



City of Sanibel

800 Dunlop Road
Sanibel, FL 33957

Meeting Agenda - Final Revised City Council

Tuesday, December 3, 2024

9:00 AM

BIG ARTS - 900 Dunlop Road

AS OF 12/1/24 SUPPLEMENT 1: ADDED INFORMATION TO PRESENTATIONS ITEMS 7(b) AND 7(c); AND OLD BUSINESS ITEM 15(b)
AS OF 12/2/24 SUPPLEMENT 2: ADDED ATTACHMENTS UNDER CONSENT AGENDA ITEM 12(b)iii

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

**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 BIG ARTS.

- 1. CALL TO ORDER**
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE (Vice Mayor Miller)**
- 3. ROLL CALL**
- 4. SET THE AGENDA**
- 5. PLANNING COMMISSION REPORT (Commissioner Nichols)**
- 6. PUBLIC COMMENTS FOR NON-AGENDA ITEMS**

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

- 7. PRESENTATION(S)**
 - a.** Recognition of Robbie Dowling, Utilities Maintenance Supervisor, as Employee of the Year, Fiscal Year 2024.
 - b.** Building Department Fee Study

Attachments: [Agenda Memorandum](#)
[City of Sanibel Building Fee Study Report](#)
[PowerPoint Presentation Revised - Supplement 1](#)
[PowerPoint](#)

- c. Stormwater Master Plan - Existing Stormwater Infrastructure Assessment (**Supplement 1**)

Attachments: [Stormwater Master Plan PowerPoint Presentation - Supplement 1](#)

- d. Sand Placement Project Update (**Information to be provided during the meeting**)

8. CITY COUNCIL COMMENTS

9. CITY COUNCIL CONSIDERATIONS FOR FUTURE AGENDAS

10. 9:10 - SECOND READING AND PUBLIC HEARING

- a. **Determination of Impermeable Coverage (Permeable Pavers)**
ORDINANCE 24-025 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES TO DELETE REQUIRED CONDITIONS RELATING TO VEGETATED LANDSCAPE BUFFERS THAT HAVE BEEN SUBJECT TO AN “ADMINISTRATIVE STAY” SINCE 2014; AMENDING SUBPART B LAND DEVELOPMENT CODE, CHAPTER 86, DEVELOPMENT STANDARDS, ARTICLE II, SITE PREPARATION, SECTION 86-42, DETERMINATION OF IMPERMEABLE COVERAGE, 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 24-025](#)
[PC Staff Report dated October 22, 2024](#)
[PC Resolution 24-20](#)
[Business Impact Estimate \(permeable pavers\)](#)

11. DISCUSSIONS OF DRAFT LEGISLATION

- a. Open Bodies of Water
AN ORDINANCE 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.

Attachments: [Agenda Memorandum](#)
[Agenda Memorandum from October 1 meeting](#)
[Attachment A - Water Table Monitoring Wells Map_30 July 2024](#)
[Attachment B - Planning Memorandum from 9.10.24 Public Hearing](#)
[DRAFT Ordinance 24-XXX](#)
[PC Resolution 24-18](#)

12. 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.

a. ADOPTION OF RESOLUTIONS

- i. **RESOLUTION 24-076 APPROVING BUDGET AMENDMENT 2025-003 TO APPROPRIATE FUNDING FOR APPROVED PERSONNEL EXPENDITURES AND PROVIDING AN EFFECTIVE DATE** (To appropriate \$4,401,372 in operational reserves in the adopted fiscal year 2025 budget to personnel expenditures related to wage and health insurance increases for FY 2025. Funding for this amendment is included in the adopted fiscal year 2025 budget. This budget amendment does not increase the fiscal year 2025 budget.)

Attachments: [Agenda Memorandum](#)
[Resolution 24-076](#)

b. BUSINESS ITEMS

- i. Adoption of Minutes: November 12, 2024 Regular Meeting

Attachments: [November 12, 2024 Minutes](#)

- ii. Approval of Agreements With the Federal Emergency Management Agency (FEMA) and the City of Sanibel for Public Assistance Reimbursement Grants Related to Hurricane Helene and Hurricane Milton and Authorize Deputy City Manager to Execute Same

Attachments: [Agenda Memorandum](#)
[DR-4834 Hurricane Milton Funding Agreement](#)
[DR-4828 Hurricane Helene Funding Agreement](#)

- iii. Approve a Subrecipient Agreement with Community Housing and Resources, Inc. (CHR) for Funds Approved Under a Community Development Block Grant (CDBG) Agreement with Lee County and the Federal Department of Housing and Urban Development (HUD) and Authorize City Manager to Execute Same

Attachments: [Agenda Memorandum - SUPPLEMENT 1](#)
[CHR Subrecipient Agreement - SUPPLEMENT 1](#)

- iv. Approval of a second amendment to an agreement for disaster debris monitoring services with Thompson Consulting Services, LLC and authorize City Manager to execute same

Attachments: [Agenda Memorandum](#)
[Amendment 2 Thompson Debris Monitoring](#)
[Amendment 1 Thompson Debris Monitoring](#)
[Thompson Consulting Services Debris Monitoring Service Agreement 19-050](#)

CONSENT ITEMS PULLED FOR DISCUSSION

13. INFORMATIONAL ITEMS

- a. Hazard Mitigation Grant Project Updates (Tradewinds, East Rocks)

Attachments: [Agenda Memorandum - Tradewinds](#)
[Agenda Memorandum - East Rocks](#)

- b. Water Quality Report from Natural Resources Department

Attachments: [Agenda Memorandum](#)

- c. Finance Department Reports

- i. Causeway Counts
ii. Grant Report

Attachments: [Agenda Memorandum - Causeway Traffic Counts](#)
[Grant Report](#)

14. COMMITTEES BOARDS COMMISSION

- a. **RESOLUTION 24-073 APPOINTING TWO MEMBERS TO THE SANIBEL PLANNING COMMISSION TO FILL TWO, THREE-YEAR TERMS BEGINNING ON JANUARY 14, 2025, THROUGH MIDNIGHT, JANUARY 17, 2028; AND PROVIDING AN EFFECTIVE DATE.** (Applicants listed in alphabetical order by last name)

Attachments: [Agenda Memorandum](#)
[Resolution 24-073](#)
[Joyce Arand](#)
[Tiffany Burns](#)
[Matthew Chesser](#)
[Jason Cohen](#)
[David Kolson](#)
[Richard Roberts](#)
[Larry Schopp](#)
[Joshua Stewart](#)

15. OLD BUSINESS

- a. Periwinkle Way and Causeway Boulevard Intersection Study Presentation

Attachments: [Agenda Memorandum](#)
[Sanibel Intersection Study Presentation](#)
[Sanibel Intersection Study - Public Feedback Summary](#)

- b. **RESOLUTION 24-075 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE AUTHORIZATION FOR THE PLACEMENT OF TEMPORARY SIGNS ON COMMERCIAL PROPERTIES AUTHORIZED THROUGH DECEMBER 6, 2025; AND PROVIDING AN EFFECTIVE DATE.**

Attachments: [Revised Agenda Memorandum - Supplement 1](#)
[Agenda Memorandum](#)
[Resolution 24-075 - Option 1](#)
[Resolution 24-075 Option 2 - Supplement 1](#)

- c. Approval of a grant agreement for \$9,920,000 from the State of Florida Division of Emergency Management and authorize the City Manager to execute same (this agreement does not increase the fiscal year 2025 budget)

Attachments: [Agenda Memorandum](#)
[Funding Agreement - Operating Revenue Recovery - Hurricane Ian](#)
[Funding Agreement - Attach. B Appropriations Project Request - Hurricane Ian](#)

- d. 2025 Legislative Priorities Discussion (Information to be provided in a supplemental agenda)

16. NEW BUSINESS

- a. **RESOLUTION 24-074 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, DEFERRING THE INSTALLATION OF LANDSCAPING REQUIRED BY THE CODE OF ORDINANCES, CHAPTER 122, VEGETATION, ARTICLE II, LANDSCAPING, DIVISION 2, COMMERCIAL AND INSTITUTIONAL USES,**

SECTION 122-47 (VEGETATION BUFFERS REQUIRED), AND DIVISION 3, RESIDENTIAL DEVELOPMENT ALONG ARTERIAL AND COLLECTOR ROADS, SECTION 122-72 (LOCATION AND SIZE OF VEGETATION BUFFERS) FOR A MAXIMUM PERIOD OF 36 MONTHS, COMMENCING DECEMBER 3, 2024, THROUGH DECEMBER 31, 2027; AND PROVIDING AN EFFECTIVE DATE.

Attachments:

[Agenda Memorandum](#)

[Resolution 24-074](#)

[CHAPTER 122. VEGETATION. ARTICLE II. LANDSCAPING](#)

[Sec. 82 382. Filing procedure.](#)

17. CITY MANAGER'S REPORT

18. CITY ATTORNEY'S REPORT

19. COUNCIL MEMBERS' REPORTS

20. PUBLIC COMMENT

21. ADJOURNMENT

Added to the Record

Attachments:

[7d Sand Placement Update PowerPoint](#)

[14a Planning Commission Appointment Ballots](#)

[15a Intersection Study Public Comments](#)

[15d 2025 Legislative Priorities Agenda Memorandum](#)

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

a. 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.**