



## **MINUTES**

**Monday, November 7, 2011**

**FORT MYERS BEACH TOWN COUNCIL  
TOWN HALL – COUNCIL CHAMBERS  
2523 ESTERO BOULEVARD  
FORT MYERS BEACH, FLORIDA 33931**

### **I. CALL TO ORDER**

Mayor Kiker called to order the November 7, 2011 Meeting of the Town Council at 9:02 a.m. Present along with Mayor Kiker: Vice Mayor Raymond, Council Members Kosinski, List, and Mandel; Also Present: Town Manager Stewart, Town Attorney Miller, Public Works Director Lewis, Community Development Director Fluegel, and Town Clerk Mayher.

### **II. INVOCATION – Deacon Scoop Kiesel, Church of the Ascension**

### **III. PLEDGE OF ALLEGIANCE**

### **IV. APPROVAL OF FINAL AGENDA**

Mayor Kiker asked if there were attendees who intended to speak on Agenda Items XI (A) or (B).

Seeing no speakers on the matters, Mayor Kiker asked to move those Agenda items to the Consent Agenda.

Agenda approved as presented with the change as requested by Mayor Kiker.

### **V. PUBLIC COMMENT**

#### **Open Public Comment.**

No speakers.

#### **Closed Public Comment.**

### **VI. LOCAL ACHIEVEMENTS AND RECOGNITIONS**

Council Member Kosinski extended a special ‘thank you’ to Boykin/Pink Shell for hosting the wounded soldiers; and he recognized Mayor Kiker for being instrumental in starting this program many years ago.

Vice Mayor Raymond thanked the Town staff who organized and worked the Volunteer Appreciation Dinner.

Council Member List discussed the Joint Fifth Grade Town Council Meeting that was held the Beach Elementary School last week; and she thanked the Town Council, Town Manager, Town Attorney, and Town Clerk for assisting with the program. She noted a newspaper article concerning community involvement. Council Member Mandel congratulated the Town's staff with respect to the Town's finances and an approximately reduction of Town expenses (approximately \$330,000).

Mayor Kiker noted Captain Powell in attendance; recognized the fundraiser for Matanzas Preserve and the organizers and volunteers for a spectacular event; gave kudos to Council Member List for the Fifth Grade Joint Council Meeting Project; and thanked Town Clerk Mayher for her work on the Volunteer Appreciation Dinner.

Town Manager Stewart complimented the Beach Elementary fifth graders for their work and participation in the Joint Town Council Meeting; and he reported he spoke with the Laguna Shores Homeowners Association regarding the dredging. He stated the residents asked him to express their appreciation to the Council for the work the Town has done for them regarding this matter.

## **VII. ADVISORY COMMITTEES ITEMS AND REPORTS**

No speakers.

## **VIII. APPROVAL OF MINUTES**

- A. October 3, 2011 Town Council
- B. October 17, 2011 M & P Work Session
- C. October 17, 2011 Town Council

**MOTION:** Motion by Council Member List to approve all the minutes with one correction to the Minutes of October 3, 2011, page 2, to correct the spelling of Senator Richter; second by Council Member Kosinski.

**VOTE:** Motion approved, 5-0.

## **IX. CONSENT AGENDA**

- A. Acceptance of SAC Recommendations and Authorization to Negotiate – RFQ 11-02-PW, Ongoing Professional Engineering Services
- B. Adoption of Policy for Donation Gift Book
- C. Supplemental Task Authorization – Easement Surveying Utility Crossings, North Estero
- D. Request for Appointment to the Bay Oaks Recreational Campus Advisory Board
- E. Request for Appointment to the Audit Committee

Mayor Kiker questioned Consent Agenda Item IX(B) regarding donations; and noted it had been practice that as of last year, donations to Bay Oaks was funneled to the Bay Oaks Group who then decided where the money would be spent.

Town Manager Stewart reported staff had worked with the committees to decide on what things they would like to see; and recounted an earlier discussion with members from CELCAB.

Vice Mayor Raymond reported that Mr. Hughes contacted him earlier today to report he was unable to attend the Council Meeting due to a previously scheduled doctor's appointment.

**MOTION:** Motion by Council Member List to approve the Consent Agenda as presented; second by Council Member Mandel.

**VOTE:** Motion approved, 5-0.

Council Member Mandel asked Town Clerk Mayher to contact Mr. Hughes and inform him there was an upcoming Audit Committee Meeting this week.

Town Clerk Mayher reported she spoke with Mr. Hughes on Friday to inform him of the upcoming meeting.

## **X. PUBLIC HEARING**

### **A. Resolution 11-22, Water Rate Adjustment**

Mayor Kiker opened the Hearing at 9:20 a.m.

Town Clerk Mayher read the title of the Resolution:

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH APPROVING THE PETITION OF THE TOWN OF FORT MYERS BEACH PUBLIC WORKS SERVICES, INC. FOR AN ADJUSTMENT IN WATER CHARGES TO WATER UTILITY CUSTOMERS OF THE TOWN OF FORT MYERS BEACH TO INCREASE RETAIL POTABLE WATER RATES IN AN AMOUNT THAT IS EQUAL TO THE LEE COUNTY WHOLESALE WATER RATE INCREASES THAT HAVE BEEN APPROVED BY LEE COUNTY; PROVIDING AN EFFECTIVE DATE.

Town Manager Stewart gave a brief history of water distribution for the Town and noted the Town did not produce its own water. He explained how the Town purchased water, in bulk, from Lee County; and that the County notified the Town several months ago that they were contemplating an increase in rates. He reported the Town informed the County that they could not implement a rate increase for a period of 90 days in order to give the Town time to have their appropriate public hearings. He noted this was now the time for the public to voice any concerns they had regarding the proposed water rate increase.

Public Comment opened.

Tom Winter, resident, questioned whether or not the Town should go back to the County instead of having their own water district.

Public Comment closed.

Town Manager Stewart reported that he received one written communication from Mr. & Mrs. Cobb who opposed the water rate increase which was included in the Council's agenda packet.

**MOTION:** Council Member Kosinski moved to adopt Resolution 11-22, approving the petition for a rate adjustment equal to the wholesale water rate increase being imposed by Lee County Utilities that will increase the wholesale water rate from \$3.20 to \$3.46 per one thousand gallons effective November 9, 2011; second by Council Member Mandel.

**VOTE:** Motion approved, 5-0.

Mayor Kiker closed the public hearing at 9:25 p.m.

## **XI. ADMINISTRATIVE AGENDA**

### **A. Introduction of Ordinance 11-10, Amendment to the Sign Ordinance**

Town Manager Stewart noted there had been previous discussion about 'glitch' items that needed to be resolved within the sign ordinance; and stated that was what the proposed ordinance addressed. He pointed out that even though the requested motion listed November 21, 2011, staff was requesting the date be December 5, 2011. He stated this item had not gone to the LPA yet but would be heard at their next meeting tomorrow, November 8<sup>th</sup>; and explained the process was a little out of order due to the December 31<sup>st</sup> deadline.

Discussion was held regarding the change in process as it related to coming to Council today and the LPA tomorrow; and Town Manager Stewart asked that if the Council had any concerns on the proposed ordinance that they make him aware of them now.

Vice Mayor Raymond noted his concerns regarding the proposed ordinance amendments and the timing.

Town Attorney Miller explained that after the Town's sign ordinance had been adopted, and people were trying to bring their signs into compliance, staff had realized there were still some areas that were not clear.

Mayor Kiker explained his belief that the proposed Ordinance 11-10 addressed more than just 'glitches' and dealt with policy issues.

Discussion was held concerning multiple occupancy complex signage.

Mayor Kiker noted his concerns regarding the proposed amendments to the sign ordinance, and the sequence of events.

Discussion ensued regarding the proposed amendments to the sign ordinance; and the timeline of the process.

Town Manager Stewart suggested that after the LPA reviewed the proposed ordinance tomorrow, then the item could be added to the Work Session on November 21<sup>st</sup>.

Council Member Kosinski suggested the December 31<sup>st</sup> deadline be moved to January.

**MOTION:** Council Member List moved that the Council not introduce Ordinance 11-10 today; that Council introduce it at the next meeting following the LPA meeting on November 21<sup>st</sup>; and that Council place the item on the December 5, 2011 Work Session for discussion at which time the Council would have the LPA comments; and place the ordinance on the Council's Regular Meeting Agenda on December 19, 2011.

Council Member Kosinski recommended a modification to the motion to change the December 31<sup>st</sup> deadline to January 31, 2012.

Mayor Kiker asked if Council Member Kosinski would keep that recommendation for a separate motion.  
Second by Council Member Kosinski.

Discussion was held.

**VOTE:** Motion approved, 5-0

**MOTION:** Council Member Kosinski moved to approve extending the implementation of the Sign Ordinance 11-10, from December 31, 2011 to January 31, 2012; second by Council Member List.

Town Manager Stewart requested clarification from the Town Attorney whether or not a motion could change an ordinance.

Town Attorney Miller stated someone could not alter an ordinance; however, Council could direct staff not to issue any violations.

Discussion ensued regarding not issuing violations; and the timeline as defined in the prior motion.

Motion maker withdrew his motion; and Council Member withdrew her second.

Public Comment opened.

Richard McDole, building consultant, reported he had clients who were trying to comply with the sign ordinance. He recounted his experience regarding the proposed amendments to the sign ordinance; and explained his belief the ordinance should not go before the LPA. He distributed and discussed a handout outlining his comments and recommendations regarding signage.

Mayor Kiker requested Mr. McDole's handout be distributed to the LPA tomorrow at their meeting.

Public Comment closed.

#### B. Discussion Regarding Volunteer Background Check Policy

Town Manager Stewart reported this item was coming back before Council with a recommended policy regarding volunteer background checks. He stated staff still recommended that volunteers have background checks; and the item back-up explained why these background checks were necessary. He described the two levels of background checks as it pertained to working with the children, and the elderly.

Council Member Kosinski questioned (Section II, A, 4<sup>th</sup> bullet point) why did it indicate it would be deleted.

Town Attorney Miller described the importance of having background checks for volunteers otherwise the Town would expose itself for 'negligent' hiring. She added that the Town was not investigating any type of 'credit' check; and this was only for a 'criminal' background check.

Mayor Kiker asked how this policy change for volunteers commenced.

Town Manager Stewart explained how Town volunteers were in situations where they were working closely with children, and how the Town Attorney noted her concerns regarding 'negligent' hiring. He pointed out that Lee County conducted background checks on volunteers (i.e. Parks & Recreation Programs), and background checks for volunteers was a common policy across the country.

Finance Director Wicks responded to the question posed by Council Member Kosinski; and explained when she spoke with the service provider it was determined the State and County checks were adequate.

Council Member List questioned why Paragraph IV was being deleted.

Finance Director Wicks explained all that was being deleted was the last sentence and staff would still review the appeal.

Mayor Kiker asked who would be required to have a background check.

Town Manager Stewart stated members of the Town Council or boards/committees were not required to have a background check because they meet in a public environment.

Public Comment opened.

Joyce Heckman, resident, stated she appeared before Council two weeks ago regarding the same issue. She questioned the difference between Level I and II background checks.

Finance Director Wicks explained Level II was more intense than Level I and was processed through the State's law enforcement; and she believed fingerprints were required for Level II.

Discussion ensued regarding the difference between Level I and Level II background checks.

Joyce Heckman, resident, asked who decided which level of background check was to be used. She noted she worked in the office at the Mound House entering data. She asked if the volunteer coordinator decided which level for which volunteer based upon what type of work they were performing.

Town Manager Stewart responded in the affirmative.

Joyce Heckman, resident, noted her concern regarding the release of information clause on the volunteer application (i.e. *including but not limited to...*). She questioned what "institutions" meant.

Town Attorney Miller explained the company used indicated it was for a 'criminal' background check; she stated staff could check with the company to see if they would take out "*including but not limited to...*". She pointed out that it appeared to her it related to criminal and not financial background checks.

Town Manager Stewart reported the Town would be barred from seeing any medical history or psychological history because it was not allowed by law. And, the Town would not be able to look at anyone's credit background; this was geared toward criminal backgrounds.

Joyce Heckman, resident, questioned if only the last four digits of a Social Security number could be used instead.

Town Attorney Miller responded in the negative. She explained the full Social Security number was necessary to identify the correct person (i.e. people with common names). She noted the Social Security numbers were exempt from public disclosure.

Town Manager Stewart expounded on "exempt from public disclosure".

Joyce Heckman, resident, noted the background check was for a prior seven year period; therefore, since she lived here for nine years, she would not be required to include a previous address.

Town Manager Stewart responded in the affirmative.

Public Comment closed.

Council Member List discussed how people now live in a very litigious society and she that this policy was for the protection of the volunteers as well.

**MOTION:** Council Member List moved to approve the *Volunteer Criminal Background Screening Administrative Policy* effective November 8, 2011; second by Council Member Kosinski.

**VOTE:** Motion approved, 5-0.

Recess at 10:18 a.m. – Reconvened at 10:32 a.m.

C. Request for Temporary Waiver of Ordinance 96-24, Noise Control

Town Manager Stewart reviewed the request from the construction company for Publix for relief from the maximum allowable noise level limits in Section 14-21 of the Town Code of Ordinances due to rehabilitation and construction work at the 4791 Estero Boulevard site. He noted the applicant was requesting to work during nighttime hours (after 10:00 p.m.) so the store could remain open during the remodel. He mentioned that staff had received some complaints from the public already with some evening activities which already took place; and the contractor has moved some of the work so it would not bother the neighbors less. He added that Council has approved waivers to the noise ordinance in the past (i.e. paving Estero Boulevard in the evening hours). He noted this site was adjacent to some residential sites.

Council Member Kosinski asked how long the construction would take place.

Greg Schlabach, representing the contractor, clarified that they were requesting a waiver to the noise levels. He stated it was his belief there had been only one complaint, which they addressed. He mentioned they began construction in October; and described the time he was concerned about would start this coming Sunday night and end approximately December 1, 2011. This time period was called "case change nights" when the refrigeration cases are either removed or cleaned.

Vice Mayor Raymond reported he received five telephone calls complaining about the noise within two days, and recounted how he was at the subject site at 11:30 p.m. due to complaints from neighbors. He asked about the "jackhammering" work as noted in the request.

Greg Schlabach, representing the contractor, stated the "jackhammering" was already completed and had been done inside the building.

Vice Mayor Raymond stated that if there is other "busy" noise at the subject site, he would definitely be there to speak with Mr. Schlabach.

Council Member List asked what type of noise would occur during the next three weeks.

Greg Schlabach, representing the contractor, stated there would be noise from forklifts operating which have back-up beepers, high pressure washers (attempting to obtain electric pressure washers to reduce noise), clinging of metal panels, and water hitting the metal panels.

Discussion ensued regarding decibel levels, types of noise, and sources of noise; Mr. Schlabach reported they intended to be off the site before Christmas; however, there was the possibility of coming back to the subject site after Christmas if a certain piece of equipment does not arrive on time.

Discussion was held regarding cleaning the refrigeration units, outside noise decibel levels, sources of noise, and the noise ordinance as it related to the construction project.

Town Manager Stewart reviewed the applicant's request to waive the restrictions of the ordinance to allow them to make noise above 65 decibels. He also recommended that electric instead of gas pressure washers be utilized to keep the noise levels down; and noted there was no defined noise level in the request (i.e. above 80 or 85 decibels, etc.).

Town Attorney Miller referred to Town Code Section 14-23 "*in granting the waiver permit, the Council may prescribe any reasonable conditions or requirements they deem necessary to minimize the adverse effects*". She pointed out the Council could approve the request with certain conditions such as but not limited to certain decibel level and electric pressure washers.

Town Manager Stewart suggested Council request the contractor to do as much of the prep work during normal hours. He also recounted how staff responded to the complaints from the neighbors about the nighttime noise, and how the contractor responded.

Mayor Kiker asked Captain Powell of the Lee County Sheriff's Office if the contractor makes noise above the decibel levels what would happen.

Captain Powell explained the contractor would be in violation and they could be issued a citation, work could be shut down or someone could even be arrested; and he added that it would probably help if someone from Publix who had a vested interest was on-site during the work.

Discussion was held concerning the time period for cleaning and replacing the refrigeration units.

Greg Schlabach, representing the contractor, stated the refrigeration unit work would be done certain nights during a 3-week period (Monday, Tuesday, Wednesday, and Thursday the first week; Monday, Tuesday, and Wednesday the second week).

Discussion ensued regarding the size of the refrigeration units; the possibility of relocating the refrigeration unit cleaning to another area/site; and what would happen if the Council denied the request.

Council Mandel asked if the approval could be conditioned in segments (i.e. weekly).

Town Manager Stewart questioned if Council approved the request could they also give staff the ability to withdraw the approval if the applicant does not comply.

Tammy Bowman, Publix Store Manager, explained how she was always conscience of the Town's noise ordinance and did not allow evening deliveries. She reported there was a Publix representative on-site every evening when the construction occurs; and recounted prior events that happened regarding the noise complaints. She described how they are addressing the noise issues now, and noted how Publix was sensitive to the community. She added that when the case changes units happen, there would be additional noise from a refrigerator truck on-site.

Discussion ensued regarding potential conditions for an approval (i.e. decibel levels).

Town Manager Stewart recapped his suggested conditions that the applicant conduct as much of the work during regular hours as possible; that an electric pressure washer be used for nighttime work; a Publix representative be on-site during the evening hours who pays attention to the work; that the Town be informed of the contact person 24-hours a day should the need arise (i.e. phone number and names); when the refrigeration units are changed out and cleaned that they be placed as close together as possible and the Town shall be informed when this would occur.

Discussion continued regarding decibel levels and ways to reduce noise.

Town Attorney Miller questioned if some type of "baffling" barrier could be installed to mitigate noise for the property that was described as being approximately 15 feet from the subject site.

Discussion continued regarding decibel levels and ways to reduce noise.

Council Member List expressed her desire for Publix to supply the Town with a name and phone number for a contact person.

**MOTION:** Council Member List moved to approve a waiver for relief from the maximum allowable noise level limits in Section 14-21 of the Town Code of Ordinances with the following provisions: 1) *Outside cleaning limited to weeknights only,* 2) *Town staff will be allowed to rescind this waiver if there is an out-of-compliance situation,* 3) *the specific name, position of the contact person for Publix on-site with a name and cell phone is given to the Town, and the Store Manager's name and cell phone number is also provide,* 4) *the maximum decibel level is 75,* 5) *electric pressure washers are to be used on the cleaning of the refrigeration units,* 6) *that every effort is made to mitigate backing-up the vehicles,* 7) *and if there are any ways to baffle sound that the applicant do so;* second by Council Member Kosinski.

**VOTE:** Motion approved, 5-0.

D. 2011-12 Agreement for Tourist Development Tax Funding for Beach & Shoreline Maintenance

Town Manager Stewart explained this item was the last step in the application process with the Tourist Development Council (TDC) and noted most of the funds requested were approved except for \$30,000. He noted this was the action necessary to execute the agreements to allow reimbursement of approved funds.

Public Comment opened.

No speakers.

Public Comment closed.

Mayor Kiker questioned funding for beach accesses, and beach trolley pull-offs.

Town Manager Stewart reported the next funding cycle items would come before Council in January 2012, recommendations for applications are then forwarded to the TDC in February, and the TDC makes decision on funding requests in February/March.

Town Manager Stewart noted the Town had requested \$30,000 for a shade structure at Newton Park which was denied.

Discussion ensued regarding non-funded requests.

Mayor Kiker requested to place on Agenda Management that project be identified and be approved by Council before they go to the TDC.

Town Manager Stewart noted that procedure was done every year.

**MOTION:** Council Member Kosinski moved to authorize execution of the 2011-2012 Agreement for Tourist Development Tax Funding for Beach & Shoreline Maintenance in the amount of \$505,897; second by Vice Mayor Raymond.

**VOTE:** Motion approved, 5-0.

## **XII. PUBLIC COMMENT**

Public Comment opened.

Miffie Greer extended her congratulations for a wonderful Volunteer Appreciation Dinner.

Public Comment closed.

### **XIII. TOWN MANAGER'S ITEMS**

Town Manager Stewart stated he was requesting Town Council to provide approval for an emergency authorization to address an emergency seawall repair and surrounding area next to the gazebo at the end of Old San Carlos Boulevard. He gave a brief background of how and why the seawall was breached, and the basis for his decision to instruct Town staff to remove a section of sidewalk in order to determine the result of the damage. He requested a motion from Council to authorize an emergency expenditure and the approval of an amount not to exceed \$130,000.

Council Member List questioned if \$80,000 of the \$130,000 was reimbursable by the County.

Town Manager Stewart responded in the affirmative.

Discussion was held regarding a written agreement with the County as it related to the reimbursement; repair work and repair work necessary on the adjacent property owners; and how deterioration to the adjacent seawalls might affect the Town's repair work.

Town Attorney Miller noted that property owners have an obligation to maintain their property, and they could not neglect their seawall or a cause for action could result. She stated the Town could put the other property owners on notice that the Town was repairing the seawall at a cost of \$130,000 and that if as a result of their failure the seawall was compromised then the Town would look to them for reimbursement.

Town Manager Stewart asked if it was Council's desire to have staff accomplish that notice.

Council Member Mandel responded in the affirmative.

Discussion was held regarding notifying the adjacent property owners in writing.

Town Manager Stewart stated he would notify the adjacent property owners in writing.

Discussion was held concerning the County's contractor and the breach; Nervous Nellie's seawall and possible deterioration; errors and omissions by the contractor.

Town Attorney Miller noted that the previous work on the seawall was done in 2006 and there could be some statute of limitation issues. She added that it was the County's contractor and the County would be the one to pursue the matter.

**MOTION:** Council Member Mandel moved to approve the emergency expenditure not-to-exceed \$130,000, as well as discussions with the County for reimbursement of \$130,000 and the Town Attorney to look at whether a letter should be sent to the adjoining property owners; second by Council Member Kosinski.

Public Comment opened.

No speakers.

Public Comment closed.

**VOTE:** Motion approved, 5-0.

#### **XIV. TOWN ATTORNEY'S ITEMS**

No items to report.

#### **XV. COUNCILMEMBERS ITEMS AND REPORTS**

Council Member Mandel – reported he attended the Horizon Council meeting last week. He noted the Horizon Council had some interesting plans for bringing in more businesses and corporations; and mentioned that a big problem is an educated workforce. He pointed out that Cape Coral and Bonita Springs were also working on economic development issues on their own, and he suggested the Town may want to consider discussing what the Town could do in that area, too.

Council Member List – no items or report.

Vice Mayor Raymond – no items or report.

Council Member Kosinski – no items or report.

Mayor Kiker – questioned the status of publication for the Town Hall referendum.

Town Manager Stewart reported he just received a number of dates from the Town Clerk as to when/where there could be public meetings; staff would advertise the dates in the newspaper; and staff was working to present factual information to the public on the topic. He stated the Council would receive the information no later than 10 days to 2 weeks from today.

Mayor Kiker – noted the Lee County Legislative Delegation meeting and reported the Town was on the agenda. He suggested at today's Work Session the Council may want to decide on what items belonged on Delegation.

Town Manager Stewart discussed a story in today's News-Press newspaper concerning a significant article regarding the Mosquito District, which was a special district.

Mayor Kiker noted a special request from someone which dealt with George Ganim and the two abstentions at the Council Meeting. He reviewed the requirement to read the Form 8B, Memorandum of Voting Conflict for County, Municipal, and other Local Public Officers, into the record and requested the topic be placed on Agenda Management in order to construct a policy to make sure the disclosure is done according to the law. He explained that George Ganim appeared before Council to request a reduction in penalties for a Code Enforcement case; and reviewed the basis for his abstention. He noted that there were other Council Members nodding in agreement to place the item on Agenda Management.

Mayor Kiker – reported there would be a Town Hall meeting on November 21<sup>st</sup> and that Senator Richter would be in attendance, as well as, some of the special districts.

Town Manager Stewart questioned the format for the Town Hall Meeting.

Mayor Kiker explained it would be a 'question and answer' session; and they may want to add a few topics for explanation (i.e. status of Estero Boulevard).

Discussion was held concerning the referendum topic, the possibility of a long-term lease; and a fiscal funding clause in an agreement.

## XVI. AGENDA MANAGEMENT

Town Manager Stewart noted he added from today's meeting:

- Policy on abstention voting
- Meeting to discuss signs; add to a workshop as well
- Economic development
- Process for TDC funding

## XVII. RECAP OF ACTION ITEMS

Town Manager Stewart reviewed the Recap of Action Items:

- Staff would accomplish the approvals of the Consent Agenda Items; also contact the two applicants approved for the committees
- Water rate adjustment would be implemented based upon the Council's vote tonight
- Volunteer Background Check Policy was approved and shall be implemented
- Prepare documents for the TDC funding signature
- Complete seawall project at the end of Old San Carlos Boulevard as approved

## XVIII. ADJOURNMENT

Motion by Council Member List, seconded by Council Member Kosinski to adjourn. Meeting adjourned at 12:05 p.m.

Adopted 12-5-11 With/Without changes. Motion by List/Kosinski  
Vote: 5-0

  
Michelle D. Mayher, Town Clerk

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