

9. **CONSENT AGENDA**

- a. Approval of minutes – September 11, 2010 First Budget Hearing, November 02, 2010 Regular Meeting and November 16, 2010 Executive Session

**SANIBEL CITY COUNCIL MEETING  
FIRST BUDGET HEARING  
SATURDAY, SEPTEMBER 11, 2010**

Mayor Ruane called the meeting to order at 10:04 a.m.

**Invocation and Pledge of Allegiance**

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

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

**Finalization of Council's goals for FY2010/2011 Budget**

Ms. Zimomra stated that adjustments had been made and two Councilmembers noted they would like to continue to work with staff. She further advised that the goals would be included in the September 21, 2010 agenda packet.

Discussion ensued regarding the uncertainty of the recession, biggest challenge was to keep financial stability, issues was to live within financial means, continue to work with staff, goals were not in the agenda packet therefore Council decided to refer them to the September 21, 2010 City Council meeting for review and discussion.

**City Manager and Finance Director's Memorandum and Update to changes in the Draft Budget**

**Presentation of Tentative Budget**

**Reports in Response to City Council requests for information**

Ms. Zimomra spoke to the following:

- Could always lower the millage rate, but would affect services
- Council provided clear direction regarding the economy
- Reduce fixed cost
- Currently 120 employee, maximum 142 employees
- Attract part-time people for full-time positions
- Non-union employees took furlough and met work requirements
- Pending Special Magistrate Hearing
- Continue to accelerate debt payment
- Protect reserves for emergencies and continue to build reserves
- Now have sewer reserves
- Staff recommendation to add to reserves
- Budget presentation state mandated
- July of each year a draft budget presented to Council
- In July Council required set a proposed millage rate
- Staff recommendation to reduce the millage rate from 2.304 to 2.101 mills providing adequate services
- Aggressive selling obsolete equipment – brought in approximately \$40,000
- Reviewing and making adjustments to the Capital Improvement Projects (CIP)
- Adjustments would allow \$1.1 million in revenue over expenditures
- Increase ending fund balance to give Council flexibility
- Property values lag a year

Sylvia Edwards, Finance Director gave a brief PowerPoint presentation.

She advised that prior to the conclusion of this hearing and by Florida Statute Council shall amend the tentative budget as it sees fit, adopt the tentative budget, re-compute the proposed millage rate and publicly announce the percentage, if any by which the re-computed millage rate exceeds the roll-back rate computed pursuant to Florida Statute and that percent should be characterized as a percentage increase in property taxes tentatively adopted by City Council.

She stated the following:

- Tentative budget was the rolled-back rate of 2.3204.
- Presentation would review the tentative tax rate, how the rolled-back rate is calculated and review of the tentative budget
- If proposed millage rate was adopted the revenues would increase by \$14,000, which was due to new construction
- Tentative millage rate approve was 2.3204 and may be lowered, but no increased
- Difference in the draft budget from July 19, 2010 and a memo of explanation was provided
- Increase the draft budget surplus from \$635,533 to \$1,187,885
- Staff recommending additional changes:
  - Reducing the millage rate to 2.1561
  - Adding an additional \$100,000 to the environmental reserve
  - Allocating the remaining funds to the ending fund balance
- Amended FY 10 budget through August 3, 2010 was \$55,106,063
- Proposed tentative budget \$44,716,038

Ms. Edwards explained how the rolled-back rate was the calculated tax (millage) rate that brings in the same amount of operating ad valorem dollars as was received in the previous fiscal year. She further explained that if the property values increase (not including new construction) the rolled-back rate (millage) decreases, but if property values decrease (not including new construction) the rolled-back rate (millage) increases. She continued to explain that the maximum millage rate levied by a majority vote of Council was 2.8120 and calculated by taking what could have been adopted by Council last year as the rolled-back rate and calculating an adjusted rolled-back rate while adjusting it for personal income growth per capita. She spoke to the property value change lags market value change.

- Taxable values set on January 01, 2010 and reflects calendar year 2009 property values
- Calendar year 2010 decrease \$4.5 billion to \$.42 billion (6.77% decrease)
- Current year sales trends would reflect the 2011 property values and impact 2012 bottom line
- Total millage rate levied was 2.6150 and tentative budget the total was 2.7551
- Calculations not required for voted debt
- Average residential taxable value \$581,000
- 2010 value dropped to \$540,000
- Average taxable value decrease to \$1,491
- Staff recommend consider lower the millage rate to 2.1561
- Decrease average value for taxable year 2010 to \$1,167 (\$89 decrease)

**OTHER TAXING DISTRICTS:**

City of Sanibel – Debt Service	2.4%	\$ 2.35.31
City of Sanibel Operating	13.0%	1,256.03
Independent District	12.7%	1,219.44
Lee County	26.9%	2,589.30
School Board	45.0%	2,589.30
<b>TOTAL</b>	<b>100.0%</b>	<b>\$ 9,638.59</b>

**FUND SOURCES:**

Ad Valorem Operating	29%
Ad Valorem Land Debt	0.8%
Ad Valorem Recreation Center Debt	1.6%
Licenses & Permits	4.5%
Intergovernmental Revenue	2.9%
Miscellaneous	0.9%
Other Taxes	6.5%
Estimated Beginning Fund Balance	48.1%

Ms. Edwards advised that Ad Valorem would increase by \$14,727 which is .2 of 1% due to new construction and based on the rolled-back rate. She further spoke to the voted debt services figures, which are as follows:

<b>Project</b>	<b>Millage</b>	<b>Revenue</b>
Pond Apple Park	0.0595	\$250,251
Recreation Center	0.1268	533,474

**Other Collected Taxes – 2.5% increase**

Local Option Gas Taxes	\$1,250,000
Casualty Insurance Premium Tax	58,725
Communications Tax	557,948
Business Tax Receipts	288,738
<b>TOTAL</b>	<b>\$2,155,411</b>

**Licenses & Permits – 8.8% increase**

Building-type Permits	\$ 507,602
Dog & other license	7,800
Franchise Permits	975,000
<b>TOTAL</b>	<b>\$1,490,402</b>

**Intergovernmental Revenue – 43.3% decrease**

State Revenue Sharing	\$ 130,966
Alcoholic Beverage Tax	15,000
Half-cent Sales Tax	375,000
Other Governmental Shared Revenue	11,500
Municipal Solid Waste	45,000
Payments in Lieu of Taxes	112,500
Contracts & Grants	260,675 (existing grants)
<b>TOTAL</b>	<b>\$ 950,641</b>

**Charges for Service – 8.2% decrease**

General Governmental Charges	\$ 260,490
Public Safety Charges	
Policies Services	25,000
Building Department Fees	6,095
Solid Waste Tip Fee	190,000
Culture/Recreation Charges	375,000
Indirect Cost Charges to Other Funds	900,670
<b>TOTAL</b>	<b>\$1,757,255</b>

**Fines & Forfeitures – 30.8% decrease**

Court Fines	\$ 28,000
Local Ordinance Fines	19,850
<b>TOTAL</b>	<b>\$ 47,850</b>

**Miscellaneous Revenue – 10.4% increase**

Interest	\$ 177,226
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Rents & Royalties	15,500
CHR Rents	50,000 (per contract)
Contributions	25,449
Impact Fees	20,000
Special Assessment	17,100 (per terms of projects)
Other Miscellaneous	8,500
<b>TOTAL</b>	<b>\$ 313,775</b>

Ms. Edwards explained Beginning Fund Balance as follows:

Beginning fund balance carries forward the prior year's ending fund balance, plus/minus revenue/expenditure variances including capital projects that span fiscal years. FY 10 includes unspent reserves rolled forward from FY09 and unspent FY10 reserves would be rolled forward to FY11. Per fund balance policy, 17% of General Fund operating expenditures was budgeted to meet operational expenditures for the first months of the fiscal year until as valorem tax revenue are received in early December.

She explained that Reserve for under collection recognizes that taxpayers take advantage of the discount for paying as valorem taxes in the months of November through February. She further explained that \$488,304 is the 5% under collection budgeted as per Florida Statute.

**Governmental Funds Uses = \$34,742,118**

Estimated Ending Fund Balance	20.8%
Long-term Debt Redemption	2.3%
Transportation	9.4%
Culture/Recreation	8.7%
Physical Environment	2.1%
Human Services	0.0%
Economic Environment	0.8%
Public Safety	13.5%
General Government	12.8%
Capital Projects	10.4%
Operating Reserves	19.2%

**General Government Overview – 1.3% decrease**

Legislative	\$231,162
Administration	754,259
MIS	669,469
Finance	809,135
Legal	559,157
Planning	600,292
Insurance/General Government	578,929
<b>TOTAL</b>	<b>\$4,202,403</b>

**Public Safety Overview – 2.5% decrease**

Police	\$3,762,417
SEMP	24,030
Building	619,771
<b>TOTAL</b>	<b>\$4,406,218</b>

**Physical Environment Overview – 42.4% decrease**

Garbage-Recycling	\$ 48,400
Natural Resources Management	418,230
Algae Research Grant	-0-
Oil Spill Clean Up Fund	-0-
Brazilian Pepper Control	220,000
Sanibel Estates Canal Trimming	10,000

Water Shadows Dredging	-0-
<b>TOTAL</b>	<b>\$ 696,630</b>

**Transportation Overview** **\$3,076,943 – 183% decrease**

Ms. Edwards explained the in February, 2009 the Governmental Accounting Standards Board (GASB) issued statement #54 that clarified fund type definitions to improve the comparability of governmental financial statements. She added to conform to GASB statement #54 large transportation repair and maintenance projects, including road materials and supplies, previously budgeted in the transportation capital project fund now budgeted in the transportation operating fund. She concluded that the amount budgeted in FY11 was \$1.15 million and \$1.56 was included in the FY10 amended budget.

**Economic Environmental/Human Services Overview – 47.9% decrease**

Below Market Rate Housing	
Operating Expenses	\$ 7,000
CHR Administrative Expense	255,044
Father Madden Estate	1,000
Hurricane Wilma	-0-
<b>TOTAL</b>	<b>\$ 263,044</b>

**Culture/Recreation Overview – 7.8% decrease**

Recreation Center Operation	\$1,818,257
Public Facilities	520,728
Center 4 Life	147,734
Performing Arts	9,400
Historical Museum	138,875
Ball Park Maintenance	221,090
<b>TOTAL</b>	<b>\$2,856,084</b>

**Debt Service Overview - 80.4% decrease**

	<b>FY2010</b>	<b>FY2011</b>
1997 @1.25 M Paulsen Property Acquisition	\$ 337,784	-0-
2002 \$3.825 GO Bonds (Pond Apple Pk)	240,825	\$237,738
1979 \$3.19M Gulfside Park Acquisition	659,243	-0-
2008 \$88,817 Backhoe Lease	88,250	-0-
2006 \$8.35 M GO Recreation Center Bonds	503,600	514,300
Below Market Rate Housing Debt	1,002,410	-0-
<b>TOTAL</b>	<b>\$3,832,112</b>	<b>\$752,038</b>

**Capital Projects**

Management Information Systems	\$ 473,609
Police	372,500
Public Works	1,488,255
<b>TOTAL CAPITAL PROJECTS FUNDS</b>	<b>\$2,418,207</b>

**Operating Reserves Overview**

Reserve for Contingencies – General Fund	\$ 275,000
Reserve for Insurance Deductibles	315,000
<b>TOTAL</b>	<b>\$ 590,000</b>

**Operating Reserves Overview**

Reserve for Contingencies	\$ 275,000
Reserve for Environmental Initiatives	1,200,000
Reserve for Insurance Deductibles	4,500,000
<b>TOTAL DESIGNATED RESERVES</b>	<b>\$6,290,000</b>

**Ending Fund Balance**

17% per Fund Balance Policy for cash flow	\$1,709,865
Reserved Fund Balance (Sewer Loan & Inventory)	1,406,410
Designated for Special Revenue Funds	1,849,071
Designated for Debt Service	296,866
Designated for Capital Project Funds	358,551
Unreserved, Undesignated (available for appropriation in subsequent fiscal year)	1,187,885
<b>TOTAL</b>	<b>\$6,808,648</b>

Ms. Edwards explained that the Enterprise funds were budget to increase from \$9.4 million to \$10.4 million due to the loan proceeds to do Phase 4 of the sewer expansion project in the amount of \$1.4 million. She further explained that staff is working to acquire state revolving fund loan from the state to complete the Phase 4 project. She noted that user fees were decrease by \$60,000 due to the commercial account decrease in consumption.

Ms. Zimomra noted that staff would be watching this consumption and may be a combination of the economy on conservation.

Ms. Edwards noted that the following:

- Sewer fund decrease of \$328,000 or 3.5%
- Pre-payment of \$6 million loan paid
- 1998 voter approve referendum of up \$20.4 million – debt requirement dropped due to the prepayment
- \$14 million of debt reduced since 2006

**Beach Parking Fund**

- Total sources of revenue = \$1,739,733
- Total uses of funds = \$2,475,891
- Deficit of \$736,158
- Provisional grant from the Tourism Development Council in the amount of \$884,500 was expected to cover the negative balance

Discussion ensued regarding a lower millage rate, debt reduction, well run business, need more discussion for Capital Improvement Projects, stay with the 2.1561 millage rate recommended by staff and residents want core services.

**Public Hearing and adoption of RESOLUTION 10-088 ADOPTING THE TENTATIVE OPERATING AND VOTED DEBT SERVICE AD VALOREM MILLAGE RATES FOR TAX YEAR 2010 FOR THE CITY OF SANIBEL, FLORIDA; DETERMINING THAT THE OPERATING AND AGGREGATE MILLAGE RATES DO NOT EXCEED THE MAXIMUM MILLAGE RATES PERMITTED BY CHAPTER 200, FLORIDA STATUTES, AND ESTABLISHING THE DATE, TIME AND PLACE FOR A FINAL HEARING TO ADOPT THE FINAL OPERATING AND VOTED DEBT SERVICE AD VALOREM MILLAGE RATES FOR TAX YEAR 2010**

Ms. Zimomra read the title of Resolution 10-088.

**Public Hearing and adoption of RESOLUTION 10-089 ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2010-11 FOR THE CITY OF**

## **SANIBEL, FLORIDA AND ESTABLISHING THE DATE, TIME AND PLACE FOR A FINAL HEARING TO ADOPT THE FINAL BUDGET FOR FISCAL YEAR 2010-11**

Ms. Zimomra read the title of Resolution 10-089.

### **Public Comment**

David Bath spoke to supporting lowering the millage rate and not increasing the sewer rate. He further asked for a 5-year projection of employee pension and the proposed cost of sustaining the pension was not acceptable. He urged staff be reduced further by any means other than lay-offs. He also spoke to \$1,922,149 to be paid by taxpayers for the Recreation Center in 2011 and operating costs was approximately \$1.4 million. He further spoke to the owner of an average property paying \$70 per year for the Recreation Center and \$190 for operating the center and the public should see and overview of the Recreation Center

Ms. Zimomra stated from the draft budget reduction of employees was 122. She further stated that last year \$1.9 and this year \$1.8. She called Council's attention to the offset of resident cost and a full report given to Council on a monthly basis and the new construction at the direction of Council at the construction of Council reserves were allocated.

Mr. Bath stated the overview was not monthly, but should look at running the center and strategies.

Ms. Zimomra stated that Council appointed a committee and if interested should attending the Parks and Recreation Committee.

Mike Cuscaden spoke to page 37 in the draft budget prepared for July 20<sup>th</sup> he called attention to Economic Environment 2008/07 \$296,234, 2009/2010 nothing shown because CHR receiving \$60,000

Ms. Edwards stated that the above was moved to the General Fund on page 34 of \$252,116.

Ms. Zimomra stated that was a 3% accelerator and the CHR Board decided not to receive the additional 3%, but in FY2011 \$263,244.

Dr. John Harries spoke to the trim notice and receiving phone calls of the increase. He also spoke to never mentioning residents on a fixed income and the assessed value less than the taxable valuable. He further spoke to a goal "of resident be providing for a fixed income" and controlling expenses.

Wayne Ponader spoke to 3 elastic items; 1) number of personnel; 2) total cost of personnel; and 3) capital items. He suggested looking to see if the Recreation Center could be run better and the recapture value of Save Our Homes saw the home valuation decrease and taxes increased.

David Bath gave the paper background information for the record.

Jim Kilcherman spoke to reducing cost for construction of the City Hall roof. He further spoke to reviewing the purchasing cost and save funds for employees and reduce taxes. He suggested putting bid requests on-line.

Discussion ensued regarding City Manager re-negotiating ever City contract, ask City Manager to request contract be further reduced and ever bids have come in significantly lower.

Ms. Zimomra stated that all bids were on-line. She further spoke to receiving 12 bidders for street resurfacing and in the past received no bids. She also stated that a number of capital projects were put on hold and this may be the time to catch the window of opportunity for lower bids. She stated that the cost of the bonds was a problem for some bidders and the Public Works Directors does have a survey.

Discussion ensued regarding Mayor's meeting with the County Manager and discussing the county millage rate with three commissioners, spoke to School Board members regarding the millage rate, reviewing entry level and reduce salaries, review investments, out sourcing, all municipalities under fire for overhead and indirect

services, substantial health care increase, went to bid and health care reduced, reduced debt payment, work closely with police and unfunded liability was reduced by \$1 million, look at interest and revenue and continue to cut expenses, working with Lee County, and received tourism development council funds from the collected bed tax, and recognize cost need to be reduced, offer best services for the best value, understand concerns for the Recreation Center, pension expenditure increased by 52%, need to adjust with the times, and would welcome sitting down with any resident.

**Public Hearing and adoption of RESOLUTION 10-088 ADOPTING THE TENTATIVE OPERATING AND VOTED DEBT SERVICE AD VALOREM MILLAGE RATES FOR TAX YEAR 2010 FOR THE CITY OF SANIBEL, FLORIDA; DETERMINING THAT THE OPERATING AND AGGREGATE MILLAGE RATES DO NOT EXCEED THE MAXIMUM MILLAGE RATES PERMITTED BY CHAPTER 200, FLORIDA STATUTES, AND ESTABLISHING THE DATE, TIME AND PLACE FOR A FINAL HEARING TO ADOPT THE FINAL OPERATING AND VOTED DEBT SERVICE AD VALOREM MILLAGE RATES FOR TAX YEAR 2010**

Mayor Ruane moved, seconded by Vice Mayor Denham, to adopt Resolution 10-088 and set the millage rate at 2.1561 and it was 11:42 a.m. at the time of the vote.

Public Comment  
None

The motion carried.

**Public Hearing and adoption of RESOLUTION 10-089 ADOPTING THE TENTATIVE BUDGET FOR FISCAL YEAR 2010-11 FOR THE CITY OF SANIBEL, FLORIDA AND ESTABLISHING THE DATE, TIME AND PLACE FOR A FINAL HEARING TO ADOPT THE FINAL BUDGET FOR FISCAL YEAR 2010-11**

Mayor Ruane moved, seconded by Vice Mayor Denham, to adopt Resolution 10-089. and fill in the blank as \$44,059,108. It was 11: at the time of the vote.

The motion carried

**Discussion and direction to staff regarding the MacKenzie Hall audio system**

Ms. Zimomra advised that competitive bids would be taken and have provided the cost. She further stated that reviewing the type of equipment needed for a new audio system. She advised that funds were allocated in the adopted budget.

Vice Mayor Denham moved, seconded by Councilman Harrity, to approve the audio portion of staff's recommendation.

Discussion ensued regarding retrofitting the current system, Director Smith spoke to a major audio overall 3 years ago, but the other than that the system was implemented in 1986

Public Comment

Jim Kilcherman spoke to checking out audio systems and what the Supreme Courts use and produced information.

Ms. Zimomra advised that the system was more than the audio system, but needed to be compatible with the City Clerk's minute system, as well as Planning Commission meeting minutes. She further advised that the system would also take in to account the Council meeting was broadcast throughout City Hall.

The motion carried.

**Discussion and direction to staff regarding a \$15,000 donation from a Sanibel resident for web-streaming**

Ms. Zimomra spoke to an offer from a resident to donate \$15,000 for web streaming City Council meetings.

Discussion ensued regarding needing to have web streaming, every other Lee County municipality have web streaming, resident could look at any issue in their own time for any particular agenda item, make staff more proficient, should not pass-up the resident's grant, there would be future costs beyond the resident's grant, could wait for a decision at the September 21<sup>st</sup> meeting and City Manager stated yes.

Mayor Ruane moved, seconded by Councilman Jennings, to excuse Councilman Pappas.

The motion carried.

**Public Comment**

Jim Kilcherman spoke to saving money and reducing public records request.

Mr. Cuyler stated that the final budget hearing was September 21, 2010 at 5:01 p.m.

There being no further business the meeting was adjourned at 12:00 p.m.

Respectfully submitted by,

Pamela Smith, MMC  
City Clerk

**SANIBEL CITY COUNCIL REGULAR MEETING  
NOVEMBER 02, 2010**

Council and Sanibel resident had the opportunity to speak with Representative Gary Aubuchon from 8:30 to 9:00 a.m.

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

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

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

**PRESENTATION(S)**

**Proclamation recognizing the 15<sup>th</sup> anniversary and celebration of The Bailey-Matthews Shell Museum on November 18, 2010**

Mayor Ruane presented a proclamation to Dr. Jose Leal, Museum Director recognizing the museum's 15 year anniversary.

Dr. Leal thanked City Council and the community for supporting The Bailey-Matthews Shell Museum.

Mayor Ruane introduced Representative Aubuchon and Senator Garrett Richter.

**Representative Gary Aubuchon (District 74)**

Representative Aubuchon spoke to the following:

- Deep Water Horizon incident and expressed to everyone that there was no oil on the islands
- Special meeting convened of legislature regarding the Deep Water Horizon incident
- Appointed as Chair of the Rules and Calendar Committee
- All legislation comes through the Rules and Calendar Committee

**Senator Garrett Richter (District)**

Senator Richter spoke to the following:

- Introduced his new Aide
- The importance of voting
- Opportunity to make changes in Washington, D.C.
- Legislative term limits
- Florida had balanced budget requirement
- Legislative meeting in December
- Discussion regarding veto overrides

Discussion ensued regarding unfunded mandates and the rules relative to water and the fertilizer and storm water pre-emption issue, Representative Aubuchon stated the debate was defining pre-emption, local ordinances could be stronger than state legislation if there was a scientific basis, concerned shifted from pre-emption to statewide proposal, BP spill the single lead negative story in Europe, Sanibel a northern European destination, Representative Aubuchon visited Louisiana to find that there was infrastructure related to possible oil spills and Louisiana brought the media out to see the consequences of the oil spill and

Florida directly impacted by that media attention, working on a multi-state response, he also related a conversation with the driver of a vehicle that picked him and staff up afraid to get in the water and a sign from a county health department warning people not to get in the water and asked the State Health Department to notify the county departments to take down any such signs.

### **Public Comments**

Herb Rubin spoke against the Invocation at the beginning of each Council meeting because people have different faiths or none at all and the First Amendment of separation of church and state. He further requested this item be put on a future agenda for discussion.

Ed Seibert spoke to the special session of the Florida legislature.

Claudia Burns thanked Mayor Ruane for representing the City as a member of the Tourism Development Council (TDC).

Barbara Cooley spoke to the need to review the separation of church and state on a future agenda.

### **Council Comments**

#### **Letter from Councilman Jennings regarding his absence at the October 19, 2010 Council meeting**

Councilman Jennings spoke to his letter in the agenda packet.

Councilman Pappas spoke to the issue of the invocation being a common practice and five people deliver a different message and no final information regarding the outcome of the oil spill, which impacted property values in Florida.

Vice Mayor Denham thanked the Mayor for his efforts on TDC, attended to Bailey home acquisition

### **Second Reading and Public Hearing**

#### **ORDINANCE 10-010 AMENDING THE *SANIBEL PLAN* BY AMENDING SECTION 3.5.1 CAPITAL IMPROVEMENTS GOALS OBJECTIVES AND POLICIES AND SECTION 3.5.2 IMPLEMENTATION, MONITORING AND EVALUATION TO UPDATE THE CAPITAL IMPROVEMENTS ELEMENT INCLUDING THE ADOPTED FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT AND SEVERANCE; AND PROVIDING AN EFFECTIVE DATE**

Gates Castle, Acting City Manager read the title of Ordinance 10-010.

Vice Mayor Denham moved, seconded by Councilman Harrity, to adopt Ordinance 10-010.

Public Comment

None

The motion carried.

### **CONSENT AGENDA**

- b. **RESOLUTION 10-090 APROVING BUDGET AMENDMENT/TRANSFER NO. 2010-045 AND PROVIDING AN EFFECTIVE DATE** ( Final budget amendment for FY2010 to amend revenue to actual, amend expenditures as needed and close special project and capital project funds. This budget amendment increases the FY2010 budget and FY2010 revenues by

\$1,253,349, expenditures are decreased by \$25,292, ending fund balance are increased by \$1,278,641, and transfers in and transfers out are increased by \$296,387. Revenue increases in the general fund were \$226,615; transportation fund \$81,165; road impact fee fund \$87,712; parks impact fee fund \$9,456; franchise fee fund \$173,672; building department fund \$122,528; recreation center fund \$198,169; ball field maintenance fund \$116,225; and beach parking \$237,807. Expenditures were increased in the general fund by \$63,106 and water shadows dredging fund by \$149. Expenditures were decreased in the ball field maintenance fund by \$48,547 and oil clean up fund by \$40,000. Transfers: The following funds were closed out into the general fund: beach road paving fund \$832; Hurricane Wilma \$95,697; Tropical Storm Fay \$101,314; environmental defense fund \$3,810; franchise fee fund \$173,672 and below market rate housing fund \$5,021. The San-Cap Road capital project fund \$1,157 was closed to the transportation capital project fund. The intersection improvement capital project fund returned \$50,000 to the road impact fees special revenue fund. The following transfers from the general fund were reduced: ball field, maintenance fund \$146,925 and oil spill clean up \$40,000. Due to the additional collection of \$116,225 from Interlocal agreements and reduction in expenditures of \$48,547 the ballfield maintenance fund was able to return \$51,809 to the general fund)

**d. RESOLUTION 10- 114 DETERMINING THE REQUEST TO CHANGE THE NAME OF THE ENTITY CURRENTLY HOLDING A MUSICAL ENTERTAINMENT BUSINESS TAX RECEIPT; REQUESTING THE NAME BE CHANGED FROM BARRIER ISLAND RESTAURANT GROUP, LLC, d/b/a THE TWILIGHT CAFÉ TO THE BARRIER ISLAND RESTAURANT GROUP, LLC, d/b/a THE STONE CRAB SHRIMP AND SEAFOOD HOUSE, 2761 WEST GULF DRIVE; AND PROVIDING AN EFFECTIVE DATE**

Gates Castle, Acting City Manager read the titles of Resolutions 10-090 and 10-114.

Vice Mayor Denham moved, seconded by Councilman Harrity, to adopt Resolutions 10-090 and 10-114.

**Public Comment**

Robert Parks spoke to a mistake in the language and requested that Shrimp & Seafood House be deleted.

Vice Mayor Denham and Councilman Harrity agreed to amend the motion and include directing staff to delete Shrimp and Seafood House from Resolution 10-114.

The motion carried.

a. Approval of minutes – September 21, 2010 Regular Meeting, October 05, 2010 Regular Meeting and October 19, 2010 Regular Meeting

c. Approve Tetra Tech to prepare and submit an application for Donax operating permit renewal for a not-to-exceed fee of \$29,970 (this project is funded through the adopted FY11 budget)

Vice Mayor Denham moved, seconded by Mayor Ruane, to approve Consent Agenda items (a) and (c).

**Public Comment**

None

The motion carried.

## **OLD BUSINESS**

### **Planning Commission Reports**

#### **Planning Commission Report**

Commissioner Dr. Phillip Marks gave the following report of the October 26, 2010 as follows:

- Approved variance at San Carlos Bay Drive
- Approved a conditional Use Permit at 2430 Periwinkle Way
- Granted a variance for a boat dock 915 Limpet Drive

#### **Scheduled update from the Planning Commission regarding Resort Housing District Redevelopment Study**

Chairman Mike Valiquette gave the following report regarding the above-mentioned:

- Green technology, which includes any portion of land that would be used for rain water harvesting, wind or solar power.
- Code would not be changed at this time
- Look at in the future for island wide issues
- Non-conforming resort that wanted to bring in green technology that would allow the systems

Discussion ensued regarding the need to have definitions clear and Mr. Valiquette stated that Planning Department staff would be bringing definitions for review to the Planning Commission and reported last time that with the advice of the City Attorney a group would be evaluating green technology. .

## **COMMITTEES, BOARDS, COMMISSION**

### **City Council Liaison to Planning Commission - *REVISED***

<b>November 09, 2010</b> November 23, 2010	<b>Councilmember Jennings</b> Councilman Harrity	<b>Report of 11/2/10 CC Meeting</b>
<b>December 14, 2010</b> December 28, 2010	<b>Mayor Ruane</b> Vice Mayor Denham	<b>Report of 12/7/10 CC Meeting</b>

Resort Housing District Redevelopment Study reporting schedule to City Council from the Planning Commission

- i. Tuesday, January 04, 2011  
Tuesday, March 01, 2011  
Tuesday, May 03, 2011  
Tuesday, July 19, 2011

## **CITY MANAGER**

### **Informational Items**

#### **Student Government Day November 18, 2010 at 10:15 a.m.**

Mayor Ruane, Vice Mayor Denham and Councilman Harrity would be in attendance.

## **CITY ATTORNEY'S REPORT**

None

## **COUNCIL MEMBERS' REPORT**

Councilman Pappas spoke to Sanibel Captiva Conservation Foundation (SCCF) and J. N. "Ding" Darling Wildlife Refuge pre-dated home rule and the City incorporators looked to both institutions and seek to

limited man's intrusion on the environment. He further stated that SCCF and Sanibel's first family, Bailey-Matthew-Meade collaboration to raise \$5.3 million to protect the Bailey homestead by purchasing the property.

Vice Mayor Denham spoke to a photo found by Christie Anders of 5 year old Francis Bailey.

**PUBLIC COMMENT**

Karen Storjohann spoke to Councilman Pappas's ability to speak with parents and taking a narrow view of the definition of green technology. She further spoke to the solid waste contractor employees speeding.

There being no further business the meeting was adjourned at 10:00 a.m.

Respectfully submitted by,

Pamela Smith, MMC  
Sanibel City Clerk

