

City of Marco Island Florida

*51 Bald Eagle Drive
Marco Island, Florida
cityofmarcoisland.com*



Meeting Minutes - Draft

Tuesday, May 9, 2023

1:30 PM

Community Meeting Room

Hideaway Beach Tax District Board

HIDEAWAY BEACH TAX DISTRICT BOARD

Chair: Linda Ryan

Vice-Chair: Dick Delawder

***Board Members: John Barto, Paul Fernstrum,
Steve Zinkan***

***Hideaway Beach Tax District Board Attorney: David Tolces
City Staff: Justin Martin, Public Works Director;
Tara Kosieracki, Administrative/Project Coordinator***

(1) CALL TO ORDER

Chair Ryan called the Meeting to order at 1:30 PM.

(2) ROLL CALL

Present: 5 - Board Member Barto, Board Member Fernstrum, Chair Ryan, Board Member Zinkan and Vice-Chair Delawder

(Note: Board Member Barto and Board Member Zinkan participated via telephone.)

Also Present

*Mohamed Dabees, Vice President & Senior Coastal Modeler, Humiston & Moore Engineers
David Tolces, Attorney, Weiss, Serota, Helfman, Cole & Bierman, P.L. (participated via telephone)*

City Staff:

Justin Martin, Director of Public Works

Diedre Wint, Administrative Assistant, Public Works

SPECIAL MOTION

MOTION by Board Member Fernstrum, seconded by Vice-Chair Delawder that Board Member Barto and Board Member Zinkan be able to actively participate and vote on matters coming before the Board this day, May 9, 2023. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 3 - Board Member Fernstrum, Chair Ryan and Vice-Chair Delawder

(3) PLEDGE OF ALLEGIANCE

Led by Chair Ryan.

(4) APPROVAL OF THE AGENDA

Chair Ryan requested that the Approval of the Minutes as listed under item #7 of the Agenda, (New Business) be moved under item #5, Approval of the Minutes.

MOTION by Vice-Chair Delawder, seconded by Board Member Fernstrum, that the Agenda be Approved as Amended. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

Yes: 5 - Board Member Barto, Board Member Fernstrum, Chair Ryan, Board Member Zinkan and Vice-Chair Delawder

(5) APPROVAL OF THE MINUTES

[ID 23-2878](#) Approval of the Minutes

Attachments: [MeetingMinutesApril21.23rvsDRAFT](#)

MOTION by Vice-Chair Delawder, seconded by Board Member Fernstrum, that the Hideaway Beach Tax District Board Meeting Minutes of April 21, 2023 be Approved. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

Yes: 5 - Board Member Barto, Board Member Fernstrum, Chair Ryan, Board Member Zinkan and Vice-Chair Delawder

(6) OLD BUSINESS

[ID 23-2886](#) First Amendment to Equipment Lease Agreement

Attachments: [1st Amendment to Equipment Lease Agreement](#)
[Contract 2021-039](#)

Attorney Tolces and the Board Members discussed the language needed for the First Amendment to the Equipment Lease Agreement. Chair Ryan mentioned the final language was forwarded to the Hideaway Beach Association's General Manager for review.

MOTION by Vice-Chair Delawder, seconded by Board Member Fernstrum to accept this amendment with changes that limit the proposed work to \$10,000 or less under the authority of Public Works Director and the Board's Chair. If the work exceeds \$10,000, it will need to go to the full Board, with Member Barto being authorized to do the follow up work with the City Council and with the Hideaway Beach Association to finalized the Agreement. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

Yes: 5 - Board Member Barto, Board Member Fernstrum, Chair Ryan, Board Member Zinkan and Vice-Chair Delawder

(a) [ID 23-2888](#) Project Update from Humiston & Moore Engineers (M. Dabees)

Attachments: [Project Update \(May 2023\)](#)

Mohamed Dabees provided an update for the Tigertail and Sand Dollar Island ecosystem restoration project. The project is approximately 90% complete at this time. Humiston & Moore is working with bird and turtle nest season guidelines. Permits were obtained, and pictures were provided to support the status of the lagoon and channel ways. The sand removal from Collier Creek and offshore was discussed, and the pipeline has been disassembled.

[ID 23-2892](#) Approval of Change Order #3 to the Contract 2022-022 (2022 Tigertail Lagoon/Sand Dollar Island Ecosystem Restoration Project) in the Amount of \$193,916.25 for (1) Additional Dredging within the North Flow Channel, South Flow Channel and the Offshore Borrow Area; (2) Beach Cleanup Work Associated with the Passing of Hurricane Ian and Tilling and Dressing the Southern End of Hideaway Beach; (3) Add 30 Days to the Project Using Hideaway Beach Special Taxing District Funds

Attachments: [Change Order # 3](#)

MOTION by Board Member Barto, seconded by Vice-Chair Delawder that Approval of Change Order #3 to the Contract 2022-022 (2022 Tigertail Lagoon/Sand Dollar Island Ecosystem Restoration Project) in the Amount of \$193,916.25 for: (1) Additional Dredging within the North Flow Channel, South Flow Channel and the Offshore Borrow Area; (2) Beach Cleanup Work Associated with the Passing of Hurricane Ian and Tilling and Dressing the Southern End of Hideaway Beach; (3) Add 30 Days to the Project Using Hideaway Beach Special Taxing District Funds, be Approved. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

Yes: 5 - Board Member Barto, Board Member Fernstrum, Chair Ryan, Board Member Zinkan and Vice-Chair Delawder

[ID 23-2893](#) Authorize the City Manager to Issue Two Purchase Orders to Humiston & Moore Engineers for Professional Consulting Services Associated with the Tigertail Lagoon/Sand Dollar Island Ecosystem Restoration Project for Annual Environmental Monitoring Services through September 30, 2023 in the Amount of \$47,286.00 and Additional Construction Phase Services from April 15 to May 31, 2023 in the Amount of \$44,922.00 using the City's Professional Services Contract #2023-009

Attachments: [Proposal-Annual Environmental Monitoring](#)
[Proposal-Construction Phase Services Extension](#)

MOTION by Vice Chair Delawder, seconded by Board Member Fernstrum to authorize the Marco Island City Manager to Issue a Purchase Order to Humiston & Moore Engineers for Professional Consulting Services Associated with the Tigertail Lagoon/Sand Dollar Island Ecosystem Restoration Project for Annual Environmental Monitoring Services through September 30, 2023 in the Amount of \$47,286.00, be Approved. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

Yes: 5 - Board Member Barto, Board Member Fernstrum, Chair Ryan, Board Member Zinkan and Vice-Chair Delawder

MOTION by Vice Chair Delawder, seconded by Board Member Fernstrum that the additional Construction Phase Services from April 15 to May 31, 2023 in the Amount of \$44,922.00 using the City's Professional Services Contract #2023-009 be Approved. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

Yes: 5 - Board Member Barto, Board Member Fernstrum, Chair Ryan, Board Member Zinkan and Vice-Chair Delawder

[ID 23-2895](#) Financial Report as of April 30, 2023 (P. Fernstrum)

Attachments: [HIDEAWAY AS 4.30.23](#)
[RevenueExpense0423rvsd](#)

Board Member Fernstrum provided a Financial Report Summary and highlighted the year-to-date total amounts. There is discrepancy due to timing and allocations. Chair Ryan mentioned the report includes the City loan amount.

(7) NEW BUSINESS

[ID 23-2874](#) Election of Officers - Hideaway Beach Tax District Board

Attachments: [Election of Chair and Vice Chair](#)

Chair Ryan proposed that a Secretary should be appointed for Fiscal year 2024. The Board concurred with her recommendation.

Board Member Zinkan nominated Chair Ryan to continue as Chair of the Hideaway Beach Tax District Board. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 5 - Board Member Barto, Board Member Fernstrum, Chair Ryan, Board Member Zinkan and Vice-Chair Delawder

Board Member Fernstrum nominated Vice-Chair Delawder to continue as Vice-Chair of the Hideaway Tax District Board. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 5 - Board Member Barto, Board Member Fernstrum, Chair Ryan, Board Member Zinkan and Vice-Chair Delawder

Vice Chair Delawder nominated Board Member Fernstrum to continue as Treasurer of the Hideaway Tax District Board.. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 5 - Board Member Barto, Board Member Fernstrum, Chair Ryan, Board Member Zinkan and Vice-Chair Delawder

Vice Chair Delawder nominated Board Member Barto to be Secretary of the Hideaway Tax District Board. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 5 - Board Member Barto, Board Member Fernstrum, Chair Ryan, Board Member Zinkan and Vice-Chair Delawder

[ID 23-2894](#) Budget Review and Fiscal 2024 Millage Rate Determination (P. Fernstrum)

Attachments: [Email to Poff and Dabees/line item budget](#)

Member Fernstrum summarized the budget worksheet and rollover amounts. The Board Members discussed the "rollover" terminology. Attorney Tolces suggested clarifying the terminology and how the funds are assigned with the Marco Island Finance Director. Chair Ryan suggested that the Board's Treasurer needs to work with the City's Finance Director to determine the process for adding lines to its budget and to more fully understand the City's budget process. A formal defined category such as a "reserved" fund line is desired. If a millage rate is required, a meeting of the Board would need to occur in the month of July.

MOTION by Vice-Chair Delawder, seconded by Board Member Barto that the Hideaway Beach 2024 millage rate be set at 1.600 mils. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 3 - Board Member Barto, Chair Ryan and Vice-Chair Delawder

No: 2 - Board Member Fernstrum and Board Member Zinkan

(8) STAFF COMMUNICATIONS

Mohamed Dabees reported that the FWC Administrator will be visiting from Tallahassee this upcoming Thursday for the sea turtle assessment. City Public Works Director Justin Martin indicated the City will issue a press release. The press release will communicate how the City is coordinating with the FWC and following permitting conditions.

Chair Ryan requested information on the no-wake zone and boat speed limit. The Public Works Director, Justin Martin mentioned that area is under Collier County's jurisdiction. The Public Works Department has been in communication with Commissioner Rick LoCastro and Deputy County Commissioner Dan Rodriguez. Justin Martin briefly outlined the communications received and the topic of obtaining permitting from the FWC, Coast Guard, FDEP, and the U.A. Army Corps of Engineers as necessary to create a no wake designation for the portion of Sand Dollar Island spit that will allow boating. The Marco Island City Manager has directed the City's Police Chief to instruct the Police Marine Unit to stop boaters that are

going too fast.

Public Works Director Martin provided a visual review of the Sand Dollar Island spit and Hideaway Beach. The reasons for no wake zones and controlled motorized vehicle areas were discussed.

(9) PUBLIC COMMENT

None.

(10) NEXT MEETING: CONFIRMATION & ATTENDANCE

The Board reached consensus on Thursday, October 19th at 1:30PM for its next Meeting.

(11) PROPOSED AGENDA TOPICS FOR NEXT MEETING

An update from Humiston & Moore Engineers was proposed as an Agenda topic for the Board's October Meeting.

(12) OTHER COMMITTEE COMMUNICATIONS

Chair Ryan and Mohamed Dabees created a project Fact Sheet to answer resident questions. The Fact Sheet assumes project completeness and was provided to County Management and City Management, and will be posted on the City's website. Chair Ryan, Public Works Director Martin, and Humiston & Moore Engineer Mohamed Dabees attended the U.S. Army Corps of Engineers Coastal Risk of Management Study report.

(13) ADJOURNMENT

There being no further business before the Board, Chair Ryan adjourned the Meeting at 3:07 PM.

*Tara Kosieracki
Administrative/Project Coordinator
Public Works Department*