



# City of Sanibel

800 Dunlop Road  
Sanibel, FL 33957

## Meeting Agenda - Final Revised City Council

---

Monday, September 12, 2022

9:00 AM

City Hall

---

**AS OF 09/09/22 SUPPLEMENT 1 – ADDED COUNCIL COMMENTS ITEM 6(b); ADDED CONSENT AGENDA ITEM 8(e)(vi); ADDED INFORMATION TO INFORMATIONAL ITEMS 9(e); ADDED INFORMATION TO OLD BUSINESS ITEMS 10(c)(i), 10(c)(ii), 10(c)(iii), UPDATED TITLE AND ADDED INFORMATION TO OLD BUSINESS ITEM 10(g); UPDATED INFORMATION NEW BUSINESS ITEMS 11(b), 11(d), 11(e); UPDATED TITLE AND ADDED INFORMATION TO NEW BUSINESS ITEM 11(c)**

**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.**

---

### **1. CALL TO ORDER**

### **2. INVOCATION AND PLEDGE OF ALLEGIANCE (Councilman Miller)**

### **3. ROLL CALL**

### **4. PRESENTATION(S)**

- a.** Recognition of Public Works Employees
- b.** Presentation of the Florida Lake Management Society Marissa L. Williams Young Professional Award to Dana Dettmar by Natural Resources Director Holly Milbrandt
- c.** Presentation by Sanibel-Captiva Renewable Energy Working Group: Request for Participation in the Sanibel-Captiva-Lee County Solar Co-op

Attachments: [PowerPoint Presentation](#)

### **5. PUBLIC COMMENTS FOR NON-AGENDA ITEMS**

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

## 6. COUNCIL COMMENTS

- a. Councilman Crater - Requests City Council direct Staff to establish a 15 MPH speed limit on Periwinkle Way section of the Shared Use Path
- b. Councilman Miller - Proposal Regarding Low-Speed Vehicles ([Supplement 1](#))

Attachments: [Councilman Miller Proposal - Low Speed Vehicles \(Supplement 1\)](#)

## 7. 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. **ORDINANCE 22-009 AMENDING THE LOCAL REGISTER OF HISTORIC LANDMARKS OF THE CITY OF SANIBEL, HISTORIC PRESERVATION ELEMENT, PURSUANT TO CHAPTER 82, ADMINISTRATION, ARTICLE II, CITY COUNCIL, DIVISION 1, GENERALLY, SECTION 82-31, CONSIDERATION OF AMENDMENTS, RELATING TO PLACEMENT OF A STRUCTURE ON THE LOCAL REGISTER OF HISTORIC LANDMARKS AND ADOPTING AN UPDATED REGISTER, NAMELY PROPERTY OWNED BY PRISCILLA MURPHY CENTER, A CONDOMINIUM, AND LOCATED AT 1019 PERIWINKLE WAY, MORE FULLY DESCRIBED HEREIN; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERANCE; AND PROVIDING AN EFFECTIVE DATE**

Attachments: [Agenda Memorandum](#)  
[Agenda Memorandum Attachments](#)  
[Ordinance 22-009](#)

## 8. 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 minutes - July 19, 2022 Regular Meeting; August 15, 2022, Recreation Visioning Workshop; August 16, 2022 Regular Meeting

Attachments: [July 19, 2022 Regular Meeting Minutes](#)  
[August 15, 2022 Recreation Visioning Workshop Minutes](#)  
[August 16, 2022 Regular Meeting Minutes](#)

- b. Approval of an Agreement Between the City of Sanibel Recreation Center and the Sanctuary Golf Club for Corporate Recreation Center Memberships and Authorize City Manager to Execute Same

Attachments: [Agenda Memorandum](#)  
[2022 Sanctuary Golf Club Corporate Membership Agreement](#)

c. Waste Management (WM) Contract Extension

Attachments:        [Agenda Memorandum](#)  
                              [City of Sanibel Ordinance 17-003](#)

d. Renewal of Entertainment Licenses:

- i. **RESOLUTION 22-042 DETERMINING THE REQUEST FOR RENEWAL OF AN ENTERTAINMENT LICENSE AT TUTTI PAZZI, INC. LOCATED AT 1200 PERIWINKLE WAY; AND PROVIDING AN EFFECTIVE DATE** (No reported police or code enforcement reported since prior resolution was approved.)

Attachments:        [Resolution 22-042](#)  
                              [Resolution 22-022](#)

e. Approval of Special Events:

- i. Request from Island Seniors, Inc. to waive the application fee, rental fee, and cost of police services for traffic/pedestrian control to hold an Arts & Crafts Fair at the Sanibel School Pavilion located at 3840 Sanibel Captiva Road on Saturday, February 4, 2023 (Consistent with previously approved request)

Attachments:        [Staff Memorandum - Special Events](#)  
                              [Island Seniors' Inc. Annual Arts and Crafts Fair Request](#)

- ii. Request from Sanibel Community Association (SCA) for sixty (60) special event permits for calendar year 2023 (Consistent with previously approved requests)

Attachments:        [Sanibel Community Association Request for Calendar Year 2023](#)

- iii. Request from Casa Ybel Resort for twenty-five (25) special event permits for calendar year 2023 (Consistent with previously approved requests)

Attachments:        [Casa Ybel Request](#)

- iv. Request from the Lee County Chapter, Military Officers Association of America (MOAA) to waive the Special Event fees associated with the Veteran's Day Ceremony held at Sanibel City Hall Flagpole at 800 Dunlop Road, on November 11, 2022 (grandfathered event)

Attachments:        [Veteran's Day 2022 application](#)

- v. Request from the Sanibel & Captiva Islands' Chamber of Commerce for the 36th annual Luminary Holiday Stroll on December 2, 2022

Attachments:        [Luminary Holiday Stroll by Chamber of Commerce 12/2/2022](#)

- iv. Request from the United Way to Place a Fundraiser Thermometer in the Right-Of-Way at the Bank of the Islands Located at 1699 Periwinkle Way (**Supplement 1**)

Attachments:        [Agenda Memorandum \(Supplement 1\)](#)  
                              [United Way Special Event Permit Request \(Supplement 1\)](#)

- f. Approval of an interagency agreement between the City of Sanibel and Panama City Beach Police Department for accessing the Florida License Plate Recognition (LPR) System

Attachments:      [Agenda Memorandum](#)  
                                 [Florida LPR Interagency Agreement](#)

- g. Staff recommends that Council award the Sodium Hypochlorite Services for Wastewater Facilities Contract to Allied Universal Corporation, a three-year contract with two optional one-year extensions, and authorize the City manager to execute the contract

Attachments:      [Staff Memorandum](#)  
                                 [Contract](#)  
                                 [Bid Tabulation Sodium Hypochlorite](#)  
                                 [Specifications for Sodium Hypochlorite Services](#)  
                                 [2022 Sodium Hypochlorite Addendum No. 1](#)  
                                 [Proposal Form](#)

- h. Staff recommends that Council award the Citric Acid Services for Wastewater Facilities Contract to Brenntag Mid-South, Inc., a three-year contract with two optional one-year extensions, and authorize the City manager to execute the contract

Attachments:      [Agenda Memorandum](#)  
                                 [Contract](#)  
                                 [Bid Tabulation Citric Acid](#)  
                                 [2020 Citric Acid Bid for FY2023](#)  
                                 [2022 Citric Acid Addendum No. 1](#)  
                                 [Proposal Form Signed](#)

- i. Agreement with Community Housing & Resources Inc. (CHR)  
i. **RESOLUTION 22-038 APPROVING AN AGREEMENT BETWEEN THE CITY OF SANIBEL AND COMMUNITY HOUSING AND RESOURCES, INC., WHICH SERVES AS THE CITY'S HOUSING FOUNDATION PURSUANT TO THE CITY'S CODE OF ORDINANCES; AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH AGREEMENT; AND PROVIDING AN EFFECTIVE DATE**

Attachments:      [Agenda Memorandum](#)  
                                 [Resolution 22-038 with agreement attached](#)  
                                 [Agreement - redlined](#)  
                                 [Current CHR Agreement 17-076 with Amendments](#)

## 9. INFORMATIONAL ITEMS

*(No discussion unless requested)*

- a. Status Report on the Donax Rehabilitation Project

Attachments:      [PowerPoint Presentation](#)

**b.** Phase IV Update

Attachments: [Phase 4B Agenda Memorandum](#)

**c.** Tradewinds and East Rocks Update

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

**d.** Personnel Update**i.** Vacancy Report**ii.** Vaccine Report

Attachments: [Vacancy Report as of 9/7/2022](#)  
[Vaccine Report as of 9/7/2022](#)

**e.** Sanibel Causeway Traffic Counts (Supplement 1)

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

**10. OLD BUSINESS****a.** GIS City Zoning Map presentation by Information Technology Director Bert Smith and Software and GIS Systems Manager Brian Dye (15 minutes)

Attachments: [Agenda Memorandum](#)

**b.** Water Quality Issues**i.** Report from Natural Resources Department (15 minutes)

Attachments: [Natural Resources Water Quality Reports](#)

**c.** Ratifying Labor Agreements:**i.** **RESOLUTION 22-043 APPROVING A LABOR AGREEMENT BETWEEN THE CITY OF SANIBEL AND THE FRATERNAL ORDER OF POLICE REPRESENTING POLICE OFFICERS AND DISPATCHERS; AND PROVIDING AN EFFECTIVE DATE** (Supplement 1)

Attachments: [Agenda Memorandum \(Supplement 1\)](#)  
[Resolution 22-043](#)  
[Police Officers and Dispatchers - Tentative Agreement \(Supplement 1\)](#)

**ii.** **RESOLUTION 22-044 APPROVING A LABOR AGREEMENT BETWEEN THE CITY OF SANIBEL AND THE FRATERNAL ORDER OF POLICE REPRESENTING POLICE SERGEANTS; AND PROVIDING AN EFFECTIVE DATE** (Supplement 1)

Attachments: [Resolution 22-044](#)  
[FY23 FOP Police Sergeants - Tentative Agreement \(Supplement 1\)](#)

iii. **RESOLUTION 22-045 APPROVING THE LABOR AGREEMENT BETWEEN THE CITY OF SANIBEL AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES; AND PROVIDING AN EFFECTIVE DATE**

(Supplement 1)

Attachments:

[Agenda Memorandum \(Supplement 1\)](#)

[Resolution 22-045](#)

[AFSCME and City of Sanibel Tentative Agreement 8-2022 \(Supplement 1\)](#)

d. **RESOLUTION 22-046 ADOPTING AND ESTABLISHING A REVISED SCHEDULE OF RATES FOR THE SANIBEL SEWER SYSTEM AND PROVIDING FOR A 3.0% INCREASE IN RESIDENTIAL, COMMERCIAL, AND RECLAIMED WATER RATES; AND PROVIDING AN EFFECTIVE DATE**

Attachments:

[Agenda Memorandum](#)

[Resolution 22-046](#)

[2022 Revenue Sufficiency \(Draft 1\)](#)

[Proposed Sewer Rate Schedule](#)

e. Continued discussion regarding **RESOLUTION 22-035 ESTABLISHING THE SANIBEL CITY COUNCIL REGULARLY SCHEDULED MEETING DATES FOR THE 2023 CALENDAR YEAR; AND PROVIDING AN EFFECTIVE DATE**

Attachments:

[Agenda Memorandum](#)

[Resolution 22-035](#)

f. First Amendment to the Interlocal Agreement with Lee County for Local Option Gas Tax Distribution

Attachments:

[Agenda Memorandum](#)

[Gas Tax - 2022 Interlocal Agreement](#)

[2019-2020 Master Interlocal Agreement - Gas Tax \(002\)](#)

g. Sanibel Boat Ramp Parking - Pilot Program Discussion:  
Discussion regarding a draft **ORDINANCE AMENDING THE SANIBEL CODE OF ORDINANCES, CHAPTER 66, TRAFFIC, ARTICLE II, PARKING, STOPPING AND STANDING, DIVISION 2, BEACH AREA PARKING RESTRICTIONS, SUBDIVISION II, PERMITS, SECTION 66-76, TYPES OF PERMITS AND SECTION 66-85, FEES; HOURS; AND CHAPTER 74, WATERWAYS, ARTICLE III, BOAT RAMPS, SECTION 74-97, PARKING AND USE OF THE PARKING AREA ADJACENT TO THE CITY PUBLIC BOAT RAMP FACILITY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE** (Supplement 1)

Attachments:

[Agenda Memorandum \(Supplement 1\)](#)

[Draft Ordinance 22-008 \(Supplement 1\)](#)

[Draft Revised Parking Zone Map \(Supplement 1\)](#)

**11. NEW BUSINESS**

- a. Approve a request for Council direction to Planning Commission to review and propose updates to the Land Development Code; Chapter 126 - Zoning; Article XIV - Supplementary District Regulations; Division 2 - Accessory Structures; Subdivision II - Accessory Marine Structures

Attachments:[Agenda Memorandum](#)[Accessory Marine Structures Code Chapter 126](#)

- b. **RESOLUTION 22-039 PERTAINING TO THE SANIBEL BOARD OF TRUSTEES OF THE GENERAL EMPLOYEES' RETIREMENT PLAN; APPOINTING THREE MEMBERS; RATIFYING THE CITY MANAGER'S APPOINTMENT OF ONE MEMBER; RATIFYING TWO MEMBERS ELECTED BY ACTIVE PLAN MEMBERS; ACKNOWLEDGING THE NINTH MEMBER CHOSEN BY THE BOARD; AND PROVIDING FOR AN EFFECTIVE DATE** (Five members of the board shall be appointed by City Council from applications submitted to the City of Sanibel, currently there are three terms expiring) (Applicants listed in alphabetical order)

Attachments:[Resolution 22-039 \(Supplement 1\)](#)[Resolution 22-039](#)[Albright, Raymond](#)[Birney, Richard](#)[Clark, Ralph - application for reappointment](#)[Garmager, Tim - application for reappointment](#)[Gould, Lewis - application for reappointment](#)[Hines, Linda](#)[Jones, Julie](#)[Kokenakes, Janet](#)[Lack, Robert](#)[Rouvell, Paul](#)[Sanibel Code - Section 50-483 General Employee Pension Board](#)

- c. **RESOLUTION 22-041 PERTAINING TO THE SANIBEL BOARD OF TRUSTEES OF THE MUNICIPAL POLICE OFFICERS' RETIREMENT TRUST FUND REAPPOINTING TWO MEMBERS TO SERVE AS CITY COUNCIL APPOINTEES; AND PROVIDING AN EFFECTIVE DATE** (Two members of the board shall be appointed by City Council from applications submitted to the City of Sanibel, applicants must be resident of Sanibel) (Applicants listed in alphabetical order) (Supplement 1)

**Attachments:**      [Resolution 22-041 \(Supplement 1\)](#)  
[Resolution 22-041](#)  
[Fleet, David - non-resident](#)  
[Holston, Craig - application for reappointment - non-resident](#)  
[Hutler, Theodore](#)  
[Kokenakes, Janet](#)  
[Lack, Robert](#)  
[Lacovara, Phillip](#)  
[McDonald, Donald - application for reappointment](#)  
[Reiss, Dale Ann - application for reappointment](#)  
[Rouvell, Paul](#)  
[Sanibel Code - Chapter 50 Article III Division 1 Subdivision III](#)

- d.      City of Sanibel - 50th Anniversary of Incorporation (Supplement 1)

**Attachments:**      [Agenda Memorandum \(Supplement 1\)](#)  
[Agenda Memorandum](#)

- e.      Consideration of First Amendment to the City Manager Employment Agreement (Supplement 1)

**Attachments:**      [Agenda Memorandum](#)  
[Employment Agreement - Revised 8-2022 - \(Supplement 1\)](#)  
[Employment Agreement - Revised 8-2022 redlined \(Supplement 1\)](#)  
[Employment Agreement - Redlined](#)

## 12. CITY MANAGER'S REPORT

## 13. CITY ATTORNEY'S REPORT

## 14. COUNCIL MEMBERS' REPORTS

- a.      Virtual attendance in the Horizon Foundation Executive Committee meeting on August 17, 2022 (Mayor Smith)
- b.      Attendance at the Tutti Pazzi Ribbon Cutting Ceremony on August 17, 2022 (Mayor Smith)
- c.      Attendance at the Horizon Council Inclusion and Diversity Committee meeting on August 18, 2022 (Mayor Smith)
- d.      Virtual attendance in the Florida Race to Zero Cohort Session on August 19, 2022 (Vice Mayor Johnson)
- e.      Attendance at the Horizon Council Executive Committee meeting on August 22, 2022 (Mayor Smith)
- f.      Attendance at the Southwest Florida League of Cities (SWFLC) Executive Committee meeting on August 22, 2022 (Mayor Smith)



- g.** Attendance at the Senator Albritton Visit to Luminary Hotel on August 22, 2022 (Mayor Smith)
- h.** Attendance at the City of Sanibel Planning Commission Land Development Code Review (LDC) Subcommittee meeting on August 23, 2022 (Mayor Smith, Councilman Miller)
- i.** Virtual Attendance at the Cities Convene with Congressman Byron Donalds event on August 24, 2022 (Mayor Smith)
- j.** Attendance at the Sanibel Library Board Meeting on August 25, 2022 (Mayor Smith)
- k.** Attendance at the Horizon Council General Membership meeting on August 26, 2022 (Mayor Smith)
- l.** Virtual attendance in the Florida Race to Zero Cohort Session on August 26, 2022 (Vice Mayor Johnson)
- m.** Attendance at the City of Sanibel Recreation Financial Assistance Committee meeting on August 29, 2022 (Vice Mayor Johnson)
- n.** Attendance at the Edison Awards Steering Committee Meeting on August 29, 2022 (Mayor Smith)
- o.** Attendance at the City Council Budget Workshop on August 30, 2022 (Mayor Smith, Vice Mayor Johnson, Councilman Dr. Crater, Councilman Henshaw (virtually), Councilman Miller (virtually))
- p.** Attendance at the Governor's Conference on Tourism from August 31 - September 2, 2022 (Mayor Smith)
- q.** Attendance at the City of Sanibel Vegetation Committee meeting on September 1, 2022 (Councilman Dr. Crater)
- r.** Virtual attendance in the Florida Race to Zero Cohort Session on September 2, 2022 (Vice Mayor Johnson)
- s.** Attendance at the Everglades Trust Event with Governor DeSantis on September 6, 2022 (Mayor Smith)
- t.** Attendance at the Sanibel Library Board meeting on September 6, 2022 (Mayor Smith)
- u.** Attendance at the Metropolitan Planning Organization (MPO) Executive Committee (MEC) Meeting on September 7, 2022 (Councilman Miller)
- v.** Attendance at the 2022 E-Awards Breakfast on September 8, 2022 (Vice Mayor Johnson)
- w.** Virtual attendance in the Florida Race to Zero Cohort Session on September 9, 2022 (Vice Mayor Johnson)

## **15. PUBLIC COMMENT**

## **16. 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](http://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.**