

**CITY OF SANIBEL
RESOLUTION 25-064**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, TO SET A TIME, DATE, AND PLACE FOR A PUBLIC HEARING IN ACCORDANCE WITH SECTIONS 170.07 AND 170.08, FLORIDA STATUTES, TO DETERMINE THE PROPRIETY AND ADVISABILITY OF ESTABLISHING AND IMPLEMENTING THE “SANIBEL HARBOURS INLET DREDGING ASSESSMENT DISTRICT”; AND, IF DETERMINED TO BE PROPER AND ADVISABLE TO ESTABLISH SUCH DISTRICT, TO FURTHER DETERMINE THE COST OF SUCH DREDGING-RELATED EFFORTS, THE MANNER OF PAYMENT FOR SUCH EFFORTS, AND THE AMOUNT OF SUCH COSTS TO BE ANNUALLY ASSESSED AGAINST EACH PROPERTY WITHIN THE DISTRICT AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Sanibel enacted Resolution 25-061, which expressed its intent to declare a special assessment to finance a public improvement as authorized by the Home Rule provision of the Florida Constitution, Chapter 170, Florida Statutes, and other provisions of General Law and the Sanibel Charter, for the purposes of implementing dredging within an area referred to as the “Sanibel Harbours Inlet Dredging Assessment District” (the “Assessment District”) more accurately shown and described in Exhibit A hereto, and to make assessments against property within the Assessment District to aid in funding of such public improvement; and

WHEREAS, pursuant to Resolution 25-061, the cost allocation for such dredging of the inlet is to be apportioned among the following parties and in the following manner: 33.33% of such total costs shall be paid by the City of Sanibel; and 66.67% of such total costs shall be paid by the owners of real property located within the Assessment District based upon an assessable unit, which is defined as an existing dock or mooring space, berthing slip or the like, or the ability to legally place a dock, mooring space, berthing slip or the like, on such parcel of property, as more particularly described in Resolution 25-061, which is incorporated herein by reference.

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

SECTION 1. A public hearing to consider the adoption of the City of Sanibel’s Annual Rate Resolution to establish the annual special service assessment to fund the dredging against assessed property located within the Assessment District for the Fiscal Year October 1, 2026, through September 30, 2027, is hereby scheduled for 9:10 A.M. on Tuesday, December 16, 2025, at City of Sanibel, McKenzie Hall, 800 Dunlop Road, Sanibel, Florida. Such hearing shall also be for the purpose of the City Council’s consideration and approval of the collection of such special service assessments through the uniform method of collection via annual Lee County real estate tax bill, as more particularly described in Resolution 25-061 and as authorized by Section 197.3632, Florida Statutes.

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 4TH DAY OF NOVEMBER 2025.

Attest:

Resolution 25-064

Scotty Lynn Kelly, City Clerk

Mike Miller, Mayor

Approved as to form and legality:

John D. Agnew, City Attorney

Date filed with City Clerk: _____

Vote of Council Members:

Miller _____

Smith _____

DeBruce _____

Henshaw _____

Johnson _____

EXHIBIT A OF RESOLUTION



ASSESSMENT ROLL

STRAP	OWNER NAME	OWNER OTHERS	OWNER ADDRESS 1	OWNER ADDR	OWNER CITY	OWNE	OWNER ZIP
184623T3003000370	RAISBECK DAVID W + ELLEN J		26640 EDGEWOOD ROAD		EXCELSIOR	MN	55331 *
184623T3003000000	POWERS BARBARA A TR		1252 MORNING PL		SANIBEL	FL	33957 *
184623T3003000000	RAISBECK PARTNERSHIP LP		26640 EDGEWOOD DR		EXCELSIOR	MN	55331 *
184623T3003000000	HALL JAMES D SR & KAREN J		1004 BAYVIEW DR		SANIBEL	FL	33957 *
184623T3003000000	LADD JOHN R TR	FOR JOHN R LADD TRUST	490 WHITEHALL ROAD	PO BOX 389	SANIBEL	FL	33957 *
184623T3003000000	ACKERMAN F DUANE		1600 MISTY OAKS DR		ATLANTA	GA	30350 *
184623T3003000000	VAN HAASSTRECHT LOUIS W &	VAN HAASSTRECHT LORRAINE F	1191 BIRD LN		SANIBEL	FL	33957 *
184623T3003000000	RAISBECK DAVID W & ELLEN J		26640 EDGEWOOD ROAD		EXCELSIOR	MN	55331 *
184623T3003000000	BOWER COLIN B +	KHAMG PAMELA A	1182 SAND CASTLE RD		SANIBEL	FL	33957 *
184623T3003000000	POWERS BARBARA A TR	FOR BARBARA A POWERS TRUST	3457 W GULF DR		SANIBEL	FL	33957 *
184623T30030000410	TAMBLYN ANNA ESTRELLE TR	FOR TAMBLYN TRUST	1297 ISABEL DR		SANIBEL	FL	33957 *
184623T30030000400	DAVIS JOHN B		1307 ISABEL DR		SANIBEL	FL	33957 *
184623T30030000010	BAY DRIVE PROPERTY INC		490 BIRDSONG PL		SANIBEL	FL	33957 *
184623T30030000350	ACKERMAN F DUANE &	ACKERMAN KATHERINE K	1600 MISTY OAKS DR		ATLANTA	GA	30350 *
184623T30030000340	SHOTT ANDREW M & SALLY R		1272 ISABEL DR		SANIBEL	FL	33957 *
184623T30030000320	CLARK STUART JAMES &	CLARK WENDI JEAN	1266 ISABEL DR		SANIBEL	FL	33957 *
184623T30030000310	CLINTON JO		1246 ISABEL DR		SANIBEL	FL	33957 *
184623T30030000300	JONES JENNIFER P & DAVID M		1238 ISABEL DR		SANIBEL	FL	33957 *
184623T30030000290	STEINER GREGORY L & ERIKA H		1232 ISABEL DR		SANIBEL	FL	33957 *
184623T30030000280	HANSON NICHOLAS GENE &	HANSON JADEE JO	13830 BLENHEIM TRAIL RD		FORT MYERS	FL	33908 *
184623T30030000270	BENDER PETER J TR	FOR P J BENDER TRUST	1218 ISABEL DR		SANIBEL	FL	33957 *
184623T30030000250	LARKIN KAREN B TR	FOR KAREN B LARKIN TRUST	4900 INKSTER		BLOOMFIELD	MI	48302 *
184623T30030000020	ESSIG DAVID J + LINDA D		1196 BAY DR		SANIBEL	FL	33957 *
184623T30030000240	HEIDRICK CHRISTOPHER WAYNE &	HEIDRICK LISA WALKER	1203 ISABEL DR		SANIBEL	FL	33957 *
184623T30030000220	ERP ALAN C		19401 PERSIMMON RIDGE RD		ALVA	FL	33920 *
184623T30030000210	FIELDING FRED F & MARIA		1602 MADDUX LN		MCLEAN	VA	22101 *
184623T30030000200	SMITH ALISON & ROY TODD L/E		1231 ISABEL DR		SANIBEL	FL	33957 *
184623T30030000190	GRELL WALTER H III		110 TRIBAL ROAD		LOUISVILLE	KY	40207 *
184623T30030000180	COMELLA GENE W		1245 ISABEL DR		SANIBEL	FL	33957 *
184623T30030000170	FERNANDEZ FRANK TR	FOR FRANK FERNANDEZ TRUST	1255 ISABEL DR		SANIBEL	FL	33957 *
184623T30030000160	HARRITY BRENDA T TR	FOR BRENDA T HARRITY TRUST	1263 ISABEL DR		SANIBEL	FL	33957 *
184623T30030000150	BUCKNER JEANNIE P TR	FOR JEANNIE P BUCKNER TRUST	2512 BANTAS POINT LN		WAYZATA	MN	55391 *
184623T30030000140	THOMPSON DOUGLAS T &	THOMPSON LAURA R	1283 ISABEL DR		SANIBEL	FL	33957 *
184623T30030000130	ROEPSTORFF ROBBIE	ROEPSTORFF GEOFFREY W &	14023 SHIMMERING LAKE CT		FORT MYERS	FL	33907 *
184623T30030000120	THURLING JOHN R & DENISE C		1290 BAY DR		SANIBEL	FL	33957 *
184623T30030000110	ROBERT W DEVORE TRUST +	DOROTHY N RICHIE VALHOULI TRU: 11	WENTWORTH RD		RYE	NH	03870 *
184623T30030000100	JAYBIRD SANIBEL LLC		1254 BAY DR		SANIBEL	FL	33957 *
184623T30030000090	GISSMAN JAN M TR	FOR JAN M GISSMAN FAMILY TRUS	1254 BAY DR		SANIBEL	FL	33957 *
184623T30030000080	WHITE MARILYN TR	FOR MARILYN WHITE TRUST	1246 BAY DR		SANIBEL	FL	33957 *
184623T30030000070	CHAPPELL BARBARA L		1228 BAY DR		SANIBEL	FL	33957 *
184623T30030000060	HALL SIMON & CHARLOTTE		16 BEAUCHAMP RD		EAST MOLESEY	KT8 OPA *	
184623T30030000050	MEISNER-JENSEN LINSAY		1210 BAY DR		SANIBEL	FL	33957 *
184623T30030000040	ULSTAD DAVID C TR	FOR DAVID + AIMEE ULSTAD TRUST	1206 BAY DR		SANIBEL	FL	33957 *
184623T30030000030	ULSTAD DAVID C & AIMEE TR	FOR DAVID AND AIMEE ULSTAD FAM	1208 BAY DR		SANIBEL	FL	33957 *

**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.