



City of Sanibel

800 Dunlop Road
Sanibel, FL 33957

Meeting Agenda - Final Revised City Council

Tuesday, February 2, 2021

9:00 AM

City Hall

AS OF 02/02/21 UPDATED INFORMATION ON CONSENT AGENDA ITEM 9(d)

AS OF 02/01/21 ADDED INFORMATION TO CONSENT AGENDA ITEM 9(d) PRESENTATIONS ITEM 4(a), PUBLIC COMMENT ITEM 6, CONSENT AGENDA ITEM 9(a), CITY MANAGER REPORT ITEMS 11 (a)(ii) and 11(a)(iii); AND ADDED CONSENT AGENDA ITEMS 9(h) and 9(i)

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 MacKenzie Hall.

ANYONE WISHING TO MAKE A PUBLIC COMMENT IN ADVANCE REGARDING THE MEETING IS ASKED TO PLEASE EMAIL THE CITY CLERK AT SCOTTY.KELLY@MYSANIBEL.COM BY 3:00 P.M. FEBRUARY 1, 2021. COMMENTS RECEIVED BY THAT TIME WILL BE POSTED TO THE AGENDA FOR CITY COUNCIL'S REVIEW IN ADVANCE OF THE MEETING. ALL PUBLIC COMMENTS SUBMITTED TO COUNCIL IN ADVANCE OF THE MEETING WILL BE POSTED ON THE AGENDA FOR THE RECORD. EMAILS WILL NOT BE READ INTO THE RECORD. ADDITIONALLY, ANYONE WISHING TO MAKE PUBLIC COMMENT IN PERSON MAY DO SO, SUBJECT TO A 3 MINUTE MAXIMUM SPEAKING TIME PER PERSON, PER AGENDA ITEM.

TO LISTEN TO CITY COUNCIL MEETING GO TO WWW.MYSANIBEL.COM. CLICK "AGENDAS AND MINUTES" IN THE BLUE RIBBON, THEN CLICK ON THE RED "CLICK HERE"; WHEN PAGE OPENS LOOK AT LEFT-TOP SIDE FOR DROP-DOWN ARROW TO CHOOSE 2021 AND IN THE NEXT DROP-DOWN ARROW BOX CHOOSE CITY COUNCIL. THEN LOCATE FEBRUARY 2, 2021 AT 9:00 A.M. CLICK ON "MEETING IN PROGRESS"

1. CALL TO ORDER

2. INVOCATION AND PLEDGE OF ALLEGIANCE (Councilman Muench)**3. ROLL CALL****4. PRESENTATION(S)**

- a. Presentation of the Year One Monitoring Report for the Jordan Marsh Water Quality Treatment Park presented by Mark Thompson, Sanibel Captiva Conservation Foundation (SCCF) Marine Laboratory

Attachments: [PowerPoint Presentation](#)
[Annual Monitoring Report for Jordan Marsh](#)

5. PLANNING COMMISSION REPORT (Commissioner Storjohann)**6. PUBLIC COMMENTS FOR NON-AGENDA ITEMS**

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

Public comment emails received as of 3 p.m., Monday, February 1, 2021

Attachments: [Public Comment Emails as of 3 p.m.](#)

7. COUNCIL COMMENTS**8. 9:10 - SECOND READING AND PUBLIC HEARING**

- a. **ORDINANCE 21-001 AMENDING THE SANIBEL CODE, SUBPART A, GENERAL ORDINANCES, CHAPTER 66, TRAFFIC, ARTICLE II, PARKING, STOPPING AND STANDING, DIVISION 2, BEACH AREA PARKING RESTRICTIONS, SUBDIVISION III, PERMITS, SECTION 66-85 - FEES; HOURS; INCREASING RESTRICTED PARKING PERMIT FEES (FOR “B” DECALS, “C” DECALS, AND “BC” DECALS”); PERMANENTLY ADOPTING BOAT RAMP USE FEE; ELIMINATING FILING FEE FOR PARKING VIOLATIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE**

Attachments: [Ordinance 21-001](#)
[Beach Parking Inventory](#)
[Beach Parking Rate Information](#)
[Beach Parking Permits Historical Data](#)
[Beach Parking and Public Facilities Map](#)

9. 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 THE

MEETING.

- a. Approval of Minutes - January 19, 2021

Attachments: [January 19, 2021 Minutes](#)

- b. **RESOLUTION 21-017 DESIGNATING THE QUALIFIED CANDIDATES FOR THE OFFICE OF CITY COUNCIL FOR THE MARCH 2, 2021 CITY OF SANIBEL MUNICIPAL SPECIAL ELECTION; AND PROVIDING AN EFFECTIVE DATE**

Attachments: [Resolution 21-017](#)

- c. **RESOLUTION 21-018 AUTHORIZING THE CITY MANAGER TO DISPOSE OF OBSOLETE OR SURPLUS CAPITAL ASSETS; AND PROVIDING AN EFFECTIVE DATE**

Attachments: [Resolution 21-018](#)

- d. **RESOLUTION 21-019 AMENDING RESOLUTION 21-009 WHICH APPOINTED THREE MEMBERS TO THE SANIBEL PLANNING COMMISSION CORRECTING THE TERMS OF THE TWO MEMBERS APPOINTED TO FILL THREE-YEAR TERMS; AND PROVIDING AN EFFECTIVE DATE**

Attachments: [Resolution 21-019](#)

- e. Authorization for approval to piggyback the Request for Proposal (RFP) from ATP Engineering South who was awarded a contract with Manatee County. The total amount of the RFP is \$11,450 for Mechanical, Electrical, and Plumbing (MEP) Engineering Services for the City of Sanibel Recreation Center Heating, Ventilation, and Air Condition System (HVAC) Chiller Replacement Design. This does not increase the FY-2021 budget.

Attachments: [Staff Memorandum](#)
 [ATP Engineering Proposal](#)

- f. Request for a total of 35 special event permits for 2021 for Sundial Beach Resort and Spa located at 1451 Middle Gulf Drive

Attachments: [Request Letter](#)

- g. **RESOLUTION 21-020 APPROVING BUDGET AMENDMENT 2021-008 AND PROVIDING AN EFFECTIVE DATE** (To budget \$1,666,600 in grant revenue to be received from the Lee County Tourism Development Council (TDC) based upon executed grant agreements. This amendment increases the fiscal year 2021 budget by \$1,666,600. The expenses related to these grants have already been included in the adopted fiscal year 2021 budget)

Attachments: [Resolution 21-020](#)

- h. Police Department request for emergency approval to purchase body wearable cameras and equipment through Florida State Contract MNC-124 43211500-WSCA-1 (This request does not increase the fiscal year 2021 budget.)

Attachments: [Staff Memorandum and Proposal](#)

- i. **RESOLUTION 21-021 APPROVING BUDGET AMENDMENT 2021-008 AND PROVIDING AN EFFECTIVE DATE** (To appropriate up to \$87,500 from the General Fund reserve for environmental initiatives to fund water conservation programs. The funds for this amendment are being appropriated from the General fund reserve for environmental initiatives. This amendment does not increase the fiscal year 2021 budget.)

Attachments: [Resolution 21-021](#)

10. OLD BUSINESS

- a. COVID-19 Discussion (Mayor Denham)
- b. Water Quality Issues
- i. Reports from Director Milbrandt
- ii. Notification from Florida Fish and Wildlife Conservation Commission (FWC) approving City of Sanibel Ordinance No. 20-005 establishing local manatee protection areas within the waters of Pine Island Sound and San Carlos Bay adjacent to Sanibel Island and next steps

Attachments: [Staff Memorandum & Background](#)
[FWC Approval Letter](#)
[City Request for FWC Approval](#)

11. CITY MANAGER

- a. Informational Items
- i. Proclamation honoring the League of Women Voters on their 10th Anniversary

Attachments: [Proclamation](#)

- ii. Status Report on Short-Term Rental Registration Program

Attachments: [PowerPoint Presentation](#)

- iii. Status of preparation for upcoming Legislative Session

Attachments: [Staff Memorandum](#)

- iv. Sanibel Causeway Traffic Counts for December 2020 and Calendar Year 2020

Attachments: [Staff Memorandum](#)

- v. Historical Museum & Village, Inc. Financial Statements for December 31, 2020

Attachments: [Historical Museum Report](#)

- vi. Status of Recreation Department Activities

- vii. Status of Special Events

Attachments: [Special Events Status Report](#)

12. CITY ATTORNEY'S REPORT**13. COUNCIL MEMBER'S REPORT**

- a.** Attendance at the Southwest Florida League of Cities (SWFLC) meeting on January 21, 2021
(Vice Mayor Smith)
- b.** Attendance at the Horizon Council meeting on January 22, 2021 (Vice Mayor Smith)
- c.** Attendance at the Metropolitan Planning Organization (MPO) meeting on January 22, 2021
(Councilman Johnson)
- d.** Attendance at the Coastal & Heartland National Estuary Partnership (CHNEP) Policy Committee
meeting on January 28, 2021 (Mayor Denham)
- e.** Attendance at the Sanibel Historic Museum & Village Board meeting on January 28, 2021
(Councilman Johnson)

14. PUBLIC COMMENT**15. 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, ACTING 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

[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.**