



City of Sanibel

800 Dunlop Road
Sanibel, FL 33957

Meeting Minutes - Draft City Council

Monday, September 12, 2022

9:00 AM

City Hall

1. CALL TO ORDER

The meeting convened at 9:01 a.m.

2. INVOCATION AND PLEDGE OF ALLEGIANCE (Councilman Miller)

Councilman Miller gave the Invocation and led the Pledge of Allegiance.

3. ROLL CALL

Attorney Agnew spoke to the option for Council to make a motion allowing Councilman Henshaw to participate in the meeting virtually, including the ability to vote, due to the extenuating circumstances keeping him from attending the meeting in person. Mr. Agnew noted Mr. Henshaw's attendance does not count for quorum but that he would be able to participate in the discussions and voting.

Councilman Miller moved, seconded by Councilman Crater, to allow Councilman Henshaw to participate in the meeting virtually via zoom, as well as allowing him the ability to vote. The motion carried.

Abstain: 1 - Councilman Henshaw

4. PRESENTATION(S)

a. Recognition of Public Works Employees

City Manager Dana Souza spoke to the employees that were involved in the discovery of a hidden camera at a beach facility restroom. Mr. Nick Gleason and Mr. Josh Holler of the Public Works Department were recognized for their diligence in reporting the suspicious activity to the Sanibel Police Department.

Mr. Holler, on behalf of himself and Mr. Gleason, thanked Council and City Manager Souza for the recognition.

b. Presentation of the Florida Lake Management Society Marissa L. Williams Young Professional Award to Dana Dettmar by Natural Resources Director Holly Milbrandt

Holly Milbrandt, Natural Resources Director, recognized Dana Dettmar upon receiving the Florida Lake Management Society Marissa L. Williams Young Professional Award. Ms. Dettmar thanked the Council for their support and the opportunities to continue to grow as a professional.

c. Presentation by Sanibel-Captiva Renewable Energy Working Group: Request for Participation in the Sanibel-Captiva-Lee County Solar Co-op

Vice Mayor Johnson spoke his appreciation for the Staff that followed the guidance of "if you see something, say something" as well as congratulating Ms. Dettmar upon her achievement.

Vice Mayor Johnson gave a brief background of the Sanibel-Captiva Renewable Energy Working Group and introduced Bob Moore, President, Sanibel Captiva Renewable Energy Working Group and James Evans, CEO, Sanibel Captiva Conservation Foundation.

Mr. Bob Moore gave a brief PowerPoint Presentation speaking to the proposed initiatives. He further requested City support and participation and gave a description of what solar co-ops are, what would be suggested as support, and concluded by noting there would be no funding required by the City.

Mr. James Evans spoke to reasons for supporting and participating in the solar co-op, noting locations on the island that already use solar.

Mayor Smith thanked Mr. Moore and Mr. Evans for their presentation and detailed explanations. Discussion ensued regarding items listed as objectives in the strategic plan that support the renewable energy initiatives. Seeing an increase in energy bills recently which would suggest the need to resort to renewable energy, the opportunity to partner with Solar United Neighbors (SUN). Council spoke in agreement with signing on as a partner in the co-op, noting how the City's participation would be consistent with the strategic plan by looking at alternative energy solutions that can help.

Public Comment:

- Roy Gibson

Councilman Miller moved, seconded by Councilman Crater, that the city become a supporting partner of the Sanibel Captiva Lee County solar Co-Op, as proposed. The motion carried.

5. PUBLIC COMMENTS FOR NON-AGENDA ITEMS

Public comment:

- Jean Burks

- Alison Ward

- Laurie Olin

6. COUNCIL COMMENTS

Mayor Smith spoke to a new format for the Council Comments section.

Councilman Henshaw apologized for not being able to attend in person due to illness with Covid, spoke his remembrances for September 11, 2001, congratulated Josh and Nick for speaking up and advising of the issue at the beach, congratulated Dana Dettmar for her award, spoke to concerns relating to storminess and sea-level rise, and the upcoming 50th Anniversary of the City and the Sanibel Plan.

Vice Mayor Johnson spoke to the passing of Queen Elizabeth, again spoke his appreciation to Staff, and thanked Council for their support of the Renewable Energy Working Group recommendations.

Councilman Crater spoke to the Sanibel Island Golf Club Golf Course being for sale, suggesting the possibility of a private/public partnership to purchase and return to a park or environmental lands to assist with reduced water quality issues.

Councilman Miller concurred with the remembrances of 9/11, spoke to storm water distribution issues, and thanked IT for setting up the system to allow Councilman Henshaw's virtual participation.

Mayor Smith spoke positively to the staff who discovered the device in the beach restroom. She also concurred with the remembrances of 9/11. Mrs. Smith added the collaboration of State and local leaders for the greater good of the area and how that ties in to the strategic planning goals by those relationships helping us achieve our strategic goals.

Ms. Smith requested Council input regarding the Ordinance relating to leaf blowers. Vice Mayor Johnson spoke to the need for having a conversation regarding the ordinance. Councilman Crater spoke to the Ordinance being passed over a year ago, the local island papers reporting on it in August of 2021, and could be discussed at a future meeting, inquiring if Staff has time to do research regarding commercial or residential supplies. Councilman Miller concurred with adding to a future agenda for discussion and inquired of Dana Souza regarding restrictions in Naples. Councilman Henshaw spoke to technological advances, supply issues, gathering more community input, and revisiting at a future meeting.

City Attorney John Agnew gave a brief report of the history of the leaf blower ordinance:

- 19-012 passed December 3, 2019
- 21-004 August 24, 2021 passed delayed prohibition until December 31, 2022

City Manager Souza gave a brief report of the history of how Naples addressed the issues regarding gas powered leaf blowers.

Discussion ensued regarding the item coming back at the next meeting for further discussion.

- a. Councilman Crater - Requests City Council direct Staff to establish a 15 MPH speed limit on Periwinkle Way section of the Shared Use Path

Councilman Crater gave a background and summary of his request.

Councilman Miller spoke to a shared use path survey done in 2012 relating to intersections, noting that the Sanibel Bike Club members gathered data over two days and City Staff compiled the reports. Mr. Miller also spoke to the possibility of re-establishing the Parks Committee, concerns that a speed limit may not be the answer, and spoke to the Shared Use Path Master Plan project which is being funded by the Lee County Metropolitan Planning Organization (MPO).

Councilman Henshaw concurred with Councilman Miller's statements and the reinstatement of the Parks Committee being a good option for addressing the issue.

Vice Mayor Johnson spoke to the desire for more discussion and receiving staff input.

Mayor Smith spoke to directing Staff to move forward with the Shared Use Path Master Plan Update in May 2022 and suggesting we receive the results of the study before addressing speed-limit possibility. Mr. Souza spoke to providing an update to Council noting the study was behind track, noting the estimated date of report is April of 2023.

Discussion ensued regarding the possibility of adding signs on the shared use path relating to the ordinance for e-bikes, painting speed limits on the path, and attempting to raise awareness. Mr. Souza spoke to the need for comprehensive signage, noted the Sanibel Rangers will have a presence on the paths once the staffing is hired, and encouraging enhanced educational steps. Mr. Souza further spoke to being notified by the MPO that there is not a firm assigned to the project.

Council concurred that signage should be addressed before speed-limit.

Public Comments:

- Chet Sadler
- Roy Gibson

- b. Councilman Miller - Proposal Regarding Low-Speed Vehicles (Supplement 1)

Councilman Miller gave a brief background of the topic and summarized his proposal.

Discussion ensued regarding the growing number of rental companies operating on the island and the increasing number of safety concerns associated. Council spoke in regards to the legality of the business given that the LSVs are driving in a 35 MPH

jurisdiction. Council then requested staff provide an evaluation to determine if a reduced speed limit was viable. Councilman Miller expressed his notion of the provisions provided for surreys and segways and how something similar may be provided for the issues with LSVs.

City Manager Souza spoke to bringing back information relative to Sanibel Captiva Road at the November meeting. Police Chief William Dalton spoke to the enforcement and the number of reports provided to the Police Department.

Council discussion continued regarding the seatbelt and child restraint laws for LSVs as opposed to regular vehicles. Chief Dalton spoke to not believing there are differences between the two.

Public Comment:

- Miles Sweiss
- Jeff Blackman
- Laura DeBruce
- Chet Sadler
- Roy Gibson

Brief discussion ensued regarding the possibility of the City Attorney researching any means to limit the number of low speed vehicles. Councilman Crater expressed concerns with crash worthiness of golf carts and provided examples of accidents involving carts from across the country.

Public Comment:

- Laura DeBruce
- Jeff Blackman

Discussion ensued regarding Councilman Henshaw's vote counting due to the extraordinary circumstances and the vote taken at the beginning of the meeting. Attorney Agnew explained the background for allowing Councilman Henshaw to participate virtually though he does not count for quorum.

Councilman Miller moved, seconded by Councilman Crater to request the City Attorney identify the means by which the City could limit the number of low-speed vehicles rented to Sanibel persons by businesses located off Island. The motion failed by a vote of 2-3, with Mayor Smith, Vice Mayor Johnson, and Councilman Henshaw opposed.

Opposed: 3 - Mayor Smith, Vice Mayor Johnson, and Councilman Henshaw

7. FIRST READING OF AN ORDINANCE AND SCHEDULING OF PUBLIC HEARING

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

Attorney Agnew read into record the title of Ordinance 22-009.

Second reading and public hearing scheduled for October 3, 2022 at 9:10 a.m.

8. CONSENT AGENDA

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.)

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**

Attorney Agnew read into record the titles of Resolutions 22-042 and 22-038.

Councilman Miller moved, seconded by Mayor Smith, to adopt Resolutions 22-042 and 22-038. The motion carried.

- a. Adoption of minutes - July 19, 2022 Regular Meeting; August 15, 2022, Recreation Visioning Workshop; August 16, 2022 Regular Meeting**
- 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**
- c. Waste Management (WM) Contract Extension**
- 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)

- ii. Request from Sanibel Community Association (SCA) for sixty (60) special event permits for calendar year 2023 (Consistent with previously approved requests)
- iii. Request from Casa Ybel Resort for twenty-five (25) special event permits for calendar year 2023 (Consistent with previously approved requests)
- 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)
- v. Request from the Sanibel & Captiva Islands' Chamber of Commerce for the 36th annual Luminary Holiday Stroll on December 2, 2022
- vi. 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)
- 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
- 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
- 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

Approval of non-resolution consent agenda items a, b, c, e, f, g, and h.

Councilman Crater moved, seconded by Councilman Miller to approve non-resolution consent agenda items a, b, c, e, f, g, and h. The motion carried.

9. INFORMATIONAL ITEMS

Mayor Smith spoke to the change in the agenda allowing for the informational items following Consent agenda as opposed to the end of the meeting, allowing staff to return to their daily business.

- a. Status Report on the Donax Rehabilitation Project
- b. Phase IV Update
- c. Tradewinds and East Rocks Update

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

Discussion ensued regarding the recent resignation of a City Planner which Mr. Souza noted was due to the Planner relocating to Collier County.

- e. Sanibel Causeway Traffic Counts (Supplement 1)

Oisin Dolley, Assistant City Engineer, and Scott Krawczuk, Deputy Public Works Director, gave a brief update relating to progress of work on the Shared Use Path (SUP) and further noted the sod placed at the road edge. Mr. Krawczuk noted this grass is not maintained or fertilized after placement.

Mayor Smith spoke to correspondence from the Governor regarding tolls and inquired about effects to revenues of Sanibel. Finance Director Steve Chaipel spoke to Councilman Miller meeting with Eileen Webster, Fiscal Manager for Lee County Department of Transportation, noting waiting for further information to make determinations on what would be effected. Tolls were suspected to be either reduced or eliminated for those making multiple trips like employees of the island businesses or those living on the island.

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)

City Manager Souza introduced Brian Dye, GIS and Systems Manager who gave a brief demonstration of the new online maps available. He noted the entities and documents used to develop the maps which were Lee County Property Appraiser, the City of Sanibel Ecological Zone Maps and Sanibel Land Development Code.

Discussion ensued regarding how the data from Lee County Property Appraiser (LeePA) is used and if data between the City and LeePA is shared. Mr. Dye noted the information is used separately at this time, and advised that site surveys would still be required for permitting.

Further discussion ensued regarding the updates to the maps being a way to save Staff time and money while reviewing applications for permits, which Mr. Dye confirmed. Council inquired as to the availability of information to the public. Mr. Dye spoke to the consultant working to assist with information regarding training for staff and FAQs for the public. City Manager Souza spoke to the ease of use of the program.

- b. Water Quality Issues

i. Report from Natural Resources Department (15 minutes)

Natural Resources Director, Holly Milbrandt, summarized the report attached to the agenda and gave a brief water update. Ms. Milbrandt spoke to the comment period relating to the Lake Okeechobee System Operating Manual (LOSOM) ending today. Mayor Smith spoke to a letter from the City and a joint letter from Lee County, Cape Coral, and Sanibel having been submitted. The City's letter to be added to the record.

Mayor Smith spoke to a boat tour and conversation with Colonel James Booth and staff allowing them to see the water quality issues.

Discussion ensued regarding a report stating limiting flows at S-79, to which Ms. Milbrandt noted would be no releases from S-77 that would reach S-79.

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)

Administrative Services Director Crystal Mansell read into record the titles of Resolutions 22-043, 22-044, and 22-045.

Council provided a brief report of the negotiations timelines.

Public Comment:

- Roy Gibson

Councilman Miller moved, seconded by Councilman Henshaw, to adopt Resolution 22-043. The motion carried.

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)

Councilman Crater moved, seconded by Mayor Smith to adopt Resolution 22-044. The motion carried.

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)

Council thanked staff for their efforts during the negotiation process. Ms. Mansell spoke to the agreements containing a clause for a Conflict Management

Vice Mayor Johnson moved, seconded by Councilman Miller to adopt Resolution 22-045. The

motion carried.

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

Attorney Agnew read into record the title of Resolution 22-046.

Finance Director Steve Chaipel gave a brief background of the item noting the two major drivers of the increase being two things. The City's Capital Improvements Plan calls for increased rates and cost for wastewater treatment chemicals have increased.

Council inquired if a volume charge were viable. Mr. Chaipel responded, yes, we do that for commercial use and we have the capability to team with island water association to determine the drainage use, further noting the City had historically only charged a flat fee. Councilman Milled inquired about the average usage being close to 6000 gallons per month, which Director Chaipel noted this number was not calculated by usage, but rather by total flows into the system divided by the number of residential properties in a system. Council asked Mr. Chaipel if increases are projected for the future, which Mr. Chaipel spoke to the driving factor being the cost pressures on the system and trying to contain those rates. Expressing interest on further discussion by Council on volume based rate structures and how they could be considered in the future. Lastly concluding by providing a history of the rate increases and how they have fluctuated over the last few years.

Councilman Miller moved, seconded by Councilman Crater, to adopt Resolution 22-046. The motion carried.

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

Mr. Souza spoke to the proposed changes to the 2023 meeting calendar.

Attorney Agnew read into record the title of Resolution 22-035.

Councilman Miller moved, seconded by Councilman Henshaw, to adopt Resolution 22-035. The motion carried.

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

City Manager Souza spoke to the history of the gas tax and the methodology for dispensing the revenues throughout the municipalities.

Discussion ensued regarding City Manager Souza and Director Chaipel working with the County to remedy the issues relating to lost revenue from the gas tax, if there were

any meetings with the county which the City may have attended about drafting an interlocal agreement. Mr. Souza clarified not that he was invited to or aware of.

Council inquired if the agreement were just legally binding or just an exhibit for the letter sent regarding the changes within the interlocal agreement. Mr. Agnew noted it were for accompanying the request. City Manager Souza encouraged the Council to approve the request based on staff efforts and involvement. Discussion continued regarding the formula, which Council believes does not accurately represent the municipalities of the County, the State formula being different. Council then requested a second vote to direct the City Staff to go back to the county and work very hard on calculating a more equitable formula on the gas tax and a higher percentage of the tolls.

Mr. Souza spoke to the meeting with Roger Desjarlais, Lee County, County Manager, and noted the costs percentages shared across the county.

Discussion returned to the possibility of voting down and the repercussions of such vote.

Discussion ensued regarding the primary objective being cost recovery to make repairs to the roads as appropriate, noting the pass through to Captiva which is a County maintained area. Council concluded by noting the necessity for establishing Council resolve, not burning bridges, and working with the County.

Councilman Miller moved, seconded by Mayor Smith, to reject the agreement with Lee County for Local Option Gas Tax Distribution. The motion to reject passed.

Councilman Henshaw moved, seconded by Councilman Miller, directing staff to approach the County to work towards a more equitable share of the gas tax moving forward, with the possibility of a further study on more equitable share of revenue from bridge tolls. The motion carried.

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)

City Manager Souza spoke to the request and clarified the proposed changes.

Discussion ensued regarding including "watercraft" in addition to "boat", providing clarification that the AC/BC passes are allowed overnight parking, and that there will

be payment options for the launch fees and hourly parking such as payment and parking apps.

Public Comment:

- Roger Grogman

Councilman Miller moved, seconded by Vice Mayor Johnson, to forward the draft ordinance to first reading on October 3, 2022. The motion carried.

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

Planning Director Paula McMichael gave a brief background of the request.

- 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)

Mayor Smith read into record the title of Resolution 22-039.

Vice Mayor Johnson spoke to meeting with Chair Garmager and feeling that the board is working well together and recommending reappointment of the three expiring members. Discussion ensued regarding the residency of the standing members, residency not being a requirement for this board, attendance of the standing members,

Public Comment:

- Roy Gibson

Discussion ensued regarding the history of the membership and the importance of the experience and expertise each member brings to the table.

Attorney Agnew read into record the appointments.

Vice Mayor Johnson moved, seconded by Councilman Crater to adopt Resolution 22-039 with the blanks filled as Ralph Clark, Tim Garmager, and Lewis Gould. The motion carried.

- 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)

Attorney Agnew read into record the title of Resolution 22-041.

Discussion ensued regarding the Council appointments have a residency requirement, those that applied without residency would be eligible for the seat appointed by the Board.

Attorney Agnew tallied the votes and announced the appointments.

Councilman Miller moved, seconded by Vice Mayor Johnson, to adopt Resolution 22-041 with the blanks filled as Donald McDonald and Dale Ann Reiss. The motion carried.

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

City Manager Souza spoke to the background for the request and clarified that through staff research it has been determined the true date of incorporation is November 5, 1974.

Discussion ensued regarding support of creating a committee and not having any Council members as a participant. Suggest members of the Historic Preservation Committee and founding Mayor Porter Goss. Suggesting residency requirement for committee membership, possibility of co-chairs and one staff member, getting recommendations from Council members, and the possibility of a cost sharing component for events or celebration activities.

Public Comment:

- Roy Gibson

Mayor Smith spoke to celebrating a various length of time and celebrating more than just for the day or evening.

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

Mayor Smith introduced the item.

City Manager Souza spoke to actively looking for housing on the island, but is looking to extend the residency requirements an extra 12 months. When we do find permanent housing would like to discuss the housing allowance to accommodate the price evaluations.

Council inquired about the strike throughs which Attorney Agnew noted are appropriate. Further detailing how extension of the timeline is important, as long as there is desire for Council to have a City Manger and/or upper level Management residing on island. Discussion ensued regarding hosing allowance and the ability to

evaluate at a later date. Council spoke in agreeance, working closely with Mr. Souza for a later re-location the the island, for the importance of the community. Council commended Mr. Souza for his work life balance and recognized the limited inventory of homes at this time on the island.

Council concurred with extending the residency requirements of City Manager Souza's employment agreement to September 12, 2023.

Attorney Agnew spoke to the included redline copies of the agreement which noted could be drafted to show only the new language.

Councilman Miller moved, seconded by Councilman Crater, to approve the first amendment to the City Manager's employment agreement. The motion carried.

12. CITY MANAGER'S REPORT

City Manger noted the changes to the current agenda from the previous and further noted the different format used for this agenda.

Discussion ensued regarding the placement of Council Comments, how typically this item includes the non-action informational items. The point was made that some topics require more in depth conversation and that public comments are needed to be heard and how the process could be better handled under new business. City Manager inquired about direction going forward and if Council was comfortable with the new layout.

Dr. Crater spoke to the the benefit and appropriateness of having pubic comments early in the meeting. These individuals typically being workers, contractors, business owners, or parents and how this would allow them provide comment early in the day in order to continue with their work day or schedules. Dr. Crated further noted adding a line to the agenda to streamline the process for adding future agenda items like "consideration for future agenda items".

Councilman Miller noted the sequence being of little importance due to the time needed regardless to discuss any given topic.

Vice Mayor Johnson spoke to how this alteration achieves transparency. Stating it is a positive move and how a change to the name could bring better attention to the item.

13. CITY ATTORNEY'S REPORT

No reports were provided from Attorney Agnew.

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)

Mayor Smith noted an updated list was provided to the City Clerk to add to the record.

15. PUBLIC COMMENT

Public Comment:
- Chet Sadler

16. ADJOURNMENT

City Manager noted the first budget hearing begins at 5:01 p.m.

There being no further business the meeting adjourned at 3:39 p.m.