



MEMORANDUM

DATE: October 21, 2011
TO: Judie Zimomra, City Manager
FROM: Crystal Mansell, Executive Asst. to City Manager *Crystal Mansell*
SUBJECT: Children's Spring Festival - Request for Waiver of Special Event Fees

On August 25, 2011, the City of Sanibel received the attached letter from Jana Yates, Director of the Children's Education Center of the Islands (CECI) requesting Council waive all Special Event Fees for the 2012 annual Children's Spring Festival, scheduled for April 7, 2012.

For calendar years 2009, 2010 and 2011, City Council granted a waiver of the \$475 rental fee for Community Park, to CECI. All other fees such as labor, police services and equipment rental associated with the event were the responsibility of the applicant.

The estimated fees for the 2012 Children's Spring Festival, including the Community Park rental fee, are as follows:

Application Fee (Sanibel Resident/Business)	\$ 50
Community Park Rental	\$ 475
Police Services (Public Safety @ Crosswalk)	\$ 135
Safety Fencing Rental (Along Shared-Use Path & Games)	\$ 120
5 hours DPW Labor to install/remove fencing	\$ 200
Electrical Outlets (6 - 110 outlets)	\$ 60
TOTAL	\$1,040

The timeline below gives a brief history of the above subject annual event.

TIMELINE

2006

NOTE: CECI moves Annual Spring Fling from its historical location at Periwinkle Place to Sanibel Community Park for the April 8, 2006 Spring Fling. No Special Event fees in place at this time.

Legislative Update: December 5, 2006 - City Council adopted Ordinance 06-016, which updated the City's regulatory system for special events permits and established application fees which became effective January 1, 2007.

2007

Event Date: March 24, 2007

Permit No.: 07-046

City Council Action: None

Motion: None

Amount Paid by CECI: \$185

(Application fee and Police Services)

2008

Event Date: March 22, 2008

Permit No.: 08-053

City Council Action: None

Motion: None

Amount Paid by CECI: \$385

(Application fee, Barricade & Fence Rental, Labor to install fence and Police Services)

Legislative Update: March 6, 2008 - City Council adopted Resolution 08-053, which established rental fees for Community Park.

2009

Event Date: April 11, 2009

Permit No.: 09-001

City Council Action: September 6, 2008 (Minutes attached)

Motion: Approved waiver of rental fees for Community Park.

Amount Paid by CECI: \$185

(Application fee and Police Services)

2010

Event Date: April 3, 2010

Permit No.: 10-021

City Council Action: August 18, 2009 (Minutes attached)

Motion: Approved waiver of rental fees for Community Park.

Amount Paid by CECI: \$232

(Application fee, Barricade Rental and Police Services)

Legislative Update: December 7, 2010 - City Council adopted Resolution 10-117, which updated the Special Events Schedule of Fees.

2011

Event Date: April 23, 2011

Permit No.: 11-058

City Council Action: June 1, 2010 (Minutes attached)

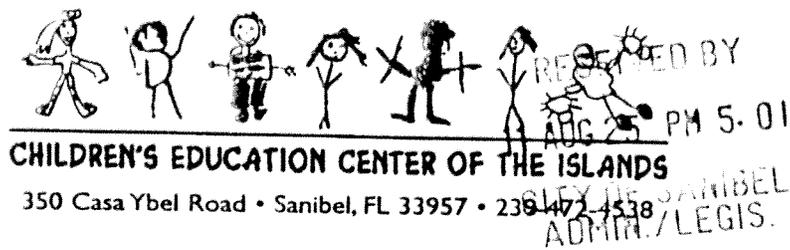
Motion: Approved waiver of rental fees for Community Park.

Amount Paid by CECI: \$432

(Application fee, Barricade & Fence Rental, Labor to install fence and Police Services)

2011

**August 22, 2011 Letter of Request
for Waiver of
All Special Event Fees
including Community Park Rental**



CHILDREN'S EDUCATION CENTER OF THE ISLANDS

350 Casa Ybel Road • Sanibel, FL 33957 • 239-472-4538

August 22, 2011

Ms. Judie Zimomra
City Manager
City of Sanibel
800 Dunlop Road
Sanibel, Florida 33957

Dear Judie,

As you are aware, the Children's Education Center of the Islands is a non-profit, tax-exempt, parent-owned cooperative. The pre-school was established in 1974 to serve the educational needs of the children of Sanibel families and the children of parents who are employed on Sanibel, as well. All funds used to operate the school and provide a quality education for our pre-school age children are derived from four sources; tuition, fund-raisers, grants, and donations. Families who cannot afford the tuition are allowed to apply for a scholarship to provide their children with an equal opportunity to attend the Children's Education Center and receive a desirable, high quality pre-school education.

Each Spring, for the past 17 years, the Children's Education Center has held their annual Spring Festival. The Festival is held for two very important reasons. The first is to give back to the Sanibel community by providing an exciting and fun filled event for the children and families of our residents and guests. The second reason is to generate some of the necessary capital to fund the scholarship program at the school. Months of planning and preparation are devoted to the Festival each year. The success of the Spring Festival is produced only through the donation of many hours of staff and volunteer time.

The availability of scholarship money to help those children in need is directly dependent upon the success of the Spring Festival. Therefore, any expenditure incurred to produce the Spring Festival is carefully evaluated and assessed each year with regard to the effect it may have on the overall scholarship

fund. Keeping costs to a minimum while still providing a quality festival is of the utmost importance.

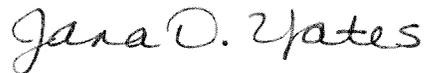
Focusing on this need to minimize costs, I would like to address the Sanibel Special Events-Schedule of Fees. If the tax exempt, non-profit Children's Education Center were exempt from these Special Events fees, additional funds in the amount of the fees could be added to the school's general scholarship fund.

The Children's Education Center of the Islands is currently "celebrating 37 years of dedication to education". During these 37 years, a majority of Sanibel residents and Business owners have attended the school, or their children have attended, or their grandchildren have attended. The Children's Education Center is very much an integral part of our community and provides an excellent head start in education to all who attend.

The children, parents, teachers, and I welcome the opportunity to appear before the Sanibel City Council at the next scheduled meeting to present our case for exemption for all Special Events Fees, including the \$475 Community Park fee.

I await your reply. Thank you.

Best regards,



Jana D. Yates
Director-The Children's Education Center of the Islands
350 Casa Ybel Road
Sanibel, Florida 33957



CITY OF SANIBEL
SPECIAL EVENTS PERMIT APPLICATION
 800 DUNLOP ROAD, SANIBEL, FL 33957
 Phone (239) 472-3700 Fax (239) 472-3065
 Website: www.mysanibel.com
 Email: admin@mysanibel.com

FOR CITY USE:
PERMIT # _____
_____ of _____

DATE: 9/14/11 Lee Co. Tax Parcel #

Application must be submitted no later than 30 calendar days prior to the event accompanied by a refundable deposit (If applicable), and a non-refundable \$50/resident or \$100/non-resident application fee. Applications submitted less than 30 calendar days but not less than 7 days prior to the event, will be assessed a late fee of \$5 per calendar day. Applications will not be accepted later than 7 calendar days prior to the event.

EVENT NAME: Children's Spring Festival

EVENT ADDRESS: Sanibel Community Park

Name of shopping center or complex, if applicable: _____

A drawing of event layout, parking area, placement of signs and temporary structures must be attached upon application submission.

NAME OF APPLICANT/ORGANIZATION: Children's Education Center of the Islands

ADDRESS: 350 Casa Ybel Road

TELEPHONE: 472-4538 CELL: 464-3417 FAX: 472-5594

EMAIL ADDRESS: cecikids@earthlink.net WEBSITE: CECI.org

NAME & ADDRESS TO MAIL DEPOSIT REFUND TO: (Deposits will be returned within 30 days following event.)
Children's Education Center 350 Casa Ybel Rd Sanibel 33957

NAME OF CONTACT PERSON AND PHONE NUMBER AT THE EVENT:
Jana Yates 464-3417

IS THE APPLICANT/ORGANIZATION A 501(C)3, NON-PROFIT? Yes No
 Certificate No. 85-80126438296-8 Please provide a copy of current certificate.

DATE(S) OF EVENT:
 *Set-up and tear down must be included as part of event dates.
 Set-Up Date(s) 4/06/12
 Event Date(s) 4/07/12
 Tear-Down Date(s): 4/07/12

BEGINNING/ENDING TIME:
 *Set-up and tear down must be included as part of event times.
 Set-up Time(s) 10am - 1pm
 Event Time(s) 10am - 1pm
 Tear-Down Time(s) 1pm

NUMBER OF PARTICIPANTS EXPECTED: 400 ADMISSION CHARGE (IF ANY): \$10 per child

TYPE OF EVENT/SPECIFIC ACTIVITIES: 18th annual Children's Spring Festival For children & families. Includes community Easter egg hunt, games, crafts, concessions

PLEASE CHECK APPROPRIATE BOX: Private Event Public Event
 *NOTE - Public events will be listed on the Special Events Calendar on the City's website.

TEMPORARY SIGN(S) The Sanibel Code permits one (1) on-site sign, not to exceed 12 square feet that may be double-faced, per Special Event. Non-Profit organizations are permitted up to six (6) off-site directional signs, with City Manager approval. **BANNER SIGNS AND BALLOONS ARE STRICTLY PROHIBITED AT ALL TIMES.**

Please indicate sign size, type, and location of **On-Site sign**: on-site - 3x4

Please indicate sign size, type, and locations of **directional signs** (Non-Profit Organizations only):

6 directional (real estate type signs) 24" x 18"

NUMBER OF VENDORS: _____ Note: Overnight Parking Fee of \$25 per vehicle, per event, for vendors camping overnight on City properties.

TEMPORARY TENTS AND STRUCTURES - Including arches, tents (specify number of tents and tent size), chairs, tables, bounce houses, dunk tanks, etc. Tents exceeding 120 square feet require a tent permit (per tent) from the Building Department and a fire inspection.

Tent #1 Size: 10x10 tents (20) Tent#2 Size: _____ Tent #3 Size: _____

Temporary Structure Type: 20 tables, plastic chairs Quantity: 20

Temporary Structure Type: bounce house Quantity: 1

Temporary Structure Type: giant slide Quantity: 1

TRAFFIC CONTROL PLAN: Please attach traffic control and parking plan for events requiring off-site parking or pedestrian street crossing.

A Business Tax Receipt or Business Registration is required to work in the City of Sanibel. Please provide your Business Tax Receipt Number or Business Registration Number # Tax ID# 59-1533336

Are Police Services, such as Traffic/Pedestrian Control or Event Security requested? [] Yes [] No

NUMBER OF OFFICERS: 1 **DATE:** 4/07/12 **TIME:** 10am-1pm

The rate is \$135 for a 3-hour minimum shift, per staff member and \$40, per staff member, per hour thereafter. In the interest of public safety, the Sanibel Police Chief may require an applicant retain Police Services as a condition of granting a Special Events Permit, in which case, applicant is responsible for payment of fees as described above.

Will amplified music be played? Yes [] No

If yes, applicant must adhere to Noise standards set forth in Sanibel Code Chapter 30, Article III.

Will City property, public right-of-way or other public property (beach parks, community parks, etc.) be utilized? [] Yes No

If yes, please identify right-of-way and/or public property/park name: _____

EVENTS HELD AT COMMUNITY PARK – SMOKING IS PROHIBITED at Community Park. Applicant is responsible for ensuring compliance with this policy. **Failure to do so will be in violation of this permit, may lead to forfeiture of deposit, and may constitute a violation of City Policy.** Spot maintenance will be provided at Community Park by the City of Sanibel Public Works Department between the hours of 8 a.m. to 5 p.m., daily. In addition, for overnight events, applicant is responsible for bathroom maintenance (emptying trash containers, stocking of toilet paper and paper towels) between the hours of 5 p.m. and 8 a.m.

EVENTS HELD ON CITY PROPERTY: Liability Insurance in the amount of \$1,000,000 listing the City of Sanibel as an additionally insured party may be applicable for certain events held on City property. Proof of insurance must be provided before application is approved.

NOTE: If event is held on City property, such as a City Park or City Hall, **alcohol is prohibited** unless approved by City Council. A rental fee and deposit is applicable for use of certain City Properties. Please contact the City Manager's Office at (239) 472-3700 for information regarding fees and deposits.

Will alcoholic beverages be served or sold? [] Yes [X] No

If yes, please attach copy of liquor license. If liquor license is not attached, applicant must provide license to the City prior to issuance of a Special Event Permit. To find out if you are required to obtain a liquor license, please contact the Division of Alcoholic Beverages and Tobacco at (239) 278-7195

Will food and/or drink be served or sold? [X] Yes [] No (Appropriately rated fire extinguishers required)

If this is an outdoor event, vendor may require a Lee County Department of Health Permit or a License from the Division of Business and Professional Regulation. To find out if you need a Health Department Permit or license, please call the Lee County Health Department at (239) 690-2100 or Division of Business and Professional Regulation at (850) 487-1395.

Will temporary sanitary facilities be provided? [] Yes [X] No If yes, indicate location on site plan.

Will trash receptacles, dumpsters and recycling containers be provided? [] Yes [] No

If yes, indicate on site plan. Who will be providing the receptacles, dumpsters or containers? applicant

NOTE: Trash and recycling receptacles must be emptied at the end of each day into a dumpster for multiple day events to discourage the feeding or foraging of raccoons. Failure to do so will be in violation of this permit, may lead to forfeiture of deposit, and may constitute a violation of other City Ordinances.

Is this a Sanibel student or Sanibel youth group event? [X] Yes [] No

If yes, the fee for a special event permit shall be \$5 so long as proceeds from the event solely benefit a Sanibel student or Sanibel youth group; is a single day event generally not lasting longer than 8 hours; no vendor or related fees are charged (only the youth group fee or contribution is solicited); event is managed and conducted solely by volunteers; and temporary and/or permanent structures are not required. (Ordinance 07-016)

Is the applicant an organized homeowners association or neighborhood association? [] Yes [X] No

If yes, the application fee shall be waived. (Resolution 07-020)

Does event require electrical usage at any City Owned Property? [X] Yes [] No

If yes, a \$10 daily power usage fee for electrical connection at any City owned property will apply for each 110 volt outlet, and \$20 daily power usage fee per 220 volt outlet, per 24-hour day or any portion thereof. (Resolution 07-092)

OWNER OF PROPERTY: If the person/group applying for this permit is not the owner of the property, the property owner must sign this application. If the property owner is unavailable to sign the application, a letter of permission from owner is acceptable.

Jana D. Yates
Property Owner Signature

Jana D. Yates
Print Name

Director
Title

By signature below, it is understood by applicant that this application is subject to review and approval by City staff and may be revoked at any time for non-compliance with rules, local ordinances, state statutes or if the event endangers the health, safety, or welfare of the public. The City reserves the right to cancel the event should any conflicts arise with scheduling, and will give reasonable notice to the applicant for the purpose of rescheduling. During reviews by various City Departments, additional conditions may be imposed. As required by Section 110-83, City services determined necessary for the conduct of the Special Event, such as temporary lighting or police officers to direct or reroute traffic, shall be paid by applicant.

This permit is valid only for the time indicated on this permit. In the event that the applicant fails to fulfill the requirement(s) as set forth in this permit or fails to obtain proper authorization to proceed, if conditions have changed, including but not limited to time, specifications and activities, deposit may be forfeited and the permit may be cancelled.

As applicant, I agree to abide by all conditions and requirements of the City of Sanibel and will comply with *Chapter 110 of the Sanibel Code. Applicant further understands that the use of Fireworks, Explosives and Upward Lighting are prohibited at all times. *Copy available upon request.

Applicant Signature: Jana D. Yates Print Name: Jana D. Yates

**--FOR CITY USE ONLY--
DEPARTMENT COMMENTS**

FEEES BY
DEPARTMENT:

Planning

\$ _____
Planning

Police

\$ _____
Police

Public Works

\$ _____
Public Works

Building

\$ _____
Building

Tent Standards attachment required? Yes No

Finance

\$50 app fee / \$100 depo paid 9/27/11 # 1127227

\$ 150-
Finance

Business Tax Receipt Verified? Yes No

Natural Resources

\$ _____
Natural Resources

Beach Standards attachment required? Yes No

Recreation

\$ _____
Recreation

\$ _____
TOTAL

Comments/Permit Conditions: _____

City Manager Approval _____

Date _____

CITY OF SANIBEL
*** CUSTOMER RECEIPT ***

Batch ID: DJS

9/28/11 11

Receipt no: 1127227

Type	SvcCd	Description	Amount
MI		MISC REVENUE GEN FUND	
	Qty	1.00	\$50.00
SPECIAL EVENTS PERM	00100003291001		
MI		MISC REVENUE GEN FUND	
	Qty	1.00	\$100.00
OTHER CURRENT LIAB	00100002291000		
CHILDREN'S EDUCATION CENTER			

Tender detail

CK Ref#:	6221	\$150.00
Total tendered:		\$150.00
Total payment:		\$150.00

PAID
SEP 26 2011

Trans date: 9/27/11 Time: 9:04:58

BY:

THANK-YOU FOR YOUR PAYMENT

2010

June 1, 2010 CC Meeting

**City Council Adopted Minutes
Consent Item f.**

**SANIBEL CITY COUNCIL REGULAR MEETING
JUNE 01, 2010**

Mayor Ruane called the meeting to order at 9:00 a. m.

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

Members present: Mayor Ruane, Vice Mayor Denham, Councilman Harrity and Councilman Jennings. Councilman Pappas was absent.

PRESENTATION(S)

Proclamation recognizing Sanibel Beautiful, Inc., for their 10th Anniversary and the former Periwinkle Partnership for receiving the Award of Merit in the Transportation Category from the Florida Native Plant Society for the Periwinkle Way Restoration Project

Mayor Ruane read and presented a proclamation to Sanibel Beautiful, Inc.

Ada Shissler spoke to Sanibel Beautiful, Inc., and cooperation of volunteers.

Mayor Ruane asked if the Special Events permit fee waiver request be moved forward. Council agreed.

- f. Request from the Children's Education Center of the Island, Inc., for waiver of Special Events fees for April 23, 2011 for the rental of Community Park in the amount of \$475 (this event has been previously approved & is considered a grandfathered event)

Councilman Harrity moved, seconded by Vice Mayor Denham, to approve the above.

Public Comment

John Yates spoke to the Children's Education Special Event being a grandfathered item.

Mayor Ruane explained that all grandfathered items come before City Council.

The motion carried. Councilman Pappas was absent.

Presentation by Dennie Hamilton, CEO and Executive Vice President, Lee County Electric Cooperative regarding power outages

A short presentation was given by Dennie Hamilton, CEO and Executive Vice President of LCEC.

Discussion ensued regarding an electrical issue, problems with sailboats, raising the line over Pins Island Sound (the transmission line to Sanibel Island), time outage shown on PowerPoint in minutes seemed distorted, concerned that hurricane season begins, expectations, Mr. Hamilton stated a maintenance program was in place, improvements in 2007 and 2008, reviewing procedures, working with union for 24/7 coverage, benchmarking of LCEC performance not out of line, numbers updated through May, 2010, independent report coming from LCEC, important for communication of LCEC results, and the need for a timeline of LCEC improvements forward to City Manager.

Public Comments

Ric Base, Executive Director Sanibel Captiva Chamber of Commerce spoke to a new reward card program through the Chamber for residents. He requested a Council endorsement.

2009

August 18, 2009 CC Meeting

**City Council Adopted Minutes
Consent Agenda Item c.**

10-021

REPORTING HOW THEIR APPLICATION CONFORMS TO THE REQUIREMENTS AND STANDARDS OF SECTION 86-43; AND SUBDIVISION II SHORT-FORM, SECTION 82-401 APPLICATION, TO REFLECT THAT A SINGLE FAMILY OR DUPLEX DWELLING UNIT THAT EXCEEDS THE THRESHOLD SIZE ESTABLISHED IN SECTION 86-43 IS NOT AVAILABLE FOR A SHORT-FORM DEVELOPMENT PERMIT; AND SUBDIVISION III LONG-FORM, SECTION 82-421 APPLICATION, TO REFLECT THAT A SINGLE FAMILY OR DUPLEX DWELLING UNIT THAT EXCEEDS THE THRESHOLD SIZE ESTABLISHED IN SECTION 86-43 IS PROCESSED AS A LONG-FORM DEVELOPMENT PERMIT; AND PROVIDING FOR CONFLICT AND SEVERANCE; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE

Ms. Zimomra read the title of Ordinance 09-011.

Public Comment

Claudia Burns spoke to her attendance of the Planning Commission meetings regarding Ordinance 09-011 and would help prospective homeowners.

Alan Silberman spoke his agreement of Ordinance 09-011.

Mr. Cuyler stated that there would be no vote and a second reading would be announced,

Mr. Jimmy Jordan, Planning Director spoke to the hard work completed by the Planning Commission

Discussion ensued regarding listening to public input and Council comments would be held until the second reading public hearing when a full Council was present.

Council set the second reading and public hearing for Tuesday, September 15, 2009 at 9:15 a. m.

CONSENT AGENDA

Mr. Cuyler spoke to item (j) regarding the use of Roetzel and Andress agreement did not want to be foreclosed to represent other clients at the Planning Commission. Councilman Harry asked that items (g) and (c) be removed for discussion.

- c. Request from Children's Education Center of the Islands to waive the Special Event Community Park fee rental in the amount of \$475 (Last year Council waived the Community Park rental fee of \$475)

Ms. Zimomra commented that twice the fees had been updated, but historically events held without fees in the past Council had continued to waive fees for. The Children's Center event was not grandfathered in. She further commented that Council did waive Community Park rental fees for the Children's Center last year and that the Children's Center had paid the application fee and deposit.

Councilman Harry made a motion, second by Councilman Jennings, to waive the fee of \$475 this year and consider next year when a request is made.

No public comment

The motion carried. Mayor Denham and Councilman Pappas were absent.

- g. **RESOLUTION 09-091 OF THE CITY OF SANIBEL, FLORIDA, SUPPORTING ELIMINATION OF THE CAP ON THE STATE AND LOCAL HOUSING TRUST FUNDS (HOUSING TRUST FUNDS) AND SUPPORTING FULL APPROPRIATION OF THE HOUSING TRUST FUNDS FOR HOUSING PROGRAMS; AND PROVIDING FOR AN EFFECTIVE DATE**

Ms. Zimomra explained that this resolution was at the request of the Florida League of Cities to keep the document stamp funds from being depleted.

2008

September 6, 2008 CC Meeting

**City Council Adopted Minutes
New Business Item a.**

NEW BUSINESS

Request from The Children's Education Center of the Islands to be exempted from Special Event Fees for their 2009 Spring Festival to be held at Community Park (2221 Periwinkle Way) on April 11, 2009. (\$50 Application Fee and \$100 Refundable Security Deposit paid by applicant on 7/29/08 & fees requested to be waived and refunded – total approximately \$1,045

Ms. Zimomra explained the request. She further explained that there were City expenses and legislation was adopted by Council to recapture the cost, but not to make money

Discussion ensued regarding paying the power bill for B. I. G. Arts, Ms. Zimomra stated this was within an existing agreement

Public Comment

John Yates spoke to the request and explained that the funds were used to give scholarship for parents that live and/or work on the island to afford their children the opportunity to attend school. He also explained it was a non-profit organization, as well as being community-based. He stated that taxes were used to fund the development of Community Park and this was the 2nd time the Children's Education Center used the park.

Discussion ensued regarding developing a uniform policy for all non-profit organizations, Council asked for suggestions, the school paid the necessary Special Event fees for their festival to use Community Park, Ms. Zimomra stated the fee last year was \$485, understanding the finances when operating a school, the need to be equitable to everyone, may need a charitable contribution to cover the fees, should be an equity at a lower cost, and volunteers willing to perform work in order to reduce the fees.

Jeff White spoke to other organizations paying the fees and the school being a non-profit organization. He further stated the fees could not be affected across the board.

David Muench spoke to the school performing certain things to off-set coast. He stated that fees should increase as cost increase.

Ms. Zimomra stated that \$145 was a refundable deposit if there was no clean-up necessary. She further spoke to the following costs:

- \$50 application fee
- \$100 deposit
- \$475 Park Rental
- Police service
- Barricade rentals
- Safety fence
- Deposit on fence

Discussion ensued regarding different clubs having the ability to raise money, and Councilman Pappas suggested a fee of \$475, Ms. Zimomra stated that would be waiving the rental fee, if an institution had difficulty raising the money the fees should be considered, understood that there would be volunteers to put up the fence, Ms. Zimomra stated that if fees were waived the waiving of the park rental fee would set less precedent, did Vice Mayor Ruane have a conflict, Mr. Cuyler stated no, and policy may need to change if Council wanted to waive fees for children's nature activities.

Councilmember Pappas made a motion, seconded by Councilman Jennings, to waive the \$475 Community Park rental fee.

Public Comment

None

The motion carried.

CITY MANAGER

Informational Items

Community Housing Resource (CHR) Quarterly Financial Statement

Ms. Zimomra advised the report was in the agenda packet as per the agreement between the City and CHR.

Follow-up from ECHO regarding composting of Red Drift Algae

Ms. Zimomra stated that at a previous meeting a resident asked if Sanibel had considered using a group called ECHO. She explained that a recent newspaper article stated that they had accepted some of the algae from Ft. Myers Beach to compost. But after one load they found there was too much sand and too many seashells.

Status of storm surge as a result of passing Hurricane Gustav

Ms. Zimomra explained that there was flooding at Lighthouse Beach and was closed for several days. She further stated that a common question was what wind speed would the bridge close. She spoke to the following:

- Do not wait to cross the Causeway
- Bridge does not close, but does become unsafe to cross

She further stated that some areas on the east end also flooded. She called Council's attention to a response from the County planning to take care of sand in the out fall pipes on the Causeway.

Appointment of the City Clerk to the Florida League of Cities Intergovernmental Relations Legislative Policy Committee

Ms. Zimomra advised that Pamela Smith, City Clerk was appointed to serve on the above-mentioned Florida League of Cities Committee. She further stated that the single important issue was the Healthy Beach Program.

She further spoke to the Healthy Beach Program would be the piece of legislation that would go to the Legislative Delegation unless Council decided on another topic.

CITY ATTORNEY'S REPORT

None.

COUNCIL MEMBERS' REPORT

Scheduling a time to discuss the process City Council will utilize to fill the upcoming City Council vacancy

Mayor Denham suggested Council think of the procedure used to replace Councilmember Johnston and a variety of ways to accomplish a possible appointment.

Discussion ensued regarding replacing Councilmember Johnston, recommended Armand Ball that would not run for election, would like to think about position and discussion on September 16, do not want to advertise, orientation beneficial, can Ms. Johnston vote, Mr. Cuyler stated the charter reads that the remaining members could vote to replace Ms. Johnston, no legal opinion of when the decision should take place, Council asked that Mr. Cuyler issue an opinion regarding the vote, discussion on the process on the September 16 agenda.

Karen Storjohann suggested an announcement advising the community that there would a discussion on September 16th and why.

Legislation

CITY OF SANIBEL

RESOLUTION 10-117

A RESOLUTION AMENDING THE SPECIAL EVENTS SCHEDULE OF FEES FOR THE CITY OF SANIBEL WHICH ESTABLISHES FEES FOR RENTAL OF VARIOUS EQUIPMENT FROM THE CITY AND RENTAL FEES FOR CITY FACILITIES INCLUDING COMMUNITY PARK AND BOWMAN'S BEACH PARK; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Council adopted Resolution No. 10-069 pursuant to the authority of Sanibel Ordinance No. 06-016, as amended, in order to set forth the most current Schedule of Fees for Special Events Permits; and

WHEREAS, the City Council finds and determines that it is necessary to amend the previously adopted Schedule of Fees for Special Events;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sanibel, Florida, that:

SECTION 1. The City of Sanibel Special Events Schedule of Fees as adopted through Resolution No. 10-069 and as set forth on attached Exhibit "A" to this Resolution is hereby amended as noted with underlined language showing additions and ~~strike through~~ language showing deletions and such amended Schedule of Fees is hereby approved.

SECTION 2. Effective Date.

This Resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Florida, this 7th day of December, 2010.

AUTHENTICATION:



Kevin Ruane, Mayor



Pamela Smith, City Clerk

APPROVED AS TO FORM: Kenneth B. Cuyler 12/7/10
Kenneth B. Cuyler, City Attorney Date

Vote of Council members:

Ruane	<u>yea</u>
Denham	<u>yea</u>
Harrity	<u>yea</u>
Jennings	<u>yea</u>
Pappas	<u>excused</u>

Date filed with City Clerk: December 7, 2010

SPECIAL EVENTS SCHEDULE OF FEES

\$50 Non-refundable Special Event Permit Application Fee – Resident Rate (**)
\$100 Non-refundable Special Event Permit Application Fee – Non-resident Rate

\$50 Non-refundable Holiday Sidewalk Sales Special Event Application Fee

\$5 per day late fee for applications submitted later than 30 days prior to the event (**)

Refundable Clean-up and Damage Deposit as follows for events held on public property:

- \$50 100 participants or less (**)
- \$100 101-500 participants (**)
- \$250 501-1000 participants
- \$1000 1000 participants or more

~~\$50~~ \$54 Tent Permit Fee

\$25 Overnight Parking Fee, per vehicle, per event, on all City Properties

\$10 Daily Power Usage Fee for electrical connection at any City owned property (for each 110 Volt Outlet - per 24 hour day or any portion thereof)

\$20 Daily Power Usage Fee for electrical connection at any City owned property (for each 220 Volt Outlet - per 24 hour day or any portion thereof)

\$250 Road Closure Fee (Inspections by Chief of Police, and Public Works Personnel) (**)

\$1 each Traffic Control Device Rental (ie: Barricades/Cones) (**)
(For road closures and no parking notification, a barricade/cone is required every 10 feet.)

\$30 Installation and Tear-down of temporary barricades & traffic control devices

Temporary Fencing Rental, per 100 feet, including five (5) posts

Resident	Non-Resident
\$10	\$20

Temporary fencing rental refundable damage deposit \$40, per 100 feet

\$40 Installation and tear-down of temporary fencing, per 100 feet.

Portable Light Stand, per day

Resident	Non-Resident
\$15	\$30

Portable Light Refundable Damage Deposit \$250, per light stand

Delivery Charge of \$30 for City Equipment Delivered to event location

Tent Rental Fees:

	Resident (**)	Non-resident
• 10' x 10'	\$30	\$60
• 20' x 20'	\$100	\$200
• 20' x 40'	\$200	\$400

Community Park

(Refundable Clean-up and Damage Deposit required in addition to rental rate – see above Deposit Schedule)

	Resident	Non-Resident
• Pavilion Rental	\$25	\$50
• Volleyball Court (Hourly)	\$10	\$20
• Shuffleboard Court (Hourly)	\$10	\$20
• Parking Lot Closure Fee (Per Day)	\$125	\$250
• Gazebo Rental (Per Day)	\$125	\$250
• Park Rental (All Day/Per Day)	\$475	\$575

Bowman's Beach

(Refundable Clean-up and Damage Deposit required in addition to rental rate – see above Deposit Schedule)

• Pavilion Rental	\$25 Resident	\$50 Non-resident
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City Facilities

	Resident	Non-Resident
• Gazebo	\$25	\$50
• MacKenzie Hall (2-hour increments)	\$25	\$50
• Recreation Center Pavilion (4-hour increments)	\$150	\$300

As required by Section 110-83, City services determined necessary for the conduct of the Special Event, such as temporary lighting or police officers to direct traffic or reroute traffic, shall be paid by applicant in addition to other fees listed above.

** The above fees as noted by (**) shall be waived for any applicant that is a Sanibel organized homeowners association, neighborhood association or other neighborhood or homeowners group, formally incorporated or otherwise, generally recognized as a representative of the neighborhood or subdivision seeking the Special Events Permit.

Resident for purposes of this fee schedule shall mean and include Sanibel residents, property owners, a Sanibel business with a Sanibel address and Business Receipt, and Sanibel based non-profit organizations.

(Underlined language indicates additions; ~~strike-through~~ language indicates deletions)