

**SANIBEL CITY COUNCIL REGULAR MEETING
APRIL 03, 2007**

Mayor Denham called the meeting to order at

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

Member present: Mayor Denham, Vice Mayor Johnston, Councilman Jennings, Councilman Pappas and Councilman Ruane.

PRESENTATION(S)

Proclamation honoring past service of former Councilmember Steve Brown

Mayor Denham read and presented a proclamation, along with a Luc Century vase to former Mayor and Councilman Brown.

Council thanked Dr. Brown for his service.

Public Comments:

Hazel Schuller presented a wood plaque to Council for adoption of the Australian pine ordinance.

Louise Johnson spoke to seeing an eagle eating a fish in an Australian pine.

Terry Brennan, WGPU spoke to Consent Agenda item (c) and airing the Lake Okeechobee program 12 times.

Discussion ensued regarding how good the program was when airing, shown throughout Florida, and may want to interview local people.

Council Comments:

Vice Mayor Johnston spoke to being absent at the next 2 Council meetings, April 17 attending the Planning Association meeting when Sanibel receives an award for the Sanibel Plan and the May 1st meeting.

Councilman Jennings spoke the number of people attending the Council meeting.

CONSENT AGENDA:

Ms. Zimomra read the titles of Resolutions 07-045, 07,043, 07-046, 07-041, 07-047, 07-048, 07-049, -07050 and 07-051.

- a. **RESOLUTION 07-045 APPROVING A BUDGET AMENDMENT/TRANSFER NO. 2007-059 AND PROVIDING AN EFFECTIVE DATE** (to appropriate \$75,000 from South Water Management Water District (SFWMD), purchase order #4500008748 for the Dixie Beach Mangrove Wetland Restoration Project. The City's match requirement of \$100,000 has already been provided through expenditures under U. S. Fish and Wildlife grant #401815J020. This amendment will increase the FY 07 budget by \$75,000)

- b. **RESOLUTION 07-043 AUTHORIZING THE CITY MANAGER TO DISPOSE OF OBSOLETE OR SURPLUS FIXED ASSETS; AND PROVIDING AN EFFECTIVE DATE** (request to trade-in 7 Police Department vehicles including 2 seized per State Statute from drug dealers, for the replacement of 5 Police Department vehicles)

- c. **RESOLUTION 07-046 APPROVING BUDGET AMENDMENT/TANSFER NO. 2007-060 AND PROVIDING AN EFFECTIVE DATE** (to transfer \$3,500 from the Reserve for Contingencies expense line to the Aids to Government Agencies expense line in the General Fund to sponsor the fourth production in WGPU-TV/FM's Water Woes series. With this amendment the Reserve for Contingencies line will be reduced to \$207,956 from it originally adopted \$275,000. There will be no new or additional funds budgeted by this amendment)
- d. **RESOLUTION 07-041 APPROVING ADJUSTED SEASONAL MINIMUM SERVICE LEVELS FOR CONDOMINIUM RECYCLING; APPROVING A REVISED EXHIBIT "A" ENTITLED "FISCAL YEAR 2006/2007 SOLID WASTE RATES (REVISED)", WHICH DOES NOT CHANGE RATES OR CHARGES BUT DOES PROVIDE FOR THE ADJUSTED SEASONAL MINIMUM SERVICE LEVELS FOR CONDOMINIUM RECYCLING; AND PROVIDING AN EFFECTIVE DATE**
- e. **RESOLUTION 07-047 EXTENDING TERMS OF EXISTING MEMBERS OF THE SANIBEL HISTORICAL PRESERVATION COMMITTEE TO MAY 01, 2007; AND PROVIDING AN EFFECTIVE DATE**
- f. **RESOLUTION 07-048 EXTENDING TERMS OF EXISTING MEMBERS OF THE MARINE ADVISORY COMMITTEE TO MAY 01, 2007, AND PROVIDING AN EFFECTIVE DATE**
- g. **RESOLUTION 07-049 EXTENDING TERMS OF EXISTING MEMBERS OF THE PARKS AND RECREATION COMMITTEE TO MAY 01, 2007; AND PROVIDING AN EFFECTIVE DATE**
- h. **RESOLUTION 07-050 EXTENDING TERMS OF EXISTING MEMBERS OF THE VEGETATION COMMITTEE TO MAY 01, 2007; AND PROVIDING AN EFFECTIVE DATE**
- i. **RESOLUTION 07-051 EXTENDING TERMS OF EXISTING MEMBERS OF THE WILDLIFE COMMITTEE TO MAY 01, 2007; AND PROVIDING AN EFFECTIVE DATE**

Vice Mayor Johnston made a motion, seconded by Vice Mayor Denham, to adopt Resolution 07-045, 07-043, 07-046, 07-041, 07-047, 07-048, -07-049, 07-050 and 07-051.

The motion carried unanimously.

Ms. Zimomra explained that there would be a brief presentation of Advisory Committee reports. She further explained that in the past Council had directed staff to bring the collective committee recommendations back to Council.

COMMITTEE, BOARDS COMMISSION

Annual Advisory Committee Reports (not to exceed 5 minutes per Committee) Historical Preservation Committee

Sam Bailey, Jodi Brown and Alex Werner made the following presentation:

- Would like to become a 501c3

- Called Council's attention to the recommendations in the packet

Council thanked Mr. Bailey for his work on the island.

Marine Advisory Committee

No report given.

Parks and Recreation Committee

No report given.

Vegetation Committee

Ms. Gresham spoke to the following

- Approval of an ad for the newspaper
- Use City Hall and Periwinkle Preserve to show the public how native plants could grow
- Funding for a plaque for the last tree planted in memory of a deceased Vegetation Committee member

Wildlife Committee

Vern Frankwich gave the following report:

- Violations of dumpster not meeting City standards to keep raccoons out
- Committee involvement in raccoon enforcement

Planning Commission Report

Dr. Berger gave the following report of the March 22, 2007 Planning Commission.

- Denial of an application for a variance of the installation of a boatlift at 1500 Angel Drive
- Distributed a report for the EAR
- Distributed a report for the RFP for the Periwinkle Way commercial district plan
- Distributed a report for the preliminary objectives for the update of commercial market and economic and land use analysis
- Brief discussion of alternative means of on-island transportation, specifically of multi-passenger battery powered golf cart type vehicles
- Date for Joint City Council/Planning meeting tentatively set for May 04
- Issues for inclusion on the joint meeting agenda, such as the relationship between City Council and Planning Commission members

Council recessed at 9:50 a. m.

Council reconvened at 10:00 a. m.

OLD BUSINESS

Mayor Denham asked Vice Mayor Johnston if she would continue working on with Lake Okeechobee issues.

Discussion ensued regarding Mayor Denham working on basin issues, fertilizer issues and Vice Mayor Johnston dealing with Lake Okeechobee issues, agencies would look to speak with the Mayor, anyone wanting information or interview would be directed to the Vice Mayor, main reason to focus on the release schedule last year was a decision needed to be made, and find a way to meet all issues and bring ideas together.

Water Quality Issues

Reports from City Councilmembers

Meeting with Governor Charlie Crist and attendance to the League of Cities

Legislative Days

Mayor Denham spoke to the following:

- Governor Crist top environment priorities consistent with both the house and senate
- \$400 million proposed for water issues in bill process
- 2-weeks before the budget process would be completed
- Northern everglades would be everything north of the Kissimmee basin
- Support to provide water north of Lake Okeechobee and cleaning that water
- Mention to provide additional storage south of Lake Okeechobee
- Priorities – acreage for water storage, matching funds from water management, money in budget for cleaning culverts on Tamiami Trail, less support for C-43
- Spoke about equality of water treatment throughout the state

Mayor Denham spoke to a meeting with Jerry Brooks, Deputy Director of DEP

- Caloosahatchee River to remain at level 3
- Support of the fertilizer ordinance
- Offered to send scientist to speak with staff

Discussion ensued regarding ACOE working with Park Service to do a test cleaning of one of the culverts, problems certain times of year due to the sparrows lawsuit, may be short-term solutions, new bridge to replace part of Tamiami Trail, ACOE fund 3 miles of bridge, MPO in Miami-Dade area possibility funding the proposed bridge, and transportation funds growing smaller due to regionally demands.

Councilman Jennings gave the following report:

- Governor Crist aware of water problems
- Pledge of support with funding for a permanent fix
- Community people in Tallahassee
- Spoke to Alex Sink, Financial Officer
- Spoke to Commissioner Bronson, Agriculture Commissioner
- Spoke to Ken Pruett, Senate President
- Spoke to Senator Aronberg, Minority Whip
- Spoke to Speaker Rubio, House Speaker
- Spoke to Daniel Webster, Majority Whip
- Senator Burt Saunders
- Also spoke to various other State representatives
- Provided a water quality handout with photos of the red drift algae on Sanibel beaches to each government official
- Would like to do a thank you note and Council agreed

Discussion ensued regarding Senator Saunders asked to hold a town meeting in Sanibel if the proposed bill for \$40 million was adopted, spoke to Representative Machek and the discussion of the water quality problems were not from Lake Okeechobee, but concerned with focus on water issues and asked to come to the town hall meeting.

Report from Mayor Denham regarding the Lower West Coast Watersheds Subcommittee meeting:

Mayor Denham gave the following report:

- Focus on other pollutants to the Caloosahatchee River
- DEP believes that 50% was Lake Okeechobee and 50% other urbanization

- Committee focus on fertilizer, sewage treatment releases, septic systems and storm water run-off
- Fertilizer resolution adopted and being circulated in Tallahassee
- Next resolution would be on sewage treatment releases
- Spoke to Representative Aubuchon with support to clean the Caloosahatchee River

Discussion ensued regarding once resolutions endorsed by the Regional Planning Council (RPC) what would be the next step, need the green industry on board with RPC, DEP supports fertilizer ordinance, share copy of sewage treatment release resolution with Lee County Board of Commissioners, and if approved DEP would apply the new process when permits were renewed or apply with new permits.

Public Comment:

Ric Base spoke to being in Tallahassee when Mayor Denham and Councilman Jennings were in Tallahassee.

Ann Yarnel congratulated Council and urged Council to use Vice Mayor Johnston for water issues.

Herb Rubin spoke to the proposed 11 mile skyway on Tamiami Trail.

Discussion ensued regarding of the TDC national study and county study.

Judie Minchie asked about birding.

Discussion ensued regarding birding being the number 2 under the national TDC study, number 1 was for golfing not particular to this area, and those requesting the study guide showed different numbers.

Louise Johnson applauded Council for their work

Rae Ann Wessel spoke to HB 957 speaking to the delegation of small wetland project permitting from the federal level to DEP. She stated that the Association of Counties was against the bill, and would preclude counties and municipalities from having stricter regulations that the bill would allow. She explained that it would mean .5 acres would no longer be dealt with at the local level and restrict home rule authority.

Algae Task Force Report

Final Approval of Algae Requests for Qualifications (RFQ)

Ms. Zimomra stated that Council had received the RFQ. She further stated that Lee County Natural Resources were extremely interested in a joint study. She explained that authority from Commissioners for a joint study would be necessary, and the recommendation from Lee County staff to have one study with a broader scope than just Sanibel. She advised that this item would be on Tuesday, April 9th Lee County Board of Commissioners meeting.

Discussion ensued regarding Mayor Denham meeting with Chairperson Janes for approval of funding for a joint study, must be completed quickly and the cost, and Ms. Zimomra stated the timeline for the RFQ calls for a quarterly report, which would come before Council, who would be the lead agency, Ms. Zimomra answered the lead agency would be the City of Sanibel, the need for bi-monthly reports, Commission would not support if the study took longer than one-year.

Dr. Loflin spoke to the project being on a fast track and the search for funding would be the next step as the RFQ was released.

Vice Mayor Johnston made a motion, seconded by Councilman Ruane, to approve the RFQ and change the deliverables to bi-monthly reports and create specific timelines.

The motion carried by consensus.

Beach Status

Current Beach conditions and follow-up

Ms. Zimomra gave the following report.

- East end seen a substantial decrease in algae deposits
- Large deposits at Blind Pass (as much as 3-feet deep)
- Dr. Loflin continues to evaluate the transit

Dr. Loflin stated that the wind direction was controlling more red drift algae on the west end of the island. He spoke to research being done by City staff and SCCF with a situation in San Carlos Bay and the gulf. He spoke to the following:

- Connected with the amount of nutrients in the sediment
- Movement of nutrients in sediment
- Effective by amount of algae in water
- Dry conditions and no run-off coming in to the system
- Water at a level to keep the algae species growing
- Cumulative impact of all nutrients in basin
- Various effluent still coming in to the water
- All efforts to reduce nutrients in system was important

Discussion ensued regarding the lead agency and it would be the City of Sanibel as drafted, project timeline one year with quarterly reports, shorter period of timeline for reports, Dr. Loflin stated the project was on a fast track and once approved by Council and Lee County Commissioners, search for funding would occur first, Ms. Zimomra clarified that report needed to be done every other month, and a proposed timeline for accomplishments, timeline and milestones, Councilman Jennings would like to attend the next task force meeting, the need for other voices on the task force, residents have concerns and should be on the task force, Ms. Zimomra stated it was a task force to provide technical expertise to the City Manager, and Council had been provided any and all information, to Council and anyone that requested the information, She stated the task force was to provide the City Manager a technical review, second meeting in May or 1st meeting in June with information from task force, Dr. Loflin stated that staff was working on a preliminary outline of the red drift algae off Sanibel and believe the algae outbreak continues south across San Carlos Bay, as well as off Fort Myers Beach. He further stated that staff was working on a preliminary map and the RFQ would allow the full distribution abundance species composition and be able to reasonably generate a map of the Gulf of Mexico and where the problem was originating.

Brad Lear, spoke to the need for education on the task force.

Ms. Zimomra stated the task force meetings were not public meetings, but information had been shared with all those that had requested the information.

Barbara Cooley urged Council to allow the Red Drift Algae Task Force to do the job assigned. She further spoke to the rocks off West Gulf Drive and covered up during by sand as a result of the 1996 beach re-nourishment and became uncovered having good fishing, but now the rocks were covered with red drift algae.

Louise Johnson spoke to the need for an evening meeting about the task force. She spoke to the need for scrutiny of the RFQ's.

Herb Rubin spoke to information when obtaining a water rake from Aquaside Company 4-foot in length with a detachable float to moderate the level in the water. He explained the handle extends to 16-feet with additional rope. He asked if he could use the rake on the beach in front of his condo during nesting season.

Dr. Loflin's recommendation was not to perform any work during nesting season.

Herb Rubin stated it would be used in the water with hip waders.

Dr. Loflin stated that everyone was allowed to rake in the water and put the algae on the beach, then the algae would have to be dried, and collected. He recommended against it.

Judy Minchie spoke to educating the public, no specific date or plan to remove the algae, public safety for island people, visitors not on Sanibel, she spoke to D. T. Minich that money was available to clean the beaches.

Council explained that the beach would not be leaned-up and would have a plan September/October for algae clean-up. Council also explained that work needed to be done to break the

Mayor Denham suggested focusing on the shorebird issue and Resolution 07-044

Council recessed at 12:15 p. m.

Council reconvened at 1:16 p. m.

Council continued discussion of the following:

Algae Task Force Report

Final Approval of Algae Requests for Qualifications (RFQ)

Ms. Zimomra spoke to the various actions:

- Council previously approved RFQ's for mechanical equipment to be used on the beach
- Staff currently evaluating
- Next step would be to do evaluations in areas post nesting season
- Staff continues to work on the educational program for the fertilizer ordinance
- 180-day for staff to produce an educational program
- Staff would be in Hawaii reviewing 2 different programs for water-based machinery

Discussion ensued regarding Council's commitment to a program by October 1st, Ms. Zimomra stated that the current contractor Crowder-Gulf did offer clean-up, but staff reviewing proposals, moving forward to be in a position to have a plan, consensus by Council September/October implementation, decision tree of proposed plan, task force meeting with public (town meeting), Ms. Zimomra stated the task force was advisory to Council and all public comments coming to Council, newsletter used to inform the public, invite task force to a Council meeting, should know by May/June information from Hawaii trip, define calendar end of May or June, jurisdictional issues, the need of a memo addressing the administrative and financial issues, need to act locally,

Ms. Zimomra passed out to Council some technical comments provided from the task force for the last meeting. Ms. Zimomra stated the task force was formed to provide the City Manager technical advice. She also gave the members of the task force, which are Erick Lindblad, SCCF Director, Paul Andrews, President Sanibel Audubon, Director Sea School, Gates Castle, Public Works Director, Dr. Rob Loflin, Natural Resources Director, Michael Valiquette, President of PURRE, Rob Jess, Director of Ding Darling, Lee County Director of Natural Resources, and kept the Director of the Shell Museum in formed on the work of the task force.

Dr. Loflin continued with his comments from the morning discussion:

- Northern Everglades Bill
- Congressman Mack Bill that would filter the marsh and support the C-43 and titled Caloosahatchee restoration – staff recommended supporting
- Trudi Williams Bill 957 to streamline wetland regulations – issues in terms of having a lesser of a review; additionally the bill would preempt local government, the bill would be destructive because the City would have to go with State regulations – staff recommended opposing

Mr. Cuyler stated that the bill was to override municipal and county regulations.

Discussion ensued regarding if there was a companion bill in the senate, follow-up with letter to governor, Lieutenant Governor, Senator Saunders, and Representative Aubuchon.

Dr. Loflin explained Council may want to pay attention to a rule change in Department of Agriculture regarding fertilizer that would call for low phosphorus or no phosphorus in the state, and in the rule making process the industry folks see the change as an opportunity for pre-emption by the state of having numerous rules in different municipalities, and counties, last public hearing has been heard, should go in to effect in May, 2007, Council should bring forward a resolution supporting the Connie Mack bill and Council agreed, Council agreed to bring a resolution back opposing the Trudi Williams bill, speak to Van Poole, Governmental Affairs, authorize the Mayor to take the steps regarding signing letters of opposition, staff trying to get latest version and track the agriculture rule, Ms. Zimomra suggested a motion to direct staff continue to track the rule in an effort to support Sanibel's position, not allow local government pre-emption, and authorize the Mayor to sign any paperwork necessary and work with legislators.

Discussion ensued regarding working with the Governor Crist and Lieutenant Governor Kottkamp.

Vice Mayor Johnston made a motion, seconded by Councilman Ruane, to support the federal legislation introduced by Congressman Connie Mack, oppose Trudi Williams' bill, authorize the Mayor to take the necessary steps, staff to follow-up, become involved in any pre-emption of the rule making process, and oppose any pre-emption provision in the rule.

Discussion ensued regarding phone calls to the governor and Lt. governor, and amendments to Bill 957, Mr. Cuyler stated that these bills entail a number of things and staff only oppose a certain point the letter would speak to the issue, speak to Van Poole, and Councilman Jennings make a call to Lt. Governor Kottkamp,

The motion carried unanimously.

Dr. Loflin spoke to Governor Crist choosing the next representative to the South Florida Water Management District (SFWMD) vacant seat.

Discussion ensued regarding sent letter on candidates of former letter for the SFWMD, Charles DeRay may fill the open SFWMD seat, Mayor make a call to Dane Eagle, Governor's aide, and Council agreed that the Mayor should make a call to the Governor, sent the past letter of suggested candidates for the vacant SFWMD seat to Van Poole, and Council support Greg Rawls and Wayne Daltry.

Proposed SCCF research on the effect of drift algae on shorebird use of Sanibel's beaches

Dr. Loflin stated that in the RFQ process there were significant issues on how wildlife on beaches would be affected and the proposal was as follows:

- SCCF a sole source candidate to do research on birds
- Rob Jess offered funding for algae research
- Proposal from SCCF for bird and wildlife issue on beach and pull from RFQ
- Working with SCCF to look at the impacts on sea turtles as a separate process
- Authorize the expenditure of funds

Discussion ensued regarding the projected timeline, Dr. Loflin could get to work immediately, concerned the wildlife refuge having financial problem, a nice political gesture on behalf of Rob Jess, and Dr. Loflin stated that funding sources were departmentalized and may not be able to be use within the refuge.

Brad Smith, SCCF spoke to getting starting as soon as possible and September/October, 2007 there would be results to present to Council. He further stated that due to the relatively small sample sizes of the Snowy Plover data gathering may require 2 nesting seasons for measurable results.

Discussion ensued regarding SFFC having an ongoing Snowy Plover research, SCCF focus had not been red drift algae, any work with sea turtles, and Brad Smith answered that the sea turtle study would be a separate component of how red drift algae affects them,

Mike Cuscaden spoke to a conversation from Rob Jess that he was able to secure some funding that would not affect the refuge.

RESOLUTION 07-044 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2007-058 AND PROVIDING AN EFFECTIVE DATE (to appropriate a \$16,890 grant from U. S. Fish and Wildlife service for algae research per modification #1 of agreement #401815J020. This amendment will increase the FY 07 budget for the amendment funds of \$16,890)
Ms. Zimomra read the title of Resolution 07-044.

Councilman Jennings made a motion, seconded by Councilman Pappas, to adopt Resolution 07-044.

The motion carried unanimously.

Communications update and mailing

Ms. Zimomra stated that the item being passed out to Council was the text with modifications. Discussion ensued regarding verbiage added, the newsletter was text intensive and more of a report style format, no room for pictures, e-mails for Michael Sole, Carol Wehle and Colonel Grosskruger would go to a staff member, gives a good overview of algae management, highlights contacts for different issues, Ms. Zimomra stated that residents tend to read information provided by Council,

Council by consensus agreed to the new H2OMatters newsletter and mailing to property owners, occupational licenses, and small business information.

Barbara Cooley spoke to the SFWMD being weak for environment and hydrology. She suggested Council holding a Saturday informational fair.

Karen Storjohann suggested borrowing the electro-microscope and review sand from the inter-tidal zone. She suggested "Under Background" putting "renown" in front "worldwide." She further suggested adding a 6th point "monetary considerations."

Judy Minchie asked if there was a clearing house gathering information. She further spoke to someone having 15 years of study.

Dr. Loflin spoke to James Evans being a member of the Water Quality Consortium and the group was putting together a water quality database, and would be made available once completed.

Discussion ensued regarding having seaweed on the beaches, and the first significant event was 2001, but until present time nothing was continuous.

Discussion regarding Council's summer schedule

Ms. Zimomra called Council's attention to the packet information, the optional meeting of Tuesday, July 31 to set the millage rate, and showing the July 3rd and August 7th meeting as cancelled, and the September 4th meeting rescheduled for the afternoon of Saturday, September 8th immediate following the 1st budget hearing.

Discussion ensued regarding workload wide, Council participating the Independence Day parade, does not preclude any Councilmember taking time off, and must have 3 Councilmembers present for any meeting.

Councilman Pappas made a motion, seconded by Councilman Jennings, to accept the schedule prepared by staff.

The motion carried unanimously.

Discussion regarding Council liaison protocol

Ms. Zimomra stated that the agenda packet information was draft for committee liaisons. She further stated she tried to capture Council's past discussion.

Discussion ensued regarding committee focusing on things that were not what Council wanted, protocol reflects Council's discussion, liaisons must be ready to share committee discussions with Council, Shorehaven discussions by several committees, and anything in committee discussions that needs to be brought forward for Council.

Updated Council liaison list

Ms. Zimomra called Council's attention to the agenda packet information.

Discussion ensued regarding the Southwest Florida League of Cities alternate was incorrect because Councilman Jennings was a member, Ms. Zimomra advised Council that Councilman Jennings was serving as the Vice President for that organization, and all Councilmembers were members.

CITY MANAGER

Informational Items

Planning Department Quarterly Update

Ms. Zimomra called Council's attention to the packet information, and the last quarterly reports were included in past mailings.

Mayor Denham asked if the Planning Department Quarterly Report be put in the beginning of the agenda.

Discussion ensued regarding the Mayor attending the pre-agenda meeting, and would bring forward as necessary.

Draft Agenda for the Joint meeting of City Council and Planning Commission May 4th at 1:00 p.m.

Ms. Zimomra stated that when staff initially polled Council all were available on Friday, May 4th, but now all would be available but one member. She further stated that after re-polling Council all were available Wednesday, May 9th at 1:00 p.m.

Council agreed to scheduled at 2:00 p.m. on Wednesday, May 9th with an adjournment time of 4:00 p.m. set adjournment time.

Ms. Zimomra explained that she and Mr. Duffy, Planning Director would like to have briefing with Council and the Planning Commission members individually.

Council agreed

Councilman Ruane made a motion, seconded by Councilman Pappas, to hold the joint meeting Wednesday, May 9th at 2:00 p. m. and approve the agenda.

The motion carried unanimously.

End of Year Crime Statistics for the City of Sanibel

Ms. Zimomra stated the level of safety in the community was the largest single budget item. She explained that there were some numbers that were 5-year trends, and remains a safe community. She further explained that serious consideration must be given to some trends and driving under the influence, arrest for drugs and narcotics have increased. She called Council's attention to a reduction in vehicle accidents, increase of off island arrest on island, and increase of total number of calls to the Police Department.

Discussion ensued regarding phone calls to the police department, number of arrests, Chief Tomlinson spoke to residents expectation was high and call the police department for assistance, statistically 6 arrest in 2002 to 42 arrest in 2006 may not be a huge number, but was a significant increase and officers had received more training, 2002, 127 federally reported crimes, 2006 101 federally reported crimes, down

20%, 2001 spike after Hurricanes Charley and Frances, 2004 122 thefts to 60 theft in 2006, 2000 150 thefts, police department more aggressive on the roads, better police work and being visible and pays off with reduced crime on Sanibel, trend in the hard drugs and would later monetize for drugs,

Community Housing Resources (CHR) FY 06 Audit

Ms. Zimomra called Council's attention to the packet information.

Michael Cuscaden announced that the annual CHR Board meeting Saturday, April 14th.

He stated that CHR signed a non-binding agreement with Shell Point to obtain land close to Shell Point

Ms. Zimomra stated that the CHR agreement would expire later in the year and staff and CHR would be meeting to discuss.

Lee County Tourism Development Council (TDC) "Attitude and Usage Study"

Ms. Zimomra called Council's attention to the packet information.

Public Comment:

Judy Minchie spoke to the TDC report and that it was printed before red drift algae problems.

Status Report on Recreation Center Construction Project (3840 Sanibel-Captiva Road) Staff Status Report and Construction Manager Peter Brown and Architect Henry Woodroffe

Mr. Woodroffe spoke to the following:

- Roof on and building taking shape
- 50% completed
- Within budget and on time
- Memo of clarification in reference to a request and answer log of a comment from the pool consultant of a decision that was made a long time ago regarding pool deck versus pavers

Discussion ensued regarding the pool in the beginning stages, gymnasium almost completed, would the building change in appearance, Mr. Woodroffe stated a double gym was approximately 15,000 feet with a ceiling of 28-feet high and part of the design was to scale down the building, no way to disguise the building, efforts made to use some of the same items as the school and when completed the scaling down worked, material element in the front where the mechanical areas were put on the sloping roof, roof area (metal roof), roof color would be aqua green and windows would have a green tint with a small green eyebrows, and same type of siding being use in the lower and higher element to tie the 2 dimensions together.

CITY ATTORNEY'S REPORT

None.

COUNCILMEMBERS' REPORT

Councilman Pappas spoke to his request to speak with Sharon Harrington, Lee County Supervisor of Elections for a November municipal election. He further spoke to the low turn out in the last election. He also spoke to Council extending their terms or shorten their terms, and exploring a municipal election in even years.

Mr. Cuyler stated that staff could contact the Supervisor regarding a municipal election in even years

Mayor Denham spoke to his meeting with Chairman Janes Monday, April 2 and Commissioner Janes was not happy putting a weigh station on the Causeway, but take the item for discussion to the Board. He further explained that Lee County wanted to make the Causeway as attractive as possible.

Discussion ensued regarding finding a way to put the weigh station on island, do not want a weigh station on the island, paid a consultant to design the weigh station, Lee County Parks and Recreation staff stated if

Commissioner Janes wanted to weigh station on the island then it could happen, Councilman Pappas offered to speak with Chairman Janes, Councilman Ruane also offered to speak with Chairman Janes, City Clerk to make the appointments, City Manager to provide speaking points if wanted, and public urged to e-mail the Commissioners regarding the placement of the weigh station.

PUBLIC COMMENT

Karen Storjohann spoke to Bridge B would make a better pier, thanked the City Manager for getting the answer to a question. She suggested the following changes to the H2O Matters newsletter:

Page 4 add "s" after the word member

Page 4 add "seasonal" after Sanibel

Page 5 under Sanitary Sewer System add "State of Florida"

Ms. Storjohann asked if there would be a separate mailing regarding the new fertilizer ordinance.

Discussion regarding an informational mailing on the new fertilizer ordinance in about a month.

Judy Minchie spoke to a banner on the Chamber website, and called Ric Base about the banner and it was removed.

There being no further business the meeting was adjourned at 3:10 p.m.

Respectfully submitted,

Pamela Smith, CMC
City Clerk