



# City of Marco Island Florida

51 Bald Eagle Drive  
Marco Island, Florida  
cityofmarcoisland.com

## Meeting Agenda - Final

### City Council

*Chair: Greg Folley  
Vice-Chair: Jared Grifoni*

*City Council: Rich Blonna,  
Erik Brechnitz, Becky Irwin,  
Darrin Palumbo, Joe Rola*

*City Manager: Mike McNees  
Assistant City Manager: Casey Lucius  
City Attorney: Alan L. Gabriel  
City Clerk: Joan Taylor*

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Monday, November 6, 2023

5:30 PM

Community Meeting Room

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1. *Call to Order*
2. *Roll Call*
3. *Invocation - Reverend Scott Kerens of Marco Presbyterian Church*
4. *Pledge of Allegiance*
5. *Approval of the Agenda*
6. *Approval of the Minutes*

[ID 22-2631](#) Approval of the City Council Meeting Minutes of October 16, 2023

Attachments: [City Council Meeting Minutes of October 16, 2023](#)

### 7. *Approval of Consent Agenda*

[Approval of Consent Agenda passes all routine items listed below.]

- a. [ID 23-3196](#) Authorize the City Manager to Issue a Purchase Order to Alan Jay Fleet Sales for the Purchase of Replacement Vehicles in the Amount of \$108,256.00 - Jeffrey E. Poteet, General Manager, Water and Sewer

Attachments: [Chevy Silverado 48908-1](#)  
[Chevy Silverado Sourcewell Contract](#)  
[GMC Sierra 48767-2](#)  
[GMC Sierra Sourcewell Contract](#)

- b. [ID 23-3213](#) Authorize the City Manager to Issue a Purchase Order to AECOM Technical Services, Inc., for Professional Engineering Services in the Amount of \$125,343 to Develop Phase 1B of the Lead and Copper Rule Compliance as Required by United States Environmental Protection Agency - Jeffrey E. Poteet, General Manager, Water and Sewer
- Attachments:** [Marco Island LCR Compliance Scope of Services Phase 1B FY 2024](#)
- c. [ID 23-3227](#) Authorize the City Manager to Issue a Purchase Order to Trebilcock Consulting Solutions for the Intersection Improvements for North Barfield Drive and North Collier Boulevard Intersection. The Intersection Roadway Improvements will be (Part A), in the Amount of \$250,975.00, and Utilities (Water and Sewer) Improvements (Part B), in the Amount of \$88,310.00, using the City Professional Services Library RFQ 19-012 - Justin Martin, P.E., Director, Public Works
- Attachments:** [Trebilcock Proposal - Barfield/Collier Intersection](#)
- d. [ID 23-3210](#) Approving the Purchase of Data Center Modernization Project 1 of 3 (Server Replacement) from Dell in the Amount of \$137,280.56, Budgeted and Approved in Capital FY24 Budget - Jose Duran, Director, Information Technology
- Attachments:** [City of Marco Island - Data Center Modernization 9-6-23](#)  
[Data Reduction Guarantee Form](#)
- e. [ID 23-3214](#) Final 2024 City Manager's Goals for Council Approval, Mike McNees, City Manager
- Attachments:** [2024 City Manager Goals](#)
- f. [ID 23-3071](#) Approval of the Proposed 2024 Schedule of Regular City Council Meetings - Joan Taylor, City Clerk
- Attachments:** [Proposed 2024 Schedule of Regular City Council Meetings](#)

## **8. Proclamations and Presentations**

- [ID 23-2749](#) Employee Service Awards:  
Sergio Gomez - 20 Years

## **9. Citizens' comments on agenda items not scheduled for public hearing and items other than those appearing on the agenda. TIME CERTAIN 6:00 P.M. OR AS SOON AS POSSIBLE THEREAFTER**

[Those who have signed in will be given the first opportunity to speak. Time is limited to 4 minutes per speaker and 30 minutes total time for this agenda item.]

## **10. Quasi-Judicial Public Hearing**

Please be advised that the following items on the agenda are quasi-judicial in nature. If you wish to comment upon these items, please inform the Clerk by filling out the available sign-up form. An opportunity for persons to speak on the items will be made available after the applicant and staff have made their presentations under oath or affirmation. Additionally, each person who gives testimony may be subject to cross-examination. If you refuse either to be cross-examined or to be sworn, your testimony will not be considered. The general public will not be permitted to cross-examine witnesses, but the public may request the Council to ask questions of staff or witnesses on their behalf. Persons representing organizations must present evidence of their authority to speak for the organization. (Council members to communicate ex-parte communication.)

[ID 23-3207](#) Resolution - Conditional Use Permit (CUP-23-000069) to Construct a Recreational Vehicle (RV) Garage Addition for the Property Located at 984 Birch Court, Marco Island, FL 34145 - Mary P. Holden, Planning Manager, Growth Management

**Attachments:** [Resolution 23-56](#)  
[Staff Report](#)  
[Application](#)  
[Deed](#)  
[Site Plan](#)  
[Survey](#)  
[Elevations](#)

## 11. Ordinances

### A. Public Hearings

[ID 23-3179](#) Resolution - Authorizing the City Manager to Purchase 1,686 Shares of Common Stock, Constituting 100% of the Issued and Outstanding Stock of North Marco Utilities in the Amount of \$1,563,000, and Payoff all North Marco Utilities Indebtedness, Approximately \$237,000, for a Total Cost of \$1,800,000 - Michael A. McNees, City Manager

**Attachments:** [Resolution 23-57](#)  
[Stock Purchase Agreement North Marco Utility Co., Inc. \(Final 10-24-23\)](#)  
[CDM Smith Evaluation of North Marco Utility Co., Inc.](#)  
[HoleMontes Analysis of North Marco Utility Co., Inc.](#)

### B. First Readings

[ID 23-3201](#) Ordinance - First Reading - Amending Chapter 46, "Telecommunications," Article IV, "Telecommunications Facilities in Public Rights-of-Way," - Justin Martin, PE, Public Works Director

Attachments:      [Ordinance](#)  
                              [Business Impact Estimate](#)

## **12. Resolutions & City Council Items**

- a.      [ID 23-3206](#)      Resolution - Public Hearing - Fiscal Year 2023 Budget Re-Appropriation - Guillermo Polanco, Director, Finance
- Attachments:      [Resolution 23-58](#)  
                              [Exhibit A - 2023 Re-Appropriation](#)
- b.      [ID 23-3216](#)      Close Out Report for the Vacation Rental Registration Program, Casey Lucius, Ph.D., Assistant City Manager
- Attachments:      [11-6-23 Memo to Council Closing Vacation Rental Registration Program](#)  
                              [Account Balance STR 10-6-23](#)
- c.      [ID 23-3228](#)      Approval of an FY24 Budget Appropriation to Address an Increase in Volume of Permitting, Fire Plan Review, and Fire Inspections Due to State Statute Mandates and Identified Issues within the City's Permitting Process. Approval will Repurpose One Fire Inspector to Assume These Duties. - Chris Byrne, Fire Chief, Fire-Rescue Department
- Attachments:      [FY24 Budget Appropriation - Fire Inspector Position](#)
- d.      [ID 23-3208](#)      Authorize the City Manager to Execute a Drainage Easement Agreement with San Marco Senior Living, LLC for the Installation and Maintenance of a Proposed Canal Interconnect Pipe and Associated Infrastructure and to Issue a Purchase Order to One Source Construction Inc., for the Construction of Same at 1170 San Marco Road, in the Amount of \$134,046.71, Using the City Public Infrastructure Construction Services Contract 2021-006 - Justin Martin, P.E., Director, Public Works
- Attachments:      [One Source Construction Proposal](#)
- e.      [ID 23-3204](#)      Authorize the City Manager to Execute the State of Florida Department of Commerce Grant Agreement Number HL233 for Construction of a Generator Storage Structure in the Amount of \$600,000.00 - Jeffrey E. Poteet, General Manager, Water and Sewer
- Attachments:      [Grant Agreement HL233](#)

## **13. Items Removed from the Consent Agenda**

## **14. Council Communications & Future Agenda**

- [ID 22-2632](#)      Future Agenda Items
- Attachments:      [Future Agenda 12-4-23](#)

**15. Council Reports**

- a. [ID 23-3226](#) Presentation - Conservation Collier Parcels - Councilor Rich Blonna
- Attachments: [Presentation](#)
- b. [ID 23-3229](#) City of Marco Island Support for the Healthcare Legislation Bill of Rights and the Constitutional Sanctuary Bill of Rights - Chairman Greg Folley
- Attachments: [Greg Folley White Paper](#)  
[Legal Analysis by Weiss Serota](#)  
[Board of County Commissioners Resolution](#)  
[Board of County Commissioners Ordinance](#)

**16. City Manager's Report****17. City Attorney's Report**

- [ID 23-3241](#) City Attorney's Report
- Attachments: [City Attorney](#)

**18. Departmental Reports**

- [ID 22-2633](#) Monthly Departmental Reports
- Attachments: [Public Works](#)  
[Water and Sewer](#)  
[Police](#)  
[Finance](#)  
[Internal Services](#)  
[Community Affairs](#)  
[Fire-Rescue](#)

**19. Citizens' Comments**

[4 minutes per individual – Each individual has one opportunity to speak.]

**20. Adjournment**

All interested persons are invited to attend the meeting and participate in the discussion; or, written comments may be sent to the City of Marco Island, 50 Bald Eagle Drive, Marco Island, FL. 34145. Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by City Council with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based. ADA Assistance: Anyone needing special assistance at the City Council hearing due to disability should contact the City of Marco Island at (239) 389-5010 at least two days prior thereto if you would like to receive any of the items on the agenda by email. Please contact the City Clerk [jtaylor@cityofmarcoisland.com](mailto:jtaylor@cityofmarcoisland.com) if you would like to receive any of the items on the agenda by email.

Any Invocation that may be offered before the official start of the Council meeting shall be voluntary offering of a private citizen, to and for the benefit of the Council. The views and beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council, and the Council is not allowed by law to endorse the religious beliefs or views of this, or any speaker.

#### Marco Island City Council Rules of Decorum

The City of Marco Island is committed to the First Amendment principal of free speech and to full and open discussion of the City's business in open forum. It also recognizes that in order to ensure meetings of the City Council are conducted in a manner that allows the business of the City to be effectively conducted, and ensures that members of the public can be heard in a fair, impartial and respectful manner, that reasonable rules based on time, place, and manner of that speech are in order. The members of the Marco Island City Council, employees of the City of Marco Island, and citizen participants are expected to reflect proper decorum and treat each other with courtesy and respect as follows:

- The City Council Chair is in control of the meeting at all times. The Chair is granted wide discretion to interpret and enforce these rules of decorum and other City Council Policies and Procedures.
- When recognized by the Chair, citizen participants will address all comments to the Chair, speaking from the designated podium. No individual shall make slanderous, disparaging or unduly repetitive remarks.
- Only those persons who have signed for a particular item of business will be given the opportunity to speak. Exceptions may be granted at the sole discretion of the Chair.
- Demonstrations in the form of clapping, applauding, heckling or other verbal outbursts in support or in opposition to a speaker during his or her remarks are not permitted. Such demonstrations between speakers may be further limited by the Chair should they serve to disrupt the orderly conduct of the meeting.
- For the safety of all in the chambers, signs, placards, or anything blocking sightlines, entrances, exits or aisles in the City Council Chambers are not permitted.
- No more than one person may stand in the aisles or at the dais. Individuals waiting to be recognized shall wait in an area designated by the City. Persons exiting the council chambers shall do so quietly.
- Anyone who violates these Rules of Decorum may forfeit their right to speak and may be asked to leave or cease their public comment at the discretion of the Chair.

#### Citizen Comment on Consent Agenda Items

- Items listed under Consent Agenda are viewed to be routine and the recommendation will be enacted by one motion. If discussion is desired by the Council, the item(s) will be removed from the Consent Agenda and will be considered separately.

- Anyone wishing to comment on any item on the Consent Agenda should submit a Speakers Request Card before these item(s) are considered. Each speaker is limited to three (3) minutes on any item removed from the Consent Agenda.