



# City of Sanibel

800 Dunlop Road  
Sanibel, FL 33957

## Meeting Agenda - Final City Council

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Wednesday, September 28, 2022

5:01 PM

City Hall

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### Final Budget Hearing - Postponed to October 3

**PLEASE NOTE THAT THE CITY COUNCIL AGENDA IS SUBJECT TO CHANGE.**

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**A COPY OF THE AGENDA PACKET IS AVAILABLE ON THE CITY'S WEBSITE AT  
WWW.MYSANIBEL.COM**

**“The Rules of Civility for Public Participation” as adopted by City Council can be found on the last page of this agenda. Reminder: Please turn all cell phones on to vibrate while in MacKenzie Hall.**

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#### 1. CALL TO ORDER

#### 2. INVOCATION AND PLEDGE OF ALLEGIANCE (Councilman Dr. Crater)

#### 3. ROLL CALL

#### 4. BUDGET DISCUSSION AND PUBLIC HEARINGS

- a. Link to Budget Information from Prior Hearing

Attachments:      [Agenda Memorandum](#)  
[Link to September 12, 2022 First Budget Hearing Agenda](#)

- b. Recommendation from the Planning Commission Capital Improvement Project (CIP) Review Subcommittee to approve the 5-year CIP

Attachments:      [Agenda Memorandum](#)

- c. **RESOLUTION 22-050 ADOPTING THE FINAL OPERATING AND VOTED DEBT SERVICE AD VALOREM MILLAGE RATES FOR TAX YEAR 2022 FOR THE CITY OF SANIBEL, FLORIDA; AND PROVIDING AN EFFECTIVE DATE**

Attachments:      [Resolution 22-050](#)

- d. **RESOLUTION 22-051 ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023 FOR THE CITY OF SANIBEL, FLORIDA; AND PROVIDING AN EFFECTIVE DATE**

Attachments:      [Resolution 22-051](#)

- e. **RESOLUTION 22-052 ESTABLISHING COMMITTED FUND BALANCES FOR DISASTER RESERVE AND ENVIRONMENTAL INITIATIVE RESERVE FOR THE CITY OF SANIBEL; AND PROVIDING FOR AN EFFECTIVE DATE**

Attachments:            [Resolution 22-052](#)

## 5. OTHER BUSINESS

- a. **RESOLUTION 22-053 PERTAINING TO THE SANIBEL BOARD OF TRUSTEES OF THE MUNICIPAL POLICE OFFICERS' RETIREMENT TRUST FUND RATIFYING THE TWO TRUSTEES ELECTED BY THE POLICE OFFICERS PARTICIPATING IN THE PLAN; AND PROVIDING AN EFFECTIVE DATE**

Attachments:            [Resolution 22-053](#)

## 6. PUBLIC COMMENTS

*(Maximum time allotted, 20 minutes, with a limitation of 3 minutes per speaker.)*

## 7. ADJOURNMENT

IF A PERSON DECIDES, TO APPEAL A DECISION MADE BY THE COUNCIL ON ANY MATTER CONSIDERED AT THIS MEETING/HEARING, SUCH PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, TO INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH ANY SUCH APPEAL IS TO BE BASED.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS NEEDING A SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING, TO INCLUDE HEARING IMPAIRMENT, SHOULD CONTACT SCOTTY LYNN KELLY, CITY CLERK, NO LATER THAN ONE DAY PRIOR TO THE PROCEEDINGS AT (239) 472-3700. FOR ADDITIONAL ASSISTANCE IF HEARING IMPAIRED, TELEPHONE THE FLORIDA RELAY SERVICE AT 711.

Citizens may request to receive Sanibel City Council and Planning Commission meeting agenda directly via e-mail. Citizens wishing to receive a copy of the agenda via e-mail may do so by visiting the City's website at [www.mysanibel.com](http://www.mysanibel.com). Additionally, citizens may register to receive City announcements such as press releases.

Prior to requesting the agendas, the website reminds citizens that all e-mail addresses and requests submitted to the City are public information and governed by the applicable Florida Statute.

## HORIZON – UPCOMING IMPORTANT DATES

Attachments:            [Horizon Schedule](#)

**“RULES OF CIVILITY FOR PUBLIC PARTICIPATION”**

**In recognition that public discourse is essential to the democratic system of government on April 16, 2002, Sanibel City Council adopted a Proclamation embracing civility in public deliberations. These rules were updated February 22, 2007.**

**Therefore, Sanibel City Council sanctioned these rules for public participation while conducting meetings and workshops:**

- 1. Speakers are permitted to deliver his or her comments without interruption.**
- 2. Speakers and debates should focus on issues, not on persons or personalities.**
- 3. Persons are encouraged to participate in the governmental process.**
- 4. To allow time to hear all points of view, speakers are allotted 3 minutes each time they are recognized.**
- 5. Sidebar discussions while others are speaking are not permitted in Council Chambers. These discussions are to be removed from the chamber so as not to be disruptive to those conducting and following Council business.**
- 6. Only the speaker recognized by the Chairperson has the floor. Speakers should raise their hand to be recognized. Speakers should identify themselves for the record. Speakers should utilize the microphone so that their comments can be recorded.**
- 7. Anyone wishing to speak on an issue is given an opportunity to speak before speakers are recognized for an opportunity to speak a second time on an issue.**
- 8. We seek to understand one another's points of view.**
- 9. Anger, rudeness, ridicule, impatience and lack of respect for others are not acceptable behavior. Demonstrations in support or opposition to a speaker or idea such as clapping, cheering, booing or hissing or intimidating body language are not permitted in Council Chambers or workshop facilities.**
- 10. We should all take initiative to make things better. Our goal is to foster an environment, which encourages a fair discussion and exchange of ideas without fear of personal attacks.**



## AGENDA MEMORANDUM

*Finance Department*

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**City Council Final Budget Hearing Date: September 28, 2022**

**To:** City Council  
**From:** Steven C. Chaipel  
**Date:** September 22, 2022

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**SUBJECT:** Fiscal Year 2023 Budget Adoption

**BACKGROUND:** At the September 12, 2022 first budget hearing, the City Council approved Resolution 22-048 which adopted a tentative operating millage rate for the General Fund of 1.9750 mills and an aggregate millage rate (inclusive of the two voted debt issuances) of 2.1523 mills.

The City Council also approved Resolution 22-049 which adopted a tentative total City-wide budget of \$84,029,407.

The purpose of the final budget hearing is for the City Council to take public input and vote to approve a final operating millage rate, total voter approved debt millage rates and a City-wide budget for all funds.

Based on the resolutions approved at the first budget hearing, Resolution 22-050 would approve an operating millage rate of 1.9750, which is 17.62% higher than the rolled back rate for fiscal year 2023 and voter approved debt issuance of 0.0858 mills for the sewer system and 0.0915 for the recreation center construction. Resolution 22-051 would approve a total City-wide budget of \$84,029,407.

**FUNDING SOURCE:** N/A

**RECOMMENDED ACTION:** Consider approving Resolutions 22-050 and 22-051 adopting a final operating millage rate, voter approved debt issuance millage rates and a total City-wide budget for all funds.



**MEMORANDUM**  
*Planning Department*

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**To:** Steven C. Chaipel, Finance Director  
**From:** Paula N. C. McMichael, AICP, Planning Director  
**Date:** September 13, 2022  
**Subject:** Planning Commission recommendation re: Capital Improvements Projects Review

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**BACKGROUND:**

The Capital Improvements Review Sub-Committee met on September 6, 2022, to conduct an annual review of the capital improvements element of the Sanibel Plan and the 5-year capital improvements plan, as required by Chapter 163 of Florida Statutes and Sec. 82-281 of the Sanibel Land Development Code. Sec. 82-281 establishes six criteria for the annual review:

- (1) *A review of current costs and revenue and possible corrections and modifications to the capital budget suggested or required as a result of such review.*
- (2) *The capital improvements element's consistency with other elements of the Sanibel Plan.*
- (3) *A determination, based on the forecast of costs and revenues, of the economic feasibility of the Sanibel Plan.*
- (4) *The city's progress in reducing any existing deficiencies of the established levels of service for such public facilities.*
- (5) *A recommendation as to assignment of priorities with respect to scheduled capital improvements.*
- (6) *A review to determine the effectiveness of the city's ability to maintain adopted level or service standards.*

The Sub-committee made the following recommendation to the Planning Commission:

*Commissioner DeBruce moved, seconded by Commissioner Nichols to make the recommendation to the Planning Commission, finding the Capital Improvement Plan is consistent with the Sanibel Plan, touching on the priorities of the Sanibel Plan, requiring no additional projects in order to implement the plan that are not already in the works, there being no existing deficiencies in the established levels of service for sanitary sewer, solid waste, drainage or potable water, continued emphasis on completing the Police Department modernization project and updates to the Recreation Master Plan, and there being no existing or projected deficiencies in the adopted level of service standards for public facilities. The motion carried.*

The Planning Commission reviewed the recommendation from the Sub-committee at its meeting of September 13, 2022, and voted to forward the recommendation to City Council.

**RECOMMENDED ACTION:**

City Council should consider the recommendation of the Planning Commission at its meeting of September 28, 2022.

CITY OF SANIBEL  
RESOLUTION NO. 22-050

**A RESOLUTION ADOPTING THE FINAL OPERATING AND VOTED DEBT SERVICE AD VALOREM MILLAGE RATES FOR TAX YEAR 2022 FOR THE CITY OF SANIBEL, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 200.065, Florida Statutes, establishes the method for determining and levying an ad valorem millage rate and adopting a budget for taxing authorities in the State of Florida; and

**WHEREAS**, the City of Sanibel has duly advertised and held public hearings as required by Section 200.065, Florida Statute; and

**WHEREAS**, the gross taxable value for operating purposes not exempt from taxation within the City of Sanibel, Florida has been certified by the Lee County Property Appraiser to the City of Sanibel as \$6,357,621,055.

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

**Section 1.** Operating Millage. The Final Ad Valorem Operating Millage Rate for Tax (Calendar) Year 2022 is hereby adopted at \_\_\_\_\_ mills and the levy of an annual tax for said year is made. The final operating millage rate exceeds the rolled-back rate of 1.6792 mills by \_\_\_\_\_%.

**Section 2.** Voted Debt Service Millage Rates.

- a. The Final Sewer Voted Debt Service Millage Rate for Tax (Calendar) Year 2022 is hereby adopted at 0.0858 mills and the levy of an annual tax for said year is made.
- b. The Final Recreation Center Voted Debt Service Millage Rate for Tax (Calendar) Year 2022 is hereby adopted at 0.0915 mills and the levy of an annual tax for said year is made.

**Section 3.** Effective Date. This resolution shall take effect immediately upon adoption.

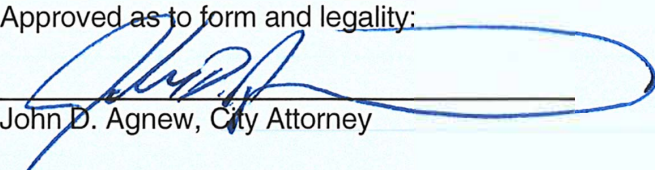
**PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA THIS 28<sup>TH</sup> DAY OF SEPTEMBER 2022.**

Attest:

\_\_\_\_\_  
Scotty Lynn Kelly, City Clerk

\_\_\_\_\_  
Holly D. Smith, Mayor

Approved as to form and legality:

  
\_\_\_\_\_  
John D. Agnew, City Attorney

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

Vote of Council Members:

Smith	_____
Johnson	_____
Crater	_____
Henshaw	_____
Miller	_____

**CITY OF SANIBEL  
RESOLUTION 22-051**

**A RESOLUTION ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023 FOR THE CITY OF SANIBEL, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Section 200.065, Florida Statutes, establishes the method for determining and levying an ad valorem millage rate and adopting a budget for all taxing authorities in the State of Florida; and

**WHEREAS**, the City of Sanibel, Florida has duly advertised and held public hearings as required by Section 200.065, Florida Statute; and

**WHEREAS**, after receiving public comments and questions, the City Council has adopted the Final Operating and Voted Debt Service Ad Valorem Millage Rates for Tax (Calendar) Year 2022; and

**WHEREAS**, the City of Sanibel, Florida has set forth the appropriations and revenue estimates in the amount of \$\_\_\_\_\_ for the fiscal year ending September 30, 2023.

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

**Section 1.** Budget Adoption. The Final Fiscal Year 2023 budget is hereby adopted.

**Section 2.** Effective Date. This resolution shall take effect immediately upon adoption.

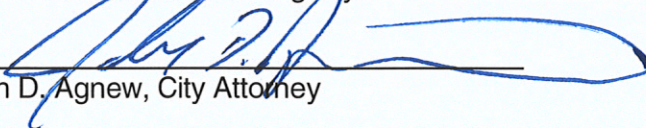
**PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA THIS 28<sup>TH</sup> DAY OF SEPTEMBER 2022.**

Attest:

\_\_\_\_\_  
Scotty Lynn Kelly, City Clerk

\_\_\_\_\_  
Holly D. Smith, Mayor

Approved as to form and legality:

  
\_\_\_\_\_  
John D. Agnew, City Attorney

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

Vote of Council Members:

- Smith \_\_\_\_\_
- Johnson \_\_\_\_\_
- Crater \_\_\_\_\_
- Henshaw \_\_\_\_\_
- Miller \_\_\_\_\_

CITY OF SANIBEL  
RESOLUTION 22-052

**A RESOLUTION ESTABLISHING COMMITTED FUND BALANCES FOR DISASTER RESERVE AND ENVIRONMENTAL INITIATIVE RESERVE FOR THE CITY OF SANIBEL; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City has adopted Resolution 10-087 setting forth committed fund balance criteria; and

**WHEREAS**, City Council finds it appropriate to adopt a resolution setting forth committed fund balance amounts as of September 30, 2022 for disaster and environmental initiative reserves.

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

**SECTION 1.** The City Council hereby commits the following amounts from the General Fund's fund balance:

Disaster Reserve	\$4,500,000.00
Environmental Initiative Reserve	\$1,000,000.00

**SECTION 2.** Effective date. This resolution shall take effect immediately upon adoption.

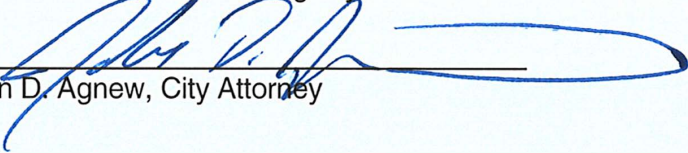
**PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA THIS 28<sup>TH</sup> DAY OF SEPTEMBER 2022.**

Attest:

\_\_\_\_\_  
Scotty Lynn Kelly, City Clerk

\_\_\_\_\_  
Holly D. Smith, Mayor

Approved as to form and legality:

  
\_\_\_\_\_  
John D. Agnew, City Attorney

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

Vote of Council Members:

- Smith \_\_\_\_\_
- Johnson \_\_\_\_\_
- Crater \_\_\_\_\_
- Henshaw \_\_\_\_\_
- Miller \_\_\_\_\_

**CITY OF SANIBEL  
RESOLUTION 22-053**

**A RESOLUTION PERTAINING TO THE SANIBEL BOARD OF TRUSTEES OF THE MUNICIPAL POLICE OFFICERS' RETIREMENT TRUST FUND RATIFYING THE TWO TRUSTEES ELECTED BY THE POLICE OFFICERS PARTICIPATING IN THE PLAN; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Sanibel by Ordinance 91-45 established a Municipal Police Officers' Retirement Trust Fund pursuant to Section 185.35, Florida Statutes; and

**WHEREAS**, Ordinance 91-45, Article III, outlines the number, method of appointment, and term of the Trustees of the Sanibel Police Pension Board.

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

**SECTION 1.** Matt Casola and Christofer Chiappy shall serve on the Sanibel Police Pension Board as the two trustees elected by the Police Officers employed by the City who participate in the plan and shall serve from October 1, 2022 to September 30, 2026 (see election results contained within Exhibit A attached hereto).

**SECTION 2.** This resolution shall take effect immediately upon adoption.

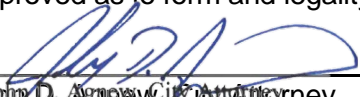
**PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA THIS 3<sup>rd</sup> DAY OF OCTOBER 2022.**

Attest:

\_\_\_\_\_  
Scotty Lynn Kelly, City Clerk

\_\_\_\_\_  
Holly D. Smith, Mayor

Approved as to form and legality:

  
\_\_\_\_\_  
John D. Agnew, City Attorney

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

Vote of Council Members:

Smith \_\_\_\_\_  
Johnson \_\_\_\_\_  
Crater \_\_\_\_\_  
Henshaw \_\_\_\_\_  
Miller \_\_\_\_\_

EXHIBIT A



AGENDA MEMORANDUM

*Legislative Department*

City Council Regular Meeting Date: September 28, 2022

**To:** City Council  
**From:** Scotty Lynn Kelly, MMC  
 City Clerk  
**Date:** September 26, 2022

**SUBJECT:** Ratification of the Municipal Police Officers' Pension Plan Board of Trustees Election Results

**BACKGROUND:** As of the 12-noon deadline on Monday, September 26, 2022, 10 ballots were received and counted. The nominee with the most votes will be elected to seat #1, second most votes will be elected to seat #2

The results are as follows:

- 1) Corporal Matt Casola - 10 votes
- 2) Officer Christofer Chiappy – 6 votes
- 3) Corporal James Serrago - 4 votes

Corporal Matt Casola will be elected to seat #1 and Officer Christofer Chiappy will be elected to seat #2.

**FUNDING SOURCE:** N/A

**RECOMMENDED ACTION:** Adopt Resolution 22-053 ratifying the results of the Municipal Police Officers' Pension Plan Board of Trustees Election, electing Corporal Matt Casola to Seat 1 and Officer Christofer Chiappy to Seat 2.

*Sanibel is and shall remain a barrier island sanctuary*

## HORIZON – UPCOMING IMPORTANT DATES

Monday	October 3, 2022	City Council	MacKenzie Hall	9:00 a.m.
Tuesday@ Sunset to Wednesday @ Nightfall	October 4 to October 5, 2022	Yom Kippur		
Monday	October 10, 2022	City Hall Closed to Observe Columbus Day		
Tuesday	November 1, 2022	City Council	MacKenzie Hall	9:00 a.m.
Friday	November 11, 2022	City Hall Closed to Observe Veterans Day		
Thursday & Friday	November 24 & 25, 2022	City Hall Closed to Observe Thanksgiving		
Tuesday	December 6, 2022	City Council	MacKenzie Hall	9:00 a.m.
Wednesday	December 7, 2022	Pearl Harbor Day		
Sunday@ Sunset to Monday @ Nightfall	December 18 to December 26, 2022	Chanukah		
Sunday	December 25, 2022	Christmas Day		
Sunday	January 01, 2023	New Year's Day		
Tuesday	January 17, 2023	City Council	MacKenzie Hall	9:00 a.m.
Tuesday	February 7, 2023	City Council	MacKenzie Hall	9:00 a.m.
Tuesday	March 7, 2023	City Council	MacKenzie Hall	9:00 a.m. Regular Meeting/Election Day
Tuesday	March 21, 2023	City Council	MacKenzie Hall	9:00 a.m. City Council Organizational Meeting
Tuesday	April 4, 2023	City Council	MacKenzie Hall	5:30 p.m.
Tuesday	May 2, 2023	City Council	MacKenzie Hall	9:00 a.m.
Tuesday	June 6, 2023	City Council	MacKenzie Hall	9:00 a.m.
Tuesday	June 20, 2023	City Council	MacKenzie Hall	5:30 p.m. Budget Workshop
Tuesday	July 18, 2023	City Council	MacKenzie Hall	9:00 a.m. Set Proposed Millage Rate
Tuesday	August 15, 2023	City Council	MacKenzie Hall	9:00 a.m. Solid Waste Assessment Public Hearing
Tuesday	August 22, 2023	City Council	MacKenzie Hall	5:30 p.m. Budget Workshop

Monday	September 11, 2023	City Council	MacKenzie Hall	9:00 a.m.
Monday	September 11, 2023	City Council	MacKenzie Hall	5:30 p.m.
		First Budget Hearing		
Wednesday	September 27, 2023	City Council	MacKenzie Hall	5:30 p.m.
		Final Budget Hearing		
Tuesday	October 3, 2023	City Council	MacKenzie Hall	9:00 a.m.
Tuesday	November 7, 2023	City Council	MacKenzie Hall	9:00 a.m.
Tuesday	December 5, 2023	City Council	MacKenzie Hall	9:00 a.m.
Tuesday	January 17, 2023	City Council	MacKenzie Hall	9:00 a.m.