

8. **CONSENT AGENDA**

- d. **RESOLUTION 09-111 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2009-056 AND PROVIDING AN EFFECTIVE DATE** (to appropriate \$15,000 from ending fund balance for the City's one-third share of the 2007 dredging of the entrance to the Shell Harbor canals and to budget \$10,634 to Sanibel Marina as reimbursement for dredging costs, \$200 to Simon Harrison for mediator services and \$4,166 in fines paid to the DEP. This amendment does not increase the FY09 budget)

RESOLUTION 09-111

**APPROVING BUDGET AMENDMENT/TRANSFER NO. 2009-056 AND
PROVIDING AN EFFECTIVE DATE**

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

SECTION 1. The revised Shell Harbor Canal Dredging Fund for fiscal year 2008-2009, Budget Amendment/Transfer BA 2009-056 true copy of which is attached hereto as Exhibit A and incorporated herein by this reference, is hereby approved and accepted.

SECTION 2. Effective date.

This resolution shall take effect immediately upon adoption.

DULY PASSED AND ENACTED by the Council of the City of Sanibel, Florida this 6th day of October 2009.

AUTHENTICATION:

Mick Denham, Mayor

Pamela Smith, City Clerk

APPROVED AS TO FORM:

Kenneth B. Cuyler
Kenneth B. Cuyler, City Attorney

9/28/09
Date

Vote of Councilmembers:

Denham _____
Ruane _____
Harrity _____
Jennings _____
Pappas _____

Date filed with City Clerk: _____

Memorandum

DATE: September 18, 2007

TO: City Council

THROUGH: City Manager Judie Zimomra

FROM: Public Works Director Gates Castle *NOC*

RE: Shell Harbor and Sanibel Harbour Maintenance Dredging

RECOMMENDATION: Approve reimbursement for City's share of Shell Harbor and Sanibel Harbour dredging

Every 3-4 years, the entrance to the Shell Harbor canal system needs to be dredged due to sand buildup. The Sanibel Harbour canal system entrance also fills in with sand and periodically needs to be dredged, although not as often as the Shell Harbor entrance. Both of these canal system were proposed for dredging this year, so the estimated 1/3 share of the cost of the dredging is in the FY 06-07 budget. However, the residents have been unable to secure their 2/3 share of the cost in order for the City to proceed with bidding the projects.

Myton Ireland, owner of Sanibel Marina, has solicited proposals to do both the public and private dredging at both locations, with the low proposal being submitted by Bull Dredging. Sanibel Marina has contracted with Bull Dredging to perform the Shell Harbor entrance and marina dredging for \$62,827.25. The City had solicited bids in early 2007 to dredge the public portion of the Shell Harbor entrance and received one proposal in the amount of \$48,000, the City's share of which would be \$16,000. The Sanibel Harbours Association have entered into a contract with Bull Dredging in the amount of \$32,000 to dredge the public entrance to their canal system. The City's estimated 1/3 share of the cost of this work was \$10,000, based upon a \$30,000 cost estimate for the total project.

Staff recommends that City Council approve reimbursing Sanibel Marina \$15,000 for the City's share of the Shell Harbor dredging and Sanibel Harbours Association \$10,000 for the City's share of the Sanibel Harbour dredging. There is \$10,000 in the Public Works budget for the City's share of the Sanibel Harbour dredging and \$15,000 in the Capital Improvements budget for the City's share of the Shell Harbor dredging.

C: Finance Director
City Attorney

August 31, 2007

Mr. David K. Driver, Vice President, Operations
Bull Dredging
404 Sanibel Court
Neptune Beach, FL 32266

Subject: Shell Harbor and Sanibel Harbor Canal Entrance Dredging

Dear Mr. Driver:

This is a follow up to our field meeting on August 31, 2007 regarding the subject dredging projects. The City's boat ramp property can be used as a spoil site for the projects, subject to the following conditions:

1. Bull Dredging and its subcontractors will comply with all DEP and Corps of Engineers permit conditions.
2. Operations will be confined to the small boat ramp lot.
3. Dredging operations, spoil site construction, silt fence and floating turbidity barrier will be in accordance with the typical drawings attached to the City's January 6, 2006 letter to the DEP (copy of which was given to you at the field meeting).
4. Myton Ireland will be responsible for the removal of all dredged material from the boat ramp site within 30 days of the completion of the dredging operations.
5. Bull Dredging naming the City of Sanibel as additional insured on its insurance policies. A copy of the Certificate of Insurance will be provided to the City prior to work commencing on the boat ramp property.
6. Bull Dredging will secure any City permits necessary from the City's Building Department (call 472-4555).
7. Bull Dredging and Myton Ireland will be responsible to restore the disturbed boat ramp property areas to pre-construction conditions. This includes the replacement of any damaged vegetation, parking bumpers, bollards and rope, etc.

Please review these conditions and notify me if you are in disagreement with any items contained in this letter.

I look forward to working with you on this project, please call me at (239) 472-6397 if there are any questions.

Very Truly Yours,

Gates D. Castle

Gates D. Castle Public Works Director/City Engineer

cc: City Manager Judie Zimomra
City Attorney Ken Cuyler
Natural Resources Director Rob Loflin
Myton Ireland

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City of Sanibel

800 Dunlop Road
Sanibel, Florida 33957-4096

www.mysanibel.com

AREA CODE - 239

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| CITY COUNCIL | 472-4135 |
| ADMINISTRATIVE | 472-3700 |
| BUILDING | 472-4555 |
| EMERGENCY MANAGEMENT | 472-3111 |
| FINANCE | 472-8615 |
| LEGAL | 472-4359 |
| NATURAL RESOURCES | 472-3700 |
| PARKS & RECREATION | 472-8075 |
| PLANNING | 472-4136 |
| POLICE | 472-3111 |
| PUBLIC WORKS | 472-6397 |
| UTILITIES | 472-1008 |