

**SANIBEL CITY COUNCIL REGULAR MEETING
AUGUST 26, 2008**

Mayor Denham called the meeting to order at 9:03 a. m.

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

Members present: Mayor Denham, Vice Mayor Ruane, Councilman Jennings and Councilmember Johnston. Councilman Pappas was excused.

Public Comments:

Ed Seibert spoke to an US Sugar land acquisition article in the

Council Comments:

Councilman Jennings spoke to voting at the polls.

Councilman Jennings made a motion, seconded by Vice Mayor Ruane, to excuse Councilman Pappas.

The motion carried.

Vice Mayor Ruane spoke to Council's hard work during Tropical Storm Fay. He further spoke to being out of state due to his mother's illness

Mayor Denham thanked staff for their work during Tropical Storm Fay.

Councilmember Johnston wished a speedy recovery of Vice Mayor Ruane's mother. She further thanked staff for their work during Tropical Storm Fay.

Ms. Zimomra stated that 2,000 hurricane passes over the weekend.

Planning Commission Report

Chairman Mike Valliquette gave the following report as follows:

- Public hearing of the Mims house elevated pool and was denied
- Tarpon Bay Medical Center application for 1-year extension, a single-story office building and was approved
- Land Development Code sub-committee meeting after the Planning Commission meeting of Section 86-43

Mr. Cuyler spoke to the following:

- Ordinance 08-013 previously scheduled for second reading and public hearing for September 19 and meeting was rescheduled due to Tropical Storm Fay
- Was re-advertised in the paper
- City Charter requires any emergency ordinance come back to Council for a second reading and public hearing

Consideration of Ordinance 08-013 through emergency adoption procedures (This ordinance originally scheduled for consideration at the August 19, 2008 Council meeting canceled due to the threat of Tropical Storm Fay)

ORDINANCE 08-013 AN EMERGENCY ORDINANCE ADOPTING THE FLOOD INSURANCE STUDY FOR THE CITY OF SANIBEL CONTAINED IN THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S STUDY FOR LEE COUNTY, FLORIDA AND AMENDING THE SANIBEL CODE, PART II LAND DEVELOPMENT CODE; CHAPTER 94 FLOODS, TO ADOPT A NEW FLOOD INSURANCE RATE MAP (FIRM), TO ADD A PURPOSE STATEMENT AND TO UPDATE THE CITY'S FLOODPLAIN MANAGEMENT REGULATIONS AND PROCEDURES CONSISTENT WITH NATIONAL FLOOD INSURANCE PROGRAM REGULATIONS; AND AMENDING CHAPTER 82 ADMINISTRATION; ARTICLE IV DEVELOPMENT PERMITS; DIVISION 2 PROCEDURE; SECTION 82-382 FILING PROCEDURE, TO ALLOW SURVEYS TO INDICATE GROUND ELEVATIONS IN NORTH AMERICAN VERTICAL DATUM (NAVD); PROVIDING THAT AN EMERGENCY EXISTS WITH RESPECT TO THE ADOPTION OF THIS ORDINANCE AND WAIVING ANY REQUIRED NOTICE; PROVIDING FOR CONFLICT AND SEVERANCE; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE

Ms. Zimomra read the title of Ordinance 08-013.

Mayor Denham made a motion, seconded by Councilman Jennings, to adopt Ordinance 08-013. Councilman Pappas excused.

Mr. Ken Pfalzer, Deputy Planning Director spoke to the following:

- National Flood Program since 1999
- Sanibel had good community insurance rating
- FEMA designates flood maps
- Flood zone elevation would change
- Velocity Zone further inland
- FEMA changing the scale of measurement

Mr. Cuyler stated:

- New flood maps on record
- Ordinance 08-013 must be adopted by a 4/5's vote
- Ordinance provides for an emergency adoption

- FEMA mandated adoption by August 28, 2008

Public Comment

Mike Valiquette spoke to potential problems with new construction and may need to review in the Planning Commission due to a new 18 inch elevation.

Discussion ensued regarding that this ordinance must be adopted, FEMA would suspend Sanibel from the program if not adopted, and Mr. Cuyler stated that Council authorized an appeal when FEMA established the new proposed flood maps due to City's disagreements with FEMA maps.

The motion carried.

CONSENT AGENDA

Ms. Zimomra stated that staff requested item (m) be pulled.

- m. Approval of an agreement with GTG as City's GIS partner for Phase I in the amount of \$19,800 a GIS needs assessment and long-range GIS implementation plan and authorize the City Manager to execute same

Discussion ensued regarding the cost to Sanibel, amount of money that would be spent for new equipment and asked for additional information for the installation of a full GIS system and bring back to Council, what was the current status of GIS, what departments were currently using a GIS program and the changes if GIS implementation were studied, what were the uses of a GIS system, in using acronyms spell out the words for better understanding, better financial position last year, review costs more carefully, and should review matching funds for grants.

- b. **RESOLUTION 08-099 APPROVING A LABOR AGREEMENT BETWEEN THE CITY OF SANIBEL AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES; AND PROVIDING AN EFFECTIVE DATE**
- c. **RESOLUTION 08-100 APPROVING A LABOR AGREEMENT BETWEEN THE CITY OF SANIBEL AND THE FRATERNAL ORDER OF POLICE; AND PROVIDING AN EFFECTIVE DATE**
- d. **RESOLUTION 08-110 ADOPTING AND ESTABLISHING A REVISED RATE SCHEDULE FOR THE SANIBEL SEWER SYSTEM AND PROVIDING FOR A 3% INCREASE IN RATES FOR GENERAL RECLAIMED WATER CUSTOMERS; AND PROVIDING AN EFFECTIVE DATE**
- e. **RESOLUTION 08-111 RESOLUTION ADOPTING AND ESTABLISHING A REVISED SCHEDULE OF RATES FOR THE SANIBEL SEWER SYSTEM AND PROVIDING FOR A 3% INCREASE IN RESIDENTIAL AND**

COMMERICAL CUSTOMER RATES; AND PROVIDING AN EFFECTIVE DATE

- f. **RESOLUTION 08-095 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2008-068 AND PROVIDING AN EFFECTIVE DATE** (to appropriate the donation of \$36,145 from Periwinkle Partnership for Phase 3 plantings of the Periwinkle Landscaping project. This amendment will increase the FY08 budget by \$36,145 for these new funds)

- j. **RESOLUTION 08-112 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2008-067 AND PROVIDING AN EFFECTIVE DATE** (to appropriate \$45,000 from the South Florida Water Management District to the Public Works Department for NPDES water quality analysis and future storm water projects identification. This grant replaces funds currently budgeted by the City for this activity. The City's required match of \$45,000 is included in the FY08 budget. No new or additional funds are being appropriated by this amendment)

- k. **RESOLUTION 08-113 OF THE SANIBEL CITY COUNCIL DETERMINING THAT IT IS APPROPRIATE THAT PLANNING, DEVELOPMENT REVIEW AND ADMINISTRATIVE FEES NOT BE INCREASED AND BE MAINTAINED AT CURRENT LEVELS FOR THE 2008-2009 FISCAL YEAR; AND PROVIDING AN EFFECTIVE DATE**

- l. **RESOLUTION 08-114 OF THE SANIBEL CITY COUNCIL DETERMINING THAT IT IS APPROPRIATE THAT BUILDING PERMIT AND BUILDING REGULATION RELATED FEES NOT BE INCREASED AND BE MAINTAINED AT CURRENT LEVELS FOR THE 2008-2009 FISCAL YEAR; AND PROVIDING AN EFFECTIVE DATE**

- p. **RESOLUTION 08-117 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2008-069 AND PROVIDING AN EFFECTIVE DATE**(to transfer \$5,242 from the General Fund Reserve for contingencies, with the agreement of the parks and Recreation Committee, to the Community Park Fund as the City's contribution to the cost of erecting a shade structure over the swing set. This amendment increases FY08 expense by \$5,242. There will be \$49,500 remaining in the General Fund Reserve for contingencies after this amendment)

Ms. Zimomra stated that a memo was issued advising the managerial staff that salaries would be maintained for one-year, as would the salaries of both unions per their agreement. She further stated that Council had approved Health Care benefits and employee participation would remain the same with employee participation.

Mayor Denham made a motion, seconded by Councilmember Johnston, to adopt Resolutions 08-099, 08-100, 08-111, 08-095, 08-112, 08-113, 08-114 and 08-117

The motion carried.

- a. Approval of Minutes – July 15, 2008 Regular Meeting and August 05, 2008 Regular Meeting

- g Consideration of the request from the Barrier Island Group (BIG) for the Arts, 900 Dunlop Road, to serve a 2-ounce wine tasting during intermissions for their event schedule for the 2008-2009 season.
- h. Award Dixie Beach Boulevard Improvements – Phase I contract to CW Roberts Contracting, Inc., (bid through Cougar Contracting Division) in the amount of \$194,181 and authorize the City Manager to execute same (Funding available in FY 2008 Public Works Capital Improvement Budget)
- i. Award Public Works Garage Mezzanine Re-enforcement contract to R. E. Harris Construction Group in the amount of \$30,915.00 and authorize the City Manager to execute same (Funding available in FY 2008 Public Works Capital Improvement Budget)
- n. Approval of a Revocable License between the City of Sanibel and U. S. Coast Guard to extend the City’s license for the Lighthouse property, 1 Lighthouse Way until September 20, 2009 or until ownership of property is transferred to City, whichever occurs first
- o. Approve staff’s ranking of the disaster debris monitoring services firms and direct staff to negotiate contracts with the two top ranked firms, Neel-Schaffer Inc., and Solid Resources, Inc.”

Mayor Denham made a motion, seconded by Councilmember Johnston, to approve Consent Agenda items (a), (g), (h), (i), (n), and (o).

The motion carried.

Recoding malfunctioned and was re-turned on at 9:38 a. m., with audio working. There is no audio for the first 40 minutes of the meeting.

BUDGET

Update on Financial Issues

Ms. Zimomra stated the following:

- Settled labor issues
- Settled benefit package
- Tentative budget adopted July 15th
- Continue to receive notification from the State of revenue sharing, none increasing
- Staff does not perceive major swings in the budget
- Council previously request environmental enhancements by department
- Recommendations dealing with Recreation Center membership fees
- Additional information regarding beach parking numbers

Staff summary of Environmental Initiatives included in FY 2009 budget

Ms. Zimomra stated that the Recreation Center was built on time and on budget, it is being utilized particularly by young people. She stated that ratios of participation needed to be addressed.

Discussion ensued regarding what trade-off's for installing solar paneled in FY 2009 and a trade off, costs implications for a study in FY2009, need to see impact and cost effectiveness of energy efficient items, Ms. Zimomra stated that staff would bring back a matrix and trade-off's for initiatives.

Direction to City Staff Regarding Recreation Center Membership Fees

Ms. Zimomra stated there was a staff recommendation of fees in the agenda packet and would like Council direction for legislation.

Report on Summer Day Camp

Ms. Zimomra stated a day camp was operated in trailers, at the old Recreation Center and under the Pavilion during construction.

Mr. Deal, Recreation Director spoke to the following:

- Increase of 25% in attendance, had a spill over of positive results from the After-School Program
- Total attendance was 180 for the summer
- Last year attendance was 152

Status of After School Program Registration

Request to permit 7th and 8th grade participation in After School Program

Mr. Deal reported:

- 180 registered students this past year
- 120 registered students last year
- Above counselor capacity with 180 students
- Additional counselor needed
- Revenue would off-set additional staff requested
- Revenue \$26,000
- Cost of \$10,000 and would be off-set by revenue increase
- Accepted 7th and 8th grade on a temporary basis
- 2 enrolled 7th/8th graders
- 20 7th/8th graders taking advantage of their membership and open use of facility
- Staff recommend a 7th/8th grade counselor
- Program provide more freedom with supervision
- Off-set revenue with membership

Ms. Zimomra explained that staff was recommending 2 part-time counselors for 3 hours in the afternoon after school. She further explained that one counselor would off-set the membership in 7th grade and below with the increase of students from 120 to 180. She also explained that the increase in revenue would off-set a part-time counselor. She stated that staff recommended a part-time counselor for the 20 students that have membership, but use the Recreation Center after school with parents requesting more structure. She also stated that the counselor would be a chaperone and staff recommendation was to pay the 7th/8th grade counselor out of membership fees. She explained that there was approximately \$100,000 in the membership line of the budget.

Discussion ensued regarding more specific with revenue last year, taxpayer should not pay for a 7th/8th grade counselor, Ms. Zimomra explained the first counselor would be paid out of the revenue from the summer program and the fall program, she reminded Council that the 2nd reading of the membership fee ordinance was on the September 5th agenda and would double the membership fees, \$26,000 represents the total revenue of the summer program, increase was \$6,000 increase, fall registration increased, Ms. Zimomra explained that the 7th/8th grade counselor would be appropriated from the increased membership fees, additional \$6,000 generated from the summer program, did not increase staff, increased registration for the fall with approximately \$6,000 increased revenue, 7th/8th graders hang out with additional use of Recreation Center of approximately 20 students, 7th/8th graders need more structure due to excess energy, have additional \$12,000 in revenue and need \$10,000, Ms. Zimomra stated that based on Councils past policy of not sending any child away, she further stated that she gave temporary authority to accept 7th/8th graders, staff would bring back a budget amendment if approved by Council, and student increase shows an alternative taken by parents when not going on vacation due to the economy.

Councilmember Johnston made a motion, seconded by Vice Mayor Ruane, to include 7th and 8th graders in the Recreation Center program.

The motion carried.

Public Comment

Karen Storjohann spoke to 13 and 14 years old not formally registered in the after-school program coming to the Recreation Center coming after school. She also stated there needed to be a formal agreement with parents that children would be under the supervision of a counselor.

Ms. Zimomra answered yes and the past program was capped at 6th graders and the director had made certain these students did not have a full run of the center. She further stated that there would be a more structured program, in and out sign-in sheet.

Discussion ensued regarding staff coming back to Council with an assessment of a program for 13 and 14 year olds, and Ms. Zimomra stated the director had been very proactive in providing an active environment, but a counselor would help provide a structured environment and paperwork would be provided for parents as well.

Status of Recreation Scholarship Program

Ms. Zimomra spoke to the following:

- Council previously authorized a scholarship program
- No child denied access
- Increase in summer program
- Parks and Recreation Committee recommend for a graduated schedule for scholarship
- Eligible for school lunch program the student automatically receives a 100% scholarship
- Need for partial scholarships
- Provide help with families having multiple children
- Parents could write a hardship letter
- Committee would like one more month to evaluate scholarship program
- Parents could write a letter of hardship
- CHR provides scholarship for program for CHR residents through grants from service clubs on island
- Request for Community Foundation funds in the amount of \$5,000
- Kiwanis gave \$5,000 grant
- As fees increase the funds needed would also increase

Mr. Armand Ball spoke to the following:

- Funds were previously secured in the past
- Need to review a tier system
- Recommendation for more time to develop an additional plan

Discussion ensued regarding a policy no child left out, set amount of money and at what point would there be no more money, Ms. Zimomra stated that \$5,000 was received from Kiwanis and requested \$5,000 from Community Foundation and when those funds were used there would be no more money, registration peaks at the beginning of school year, anticipate an impact by next fall, could appeal to service clubs through grants made to City, and pursue option 3 to continue to process scholarship and find more money.

Current FY2008 membership and participation and direction to staff on Recreation Center Membership fee structure

Ms. Zimomra spoke to the following:

- Participation report included in agenda packet
- As of August 11th 5,761 residents paid to utilize the facility
- 5,699 visitor usage
- Residents purchase mostly annual or bi-annual pass
- Visitors purchase mostly daily passes
- National numbers of usage was 25% reduction after the first year
- Showed adjustments for 5%, 10% and 15%

- Parks and Recreation Committee reviewed
- Staff recommend new legislation before renewal of memberships

Discussion ensued regarding annual revenue for FY 2008 was \$172,000 plus \$49,000 for non-residents equal \$221,000, decreased by 25% usage with no fee increase revenue would be \$136,000, 5% fee increase revenue would be \$149,000 and 15% fee increase revenue would be \$156,000 for residents, there would also be an increase in visitor revenue, \$7,000 in revenue overall, labor costs biggest expense, utilities second largest expense, wage containment holds wage costs, marginally ahead with a 25% decrease in membership fees, and Council made clear that membership fees was to off-set the cost.

Vice Mayor Ruane made a motion, seconded by Councilman Jennings, to direct staff to bring back legislation at 15% increase as recommended by the Parks and Recreation Committee.

Public Comment
None

The motion carried.

Council recessed at 10:17 a. m.

Council reconvened at 10:34 a. m

Direction to City Staff Regarding Beach Parking Fees

Ms. Zimomra spoke to the following:

- Staff recommendation and need direction from Council
- Fees at same rates for a number of years
- 261 passes purchase by residents
- 340 passes purchased by visitors
- \$1 million generated from parking fees

Discussion ensued regarding holding revenue fee, if revenue was increased, \$1 million of parking meter generated revenue, and increase to \$12 for A and BR permits, would allow 40% of staff proposed revenue, existing fees included in budget, and accept staff recommendation, as well as increasing the A & BR permit to \$12.00.

Public Comment
None

Councilman Jennings made a motion, seconded by Vice Mayor Ruane, to direct staff to prepare legislation as recommended by staff and establish A and BR permits at \$12.00.

The motion carried
OLD BUSINESS

Water Quality Issues

Reports from City Council members

Correspondence of August 11, 2008 to Governor Crist regarding US Sugar land acquisition

Letter included in agenda packet.

Discussion ensued regarding Mayor Denham involved with discussion in Glades County and concerns of the land acquisition, need to be a compromise for local communities if the land acquisition comes to fruition, Enterprises Florida should step-up to help, Glades County an extremely poor county, very little tax revenue, land acquisition should take in consideration of the economic problems in areas surrounding the land acquisition, more than a flow away as part of the arrangement, summer survey at League of Cities and 40% agreement, residents should send letters across the state for support, concerned for Glades County residents, do not know what the final deal would be, ramifications of assessments, how would the acquisition affect existing programs, flow way needs under 50,000 acres, greatest problems if lands becomes rooftops, RPC adopted a resolution of support provided there was concerns for people living in the area, assumption that taxes might go up, and concerned of excess water from Lake Okeechobee.

Dr. Loflin spoke to the following:

- State beginning a series of workshops
- 5 years to work toward

Public Comment

None

Efforts to develop a coordinated local impact on the purchase of U. S. Sugar lands

Mayor Denham spoke to the following:

- Meeting of Lee County staff and Sanibel staff to ensure there was agreements on like issues
- Agreed legal action would be handled together
- Meeting with County and City natural Resources staff to review a list of projects and issues
- Provide a white paper of agreement or not for Council review

Adoption of a Storm Water Resolution by the Regional Planning Council

Mayor Denham spoke to the following:

- Adoption of a storm water resolution unanimously directed toward new and redevelopment of land
- Primarily keeping water on land
- Proper treatment
- Written by RPC, SFWMD, DEP and SCCF collectively
- State rule on storm water being review, which may take 2 years

- Forward a copy to state and incorporated in the State rule

Staff Reports

Report of Status of U.S. Sugar Land Purchase

Dr. Loflin gave the following report:

- SFWMD officially indicated C-43 reservoir project would withdraw funding to the federal level and ACOE
- Senator trying to separate funding in WRADA
- Major reservoir construction was halted and becoming an STA – water quality component rather than a storage component
- Public input of land acquisition – primarily through WRAC then to the Board
- Once input goes to the Board decisions would have been made

Discussion ensued regarding the need of a staff recommendation of actions Council should take, Dr. Loflin stated that the list of issues coming from Lee County and City staff collaboration would be recommendations, through release process schedule partnership could continue to be viable, communicate with Charles Duaray, ways to set-up on-going mechanisms to continue input, and Council should stay abreast.

Natural Resources report regarding the Natural Resources Defense Council's report

Dr. Loflin spoke to the following:

- Reviewed report and there were recommendations of what communities could handle
- 5 sites Causeway, Lighthouse, Tarpon Bay Road Captiva water quality taken weekly
- Follow-up the biggest problem
- When water was tested the source should be found

Discussion ensued regarding begin the process to reintroduce the Healthy Beach Program to the legislative delegation, Senator Bennett, Sarasota would sponsor this year, due to fertilizer adopted then Healthy beach Program did not get past committee, and help Senator Aronberg with his economic package to gain his help with the Healthy Beach Program.

Public Comment

None

Discussion of Natural Resource staff recommendation to manage nutrient run-off at golf courses located within the City of Sanibel and direction to City staff regarding next step

Ms. Zimomra spoke to the following:

- Directed staff to investigate what practices followed at Sanibel golf courses
- Reviewed DEP Best Management Practices for Golf Course Fertilization

- Asked and were invited to each golf course
- Golf course staff worked with City staff
- Invited golf course for the discuss item
- Staff recommending legislation

James Evans gave the following report:

- Natural Resources staff met with all golf course staff
- Provided a copy of Best Management Practices for Golf Courses (BMP)
- Staff had a list of recommendations

Discussion ensued regarding fertilizer not the major use of pollution, but one of many, one source of contamination, not only an environmentally issue, but an economic issue, what was delivery system for nutrients, method used, important to be of one-mind when speaking of nutrient dispersement, new state regulations of TMDL (Total Maximum Daily Loads, and work with golf courses.

James Evans replied :

- Applied by mechanical means
- Irrigation system
- Through the use of reuse water
- 2 out of 3 golf courses use irrigation to fertilize
- Use of different types of grasses at golf courses
- Golf courses aware of the City's goal to reduce nutrients
- BMP manual made available to golf courses and important enough to recommend an ordinance
- BMP's were voluntary

Dr. Loflin:

- Stake at having good quality water in golf course lakes

Public Comment

Kyle Sweet, Sanctuary Golf Club spoke to reviewing proposal and find the document fair and inclusive of EAP Best Management Practices. He further stated the proposal would not be cost prohibitive and an Audubon golf course. He also spoke to some surfaces need for higher fertility levels. He pointed out that there were existing properties with water sites and want to work with staff regarding buffers of water bodies. He further spoke to apply fertilizers by mechanical means and have different grasses, as well as the maturity of golf course that allow the need for fertility. He further stated limiting soluble nitrogen, which golf courses had been following. He stated that there were existing properties that have existing designs and want to work closely with City staff to incorporated environmental sensitive areas to keep areas safe and be proactive.

Council asked if Mr. Sweet had time to evaluate the recommendation and Mr. Sweet stated he did take the proposal to his Board of Governors. He further spoke to there being some significant changes in regards to buffer along the lake shore, which harbor weeds and insects, and a very delicate balancing act, but the Sanctuary golf course wanted to be part of the solution.

Council asked for recommendations of what would work, continue to focus and asked golf courses bring back ideas and Council want to be cognizant of issues.

Shaun Balen, Dunes golf course spoke to his agreement with the Sanctuary. He further spoke to the uniqueness of beach facilities.

Public Comment

Karen Storjohann spoke to possible resident issues with vegetation plantings because residents would not be able to see across the golf courses.

James Evans stated that new vegetation would be relatively low because it benefits water quality.

Claudia Burns spoke to algae on the beach. She further spoke to reading an article where a company was performing an experiment that would allow algae to sit on the beach to see if the water would wash out the salt on Ft. Myers Beach.

Ms. Zimomra stated that staff had been in communications with the company and there was no preparation of taking the amount of algae on Sanibel beaches.

Dr. Loflin stated that the current algae was 100% sargosum algae and does not cling to the bottom of the gulf and believe it was part of a floating mat and should be resolved in a week or so.

Council requested that a report come back in 4 weeks.

Mr. Sweet asked if a meeting should be scheduled with staff before coming before Council.

Discussion ensued regarding sending area golf courses proposals, have partners, but must take baby steps

RESOLUTION 08-115 OF THE CITY OF SANIBEL CITY COUNCIL EXPRESSING ITS INTEREST IN ENTERING INTO NEGOTIATIONS WITH THE LEE COUNTY COMMISSIONERS PERTAINING TO THE DEVELOPMENT OF AN INTERLOCAL SERVICES BOUNDARY AGREEMENT PURSUANT TO CHAPTER 171, PART II, FLORIDA STATUTES, DECLARING AN INTENT TO CONSIDER THE IMPOSITION OF A MORATORIUM ON THE ACCEPTANCE OF NEW APPLICATIONS FOR MUNICIPAL ANNEXATION FOR A PERIOD TO EXPIRE NO LATER THAN

JULY 21, 2009 WHILE THE INTERLOCAL AGREEMENTS IS THE SUBJECT OF ACTIVE ONGOING NEGOTIATIONS; AND PROVIDING AN EFFECTIVE DATE

Ms. Zimomra read the title of Resolution 08-115.

Mayor Denham made a motion, seconded by Councilmember Johnston, to adopt Resolution 08-115.

Public Comment

None

The motion carried.

Request from South Florida Water Management District (SFWMD) to use the City Seal for the Caloosahatchee River Watershed Protection Plan (CRWPP) as part of the Northern Everglades and Estuaries initiative

Ms. Zimomra stated that this was a request to utilize the City Seal.

Councilmember Johnston made a motion, seconded by Mayor Denham, to use the City Seal by SFWMD.

The motion carried.

COMMITTEES BOARDS COMMISSION

Acceptance of Mark Tesoro's resignation from Parks and Recreation Advisory Committee

Mayor Denham made a motion, seconded by Councilmember Johnston, to send a letter of appreciation.

The motion carried.

Appointment of Melissa Congress and Jean Ann Dewalt to the Parks and Recreation Advisory Committee

Councilmember Johnston made a motion, seconded by Vice Mayor Ruane, to appoint Melissa Congress and Jean Ann Dewalt to the Parks and Recreation Committee.

The motion carried

Ms. Zimomra spoke to the mid-year orientation and was very well attended by new and old committee members.

RESOLUTION 08-118 ESTABLISHING AN AUDIT COMMITTEE PURSUANT TO SECTION 218.391, FLORIDA STATUTES FOR THE PURPOSE OF ASSISTING THE CITY OF SANIBEL IN SELECTING AN AUDITOR TO CONDUCT THE ANNUAL FINANCIAL AUDIT; AND PROVIDING AN EFFECTIVE DATE

Ms. Zimomra read the title of Resolution 08-118

**RESOLUTION 08-119 APPOINTING MEMBERS TO THE CITY OF SANIBEL
AUDIT COMMITTEE; AND PROVIDING AN EFFECTIVE DATE**

Ms. Zimomra read the title of Resolution 08-119.

Mayor Denham made a motion, seconded by Vice Mayor Ruane, to adopt Resolution 08-119.

The motion carried.

CITY MANAGER

Informational Items

Report on response to Tropical Storm Fay

Ms. Zimomra spoke to the following:

- Based on the residential declaration and authorized for reimbursement of protective measures
- Following closely any declarations

Comment regarding Sanitary Sewer FY2009 sewer property tax

Ms. Zimomra spoke to the following:

- Memorandum of the trim notice
- Millage on trim notice appear higher
- Referendum for sewer expense was 20.4% and would decrease
- Millage in feasibility study and trim notice would reflect the reduction

Letter to Town of Fort Myers Beach regarding the proposed Transit Authority

Ms. Zimomra stated the draft letter was in the packet.

Councilmember Johnston stated that MPO met last Friday and it would appear that Ft. Myers Beach would become involved in the Transit Authority.

Building Department Permits and Inspections Monthly Report

Building Department Monthly Revenue Accumulative as of July 30, 2008

Code Enforcement Activity Report for July, 2008

July, 2008 Planning Department Permit Activity Report, New Single Family Residential Construction FY 07-08, FY 07-08 Quarterly Comparison of THE Development Permit Classification

The above-mentioned was for informational purposes only.

Industry Appreciation Luncheon – Friday, September 19, 2008 Harborside Event Center

Ms. Zimomra spoke to an invitation received and the City had 8 seats total.

Discussion ensued regarding making attendance a priority, each Councilmember would invite someone to attend, and should be a business person.

City of Cape Coral Veterans Day Parade Tuesday, November 11, 2008

Mayor attendance the City program, Councilman Jennings normally attends. Rent a car.

CITY ATTORNEY'S REPORT

Mr. Cuyler spoke to an update of Sanibel Bayous and Junonia assessment district.

- 30 day notice procedure must be followed
- Sanibel Bayous to afford the opportunity to have assessment on 2008 tax bills
- Must be re-noticed
- Better to complete work and receive final numbers
- February/March for final numbers on Sanibel Bayous
- Notice would be sent to property owners
- Earliest this would come back to Council would be 60-days
- Cost incur now for service
- Neighborhood cost would be part of the assessment
- Property owners not hooking-up to system, but City hooking-up
- City already extended the money to build plant and transmission lines

Discussion ensued regarding the cost to hold hearings in April and Mr. Cuyler stated no, sewer service was being paid currently, do not want to assess and find cost was higher.

Council agreed for next spring.

COUNCIL MEMBERS' REPORT

Discussion regarding the option of the City to participate in the National City Fit Challenge

Councilman Jennings spoke to the following:

- Many communities have campaigns to reduce obesity through fitness challenges
- Would like to give information to City Manager and Director Deal to review for incorporation in Recreation Center Program

Discussion ensued regarding having a healthy lifestyle, give Parks and Recreation Committee input.

Ms. Zimomra stated it would take staff time and the need to be consistent with Council goals. She spoke to there being a variety of levels and would come back to come and did Council concur with request.

Discussion ensued regarding just built a Recreation Center for community, Council decided not to spend staff time on a program, and Council liaison pass to the Parks and Recreation Committee.

Attendance at the August 13, 2008 Homeless Steering Committee meeting
Councilmember Johnston gave the following report:

- National effort to end homelessness in 10 years
- Lee County would like to have a plan completed by the end of 2008
- Estimated 10,000 homeless persons in Lee County
- Effort from FGCU

Reports – Attendance to the Florida League of Cities Conference

Mayor Denham spoke to the following:

- Attended the Urban Planning Council
- Change in attitude in green effect of cities, cost effective and energy saving
- Requested the City Manager speak with Sarasota County
- The community-at-large that would make a large impact

Councilmember Johnston spoke to the following:

- Recreation Center complete Harold Law would investigate greening the City
- Economic benefits

Ms. Zimomra stated that with less building staff Director Law was doing inspections.

Councilman Jennings spoke to:

- Shift in polls in support of off-shore drilling
- Florida League Cities looking at education across the State

Vice Mayor Ruane spoke to upcoming budget challenges

Upcoming meeting of Lee County Mayors & Managers regarding the proposed Transit Authority

Discussion ensued regarding of a transit authority existing, dealing with the proposed Interlocal, and MPO charge with a committee to deal with the proposed transit authority.

PUBLIC COMMENT

None.

There being no further business the meeting was adjourned at 12:35 p. m.

Respectfully submitted by,
Pamela Smith, CMC
City Clerk