

**SANIBEL CITY COUNCIL REGULAR MEETING
TUESDAY, FEBRUARY 07, 2012**

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

Vice Mayor Denham gave the Invocation and led the Pledge of Allegiance.

Members present: Mayor Ruane, Vice Mayor Denham, Councilman Congress, Councilman Harrity and Councilman Jennings.

PRESENTATION (S)

Employee of the 1st Quarter

Mayor Ruane recognized Barbara Gennity, Recreation Department as the Employee of the Quarter.

Presentation of a plaque from the Florida League of Cities (FLC) Board of Directors to Councilman Jennings' term as Director from 2007 to 2011

Mayor Ruane presented the Florida League of Cities plaque to Councilman Jennings recognizing his participation as a Board member from 2007 to 2011.

Planning Commission Report

Chairman Mike Valiquette gave the following report of January 10, 2012.

- Election of Chair and Vice Chair
- Approved a variance to tear down at house on San Carlos Bay Boulevard

Public Comments

Mike Valiquette spoke to a letter to Representative Aubuchon regarding Citizens Insurance not providing wind insurance in the future.

Discussion ensued regarding talking to other people, call Mayor Ruane as Chair of the Florida Municipal Trust Insurance Board and Lloyds of London carry above the normal wind insurance.

William Keeney spoke to and presented Council a petition to install five stop signs on Atlanta Plaza Drive.

Mayor Ruane noted that staff needed to review.

Ed Seibert spoke to off-shore oil drilling and oil productions continuing in Big Cypress.

Karen Stori Johan spoke to the need to move the resort redevelopment main clause discussion forward due to the Frommer listing Sanibel as the number one destination.

Barry Roth spoke to the New Year's Eve fund raising event for financial assistance for children to attend the after school program, fun days and holidays. He also thanked Council and the community for their dedication.

Hazel Schuller spoke to an article in News Press where City of Bonita Springs being sued over their land use plan.

Council Comments

Councilman Jennings spoke to B.I.G. Arts request for a City flag. He suggested talking to other communities regarding Citizens Insurance.

Councilman Congress spoke to audio broadcasting and that Council should consider.

Discussion ensued regarding discussing Council meeting broadcasting during budget discussions and could direct staff to bring back to Council in the next meeting or two.

Mayor Ruane thanked Barry Roth for his efforts in raising money for the scholarship program and the past vision held by past Councils and residents.

Second Reading and Public Hearing

ORDINANCE 12-002 OF THE CITY OF SANIBEL, FLORIDA, AMENDING CHAPTER 50 PERSONNEL, ARTICLE IV, GENERAL EMPLOYEES RETIREMENT PLAN, OF THE CODE OF ORDINANCES OF THE CITY OF SANIBEL; AMENDING SECTION 50-477, PARTICIPATION, BY CLOSING THE PLAN TO NEW HIRES; PROVIDING FOR CODIFICATION AND SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Ms. Zimomra read the title of Ordinance 12-002.

Mr. Cuyler explained the following:

- Close the pension plan to new hires
- Does not affect employees currently in the plan

Vice Mayor Denham moved, seconded by Councilman Congress, to adopt Ordinance 12-002.

Public Comment

None

The motion carried.

CONSENT AGENDA

Vice Mayor Denham pulled item d.

- d. **RESOLUTION 12-014 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2012-018 AND PROVIDING AN EFFECTIVE DATE** (To budget: 1) \$8,500 to legislative contractual for a summer intern; 2) \$8,500 to administration part-time salaries for a summer intern; 3) \$10,500 to MIS part-time salaries for temporary administrative/clerical support and two summer interns; 4) \$5,500 to planning department part-time salaries for temporary administrative support; 5) \$5,300 to recreation for temporary lifeguard rotation as a weight room attendant; and 6)000 to beach parking for banking/depository expense. These positions do not include benefits. This budget amendment does not increase or decrease the FY12 budget)

Vice Mayor Denham spoke to not understanding where the funds were coming from and not sure why this was being done at this time of year.

Ms. Zimomra explained the following:

- Busy time for employees not necessarily the busiest time on island
- 2 positions related to employee sickness ; Planning Department and Legislative
- Temporary part-time
- No benefits
- Recreation weight room attendant through peak time February to April
- Funding from different source and monies from recreation funds
- Beach parking from beach parking fund
- Planning and Legislative coming for the reserve for contingency

Vice Mayor Denham moved, seconded by Mayor Ruane, to adopt Resolution 12-014.

Public Comment

None

The motion carried.

- b. **RESOLUTION 12-012 RECOGNIZING THE MERGER OF LARSONALLEN, LLP AND THE FIRM OF CLIFTON GUNDERSON, LLP TO FORM A COMBINED NEW FIRM, CLIFTONLARSONALLEN, LLP; RECOGNIZING AND APPROVING CLIFTONLARSONALLEN, LLP TO CONTINUE LARSONALLEN'S AUDIT FUNCTIONS AND RELATED FINANCIAL AUDITING SERVICES FOR THE CITY OF SANIBEL; AND PROVIDING AN EFFECTIVE DATE**

- c. **RESOLUTION 12-013 ADOPTING A COST ALLOCATION PLAN, (ALSO KNOWN AS AN INDIRECT COST PLAN) FOR THE FISCAL YEAR 2010-11; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CERTIFICATE OF COST ALLOCATION PLAN IN ACCORDANCE WITH THE REQUIREMENTS OF OMB CIRCULAR A-87 AND FULL COST PLAN; AUTHORIZING THE DISTRIBUTION OF THE CENTRAL SERVICE OVERHEAD COSTS TO QUALIFYING GRANTS AND ENTERPRISE FUNDS; ESTABLISHING THAT REGULAR UPDATES TO THE COST ALLOCATION PLAN BE MADE; AND ESTABLISHING AN EFFECTIVE DATE AND RESOLUTION 11-022 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2011-017 AND PROVIDING AN EFFECTIVE DATE**

- f. **RESOLUTION 12-006 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2012-007 AND PROVIDING AN EFFECTIVE DATE** (To transfer \$6,350 from the General Fund Reserve for Contingencies to the Ball Park Maintenance Fund to convert the ball park pavilion into a lightning safe shelter. This amendment does not increase the FY12 budget)

- g. **RESOLUTION 12-016 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2012-015 AND PROVIDING AN EFFECTIVE DATE** (Based on the FY11 indirect cost study, adjust expense in the following funds: 1) Building Department Fund decrease expense by \$3,987; 2) Ballfield Maintenance Fund decrease expense by \$7,079; 3) Sewer Fund increase expense by \$105,260; 4) Beach Parking Fund decrease enforcement expense by \$18,210 and reduce maintenance expense by \$16,560. Increase revenue to the general fund by \$59,514. This amendment increases the FY12 budget by \$59,514)

- h. **RESOLUTION 12-017 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2012-016 AND PROVIDING AN EFFECTIVE DATE** (To transfer \$1,926 from the General Fund reserve for insurance deductibles to pay for damage to a vehicle on December 23, 2011. This budget amendment does not increase or decrease the FY12 budget)

- i. **RESOLUTION 12-018 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2012-017 AND PROVIDING AN EFFECTIVE DATE** (To reallocate \$45,000 from the finance department's temporary contractual services line to temporary regular salary. This position does not include benefits. This expenditure was originally approved on BA2012-006 on November 1, 2011. This budget amendment does not increase or decrease the FY12 budget)

- j. **RESOLUTION 12-019 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2012-019 AND PROVIDING AN EFFECTIVE DATE** (To decrease the OPEB amount due to the city from \$19,209 to \$18,803 and to increase the OPEB implied subsidy from \$55,000 to \$58,209. This budget amendment does not increase or decrease the FY12 budget)

Ms. Zimomra read the titles of Resolutions 12-012, 12-013, 12-014, 12-006, 12-016, 12-017, 12-018 and 12-019.

Vice Mayor Denham moved, seconded by Councilman Harrity, to adopt Resolutions 12-012, 12-013, 12-014, 12-006, 12-016, 12-017, 12-018 and 12-019.

Public Comment
None

The motion carried.

- a. Approval of minutes – January 03, 2012 Regular Meeting
- e. Approval of an agreement between the City of Sanibel and Cisco to provide information technology consulting and advisory services and authorize the City Manager to execute (Contract cost is \$35,000. Budget amendment adopted through Resolution 12-011 at the January 03, 2012 City Council meeting)
- k. Acceptance of 2011-2012 Lee County Community Development Block Grant funding in the amount of \$18,671.59 to design and construct a pedestrian wooden bridge between the parking lot at the City Hall complex and the BIG Arts building and the Historical Village and Museum and make it ADA compliant; and authorize the City Manager to execute same (these funds will increase the FY12 budget by \$18,671.59)

Councilman Congress moved, seconded by Councilman Harrity, to adopt Consent Agenda items (a), (e) and (k).

Public Comment

Herb Rubin spoke to his discussions with Gates Castle, Public Works Director and Lee Harder regarding the time frame for accidents before lighting was replaced.

Ms. Zimomra noted the bridge lighting would be within 6 months and staff would be reviewing lighting at night next week, which may be coming back to Council.

Discussion ensued regarding lighting approved by Council, Ms. Zimomra noted lighting back ordered, Gates Castle noted that lighting on the eastside of BIG Arts was removed when the path was installed, purchase order issued to buy lights and proposal from a contractor to install lights, Mr. Castle also advised that the lighting between City Hall and the Library would be installed once all proposals were received and hopefully within one month, concerned of lighting at BIG Arts, which was removed as previously stated and bollard would be on the east side of BIG Arts and City Hall/Library.

The motion carried.

OLD BUSINESS

Status report regarding discussion of the area plan (Town Square) for Dunlop Road to Palm Ridge Road including Periwinkle Way (Councilman Harrity)

Councilman Harrity reported the following:

- Moving along with discussions
- Interesting to see different comments
- Biggest issue to get everyone together with one plan

Discussion ensued regarding the Vice Mayor attending the Chamber Governmental Affairs committee meeting the first Friday of the month, suggest that Councilman Harrity attend a meeting to share the Town Center discussions and possible WIFI the entire area, which Ft. Myers was working on at the moment.

Finance Issues

Police Officers' Pension Plan

Discussion regarding options for making a lump sum payment to the Police Officers Pension Plan

Annual versus monthly payment of City's required contribution

Mayor Ruane gave a brief history as follows:

- Allocated an additional \$1 million to pay on the unfunded liability during the budget process
- Submitted plan to State and accepted
- Costs associated through interest expense
- Monthly payments made liability

Discussion ensued regarding addressing unfunded liabilities, as long as cash flow permits it makes sense to make the lump sum payment at the beginning of the year to save substantial amount of interest, should make on an annual basis, monies collected on taxes invested, obligation with Police Officers plan was 8% interest rate, could City Council commit on an annual basis, should be discussed during budget discussions, obligation to fund pensions and was calculated at 8%, should payment wait until after hurricane season ends and benefits for the fixed costs for the coming year.

Mayor Ruane moved, seconded by Councilman Congress, to make \$1 million lump sum payment to the Police Pension plan.

Public Comment

None

The motion carried.

General Employees' Pension Plan

Report from Council liaison on special meeting and status

Foster and Foster Valuation Report

Foster and Foster assumption alternatives

Discussion regarding options for making lump sum payments to the General Employees' Pension Plan

Annual versus monthly payment of City's required contribution

Approval of the OPEB report General Employees' Pension Board

Councilman Congress gave a brief history.

- Submitted FY08, 09 and 10 to State
- State rejected

- Stated accepted due to steps taken over the last year
- Provided an opportunity for pension board members to review the pension plan
- Special meeting January 18, 2012
- Discussed lowering the rate of assumption
- Board decided discussion was needed
- Upcoming meeting Friday, February 10, 2012
- Allow Board to make recommendations

Discussion ensued regarding no Council liaison to pension boards in the past, concern of funded ratio, looked at 2008 plan and gives past funded ratios, when buyouts done a cost estimate needed, past buyouts did not have scrutiny, Council put aside an additional \$2 million to pay down unfunded liabilities, 7.5% assumption for general, Police Officers' 8% assumption performing better, did not agree with smoothing, Council paying down debt, recommendation to make an additional payment beyond \$2 million, cost to lowering the assumption, decision includes what the City could afford, could afford an additional \$1 or \$2 million, paying back gains and losses over 10 years, allow Board to lower assumption, could accomplish, to confirm \$2 million already set aside in budget, fast forward payments, and fast forward payments due this year.

Councilman Congress moved, seconded by Mayor Ruane, to pay the \$2 million already budgeted put aside in budget and accelerate the annual payment in advance.

Public Comment
None

The motion carried

Councilman Congress moved, seconded by Vice Mayor Denham, to take \$2 million from the undesignated reserves and assign funds to pay down to the General Employee Pension out of the FY 12 budget, allowing staff to take action with regard to the allocated funds and direct Doug Lozen to review the costs of the rate for assumptions.

Discussion ensued regarding supporting the \$2 million additional payment, remove smoothing, questions with rate of assumption at 7.5%, should reduce assumption, if assumption changed it would be natural to hit the new assumption rate, Board could direct Mr. Chambers, should lower assumptions to 6%, goal of fund ratio 80%, pension board develop a plan to achieve a healthy pension plan, need to know specific challenges, look at page 13 of the actuarial report, last year had \$10.4 million unfunded liability, fell short this year of liability, assumptions need to be revised, biggest components, salary, turnover and biggest loss was due to turnover, not sure why the assumption could not go to 6%, Pension Board needs to give direction to go from 7.5% to 7%, unfunded liability puts pressure on the assumption rate, previous investment manager fired and now have new, Florida retirement system at 7.75%, need to pay down additional money, allow pension Board to lower assumption and know the cost associated with lowering assumption, no need to take action, trustees would not have a cost projection ready, give Pension Board the flexibility to manage assumptions set aside \$2 million when the Pension Board was ready to make a recommendation, direction to Board that the additional \$2 million was available to pay down the assumptions and commit the \$2 million.

The motion was withdrawn.

Mayor Ruane moved, seconded by Vice Mayor Denham, to remove \$2 million from unassigned unrestricted surplus and designate as committed assigned to the General Employees' Pension Plan.

Public Comment

Michael Armstrong spoke to the City able to meet the already obligations incurred. He also stated the question was how to get to 100% assumption and would meet 30 years in the future. He mentioned that getting back to a 10-year plan was a challenge.

The motion carried.

Discussion ensued regarding the need to quantify the needs of the plan, Ms. Zimomra noted that the valuation report, as part of the audit, needed to be accepted by City Council.

Mayor Ruane moved, seconded by Councilman Congress, to accept the Valuation Report.

Public Comment

None

The motion carried.

Ms. Zimomra also asked for a motion to accept the OPEB Report.

Mayor Ruane moved, seconded by Vice Mayor Denham, to accept the OPEB Report.

Public Comment

None

The motion carried.

The meeting was recessed at 11:12 a.m.

The meeting was reconvened at 11:31 a.m.

Council decided to discuss the following:

Direction to staff regarding the General Obligation Refunding Bonds, Series 2002 refunding opportunity

Sylvia spoke to the following:

- Interest rate averages at 4.69%
- Opportunity to refinance at a lower interest rate
- Due for early refunding May 01 with no additional penalty
- Normal refunding August 01
- Option 1 - Maintain for 20 years could get a market rate interest of 3%
- Paying \$5.99 per \$100,000
- Savings of \$508,927 interest savings
- Decrease ad valorem tax rate taxable property value \$.66 per \$100,000
- If bond term shortened to 10 or 15 years could get lower interest rate
- Option 2 - 15 years interest rate at 2.65%, which would require increasing ad valorem \$.22 per \$100,000 of taxable value
- Savings of \$26.55 per \$100,000
- Option 3 - 10 years interest rate at 2.15%, which would require increasing ad valorem \$2.48 per \$100,000 taxable value
- Savings of \$35.10 per \$100,000
- Would save interest of over \$1.1 million

Discussion ensued regarding cost of implementing plans, Ms. Edwards answered the issuance cost would be \$50,000, she further explained that \$18,000 quote from Bryant Miller and Olive for the financial advisor on the debt management for \$15,000, may be incidental costs require by the bank if necessary and privately placed, balance to finance was \$2.97 million to finance, 10 year financing would allow the most savings, but would also require the largest tax increase, 15 years would provide the least impact to the tax payer and still provide a substantial savings, and option 3 provide most savings.

Councilman Congress moved, seconded by Councilman Harrity, to accept Option 3.
Public Comment
None

The motion carried.

Matters relating to the Communication Tower approved in Resolution 11-007 to be constructed by Verizon Wireless at the Donax Waste Water Reclamation Facility property
RESOLUTION 12-015 APPROVING A LEASE AGREEMENT BETWEEN THE CITY OF SANIBEL AND VERIZON WIRELESS PERSONAL COMMUNICATIONS, LP, d/b/a VERIZON WIRELESS FOR APPROXIMATELY 1,875 SQUARE FEET OF LAND AT THE DONAX WATER RECLAMATION FACILITY (930 DONAX STREET, SANIBEL) FOR CONSTRUCTION OF A PREVIOUSLY APPROVED COMMUNICATION TOWER; AND PROVIDING AN EFFECTIVE DATE (930 Donax Road)

Direction to Verizon Wireless on two issues pursuant to the requirement of Resolution 11-007 (which approved the communication tower at the Donax site):

Whether the flag pulley system is to be constructed on the inside or the outside of the communication tower (Note: The communication tower is to be constructed with a “stealth design” as a flag pole with antennae on the inside of the pole)

Whether down lighting will be required as part of construction in the event the flying of a flag is authorized at a later date

Ms. Zimomra read the title of Resolution 12-015.

Mr. Cuyler spoke to the following:

- Prior approval of location last year at the Donax plant
- Must enter into a lease of 18,075 square feet of land
- Lease similar to Wulfert Plant
- \$25,000 annual payment by Verizon
- 3% escalator
- City also entitled to 50% of sub-lease lease (other communication companies leasing space)
- 2 items of a planning nature need addressed
- Did not determined whether a flag would be flown or not
- Antenna inside flag pole design
- 1) Would the flag pulley system be constructed on the inside or outside of the flag pole design
- 2) Whether down lighting would be required as part of the construction
- Should be answered by the next City Council meeting

Discussion ensued regarding telecommunication tower close to a neighborhood, pulley system clanging in wind, should insist flag pulley system be inside to minimize noise, needs to have downward lighting if flag was flown at Verizon’s expense, Verizon in the audience, Mr. Cuyler noted that because the antenna was inside Verizon had not found a vendor.

Mark Basa, Verizon representative spoke to the outstanding items; 1) pulley system; and 2) down lighting; two design challenges and a pulley system inside with one line outside, spoke to vendor that construct the flag pole design, investigated a pulley system that would be internal and found there would need to have a continuous loop with one line on the outside, then look at an internal mechanism that was a chain driven design that would raise and lower the flag, the design challenge was one hitting the concealment canister each completely removable for each antenna and segments divided into 5 with 5 antennas, but there would be continuous motion once concealment canisters removed there would be no way to attach the chain driven system and would allow a continuous motion for 50 feet, which made this undesirable, the look at a fixed position type flag not removable,

which also had 2 issues; 1) extreme maintenance due to the need of a crane to remove the flag costing about \$15,000 to change the flag, as well as a maintenance issue each time the flag needed to be taken down/changed; and 2) 50 feet of segment with no anchors where shrouds would be placed for each antenna, in addition reviewing lighting requirements through the Veterans Affairs Office, down lighting could be engineered, but meeting the requirements for flag lighting as up lighting and no guarantee that light would not spill over to ground operations or impact the neighborhood, tower could be wired in case of a lighting need, noise concern, recommendation not to fly a flag and place a pulley system inside the pole, but would need to be physically strapped, reviewed other markets with a shorter pole and had no restrictions, not saying it could not be done, but would take more investigation on the part of Verizon and the City, since primary function was telecommunication it may not meet the overall goal as discussed previously, flag no flag, how to maintain and if chose not to light there was still the problem of lowering and raising the flag, City could solicit no lighting from Veterans Affairs, decode light or not; time constraints within the lease and need decision within the next 60 days, not nearly as transparent to residents in the beginning, sold residents one thing, but now being told something else, Verizon needs to work harder and exhaust all remedies, tube inside to keep rope, the higher the pole the more diffused the lighting becomes, research was there to show Council the parameters, and Mr. Basa noted that this may not be able to be engineered.

Mr. Cuyler spoke to the following:

- Lease begins a time period
- Could approve lease

Vice Mayor Denham moved, seconded by Mayor Ruane, to adopt Resolution 12-015 and approve the lease.

Public Comment

None.

The motion carried.

COMMITTEES, BOARDS, COMMISSION

City Council Liaison to Planning Commission

February 14, 2012	Vice Mayor Denham	Report 02/07/12 CC Meeting
February 28, 2012	Councilman Harrity	
March 13, 2012	Councilman Jennings	Report 03/06/12 CC Meeting
March 27, 2012	Councilman Congress	
April 10, 2012	Mayor Ruane	Report 04/03/12 CC Meeting
April 24, 2012	Vice Mayor Denham	
May 08, 2012	Councilman Harrity	Report 05/01/12 CC Meeting
May 22, 2010	Councilman Jennings	
June 12, 2012	Councilman Congress	Report 06/05/12 CC Meeting
June 26, 2012	Mayor Ruane	
July 10, 2012	Vice Mayor Denham	
July 24, 2012	Councilman Harrity	Report July 17, 2012 CC Meeting

Evaluation Appraisal Report (EAR)

Presentation of Economic Indicators

Ms. Zimomra spoke to the following:

- Provide a number pieces of information
- Changes in state law occurred over the last 2 years and the impact
- Staff recommendation outlined

- Provided a timeline and proposal was for City Council to give guidance at the March meeting
- Would give the Planning Commission a presentation of the economic indicators at their next meeting

Discussion ensued regarding have report at the March meeting and get to City Council today.

SUMMARY OF CHANGES IN STATE STATUTES, PURSUANT TO “THE 2011 COMMUNITY PLANNING ACT” AND ITS IMPACT ON THE 2012 EVALUATION AND APPRAISAL OF THE SANIBEL PLAN AND THE PREPARATION OF THE EVALUATION AND APPRAISAL-BASED PLAN AMENDMENT

Director Jordan spoke to the following;

- State requirement for review of the Sanibel Plan did not carry a minimum of 2 years
- Within the window to begin the review

Discussion of draft legislation for the Building Department and Planning Department fees

Draft legislation regarding decreasing the Building Department fees by 25%

Ms. Zimomra noted that draft legislation was included in the packet for Council’s review. She further stated that one Councilmember had requested a rate fee structure showing the current fee and proposed fee.

Discussion and direction to staff regarding Planning Department fees

Discussion ensued regarding budget process; reduced and/or implementation of fees, Director Jordan noted that approximately six variances regarding inherited issues, burden on property owner to prove inherited issue, Ms. Zimomra noted that beginning discussion and looking for direction from City Council, separate after- the-fact permit was not caused by current property owner, Council would like after-the-fact variance fees should come to City Council on a case-by-case basis, only entertained 6 variance cases in recent past, cost for variance currently \$2,850, want more data from other communities, usually do not use other cities fees as the touchstone, but use actual cost, should lower and support staff recommendation, what was the cost of employee to do the work, Ms. Zimomra noted that 1) after-the-fact permit and confirm code allows Council or bring code provision that Council would hear with a fee; 2) general variance and lowering fee from \$2,850 to \$2,000; 3) alterations to existing building where the cost of the fee was higher than the construction, which was proposed at \$213

Mr. Jordan noted the following:

- Looked a fee schedule of those fee amended
- Proposed reduction to variance application fees
- After-the-fact development permit fee
- Minor alterations to buildings where fees more than project
- Changes to sign alteration fees, exterior lighting fees
- Other fees reduced in the past

Historical Preservation Committee

Discussion regarding a request from the Historical Preservation Committee to send a letter to Prudence Ferry, Inc., requesting that the Committee be notified in the event that the vessel is offered for sale or decommissioned

Councilman Harrity spoke to the following:

- Send a letter to be to current owner
- Should advise if vessel was looking to be decommissioned contact City

Councilman Harrity moved, seconded by Vice Mayor Denham, to send an exploratory letter that if the ferry from Punta Rassa was decommissioned to contact City to entertain the opportunity to review.

Public Comment
None

The motion carried.

Shore Haven

Sanibel Historical Museum and Village, Inc. memorandum outlining the historical significance and funding proposal for acquisition and relocation of Shore Haven, 1111 Bird Lane, and detailing the historical significance of the building

Councilman Harrity spoke to the following:

- Had historical significance
- Funding secured to move building

Public Comment

Alex Werner spoke to obtaining Shorehaven and the funding for moving and remodeling, which would be paid through grants and donations.

Discussion ensued regarding running out of space, what if there was something more historical relevant, one other space between the store and Morning Glories; allows City not to spend a fortune, had working kitchen, afford more room to display; interested in Bailey home, but not an option, Gray Gables another option, but to big, Mr. Jordan stated the re-location would occur with the historical preservation committee, Planning Commission and a resolution for acceptance at Council's April meeting.

Councilman Harrity moved, seconded by Councilman Jennings, to move forward on acquisition of Shorehaven.

Public Comment
None

The motion carried

RESOLUTION 12-004 AMENDING RESOLUTION 10-076 WHICH RELATES TO THE CITY'S RECREATION FINANCIAL ASSISTANCE COMMITTEE; SETTING FORTH THE COMPOSITION AND ATTENDANCE REQUIREMENTS FOR THE COMMITTEE; AND PROVIDING AN EFFECTIVE DATE

Ms. Zimomra read the title of Resolution 12-004. She noted that the resolution was brought forward to the last committee meeting and members concurred with the recommendation.

Councilman Harrity moved, seconded by Councilman Congress, to adopt Resolution 12-004.

Public Comment
Barry Roth spoke to resolution going to the committee and agreed.

Public Comment
None

The motion carried.

Parks and Recreation Committee

Draft letter to the Sanibel School Principal, Barbara Von Harten relative to playground construction

Ms. Zimomra noted that there had been discussion for a playground at the school and potential expansion. She explained that staff had drafted a letter with acknowledgement from Principal Van Harten with no financial

commitment, but in the design to design in such a way that if in the future there could be connectivity and expansion with the recreation center it would be designed as such.

Discussion ensued regarding Mayor Ruane speaking with Principle Van Harten with City Council approval and a shortfall of funds, conversation regarding a Lee County Board of Education survey, before sending the letter Mayor Ruane would reach out to principal, district to provide \$60,000 of the estimate \$200,000 needed to contract playground, was playground in the Capital budget and school running short to provide foreign language class.

Council agreed by consensus.

CITY MANAGER

Informational Items

Edison Festival of Lights Junior Parade, February 12th and Grand Parade February 18th

Ms. Zimomra noted that Councilman Jennings normally attends.

Councilman Jennings noted he would attend.

Request by Gibson Consulting Group hired by the Lee County School District to distribute a survey through the City of Sanibel's website

Ms. Zimomra noted that there was a request from Gibson Consulting Group that had been hired by Lee County School District to distribute a survey via email database. She explained the request was to put the survey on the City's website. She noted the company did receive a bonus for return rate of survey.

Discussion ensued regarding Mayor Ruane speaking with Board of Education chairperson, advised the consulting firm it would be discussed today, what was objective, Ms. Zimomra noted that the objective was to get information from the overall community as they develop their long-term goals and mission, an effort to get community input, included on the City's database was the media and would think the press would include in the paper, school hears from parents, but may need to hear from community and concern not to spam database and use inappropriately..

Mayor Ruane moved, seconded by Vice Mayor Denham, to move forward assisting Gibson Consulting by utilizing City's email database.

Public Comment

None

The motion carried.

Annual Crime statistics

Ms. Zimomra called Council's attention to the report.

FY 2012 Budget Calendar

Ms. Zimomra called Council's attention to the schedule included in the agenda packet.

Shared Use Path Survey

Ms. Zimomra spoke to the following:

- Shared Use Master Plan called for update of previous survey
- Update every five years
- Bike Club volunteering labor
- Use consultant and augmented by City staff
- Completed over next few weeks
- Did not use volunteers previously

- Completed within the next 5/6 weeks

Building Department Monthly Revenue Report January, 2012
Building Department Monthly Permit and Inspections January , 2012
November and December Causeway Report and Year-end
Causeway Traffic Volume Report
Planning Department Permit Activity Report, December, 2011

Planning Department Code Enforcement Activity Report, December, 2011

Grease Trap Report, January, 2012
Sanibel Historical Museum and Village, Inc. Profit and Loss Previous Year Comparison
October through December 2011
Community Housing Resources Quarterly Report for quarter ending December 31,
2011
Sanibel Historical Museum and Village, Inc., Financial Statements and
Supplementary Information year ending September 30, 2011
 Ms. Zimomra noted the above reports were for informational purposes only.

CITY ATTORNEY'S REPORT

None

COUNCIL MEMBERS' REPORT LISTEN

Report of attendance at the Tourism Development Council (TDC) meeting January 09,
2012

Mayor Ruane gave the following report:

- Legislation brought forward by Senator Richter changing the number of TDC members
- Monies from each municipality quantified
- Increase the Board and potentially add 2 members
- Allow the top money producers to receive additional seats
- Would dilute vote
- Population did not equate to money
- Previously 53%, 33% beaches and 13% ball field
- Reallocated 53%, 26% and 20% of Red Sox Stadium
- Opportunity to give input and maybe change to community providing most funds get a permanent seat

Discussion ensued regarding working on continue to improve relationship with Lee County, important for Sanibel to hold permanent seat and Sanibel contributed \$3.6 million TDC funds last year.

PUBLIC COMMENT

Jan Manarite spoke to her appreciation of CHR and her husband being a cancer patient. She further spoke to her advocacy and spoke to her concern that City Council may not have accurate information regarding the utility costs.

Councilman Congress spoke to the following:

- Attended every CHR Board and Executive Board meeting since last April
- Two costs were being passed on to CHR tenants
- A pass through fee for sewer and trash

- \$64 flat fee was charged to tenants
- CHR never reconciled the true cost, which was about \$80 and a differential cost of \$15
- Second fee known as the utility allowance, which was electricity and water
- No longer a requirement by SHIPP that CHR had to offer the allowance
- Vast majority leases renewed April forward
- Meetings with tenants and Board
- Must work under Fair Housing

Myra Jean Gavin spoke to Council working with CHR for the best results for tenants.

Thomas Seacrest spoke to living in CHR housing.

Helen Montmadson spoke to living in CHR housing for the second time. She noted that the rent should be based on 30% of salary plus utilities. She stated that there was no more money and if had to pay more would have to live in her car with her disabled son.

Jim Grismal spoke to being the caregiver to Tom Seacrest. He spoke to Mr. Seacrest not having the ability to pay more. He also spoke to the debt for Center Place and River View that nothing had been paid and the increase rents would be paid by tenants.

Mayor Ruane thanks the tenants for coming before City Council.

Discussion ensued regarding what Council could do and CHR could do to help the tenants, liaison stated that CHR was turning around, people contacted liaison to help, and CHR to examine each tenants situation.

Richard Johnson, CHR Board President spoke to the Board concerned of low income tenants and living on island was expensive; adhere to 30% of income for rent and working with individuals to find solutions.

Everglades Water Supply Summit January 16 and 17
Update on the status of Regional Planning Council (RPC) Issues

No report

Legislative Session
Fertilizer Legislation
Water Quality Legislation

Vice Mayor Denham spoke to the following:

- Residents wrote letters to fight the fertilizer pre-emption
- Two trips to Tallahassee
- Able to prevail at the committee meeting
- Worked with City Legislative Affairs consultants, Fred Dickinson
- Change in House leadership would make it difficult to win next year
- Need educational program
- Work with other Lee County municipalities and have a professional organization to fight the pre-emption
- Need a plan B with community help

Letter dated December 14, 2011 to Representative Aubuchon from Mayor Ruane
Letter dated December 15, 2011 to Senator Benaquisto from Vice Mayor Denham
Letter dated January 18, 2012 to Representative Trudi Williams from Mayor Ruane
Letter dated January 19, 2012 from Representative Trudi Williams

Letter dated February 01, 2012 from Mayor Ruane to Pinellas County and Municipal Elected Officials to contact members of the Senate Environmental Preservation and Conservation Committee

Letter dated February 01, 2012 from Mayor Ruane to Sarasota County and Municipal Elected Officials to contact members of the Senate Environmental Preservation and Conservation Committee

For information only.

Metropolitan Planning Organization Citizen Advisory Committee

- No report

There being no further business the meeting was adjourned at 2:17 p.m.

Respectfully submitted by,

Pamela Smith, MMC
Sanibel City Clerk