

City of Sanibel

800 Dunlop Road Sanibel, FL 33957

Meeting Agenda - Final Revised City Council

Monday, September 8, 2025

9:00 AM

MacKenzie Hall - 800 Dunlop Road

Regular Meeting

SUPPLEMENT 1 AS OF 09/05/25: ADDED AGENDA ATTACHMENTS UNDER SECOND READING ITEM 7(a.); OLD BUSINESS ITEM 11(a.); AND OLD BUSINESS ITEMS 11(b.) AND 11(c.).

- 1. CALL TO ORDER
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE (Councilmember Henshaw)
- 3. ROLL CALL
- 4. SET THE AGENDA
- 5. PLANNING COMMISSION REPORT (Commissioner Sergeant)
- 6. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

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

7. 9:10 - SECOND READING AND PUBLIC HEARING

a. Alternative Shoreline Stabilization Project Standards
SECOND READING - ORDINANCE 25-014 OF THE CITY COUNCIL OF THE CITY
OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES TO UPDATE
THE ALTERNATIVE SHORELINE STABILIZATION PROJECT STANDARDS TO
BE CLASSIFIED AS LIVING SHORELINE STABILIZATION PROJECT AND
UPDATING ALL REFERENCES TO THAT TERM, REORGANIZE THE
STANDARDS FOR CLARITY, ADD EXAMPLE GRAPHICS; AMENDING
SUBPART B, LAND DEVELOPMENT CODE; CHAPTER 90, FEES, ARTICLE II,
DEVELOPMENT PERMITS, DIVISION 7, DEVELOPMENT PERMITS
IMPLEMENTING CONDITIONAL USE APPROVAL, SECTION 90-192, EROSION
CONTROL STRUCTURES ON NATURAL BODIES OF WATER; ARTICLE IV,
PUBLIC HEARINGS, DIVISION 4, CONDITIONAL USES, SECTION 90-407,
EROSION CONTROL STRUCTURES ON NATURAL BODIES OF WATER; AND
CHAPTER 126, ZONING, ARTICLE IV, CONDITIONAL USE, SECTION 126-99,
ALTERNATIVE SHORELINE STABILIZATION PROJECT; ARTICLE VII,

RESIDENTIAL DISTRICTS, DIVISION 3, B BAY BEACH ZONE, SECTION

126-312, CONDITIONAL USES AND SECTION 126-314, OTHER REGULATIONS; DIVISION 4, E-1 BLIND PASS AREA ZONE, SECTION 126-332, CONDITIONAL USES; AND DIVISION 6, D-1 LOWLAND WETLANDS ZONE, SECTION 126-372, CONDITIONAL USES; DIVISION 7, D-2 UPLAND WETLANDS ZONE, SECTION 126-392, CONDITIONAL USES; DIVISION 8, F MID-ISLAND RIDGE ZONE, SECTION 126-412, CONDITIONAL USES; AND DIVISION 10, G ALTERED LAND ZONE, SECTION 126-452, CONDITIONAL 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

<u>Attachments:</u> <u>Agenda Memorandum</u>

Powerpoint (Supplement 1)

Ordinance 25-014
PC Resolution 25-14

Business Impact Estimate

b. Deadlines to Re-establish a Non-conforming Use or Structure

SECOND READING - ORDINANCE 25-015 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES TO ADOPT AN ORDINANCE AMENDING THE CODE OF ORDINANCES TO EXTEND THE DEADLINES TO RE-ESTABLISH A NONCONFORMING USE OR A NONCONFORMING STRUCTURE; AMENDING SUBPART B, LAND DEVELOPMENT CODE; CHAPTER 126, ZONING; ARTICLE V, NONCONFORMANCES, DIVISION 5, STANDARDS FOR BUILDING-BACK (RECONSTRUCTION) OF STRUCTURES SUBSTANTIALLY DAMAGED BY A NATURAL DISASTER, SECTION 126-212, NONCONFORMING STRUCTURES, AND SECTION 126-218, RE-ESTABLISHMENT OF DISCONTINUED OR ABANDONDED USE PROHIBITED; FOR THE PURPOSE OF UPDATING THE LAND DEVELOPMENT CODE REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE

Attachments: Agenda Memorandum

Ordinance 25-015
PC Resolution 25-15
Business Impact Estimate

c. Permitted Uses in D-2 Upland Wetlands Zone

SECOND READING - ORDINANCE 25-016 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES TO AMEND THE LIST OF PERMITTED USES IN THE D-2 UPLAND WETLANDS ECOLOGICAL ZONE TO PERMIT EXISTING MULTIFAMILY BUILDINGS TO REMAIN; AMENDING SUBPART B, LAND DEVELOPMENT CODE; CHAPTER 126, ZONING; ARTICLE VII, RESIDENTIAL DISTRICTS, DIVISION 7, D-2 UPLAND WETLANDS ZONE, SECTION 126-391, PERMITTED 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

Attachments: Agenda Memorandum

Ordinance 25-016
PC Resolution 25-16
Business Impact Estimate

d. Chapter 66 - Traffic

SECOND READING - ORDINANCE 25-017 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 66, TRAFFIC, ARTICLE II, PARKING, STOPPING AND STANDING, DIVISION 1, GENERALLY, SECTION 66-37, PENALTY; PAYMENT OF FINE; REFERRAL TO COUNTY COURT; AND DIVISION 2, BEACH AREA PARKING RESTRICTIONS, SUBDIVISION III, REGULATIONS, SECTION 66-101, PROHIBITIONS AND PENALTIES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE

<u>Attachments:</u> <u>Agenda Memorandum</u>

Ordinance 25-017

Business Impact Estimate

8. DISCUSSIONS OF DRAFT LEGISLATION

a. <u>Electrical & Mechanical Equipment</u>

DISCUSSION ONLY - ORDINANCE 25-019 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 30, ENVIRONMENT, ARTICLE III, NOISE, SECTION 30-65, EXCEPTIONS; 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 2, PROCEDURE, SUBDIVISION II, SHORT-FORM, SECTION 82-401, APPLICATION; AND CHAPTER 126 ZONING. ARTICLE XIV, SUPPLEMENTARY DISTRICT REGULATIONS, RENAMING DIVISION 16, ELECTRICAL POWER GENERATORS AND HVAC TO ELECTRICAL AND MECHANICAL EQUIPMENT; TO CREATE AN ADMINISTRATIVE WAIVER PROCESS TO PROVIDE AN EXEMPTION TO DEVELOPED AREA AND IMPERMEABLE COVERAGE LIMITATIONS AS IT RELATES TO SOLAR EQUIPMENT INSTALLATIONS; FOR THE PURPOSE OF UPDATING THE LAND DEVELOPMENT CODE REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE

Attachments: Agenda Memorandum

Ordinance 25-019 DISCUSSION ONLY

PC Resolution 25-17

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

Note: The First Reading is not a public hearing and no discussion or testimony will be taken unless the ordinance changes permitted conditional or prohibited uses as required by State Statute

a. Electrical and Mechanical Equipment

FIRST READING - ORDINANCE 25-019 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES, CHAPTER 30, ENVIRONMENT, ARTICLE III, NOISE, SECTION 30-65, EXCEPTIONS; 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 2, PROCEDURE, SUBDIVISION II, SHORT-FORM, SECTION 82-401, APPLICATION; AND CHAPTER 126 ZONING. ARTICLE XIV, SUPPLEMENTARY DISTRICT REGULATIONS, RENAMING DIVISION 16, ELECTRICAL POWER GENERATORS AND HVAC TO ELECTRICAL AND MECHANICAL EQUIPMENT; TO CREATE AN ADMINISTRATIVE WAIVER PROCESS TO PROVIDE AN EXEMPTION TO DEVELOPED AREA AND IMPERMEABLE COVERAGE LIMITATIONS AS IT RELATES TO SOLAR EQUIPMENT INSTALLATIONS; FOR THE PURPOSE OF UPDATING THE LAND DEVELOPMENT CODE REGULATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE

<u>Attachments:</u> Agenda Memorandum

Ordinance 25-019
PC Resolution 25-17

10. COMMITTEES BOARDS COMMISSION

a. Appointing Members to Parks and Recreation Advisory Committee

RESOLUTION 25-047 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, APPOINTING TWO MEMBERS TO THE CITY OF SANIBEL, PARKS AND RECREATION ADVISORY COMMITTEE; AND PROVIDING AN

EFFECTIVE DATE (Seven (7) residents shall be appointed by City Council from applications submitted to the City of Sanibel to serve 3-year terms. There are two (2) seats up for appointment.) (Applicants are listed in alphabetical order by last name.)

<u>Attachments:</u> Agenda Memorandum

Resolution 25-047

Iris Aloia

Deborah Bouchard

Matt Chesser

Michal Frejka

Dorothy Plumb

Ralph Quillen

b. Appointing Members to General Employees Pension Board

RESOLUTION 25-046 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, APPOINTING THREE MEMBERS TO THE BOARD OF TRUSTEES OF THE GENERAL EMPLOYEES' RETIREMENT PLAN BOARD OF TRUSTEES;

AND PROVIDING FOR AN EFFECTIVE DATE (Three (3) members of the board shall be appointed by City Council from applications submitted to the City of Sanibel to serve 2-year terms, currently there are three (3) terms expiring.) (Applicants are listed in alphabetical order by last name.)

<u>Attachments:</u> <u>Agenda Memorandum</u>

Resolution 25-046

Bill Fellows

Michal Frejka

Jeffery Lemma

Jason Maughan

Chuck Sterrett

11. OLD BUSINESS

a. City/Chamber "Live, Work, Play" Campaign Update - Presentation by John Lai

<u>Attachments:</u> <u>Agenda Memorandum</u>

Presentation (SUPPLEMENT 1)

b. Ratifying FOP Labor Agreement - Police Officers

RESOLUTION 25-048 RATIFYING A LABOR AGREEMENT BETWEEN THE CITY OF SANIBEL AND THE FRATERNAL ORDER OF POLICE REPRESENTING THE SANIBEL POLICE OFFICERS; AND PROVIDING AN

EFFECTIVE DATE (SUPPLEMENT 1)

<u>Attachments:</u> <u>Agenda Memorandum</u>

Resolution 25-048

FOP Tentative Agreement

c. Ratifying FOP Labor Agreement - Police Sergeants and Police Lieutenants

RESOLUTION 25-049 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, RATIFYING A LABOR AGREEMENT BETWEEN THE CITY OF SANIBEL AND THE FRATERNAL ORDER OF POLICE REPRESENTING THE SANIBEL POLICE SERGEANTS AND POLICE LIEUTENANTS; AND PROVIDING AN EFFECTIVE DATE (SUPPLEMENT 1)

<u>Attachments:</u> <u>Agenda Memorandum</u>

Resolution 25-049

FOP Tentative Agreements

d. General Employees Wage Increases for FY26

<u>Attachments:</u> <u>Agenda Memorandum</u>

e. Parks and Recreation Advisory Committee (PARC) Ranking of 2024 Shared Use Path (SUP) Master Plan Extensions and Enhancements

<u>Attachments:</u> Agenda Memorandum

PARC SUP 09.08.25

PARC SUP Enhancement Rankings

f. Sanibel Sewer System Rate Increase

RESOLUTION 25-052 CONFIRMING THE ESTABLISHED SCHEDULE OF RATES FOR THE SANIBEL SEWER SYSTEM RELATING TO RESIDENTIAL, COMMERCIAL, AND RECLAIMED WATER RATES; AND PROVIDING AN EFFECTIVE DATE.

<u>Attachments:</u> <u>Agenda Memorandum</u>

Resolution 25-052

City of Sanibel Revenue Sufficiency Study (Draft)

Sewer Rate Increase Schedule

g. Local State of Emergency - Hurricane Ian

<u>Attachments:</u> <u>Agenda Memorandum</u>

h. Legislative Priorities

<u>Attachments:</u> <u>Agenda Memorandum</u>

i. Deferred Retirement Option Plan (DROP) Discussion

<u>Attachments:</u> <u>Agenda Memorandum</u>

12. NEW BUSINESS

a. Request from Island Water Association (IWA) Board for appointment of a Council Liaison

<u>Attachments:</u> Agenda Memorandum

Letter of Request

b. Reclaimed Water Disposal Agreement

RESOLUTION 25-053 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, APPROVING A SECOND AMENDMENT TO THE RECLAIMED WATER DISPOSAL AGREEMENT BETWEEN THE CITY OF SANIBEL (CITY) AND ISLAND WATER ASSOCIATION, INC. (IWA) EXTENDING THE AGREEMENT FOR AN ADDITIONAL TEN-YEAR TERM; AND PROVIDING AN EFFECTIVE DATE

<u>Attachments:</u> Agenda Memorandum

Resolution 25-053

Notice of Intent

13. CONSENT AGENDA

ANY PERSON MAY REQUEST THAT COUNCIL REMOVE AN ITEM FROM THE CONSENT AGENDA FOR DISCUSSION BY NOTIFYING THE CITY MANAGER, CITY CLERK, OR A COUNCIL MEMBER PRIOR TO OR AT THE MEETING.

CONSENT ITEMS PULLED FOR DISCUSSION

BUSINESS ITEMS

a. Adoption of Minutes

<u>Attachments:</u> July 15, 2025 Regular Meeting

July 30, 2025 Regular Meeting

August 12, 2025 Executive Session
August 12, 2025 Budget Workshop

August 12, 2020 Duuget Workshop

b. Request from the Lee County Chapter, Military Officers Association of America (MOAA) to waive the special event fees associated with the Veterans Day Ceremony

<u>Attachments:</u> <u>Agenda Memorandum</u>

Special Event Permit Application

c. Approve the proposal from Bowman Consulting Group LTD for professional services for the repair of the Jordan Marsh Water Quality Treatment Park in the amount of \$157,000 and authorize the City Manager to execute the agreement.

<u>Attachments:</u> Agenda Memorandum

Proposal Agreement

d. Approve the lowest qualified proposal price for the Exotic Vegetation Removal and Land Management Field Crew and authorize the City Manager to enter into a contract with Earth Tech Environmental, LLC in an amount not to exceed \$230,000.

<u>Attachments:</u> Agenda Memorandum

Agreement

Earth Tech Environmental-Bid Bid Opening-August 21, 2025

Bid Specifications
Addendum No.1

e. Renewal of the Sanctuary Golf Club Corporate Membership Agreement

<u>Attachments:</u> Agenda Memorandum

Sanctuary Golf Club Two Year Agreement 2025

f. Approval of Statements of Work from CliftonLarsonAllen LLP related to the Fiscal Year 2025 Audit of the City's Annual Comprehensive Financial Report and authorize the Mayor and City Manager to execute

Attachments: Agenda Memorandum

Statement of Work - Audit Services

Statement of Work - Assertion Based Examination Services

CliftonLarsonAllen Audit Agreement

g. Award of a one-year contract with two optional one-year extensions with Allied Universal Corporation as the primary vendor and Odyssey Manufacturing Co. as the secondary vendor for the supply of sodium hypochlorite for wastewater facilities, and to authorize the City Manager to execute the contracts.

<u>Attachments:</u> <u>Agenda Memorandum</u>

ITB Sodium Hypochlorite for Wastewater Facilities

Addendum 1

Bid Opening Details

Allied Universal Bid

Allied Universal Corporation Contract

Odyssey Bid

Odyssey Manufacturing Co. Contract

h. Approval of the purchase of three (3) 36 kW Generac MMG45IF4 portable generators in the total amount of \$129,630 through the Sourcewell Contract from authorized dealer Genset Services Inc. and the purchase of one (1) 6" Godwin CD150S bypass pump in the amount of \$65,259.65 through the Florida Sheriff's Contract #FSA23-EQU21.0, Specification #313 from authorized dealer Xylem Dewatering Solutions Inc.

<u>Attachments:</u> <u>Agenda Memorandum</u>

Generator, Sourcewell, Genset Proposal

Bypass Pump, Florida Sheriff, Xylem Proposal FSA Equipment Final Award Contract Packet

Sourcewell Contract 020923

 i. Approval of a contract for the Sanibel Historical Museum & Village Rutland House Roof Replacement Project

<u>Attachments:</u> <u>Agenda Memorandum</u>

Contract Rutland Roof
Bid Results 8-28-25

Quick Roofing LLC Proposal

Sanibel Rutland House Roof Replacement-SPECIFICATIONS

Sanibel Rutland House Roof Replacement-PLANS

Addendum No. 1 to 3

14. INFORMATIONAL ITEMS

a. Hazard Mitigation Grant Program Update (Tradewinds, East Rocks)

<u>Attachments:</u> Agenda Memorandum - Tradewinds (Informational)

Agenda Memorandum - East Rocks (Contract Amendment)

4337-125-A MOD #1 - East Rocks Area Improvements, Drainage - Phase II

b. Water Quality Report from Natural Resources Department

<u>Attachments:</u> <u>Agenda Memorandum</u>

- c. Finance Department Reports
 - i. Grants Report
 - ii. Hurricane Financial Report

<u>Attachments:</u> <u>Grants Report</u>

Hurricane Financial Update

d. Sanibel Historical Museum & Village Quarterly Financial Reports

<u>Attachments:</u> <u>Agenda Memorandum</u>

FY2025 3rd Quarter Activities Report
FY2025 3rd Quarter Profit & Loss
FY2025 3rd Quarter Balance Sheet

e. Fiscal Year 2026 Strategic Objectives

<u>Attachments:</u> <u>Agenda Memorandum</u>

Strategic Objectives FY26 - Final

f. Draft list of items to be contained inside the time capsule

<u>Attachments:</u> <u>Agenda Memorandum</u>

Proposed Time Capsule Contents List

Non-Profit 50th Letter Request

15. GENERAL COUNCIL DISCUSSION

(Including comments, future agenda items, and general discussion)

- 16. CITY MANAGER'S REPORT
- 17. CITY ATTORNEY'S REPORT
- 18. PUBLIC COMMENT
- 19. 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. 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

Upcoming Important Dates

<u>Attachments:</u> 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.