

**SANIBEL CITY COUNCIL REGULAR MEETING  
FEBRUARY 16, 2010  
9:00 A.M.**

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

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

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

**PRESENTATION**

**South Florida Water Management District (SFWMD) update regarding Lower West Coast water supply plan and areas of mutual interest** (Phil Flood and Terry Bengsston, SFWMD)

Mr. Terry Bengsston gave a brief PowerPoint presentation.

Discussion ensued regarding plans to allow water to move south, as well as capturing nutrients, Mr. Bengsston stated that there would be workshops for the development of C-43, funding for the C-43 reservoir and basin run-off from the Kissimmee basin

**Public Comments**

Karen Storjohann spoke the attending three functions that demonstrate the Vision Statement.

Ed Siebert complimented City Council for the resolution opposing off-shore drilling. He further spoke to a Lee County company receiving funds from Lee County.

Herb Rubin spoke not being impressed by the South Florida Water Management District (SFWMD) water presentation.

Ms. Zimomra stated that staff was working to have Charles Duaray come before Council in March. She also spoke to the issue of the U.S. Sugar land purchase.

Louise Johnson spoke to the need to continue watching the off-shore drilling discussion. She further spoke to the Community Housing Resources (CHR) Center Street project. She also spoke to a previous discussion to putting the entire Vision Statement on MacKenzie Hall.

Mayor Denham spoke to the practicality of putting the Vision Statement in MacKenzie Hall.

Ms. Zimomra stated she would gladly meet with Ms. Johnson.

Steve Maxwell spoke to previously serving on Smart Growth and involved in water discussions. He further spoke to a book on Sanibel history by an author named Anholt and the issue of water quality, the Calooshattee River, topic of U.S. Sugar land purchase, and SFWMD building a reservoir.

**Council Comments**

None

**Planning Commission Report**

Commissioner Chuck Ketteman gave the following report:

- Denied an application for a second sign at CVS
- Discussed redevelopment
- February 23, 2010 meeting canceled
- Land Development Code (LDC) sub-committee would meet on February 23, 2010 at 8:00 a.m.

Councilman Pappas spoke to different opinions as part of the public record.

**First Reading of an ordinance and scheduling of public hearing**

**ORDINANCE 10-001 AMENDING THE SANIBEL CODE BY ADDING A NEW SECTION 1-19 FOR THE PURPOSE OF IMPOSING A \$3.00 COURT COST FEE TO EVERY CITATION OR NOTICE TO APPEAR FOR A VIOLATION OF ANY CITY OF SANIBEL ORDINANCE OTHER THAN A VIOLATION RELATED TO PARKING; PROVIDING THAT SUCH \$3.00 COURT COST FEE IS IMPOSED PURSUANT TO THE AUTHORITY AND REQUIREMENTS OF SECTION 938.01, FLORIDA STATUTES; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT AND SEVERANCE; AND PROVIDING AN EFFECTIVE DATE.**

Ms. Zimomra read the title of Ordinance 10-001.

Council set the second reading and public hearing for March 02, 2010 at 9:15 a.m.

**CONSENT AGENDA**

Ms. Zimomra asked that item (j) be pulled and Mr. Cuyler asked that (f) be pulled.

- f. Consideration of a request filed for final plat approval to subdivide 4 residential duplex housing units by creating 8 separate zero-lot line parcels within a 14-unit Unified Residential Housing Cluster development located on a 2.37 acre parcel of land at 1500 Centre Street (Tax Parcel No. 19-46-23-T4-00006.0020), as submitted by Coast an Islands Community Land Trust, Inc., Application No. 09-5378 DP (this is pending at this time, contingent upon receiving required submittals from Community Housing Resources (CHR) in sufficient time for staff review)

Mr. Cuyler stated that everything had not been submitted by CHR and asked that the item be scheduled for March 02, 2010.

Council agreed.

- j. Acknowledgement from the U.S. Bureau of Land Management with regard to the conveyance and purchase of the Sanibel Lighthouse. The purchase price in the amount of \$447.50 **AND RESOLUTION 10-019 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2010-019 AND PROVIDING AN EFFECTIVE DATE** (To budget and appropriate \$447.70 for purchase money required for conveyance of Sanibel Lighthouse property; special pricing is \$10 per acre. This amendment does not increase the FY10 budget)

Ms. Zimomra read the title of Resolution 10-019. She offered the following comments:

- Estimate for next painting of Lighthouse would cost approximately \$270,000 due to the last painting was completed with lead paint
- Would try to obtain historical restoration grants
- After transfer staff would develop a long-term master plan for the Lighthouse property
- Opportunity for a community effort in the future
- Historical Museum and Village, Inc., requested to make the lighthouse cottages a museum

- Resident offered to purchase the Lighthouse and donate to the City; staff preferred not to delay the transfer and ask the citizen for a donation if they wanted to donate the cost of the purchase

Discussion ensued regarding donations from residents for the Lighthouse property, amount of land and Ms. Zimomra stated it was \$10 per acre and 44.7 acres.

Mayor Denham moved, seconded by Councilman Harrity, to approve item (j).

The motion carried.

- b. **RESOLUTION 10-009 ADOPTING A COST ALLOCATION PLAN, (ALSO KNOWN AS AN INDIRECT COST PLAN) FOR THE FISCAL YEAR 2009-10; 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**
- c. **RESOLUTION 10-014 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2010-015 AND PROVIDING AN EFFECTIVE DATE** (Based on the FY09 indirect cost study, adjust expenses in the following funds; 1) Building Department Fund increase expense by \$1,090; 2) Ballfield Maintenance Fund decrease expense by \$1,250; 3) Sewer Fund decrease expense by \$7,112; 4) Beach Parking Fund increase enforcement expense by \$25,474 and reduce maintenance expenses by \$6,470. Increase revenue to the general fund by \$60,232. This amendment increases the FY10 budget by \$60,232)
- d. **RESOLUTION 10-015 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2010-016 AND PROVIDING AN EFFECTIVE DATE** (to budget a \$19,031 grant from CDBG for the removal and replacement of architectural barriers on the walkway at the Historical Museum and Village to allow unrestricted movement to all users. Contract #5086 is attached. This amendment increases the FY10 budget by \$19,031)
- h. Acceptance of the Florida Department of Law Enforcement (FDLE) Recovery Act Edward Byrne Memorial Justice Assistance grant in the amount of \$3,747 and authorize the Mayor to execute same AND **RESOLUTION 10-016 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2010-017 AND PROVIDING AN EFFECTIVE DATE** (to budget a \$3,747 grant from the Florida Department of Law Enforcement for the purchase of digital cameras to assist in the preservation of evidence. Contract #2010-ARRD-LEE-1-W8-019 is attached. This amendment increases the FY10 budget by \$3,747)
- i. **RESOLUTION 10-017 APPROVING BUDGET AMENDMENT/TRANSFER NO. 2010-018 AND PROVIDING AN EFFECTIVE DATE** (To budget and appropriate \$42,932 for New Year's Eve event donations, sponsorships, raffle ticket sales, bingo ticket sales, admission proceeds and grants and aid. This amendment increases the FY10 budget by \$42,932)

Ms. Zimomra read the titles of Resolutions 10-009, 10-014, 10-015, 10-016 and 10-017.

Mayor Denham moved, seconded by Councilman Harrity, to adopt Resolutions 10-009, 10-014, 10-015, 10-016 and 10-017.

The motion carried

- a. Approval of minutes – February 02, 2010 Regular Meeting
- e. Request from the Island Seniors to 1) waive the \$50 application fee for the “Island Senior Book Fair” Saturday, March 13, 2010 and (2) waive the \$50 application fee for “Island Seniors Holiday Bazaar” Saturday, November 20, 2010 at 2401 Library Way (both events are grandfathered events)
- g. Approve sewer credit of \$1,174 to RLR Investments for 959 Periwinkle Way (Royal Shell) for water which was used for irrigation and did not reach the sewer system

Mayor Denham moved, seconded by Vice Mayor Ruane, to approve items (a), (e) and (g).

The motion carried.

## **OLD BUSINESS**

### **Continued discussion by City Council of issues related to the Land Development regulations that affect re-development in the resort housing sector and to provide direction to the Planning Commission for addressing these issues**

Discussion ensued regarding Mayor Denham’s comments, Council are going to paint a broad picture, why was Council doing this and what is the objective, the objectives are for considering changes to the Land Development Code (LDC) to allow redevelopment of non-conforming buildings, focus initially on the Resort Housing District, Health and Safety Issue, most buildings not to the latest building codes or latest flood regulations, out-of-date, substandard hotel/motel resort accommodations, if accommodations not improved they will eventually force visitors to make other choices when visiting our Island, if we don't encourage people to come here it will negatively impact all of our businesses on our Island and services to our citizens and restaurants, if we were to lose some of our short-term, short-stay residents on the Island it would impact our uses, keeping in mind that any amendments to density, building height and coverage would require a referendum, the first Issue would be density, a hotel/motel or resort condominium which is non-conforming should be allowed to redevelop and maintain the existing density within the existing footprint square footage, not necessarily exactly in the same place but the square footage and within the height limits of that density, certain restrictions that would apply, i.e., building code and flood regulations and the Coastal Construction Control Line (CCCL), no one wants to see any density increases, maintain the same density for the last 30 plus years, Section 2 of Chapter 126 Zoning, Non-conformance Division 3 Structures, Improvement, speaks to reconstruction or relocation prohibited, exemptions to permit the build back of structures substantially damaged by the natural disaster, what type of restrictions would apply if structure relocated within the property, the above-mentioned chapter applied to buildback, but reviewing the issue the same way with applicable issues, Mr. Cuyler answered with regard to relocation and buildback there was very little allowances for or opportunity for relocation of structures, he continued to stated that the general premise was structures were to be built back in exactly the 3 dimensional footprint that existed prior to whatever the disaster took place, Mr. Cuyler explained that there was some discussion with regard to the Coastal Construction Set Back Line and if it is possible to, even after a disaster move back and if there was sufficient room on the property to relocate the structure refers to the discussion Council had at that time of buildback discussion was for post-disaster, redevelopment would be for the relocation and reformation of structures, overall theory would be to redevelop non-conforming properties if a natural disaster occurred, concerns regarding Bert Harris, hoteliers may want to raise their building giving uses for the ground floor space, such as storage and parking, to preserve on this Island a rental, daily, weekly rental capacity, provide a redevelopment capacity that would encourage certain investors to maintain hotel/motel, consider extending grandfathered through redevelopment instead of blocking it off as it currently is, short

term occupancy is a concern which must be dealt with, the interests of both residents and businesses to maintain a block of viable short-term occupancy, consider an incentive to encourage short-term occupancy which might be to grant those businesses that agree to maintain short-term occupancy that they will maintain their existing density, for those who want to move to a condominium type business model that limits short-term occupancy then they should conform to the current Development Intensity Map which means that they have to move to whatever the density is currently in the LDC, not certain whether we have the capacity to extend grandfathering and may run into any type of legal issues, Council may not be able to haphazardly grandfather so many things, Mr. Cuyler stated in terms of "Grandfathering" generally what that means is you have certain rights that are no longer conforming for one reason or another and in most cases it is because there is a change in zoning so you are considered "Grandfathered," he explained that "Vested Rights" was another term that's kind of used interchangeably with that, and the condition was that you maintain your use and usually your structure in substantially that same way in order to keep your rights, Mr. Cuyler further stated that Councilman Pappas spoke to the structure actually changing from the conceptual point of view that those rights with regard to density would be maintained and still adhere to that property, and we saying we would maintain density for Holiday Inn if they wish to stay in their present form, however, they could decrease density if they want to.

Council continued discussion regarding Lot Coverage, Developed Areas and Impermeable Surfaces; LDC Lot Coverage should not change, should not increase the impermeable areas, if we increase impermeable areas then we have stormwater run-off issues; environmental protection; flood control; and we also have excess run-off that our wastewater system has to deal with, run off from car parts will contain pollutants, oils, petrol, heavy metals and when rain water washes these pollutants into streams and into groundwater and aquifers this will affect the quality of all of our bodies of water, the Sanibel River would be an example of this and point to the source pollutant excess nutrients could impact water and the nutrients were the cause of red algae and may well be a cause of red tide, lot coverage in the LDC should stay as it is, Horizon Council had discussed in the past the need for water storage area for rainwater runoff, some businesses wish to increase the size of their runoff area and didn't have very much years ago when they built, they have a retention pond in their area but they realize after the rains come they need a lot more coverage and what they've gone to is actually having a parking lot that allows the waters to be collected underneath it, this month we will get a Florida State Stormwater Rule which does cover some things like that but the problem with doing what you suggested the water has to be treated before you put it anywhere,

Council discussed the issue of Set Back, decreasing the setback would in fact increase the impermeable area, set backs from the CCCL, set backs from property lines, may want to have more emphasis on environmental barriers of vegetation barriers, variance issue that we could address for certain cases, and coverage issue would be resolved as an individual property by property issue for the Planning Department.

Council discussed the issue of Height Limit, very important that we don't increase but we do have a height issue regarding the 2008 Flood Insurance Rate Maps say we have to increase the building height, if you look at the Build Back, not recommending we use the same procedure with Redevelopment, if it were a build back situation, if it had to be built back, if there was no other alternative to retaining the number of units we would by exception consider a height change for them in Build Back, already asked the staff to provide information to the Commission, as well as Council those properties which are three and four story properties to date which have not gotten the correct flood insurance rate height, Sun Dial is one and we should be keeping the same height limit as in the LDC, interested to see what the Planning Commission's view was and the public's view on what would happen if a Sun Dial wanted to re-develop, height restrictions were limited to where it is today, or to come back and perhaps allow the same number of units, that might overlap into set backs and coverage and all that kind of stuff, set a bar with the Build Back Ordinance and if we have to address a height scenario then in the Build Back we have kind of said you go up and you have that one extra floor, nobody is talking about high rises, we want to limit the height and if we can do it and accomplish it at the 35' it would be wonderful, if a particular property wants to have say three stories and wants to redevelop they are constricted by the height, should offer that as a variance which we do for those things, not allow any Redevelopment water side, ocean side, Gulf side of the 1974 CCCL, we do have buildings presently in front of the CCCL and Build Back was allowed, some structures might be condos, they might have 50 condos or something and if you take where the '74 line was located and the street set back there was almost little or no property that could actually be used to set that back and

we gave them the opportunity right now to build, providing the State would give them a permit, because they have to get a permit from the State to build there, Mr. Cuyler stated that Council made a policy decision allowing buildback, if they can get their State permits, to allow redevelopment of exactly the same structure after a disaster Council was not taking that away so there are no Bert Harris implications, he continued to say that with regard to Redevelopment Council hasn't "given anything" hasn't provided any additional rights at this point, if you determined that it's not appropriate for Redevelopment seaward of the CCCL, they wouldn't be able to do that, and they have their current use; they can continue with their current use, they're not taking anything away so we're really not violating anybody's rights, there would be certain set of properties that will not modernize, Mr. Cuyler stated that the ability to rebuild was under the Build Back scenario to build back, what incentives you want to extend to what properties and whether that was a property that would have extended rights and incentives to maintain a hotel use for example, CCCL originally established by the State as kind of a drop dead encroachment on the beach, CCCL was for the protection of the beach and also for the protection of the structures on the beach and erosion problems and all of those things that go with beach construction, two principle differences between Build Back because of a natural disaster and redevelopment, the guy who loses his property has no option the guy who redevelops has options, during a natural disaster the money will be someone else's, the insurance, in the case of Redevelopment it is your own, staff given direction of items to bring to the next Council meeting, Mr. Jordan reiterated that Council wanted information on density, short-term rentals, lot coverage, setbacks, height, the CCCL, map, a list of all the short term rentals, and a list of properties that had 3 and 4 stories, and Mr. Cuyler added that Council was dealing with the Resort District nothing outside the Resort District.

#### Public Comment

Karen Storjohann may need a survey of current property usage.

Mayor Denham stated he was meeting with hoteliers/moteliors and some may consider option of converting to condominiums.

Larry Schopp spoke to the issue of current 4-story condos on the ground. He stated any 3-story could be allowed to redevelop to 45 feet without referendum and need to consider base flood plus 4-stories.

Herb Rubin spoke to in order to attract people to Sanibel, must be competitive with other communities. He further spoke to the environmental beauty and should consider upgrading inside structures could be made. He asked what qualifies as a short-term rental. He would encourage a weekly rental, not daily. He also stated that a practical issue was the size of the swimming pool that affects impermeable coverage.

Louise Johnson spoke to the accomplished a goal of establishing a framework for the Planning Commission. She further stated

Holly Smith spoke to relocation of structures and what can and can not be done. She asks the difference in redevelopment versus modernization?

Mr. Cuyler stated that he understood that in redevelopment a property could change the location provided it meets other standards not to exceed the square footage.

Mayor Denham answered if a structure was destroyed that would be considered buildback and modernization was redevelopment.

Ms. Smith stated

Lee Olsen owner at Point Santo spoke to the need to upgrade and comments regarding safety issues and recreational items. He encouraged Council to give as much latitude as possible. He further stated that there were 112 owners and 141 units. He also stated redevelopment of smaller units was necessary.

Councilman Pappas asked if there was a younger interest and Mr. Olsen stated more generational guest and the need for recreational opportunities.

Louise Johnson spoke a second time regarding Council not relying on the Planning Commission completely.

**Discussion regarding options for altering membership to the Contractors Review Board members**

Ms. Zimomra spoke to the following:

- Follow-up to the report at the February 2<sup>nd</sup> Council meeting to increase the Contractor Review Board
- Recommendation to increase in 2 areas of expertise
- Require an amendment by ordinance
- 3 additional seats, changing membership to an odd number
- 3 additional resident seats
- 1 member with engineering expertise and 1 in architectural expertise

**Public Comment**

Edwin Ridlehoover spoke to the need for knowledge of the state building codes and Contractor Review Board.

Jim Kilcherman spoke to the need of a task force to create clarification. He suggested using the product approval specification sheet which was part of Florida Statue. He further spoke to application on the web and the inclusion of the product approval sheet and the engineered plans must be on job site and should be included when application was submitted.

Ms. Zimomra stated that she had spoken to another resident that had very good ideas.

Councilman Harrity moved, seconded by Councilman Jennings, to direct staff to bring back the appropriate legislation to implement staff's recommendation

Discussion ensued regarding the Boards need to be extremely focus and have relative knowledge.

The motion carried.

**COMMITTEES, BOARDS, COMMISSION  
City Council Liaison to Planning Commission**

February 23, 2010	Mayor Denham
March 09, 2010	Councilmember Pappas
March 23, 2010	Councilmember Harrity
April 13, 2010	Councilmember Jennings
April 27, 2010	Vice Mayor Ruane
May 11, 2010	Mayor Denham
May 25, 2010	Councilmember Pappas
June 08, 2010	Councilmember Jennings
June 22, 2010	Councilmember Harrity
July 13, 2010	Vice Mayor Ruane

**Parks and Recreation Committee endorsement of staff recommendation to approve re-allocation of \$65,000 from Shared Use Path maintenance to the construction of the Sanibel Captiva Road path extension from Pine Avenue to the Blind Pass bridge**

(this is a re-allocation of the \$65,000. It will not increase the FY10 budget)

Ms. Zimomra stated the following:

- Funds within the FY10 budget were included for the maintenance of Shared Use Paths
- Based on current economic Climate bids were lower
- City staff working closely with Sanibel Bike Club to develop several grant applications
- City not a successful recipient
- Sanibel Bike Club willing to make a donation toward a project that staff evaluated the most important safety enhancement
- Lee County completed paving shoulders on Captiva
- Sanibel Shared Use Path ends at Santiva at the intersection of Pine Street
- More people using paved shoulders as a bike path
- Seeking the authority to reallocate \$65,000
- Have existing right-of-way
- Requesting authority to re-allocate \$65,000 in the budget for maintenance to extend the Sanibel path to the beginning of the Captiva path

Gates Castle, Public Works Director spoke to the following:

- \$15,000 grant from Trails in Motion

Ken Bergstrom, Sanibel Bike Club president spoke to a \$15,000 donation from the Bike Club

Councilman Pappas moved, seconded by Councilman Jennings, to reallocate \$65,000 in the budget for maintenance to the requested extension.

**Public Comment**

Herb Rubin spoke to his concern to allow for bike traffic along Dunlop Road.

Ms Zimomra stated that Shared Use Path projects were not prioritized so that as funds became available projects could be completed. She further stated that the most important projects had been identified and the Dunlop Road project was included, as well as the Rabbit Road widening. She also spoke to a meeting with the Library, B.I.G. Arts and St. Michael's Church regarding potential funding for the Dunlop Road project. She also stated that the Pine View Condo Association made a right-of way donation for the Dunlop Road project.

The motion carried.

**NEW BUSINESS**

**Discussion regarding a draft ordinance to amend the City of Sanibel's Investment Policy**

Ms. Zimomra spoke to the having an Investment Policy.

Ms. Edwards, Finance Director spoke to the following changes:

- External investment manager
- Included the mention of a financial advisor
- Hired Financial Advisor to manage investments and monitor performance of external investment managers
- Addition of allowing investment of corporate bonds with "A" rating or higher

- Identified different cash funds available for investment
- Cash funds limited to which cash funds could be invested
- How much cash funds could be incorporate funds
- Operating account for daily activities and need to be very liquid
- No bonds allowed for the daily operating account
- Reserve accounts including environmental initiative reserve and disaster reserve
- Reserve funds could be invested for a longer period
- Surplus account – all surplus funds 2010 \$5.6 million inappropriate
- Restricted funds only used for debt service and when debt had matured
- Authorizing institutions, security selection process and investment internally
- Proposing to set up with financial advisor to create a financial plan
- Financial Advisor would be selecting external Investment Managers
- If plan approved by Council the Financial Advisor, Burgess Chambers would complete a search, request for proposal and research the investment managers to bring back to Council to select those that would manage the portfolios
- Burgess Chambers would provide quarterly reports to Council

Discussion ensued regarding past problems, identified flexibility; separate agreement with Investment Manager and Burgess Chambers had a good track record.

Mayor Denham moved, seconded by Vice Mayor Ruane, to direct staff to bring back an ordinance adopting the new Investment Policy.

The motion carried

## **CITY MANAGER**

### **Informational Items**

#### **Annual Crime Statistics presented by Sanibel Chief of Police Tomlinson**

Ms. Zimomra gave the following report:

- Call volume down
- Crime increased by 4%
- Number of arrest increased
- Cleared cases increased
- People still leave their vehicles unlocked
- Lee County perpetrators
- Safe community to live in

### **Budget Considerations**

#### **Proposed Council meeting schedule April, 2010 through April, 2011 and RESOLUTION 10-018 ESTABLISHING THE SANIBEL CITY COUNCIL REGULARLY SCHEDULED MEETING DATES FOR THE PERIOD APRIL, 2010 THROUGH AND INCLUDING APRIL, 2011; AND PROVIDING AN EFFECTIVE DATE**

Ms. Zimomra spoke to staff looking at opportunities for continue budget cuts and bringing back in two weeks further cuts, as well as reviewing paying off some debt. She further stated that there would be a proposal for Recreation Center fee increases. She also explained that staff recommended adoption of the enclosed Council meeting calendar, which would take Council to the mandatory meeting one per month except for two months; March, 2011 and September, 2010 due to the statutory budget hearings.

Discussion ensued regarding saving money by meeting once per month, and could call a special meeting if needed.

Ms. Zimomra read the title of Resolution 10-018.

Councilman Pappas moved, seconded by Vice Mayor Ruane, to adopt Resolution 10-018.

Public Comment

Herb Rubin spoke to his concern regarding Sunshine and would Council feel constrained?

The motion carried.

### **Proposed Budget Calendar**

Ms. Zimomra spoke to the proposed Budget Calendar.

### **Building Department Monthly Revenue Report Building Department Monthly Permit and Inspections Planning Department Permit Activity Report Planning Department Code Enforcement Activity Report**

These reports included in the agenda packet for information.

### **Community Housing and Resources, Inc (CHR) Financial Statements and supplementary Information**

This report submitted as part of the agreement between the City of Sanibel and the Historical Museum and Village, Inc.

### **Part-time Employee Building Department**

Ms. Zimomra spoke to the resume of the part-time employee.

### **Florida League of Cities Legislative Action Day – March 24, 2010**

Ms. Zimomra spoke to the above meeting in Tallahassee.

Discussion ensued regarding attendance, Councilman Jennings had a Board meeting, and Councilman Jennings would look for a less expensive hotel room.

Ms. Zimomra stated she had letters for the recently elected officials for the City of Naples and Marco Island.

### **CITY ATTORNEY'S REPORT**

None

### **COUNCIL MEMBERS' REPORT**

#### **Report from Wednesday, February 03, 2010 General Employees Pension Board of Trustees meeting and Police Pension Board of Trustees meeting (Vice Mayor Ruane)**

Vice Mayor Ruane gave the following report:

- Council received each report
- Police report
- Unfunded decreased
- Question of pensionable compensation and the Board adopted a motion that all compensation would be redefined with the union ratifying decision
- Decreased unfunded

**Report from Friday, February 05, 2010 Tourism Development Council (TDC) meeting (Vice Mayor Ruane)**

Vice Mayor reported as follows:

- Challenges was the number of new rooms
- Less people coming to Florida
- Room rates down with bed tax decrease
- Red Sox deal paid for by TDC
- Another indication of the need of brand new rooms at a cheap rate

**PUBLIC COMMENT**

Barbara Cooley asked what part of the TDC budget was the Red Sox stadium coming from? She asked what side of Dunlop Road would a bike path be added? She noted her concern of a safety issue on the far side

Vice Mayor Ruane answered funding would come from the Beach and Shoreline line item for the Red Sox stadium.

Ms. Zimomra stated that it may require shifting the road for a new bike path on Dunlop Road, which would increase the cost.

Councilman Pappas stated that he felt there would be a decrease in residential and a lot of business for contractors.

Councilman Jennings mentioned the number of members on the Parks and Recreation Committee and the need to decrease the number from 13 to 9 as was the number in the past.

Discussion ensued regarding people working on funding and concern of loosing blended business.

Mayor Denham announced that Council was recessing until 12:00 p.m., and at 12:00 p.m., would then go in to Executive Session at 12:00 and back in to open session at the end of the Executive Session. The following would be included:

**12:00 P. M. to 12:30 P. M. EXECUTIVE SESSION RELATING TO AFSCME NEGOTIATIONS**

**In attendance shall be only the following persons:**

**Mayor Mick Denham**

**Vice Mayor Kevin Ruane**

**Councilman Marty Harrity**

**Councilman Jim Jennings**

**Councilman Peter Pappas**

**Sanibel City Manager Judie Zimomra**

**Sanibel City Attorney Kenneth Cuyler**

**Jim Isom, Director of Administrative Services**

**Sylvia Edwards, Finance Director**

**Wayne Helsby, Labor Counsel (Allen, Norton & Blue)  
(by phone)**

Council came back in to open session at 12:24 p.m.

There being no further business the meeting was adjourned at 12:24 p.m.

Respectfully submitted by,

Pamela Smith, MMC  
Sanibel City Clerk