



City of Marco Island Florida

51 Bald Eagle Drive
Marco Island, Florida
cityofmarcoisland.com

Meeting Minutes - Draft

Beach and Coastal Resources Advisory Committee

Chair: Maria Lamb

Vice-Chair: Robert Eastman

Members: Donald Bonica, Ruth McCann, Ray McChesney, Judy Novak, Nathaniel O'Donnell

City Staff: Dave Baer, Patty Mastronardi

Wednesday, December 18, 2019

9:00 AM

Community Room

(1) CALL TO ORDER

Chair Lamb called meeting to order 9:00 a.m.

(2) ROLL CALL

Present: 4 - Member O'Donnell, Member McCann, Chair Lamb and Vice-Chair Eastman

Absent: 3 - Member Novak, Member McChesney and Member Bonica

(3) PLEDGE OF ALLEGIANCE

Led by Chief Frazzano.

(4) APPROVAL OF THE AGENDA

MOTION by Member McCann, seconded by Vice-Chair Eastman, that this AGENDA be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 4 - Member O'Donnell, Member McCann, Chair Lamb and Vice-Chair Eastman

Not Present: 3 - Member Novak, Member McChesney and Member Bonica

(5) APPROVAL OF THE MINUTES

[ID 19-661](#) BchCRAC Draft Minutes for November 20, 2019

MOTION by Member McCann, seconded by Vice-Chair Eastman, that these MINUTES be Approved. MOTION CARRIED BY THE FOLLOWING VOTE:

Yes: 4 - Member O'Donnell, Member McCann, Chair Lamb and Vice-Chair Eastman

Not Present: 3 - Member Novak, Member McChesney and Member Bonica

(6) STAFF COMMUNICATIONS

a. MIPD Report

Mr. Baer discussed October 2019 MIPD Beach Report, November 2019 Beach Report not

available. He stated BchCRAC transfer of funds never received by MIPD for purchasing new drone. Need pilot license, need certification and training, some wildlife locations prohibited, push forward in future to reconsider.

Chair Lamb stated ordinance passed, Marco Island offered FAA exclusive rights, Marco Island preempted. Ordinance discussion at future meeting date.

b. Sea Turtle Lighting Violations

MIPD Chief Frazzano expressed complaints from citizens/snowbirds riding bikes on beaches, leaving bikes on rack (possible theft), Madeira bike stolen. Residents Beach near shack, location okay, and possible threat on South Beach.

Chair Lamb will review locations for bike racks and reach out to Collier County about concerns for South Beach.

(7) PUBLIC COMMENT (TIME CERTAIN 9:30 A.M.)

Mr. Andrew Tyler reported drones cited on 10,000 islands. No signs for drones noticed on Fakahatchee Park.

Mr. Tyler recommended committee attend Naples Courthouse, December 23, 2019 presenting Marco Island Owl Watch. Conservancy published newsletter stating 15 mature loggerhead turtles died on 10,000 islands due to red tide.

(8) PRESENTATIONS

a. Critical Wildlife Areas in Collier County - Ricardo Zambrano, Regional Biologist

[ID 19-662](#) CWAs in Collier County

Mr. Zambrano noted it's illegal to flush wildlife as stated in Airborne Hunting Act. State laws are not illegal, depending on species, violations if birds harassed. In future, will bring more specific information on drones..

Mr. Zambrano presented Critical Wildlife Areas (CWAs) in Collier County:

Criteria for CWAs

How do CWAs Work?

Why do we need CWAs?

Collier CWAs

Wildlife Locations/Species: Rookery Islands, ABC Islands, Caxambas, Second Chance,

Big Marco Pass

Contacts

Committee and Mr. Zambrano had Q & A discussions on how to protect wildlife.

Mr. Baer stated if specific areas in northern area closed off, if less human traffic in area, less reason for police to patrol. Committee will research solutions for further discussion.

(9) OLD BUSINESS

a. Gopher Tortoise Signs

Chair Lamb installing 2 signs. Purchase Order on to do list.

b. ThorGuard Lightning Warning System

No discussion.

c. Madeira Consent Order

Chair Lamb reported \$8,000 removal penalty to be paid by December 3, 2019. Mr. Baer stated no mention of increase in violation.

Chair Lamb addressed additional light negotiations, see specific statutes. Mr. Baer noted will be exposed to greater scrutiny, will send Consent Order to committee.

d. Burrowing Owl Safe Harbor Agreement Update

Final agreement presented by City attorney at City Council meeting January 6, 2020.

e. Sea Turtle Lighting Protection Ordinance Comparison

Vice Chair Eastman made comparison with Cape Canaveral, Broward County Ordinance and Marco Island. More other ordinances were more detailed on flushing of birds. Marco Island does not have own police department, they use Collier County. Turtle lighting, some counties purchased certain black out windows for beach condo's.

Mr. Baer and Committee discussed Sea Turtle lighting:

Recommended Committee review penalty section and burrowing owl comparison, not to exceed \$500 or go to jail.

Chapter 162 defines guidance for code enforcement, if irreparable act, penalize.

Broward County updated ordinance: low fines, suggested revising \$500 first offense, \$5,000 for repeat offense.

City code magistrate authority is limited to \$500 or jail time. Magistrate unable to send to jail, must go to County Court Judge. Mr. Baer explained Marco Island ordinance and magistrate. Chair Lamb needs guideline on Violations of Protected Species. At last City Council meeting, councilors were about to add jail time for third offense.

f. Dogs on the Beach

Mr. Baer stated if photo taken clearly identifies person(s) disturbing wildlife and willing to swear true representation, can proceed magistrate penalty. Service dog signs stating "dogs need to wear vest" can cause difficult problems.

Public Comment: Mr. Tyler stated, condominium has number of rentals with pets under 20 lbs. If issue in building, need rentals obtain physicians letter stating service dog.

Suggest working with condominiums to consider taking on policy to reduce amount of dogs on beach. Mr. Baer stated best not to ask person with dog if aware of ADA rights or if service dog.

g. Revise Penalty Section of Protected Species Ordinance

No discussion.

(10) NEW BUSINESS

a. Environmental Stewardship Award - Discussion

Deferred to next month.

(11) COMMITTEE COMMUNICATIONS

a. 2020 Beach Clean-up Schedule

Next beach clean up expecting large attendance sponsored by Marco Island Academy Key Club on January 11, 2020.

b. Year-End Thank You To Love Your Beach Sponsor Letter

Member McCann will send thank you letter to 2019 t-shirt sponsors/beach clean up volunteers. Next year discuss Beach Stewardship with Member Novak. .

Chair Lamb adopted sea turtle, Bella Marco is surviving, tracking in back waters on Black Water Bay.

(12) ADJOURNMENT

Chair Lamb adjourned meeting 10:50 a.m.

NOTE: TWO OR MORE CITY COUNCILORS OR OTHER COMMITTEE MEMBERS MAY BE PRESENT