



# MEMORANDUM

**DATE:** November 3, 2006

**TO:** Sanibel City Council

**FROM:** Judie Zimomra, City Manager 

**SUBJECT:** Supplemental Packet Information - November 7, 2006 Council Meeting

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Please find the following supplemental material attached for the November 7<sup>th</sup>, 2006 Council Meeting:

- ▶ Agenda Item 8 (b) Request from Casa Ybel Resort for 20 additional Special Events Permits for 2006 and an additional Special Event Permits for 2007 (Letter from Casa Ybel's General Manager attached)
- ▶ Agenda Item 9 (b) Final approval of educational mailing to the electorate regarding the December 19 mail ballot question regarding Periwinkle Way Shared Use Path (Draft mailing brochure attached)

Please do not hesitate to contact the City Manager if you have any questions regarding the attached supplemental material. Thank you.

JAZ/cjm

Xc: Kenneth Cuyler, City Attorney  
Pamela Smith, City Clerk



November 3, 2006

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

*Via Facsimile: 239-472-3065*

Dear Ms. Zimomra,

I am in receipt of your facsimile. Thank you for allowing me the opportunity to review the documents pertaining to my particular agenda item, as part of the Council packet for the November 7<sup>th</sup> meeting.

In response, we believe we have made great strides in executing wonderful events here at the resort. We take every concern seriously and work hard to create a harmonious relationship between the vacationing and event guests. It is unfortunate that we cannot please everyone.

We will, however, continue to strive to end amplified music by 9:30 so that the event can wind down by 10:00 p.m. as defined by City Ordinance. There will be a few occasions when the music will continue to 10:00 p.m. but it will definitely be cut off by 10:00 p.m. at the latest.

Entertainers/Entertainment Companies that are hired for an event are approached while they are setting up and are reminded of the ordinance as well as our policies here at the resort. If they choose not to follow the rules, not only will they not be given the opportunity to perform at the resort again, they run the risk of having the event cut short. Likewise, our sponsors are made aware well in advance and certainly do not want to run the risk of having their event cut short.

I also wanted to make note that we did have a permit for Call Number 05338004. The special event permit was number 05-180. As you know the permits are valid for 72 hours, however, we did not provide the sponsor name for the event on the 3<sup>rd</sup> of December on the application. We provided only the sponsor name for the event on the 2<sup>nd</sup>. We'll be sure to list all sponsor names in the future.

Most sincerely,

  
Awilda Rivera  
General Manager

2255 West Gulf Drive, Sanibel Island, FL 33957

Phone: 239-472-3145 Fax: 236-472-2109

[www.casaybelresort.com](http://www.casaybelresort.com)

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**Dear Fellow Citizens:**

In early December, registered voters will receive an official mail ballot from the Supervisor of Elections regarding planned improvements to Periwinkle Way. The safety and drainage improvement plans were approved by City Council on September 19, 2006, and are funded in this year's capital budget. However, because the work will include some altered vehicular traffic lanes, City Council authorized this referendum as a precautionary measure to fully meet City Charter requirements. As the Charter is written (and amended in 2005 by Section 3.17(b)), a referendum is required whenever "proposed major changes" to Highway 867 (Periwinkle Way) are involved.

The proposed changes do not include additional vehicle travel lanes but would involve shifting approximately 1,200 feet of Periwinkle roadway to the north in order to create space separating the path and road, as well as to install drainage improvements and improve aesthetics by adding green space. The proposed work would be completed within existing right-of-way areas. More details and drawings of the shared use path are included as part of this educational packet.

Please note that the mail ballots must be returned to the Elections Office by no later than December 19th to be counted. Any registered voter who will not be at their residence to receive a mail ballot should contact the Supervisor of Elections office by phone or through the Internet. The phone number is (239) 533-6300 and the website is: [www.leeelections.com](http://www.leeelections.com). Please note that, if you use the website, you will have to download and print a file to return by fax or mail.

The City of Sanibel urges every voter to become well informed on these issues and to exercise the right to vote.

Sincerely,

*Mayor Carla Brooks Johnston*  
*Vice Mayor, Mick Denham*  
*Councilmember Steve Brown*

*Councilmember Jim Jennings*  
*Councilmember Tom Rothman*



City of Sanibel  
800 Dunlop Road  
Sanibel, FL 33957

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## Official Ballot Question

### PROPOSAL FOR PERIWINKLE WAY RIGHT-OF-WAY IMPROVEMENTS PRIMARILY TO ENHANCE SHARED USE PATH SAFETY

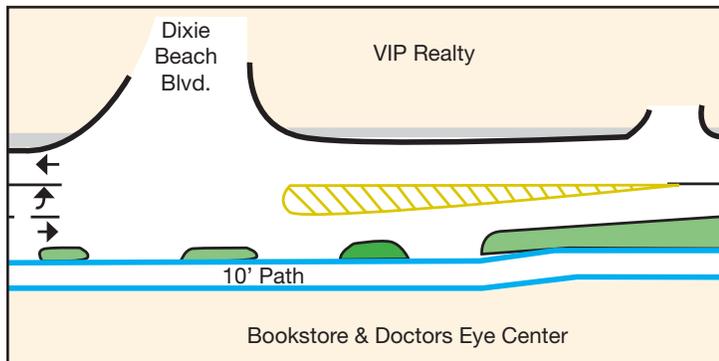
Do you approve right-of-way improvements to Periwinkle Way between approximately ¼ mile west of its intersection with Casa Ybel Road to a point approximately ¼ mile east of its intersection with Dixie Beach Boulevard, such improvements primarily for the purpose of enhancing the shared use path safety in such right-of-way, but also including a reconfiguration of the vehicular travel lanes and drainage improvements, but no additional vehicular travel lanes?

YES \_\_\_\_\_

NO \_\_\_\_\_

## What are the planned improvements to the Periwinkle Way Right-of-Way?

- Approximately 1,200' of the Periwinkle Way roadway would be shifted to the north to create space separating the path and roadway, install drainage improvements and improve aesthetics.
- This relocation would make it feasible to construct needed improvements within existing right-of-way areas.
- An approximately 12-foot separation between the shared use path and roadway would be created.
- The current center continuous turn lane between Dixie Beach Boulevard and Casa Ybel Road would be replaced with a dedicated left turn lane onto Dixie Beach Boulevard.
- Drainage improvements would include added sections of sod, which will also serve to enhance the green spaces that can be viewed from Periwinkle Way.
- The current left turn lanes at Casa Ybel Road will remain unchanged.
- There will be NO additional travel lanes on Periwinkle Way

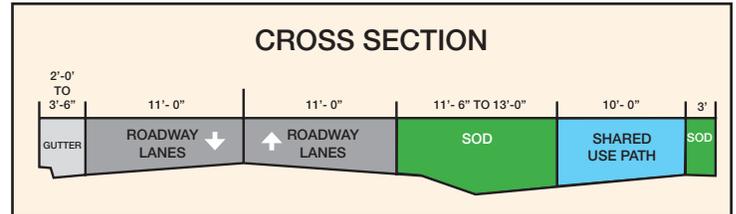


## Background on City's Periwinkle Way Shared Use Path Improvement Plan:

- This plan stems from 11 years of investigating how to improve safety along this section of the shared use path, and also improve drainage and aesthetic appeal.
- From January 1, 1998 through December 31, 2005, 34 bike/motor vehicle accidents occurred along this ½ mile section of Periwinkle Way, representing 45% of all bike/motor vehicle accidents on the island.
- On September 19, 2006, City Council approved \$1.5 million in the 2006-2007 budget for the proposed Periwinkle Way improvements project.
- As outlined in the Sanibel Charter, certain decisions made by City

Council must be approved by voters (by referendum) before they can be implemented. This is one of those cases.

- The City Attorney determined that the slightly relocated and/or alternative vehicular travel lanes included in this project could be considered "new" vehicular travel lanes under the meaning of Section 3.17, since such lanes will be placed in a new area within the existing right-of-way.
- Therefore, on September 19, 2006, Council unanimously adopted Resolution 06-142, authorizing the required referendum (under Section 3.17(b) of the Charter) to seek voter approval for this change to Periwinkle Way.



## Questions & Answers

*What section of Periwinkle Way would be improved?*

- The improvements are from approximately Sanibel Steakhouse (1473 Periwinkle Way) to Sanibel Community Church (1740 Periwinkle Way).

*Would the white, plastic upright delineators along this section of the shared use path be removed?*

- Yes.

*Post-construction – would there still be a dedicated left turn lane onto Dixie Beach Boulevard?*

- Yes, there would be a 100' (approximately 5 car lengths) dedicated left turn lane onto Dixie Beach Boulevard from Periwinkle Way.

*How would the improvements be funded?*

- The 2006-2007 budget adopted by the Council on September 19, 2006 included \$1.5 M for this project.

*What would be the schedule for construction?*

- Upon receiving voter approval of the referendum, the City would proceed to bid the project in the spring with anticipated construction to begin in the summer of 2007 to be completed in the same year.

*Would the project remove any parking from the businesses along Periwinkle Way?*

- No.

*Would eminent domain be required to obtain any properties for this project?*

- No. The project is located within existing right-of-way areas.

*Where can citizens view detailed technical drawings of the proposed shared use path and drainage improvements?*

- Citizens may visit Sanibel City Hall, 800 Dunlop Road or the Sanibel Public Library, 770 Dunlop Road.
- Project maps may also be viewed on the City website at [www.mysanibel.com](http://www.mysanibel.com).