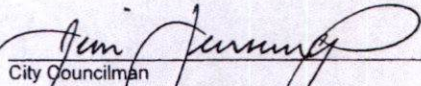
Shall the above-described be approved?

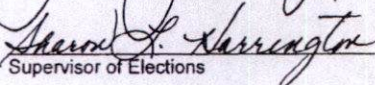
YES, for approval received 1,406 votes

NO, for rejection received 1,527 votes

Sworn and signed this 5<sup>th</sup> day of March, 2009

  
City Clerk

  
City Councilman

  
Supervisor of Elections

**\*\*OFFICAL\*\***  
**CERTIFICATE OF CITY CANVASSING BOARD**

STATE OF FLORIDA

Lee County, City of Sanibel

We, the undersigned, Pamela Smith, City Clerk, Jim Jennings, City Councilman and Sharon L. Harrington, Supervisor of Elections, constituting the Board of City Canvassers in and for said City, do hereby certify that we met on the 5<sup>th</sup> day of March, A.D., 2009, and proceeded publicly to canvass the votes given at the **Municipal Election** held on the 3rd day of March A.D., 2009, as shown by the returns on file in the office of the Supervisor of Elections. We do hereby certify from said returns as follows:

For **Council Seats** the total number of votes cast was 8,188 of which:

David BATH received	<u>1,052</u>	votes
David BERGER received	<u>1,267</u>	votes
Mick DENHAM received	<u>2,264</u>	votes
Martin J. HARRITY received	<u>1,686</u>	votes
Kevin RUANE received	<u>1,919</u>	votes

**CITY CHARTER AMENDMENTS**

**EXCHANGE OF LAND OWNERSHIP WITHIN THE ENVIRONMENTALLY  
SENSITIVE LANDS CONSERVATION DISTRICT**

Do you approve the exchange of .6 acres owned by the City (Block 14, Lots 11, 13, 19, 25; Block 13, Lot 6) for .6 acres owned by Sanibel-Captiva Conservation Foundation (Block 17, Lots 1-4; Block 6 Lot 5), with both properties located in Sanibel Gardens Subdivision and both designated Environmentally Sensitive Lands Conservation District, in order to consolidate SCCF property along the Sanibel River and City property along Island Inn Road?

Shall the above-described be approved?

YES, for approval received	<u>1,996</u>	votes
NO, for rejection received	<u>896</u>	votes



REMOVAL OF LAND FROM THE ENVIRONMENTALLY SENSITIVE LANDS  
CONSERVATION DISTRICT FOR DOG PARK USE

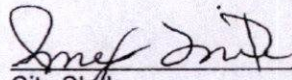
Do you approve the removal of approximately 1.42 acres of land from the City's Environmentally Sensitive Lands Conservation District so that a Dog Park, financed by Sanibel Dog Club, Inc., can be located thereon, such land, which will also remain as an emergency burn site, generally described as located within the Sanibel Gardens Subdivision adjacent to Island Inn Road extending from approximately .25 miles to approximately .33 miles west of Tarpon Bay Road?

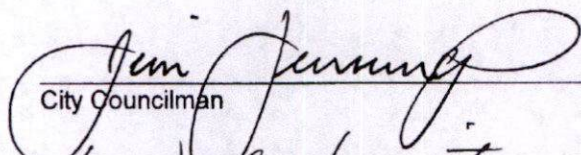
Shall the above-described be approved?

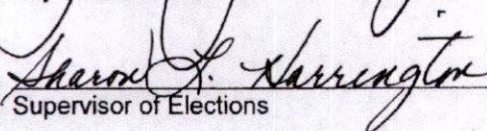
YES, for approval received 1,406 votes

NO, for rejection received 1,527 votes

Sworn and signed this 5<sup>th</sup> day of March, 2009

  
\_\_\_\_\_  
City Clerk

  
\_\_\_\_\_  
City Councilman

  
\_\_\_\_\_  
Supervisor of Elections