



City of Sanibel

800 Dunlop Road
Sanibel, FL 33957

Meeting Agenda - Final Revised City Council

Tuesday, June 4, 2024

9:00 AM

BIG ARTS - 900 Dunlop Road

AS OF 6/3/24 SUPPLEMENT 3: ADDED INFORMATION TO OLD BUSINESS ITEMS 14(a), 14(d); NEW BUSINESS ITEM 15(a); AS OF 5/31/24 SUPPLEMENT 2: ADDED INFORMATION TO CONSENT AGENDA ITEM 12(b)(i); AS OF 5/30/24 SUPPLEMENT 1: ADDED INFORMATION TO PRESENTATION ITEM 5(d); FIRST READING ITEM 10(a); INFORMATIONAL ITEMS 13(e), 13(f); ADDED NEW OLD BUSINESS ITEM 14(d)

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 (Mayor Johnson)

3. ROLL CALL

4. SET THE AGENDA

5. PRESENTATION(S)

- a. Representative Adam Botana
- b. Proclamation recognizing July as Parks & Recreation Month and July 19, 2024 as Parks and Recreation Professionals Day
Attachments: [2024 Parks and Recreation Proclamation](#)
- c. Shared Use Path Bicycle and Pedestrian Survey Results
Attachments: [Agenda Memorandum](#)
 [PowerPoint Presentation](#)
- d. CityView Software Presentation (Supplement 1)

Attachments: [Agenda Memorandum - Supplement 1](#)

6. PLANNING COMMISSION REPORT (Chair Grogman)

7. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

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

8. CITY COUNCIL COMMENTS

9. CITY COUNCIL CONSIDERATIONS FOR FUTURE AGENDAS

10. 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. School Speed Zones

FIRST READING - ORDINANCE 24-009 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AMENDING THE CODE OF ORDINANCES RELATING TO CHAPTER 66, TRAFFIC, BY BIFURCATING ARTICLE III. SPEED LIMITS, INTO TWO DIVISIONS, DIVISION 1. GENERALLY, AND ADDING A NEW DIVISION 2, SCHOOL SPEED ZONES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE (Supplement 1)

Attachments: [Agenda Memorandum](#)
[Ordinance 24-009 - Supplement 1](#)
[PowerPoint Presentation from March 5, 2024](#)
[Florida HB 675 - 2023 Amending State Statutes](#)
[Chapter 2023-174 Laws of Florida - Supplement 1](#)

b. Bailey's Center LLP

ORDINANCE 24-010 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, RELATING TO AMENDMENT OF THE CODE OF ORDINANCES TO REVISE THE MASTER DEVELOPMENT PLAN ON FILE AS REFERENCED BY CHAPTER 126, ZONING, ARTICLE XVI, PLANNED UNIT DEVELOPMENT, DIVISION 3, BAILEY'S SHOPPING CENTER PROPERTY, SECTION 126-1473, MASTER DEVELOPMENT PLAN; DELETING SECTION 126-1474, MASTER VEGETATION PLAN; AMENDING SECTION 126-1475, DENSITY/INTENSITY; AND AMENDING SECTION 126-1477, REQUIRED CONDITIONS, 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](#)
[Ordinance 24-010](#)
[Staff Report May 14 Planning Commission](#)
[PC Resolution 24-06](#)

11. 9:10 - SECOND READING AND PUBLIC HEARING

- a. **Sunsetting Local Contractor Review Board & Construction Industry Regulation Board**
ORDINANCE 24-008 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, RELATING TO THE SUNSETTING OF THE CONTRACTOR REVIEW BOARD AND THE CONSTRUCTION INDUSTRY REGULATION BOARD BY AMENDING CHAPTER 14, BUILDINGS AND BUILDING REGULATIONS, ARTICLE I, IN GENERAL, SECTION 14-6, ENFORCEMENT AND PENALTIES, ARTICLE II, ADMINISTRATION, DIVISION 1, GENERALLY, SECTION 14-31, ENFORCEMENT, POWERS OF AUTHORIZED OFFICIALS, DELETING DIVISION 3, CONSTRUCTION INDUSTRY REGULATION BOARD IN ITS ENTIRETY AND RESERVING DIVISION 3 FOR FUTURE USE; AND DELETING ARTICLE III, LICENSES, REGISTRATIONS, AND CERTIFICATIONS IN ITS ENTIRETY AND RESERVING ARTICLE III FOR FUTURE USE; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE

Attachments: [Agenda Memorandum](#)
[Ordinance 24-008](#)

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 24-030 OF THE CITY COUNCIL OF THE CITY OF SANIBEL, FLORIDA, AUTHORIZING THE PLACEMENT OF TEMPORARY ANNOUNCEMENT SIGNS ON COMMERCIAL PROPERTIES; AND PROVIDING AN EFFECTIVE DATE**

Attachments: [Agenda Memorandum](#)
[Resolution 24-030](#)

- b. BUSINESS ITEMS

- i. Adoption of Minutes - May 7, 2024 Regular Meeting (Supplement 2)

Attachments: [May 7, 2024 Minutes - Supplement 2](#)

- ii. Approval of an agreement between the School Board of Lee County and the City of

Sanibel for a School Resource Officer (SRO) in the amount of \$75,000.00 beginning August 1, 2024 through July 31, 2025 and authorize the Mayor to execute same (This does not increase the adopted FY2024 budget)

Attachments: [Agenda Memorandum](#)
 [Interlocal Agreement](#)

- iii. Approval of an agreement between the Lee County Supervisor of Elections and the City of Sanibel for election services and authorize the City Manager to execute the Agreement

Attachments: [Agenda Memorandum](#)
 [Agreement](#)

- iv. Approval to Piggyback on Contract with Florida Utility Solutions, Inc. for Supplemental Lift Station Operation and Maintenance. Staff recommends that City Council approve to piggyback Contract between Florida Utility Solutions and Charlotte County for Supplemental Lift Station Operation and Maintenance.

Attachments: [Agenda Memorandum](#)
 [02 RFQ 232592 Bid Package](#)
 [03 Award & Bid Tabulation](#)
 [04 Contract and Contract Extension](#)

- v. East Rocks Subdivision Drainage Improvements - Staff recommends approval of the contract with FDEM for the East Rocks Area Drainage Improvements as part of the Hazard Mitigation Grant Program and authorize the City Manager to execute the contract.

Attachments: [Agenda Memorandum](#)
 [02 4337-125-A City of Sanibel Sub-award and Grant Agreement](#)

CONSENT ITEMS PULLED FOR DISCUSSION

13. INFORMATIONAL ITEMS

- a. Donax Update

Attachments: [PowerPoint Presentation](#)

- b. Hazard Mitigation Grant Project Update (Tradewinds)

Attachments: [Agenda Memorandum - Tradewinds](#)

- c. Water Quality Report from Natural Resources Department

Attachments: [Agenda Memorandum](#)

- d. Sanibel Causeway Traffic Counts for April and Fiscal and Calendar Year 2024

Attachments: [Agenda Memorandum](#)

- e. U.S. Environmental Protection Agency (EPA) Coastal Florida Recovery and Resiliency Partnership Project (R2P2) (Supplement 1)

Attachments: [Agenda Memorandum - Supplement 1](#)
[EPA R2P2 Coastal FL project list - Sanibel - Supplement 1](#)
[FEMA Participation Request Letter - Supplement 1](#)

- f. Joint Council/Planning Commission Workshop scheduled for June 11, 2024, 1 PM at BIG Arts to discuss potential amendments to the Sanibel Code to further assist recovery. (Supplement 1)

Attachments: [Agenda Memorandum - Supplement 1](#)
[Outline for Planning Staff Presentation - Supplement 1](#)

14. OLD BUSINESS

- a. Shared Use Path Master Plan Update Presentation

Attachments: [Agenda Memorandum](#)
[Parks and Recreation Advisory Committee Comments](#)
[Sanibel SUP Master Plan 041924](#)
[Appendicies 052224](#)
[SUPMP_Final_2024](#)
[FINAL REPORT_JN DING DARLING](#)
[Public Comment - Supplement 3](#)

- b. Implementation of Sanibel Beach Ranger Program

Attachments: [Agenda Memorandum](#)

- c. Professional Services in Conjunction with the City's East Periwinkle Way Bridge Replacement Project (Bridge No. 126500) - Staff recommends approval a proposal from T.Y. Lin International to provide professional engineering services in the amount of \$749,999.82 and authorize the City Manager to initiate the services.

Attachments: [Agenda Memorandum](#)
[02 Ty-Lin Proposal](#)
[03 TYLin International - Fully Executed Contract](#)

- d. Captiva Civic Association, Inc. (CCA) request that the City of Sanibel intervene in its administrative hearing challenge to the Lee County Code changes to the density and height standards on Captiva (Supplement 1)

Attachments: [Agenda Memorandum - Supplement 1](#)
[Email from Richard Grosso - received May 29, 2024 - Supplement 1](#)
[Public Comment - Supplement 3](#)

15. NEW BUSINESS

a. Parks and Recreation Advisory Committee E-Bike Recommendations

Attachments: [Agenda Memorandum](#)
[PARC E-Bike Recommendations to City Council 05.16.24](#)
[PARC Agenda 05.16.24](#)
[Ordinance 19-011 - Supplement 3](#)
[Article V. Bicycles, Micromobility Devices - Supplement 3](#)
[Public Comment received 5/31/24 - Supplement 3](#)
[Public Comment received 5/8/24 - Supplement 3](#)

b. Approve an award of a contract to Advanced Disposal Services Solid Waste Southeast, Inc. d/b/a WM of Ft. Myers, as being the highest scoring responsive bidder to the City's RFP, and authorize the City Manager to finalize a draft franchise agreement to come back to Council for final approval at its next meeting, with terms that include a five (5) year initial term starting October 1, 2024, with an option of two (2) contract extensions of two (2) year duration per extension, with services as detailed in the RFP, along with services detailed in Alternate Bid Item 3, which converts recycling service to 64-gallon carts and limits horticulture collection to 10 bags, bundles or barrels, and with times and dates of solid waste services not changed or interrupted.

Attachments: [Agenda Memorandum](#)
[02 Waste Management Proposal](#)
[03 Solid Waste 2024 for DemandStar 4-04-2024](#)
[04 Solid Waste 2024 Addendum #1 4-25-2024](#)
[05 Waste Management Price Proposal](#)
[06 Southwest Waste Services LLC Price Proposal](#)
[07 Waste Pro of Florida Inc Price Proposal](#)

c. Approval of Agreements for Disaster Debris Removal / Emergency Services with Crowder Gulf Joint Venture, Inc. and DRC Emergency Services, LLC. The initial term of the proposed contracts shall be for a period of five (5) years with a two (2) year option for renewal. Motion to approve staff's ranking of the disaster recovery services contractors and authorize the City Manager to enter into contracts with the two top ranked firms, Crowder Gulf Joint Venture, Inc. and DRC Emergency Services, LLC.

Attachments: [Agenda Memorandum](#)
[02 - Contract STATE FORMAT rev. 3.29.24 CROWDER](#)
[03 - Attachments - CrowderGulf Contract](#)
[04 - Contract STATE FORMAT rev. 3.29.24 DRC](#)
[05 - Attachments - DRC Contract](#)
[06 - City of Sanibel Disaster Debris Removal Services RFP](#)
[07 - CrowderGulf Proposal](#)
[08 - DRC Proposal](#)

16. CITY MANAGER'S REPORT

17. CITY ATTORNEY'S REPORT

18. COUNCIL MEMBERS' REPORTS

19. PUBLIC COMMENT

20. 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

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.**