

City of Marco Island Florida

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



Meeting Minutes - Final

Thursday, October 14, 2021

2:00 PM

Community Meeting Room

Hideaway Beach Tax District Board

HIDEAWAY BEACH TAX DISTRICT BOARD

Chair: Dick Delawder

Vice-Chair: John Barto

Members: Paul Fernstrum, Linda Ryan, Steve Zinkan

Hideaway Beach Tax District Board Attorney: Craig Woodward

City Staff: Timothy Pinter, P.E., Tracey Barnett

(1) CALL TO ORDER

Chair Delawder called the meeting to order at 2:00 P.M.

(2) ROLL CALL

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

Also Present

*Craig Woodward, Attorney, Woodward, Pires & Lombardo, P.A.
Zack Lombardo, Attorney, Woodward, Pires & Lombardo, P.A.
Mohamed Dabees, Vice President & Senior Coastal Modeler, Humiston & Moore Engineers
Michael Poff, President, Coastal Engineering Consultants, Inc.
Denny Shields, Owner, RDS Communications Group, LLC
Erik Brechnitz, City Councilman
Chris Roe, Bond Council, Bryant Miller Olive P.A. (Via Phone)*

*City Staff:
Timothy Pinter, Director of Public Works
Lina Upham, Purchasing & Risk Manager
Martin Luna, Video/Broadcast Technician
Tracey Barnett, Administrative Assistant, Public Works*

(3) PLEDGE OF ALLEGIANCE

Led by Chair Delawder.

(4) APPROVAL OF THE AGENDA

Member Ryan requested that the Agenda be modified to reflect a 'Permitting Update from Mohamed Dabees' as Item 9a under 'Old Business', and that two discussion topics: 1) approval of the pre-construction environmental services contract, and; 2) pre construction engineering services for construction and bid documents, be included under that Item.

To accommodate this addition, Public Works Director Timothy Pinter recommended that the topics listed under 'Old Business' on the Agenda be discussed in the same order as originally specified, and simply relabeled as Items 9b, 9c & 9d.

MOTION by Member Ryan, seconded by Member Zinkan, that the Agenda be Approved as Amended. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

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

(5) APPROVAL OF THE MINUTES

[ID 21-1754](#) Approval of the Hideaway Beach Tax District Board Minutes of June 24, 2021

MOTION by Member Fernstrum, seconded by Member Zinkan, that the Meeting Minutes of June 24, 2021 be Approved. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

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

(6) STAFF COMMUNICATIONS

a. 2021 Annual Monitoring Summary (Poff)

[ID 21-1828](#) 2021 Annual Monitoring Summary

Prior to the meeting, Mr. Michael Poff sent out the report to the Board indicated that the project was performing well. In the interest of time, he did not go through his slide presentation, but requested that any questions be directed to him. No questions were raised.

b. Nearshore Borrow Area Expansion Plan Permit Update (Poff)

This topic was not discussed at this time.

c. Sand Dollar Island Conditions Update (Dabees)

[ID 21-1833](#) Sand Dollar Island Update

Mr. Mohamed Dabees reported that all seemed well with the condition of Tigertail Lagoon and Sand Dollar Island with the exception of the overwash at the project area. He supplied aerial shots of these areas and the coastline of Marco Island.

d. Final Monitoring Plan (Dabees)

[ID 21-1835](#) Final Monitoring Plan

This was the latest revision of the Biological Monitoring Plan prepared by Turrell, Hall & Associates, and was sent to the Board Members by attachment prior to the meeting. Detailed discussion of this item was conducted under "Old Business" (item 9 of the Agenda).

(7) PUBLIC COMMENT

City Councilor Eric Brechnitz shared his thoughts regarding: 1) The Hideaway Beach Association's independence from the production or content of any external, promotional video, and 2) Tourist Development Tax funding that could be petitioned from the Collier County Coastal Advisory Committee to assist with the Board's beach renourishing efforts.

(8) PRESENTATIONS

a. Year End Financials (Fernstrum)

[ID 21-1829](#) Year End Financials

Member Fernstrum reviewed the cash situation and discussed consideration related to forthcoming projected expenses.

(9) OLD BUSINESS

a. *Permitting Update (Dabees)*

[ID 21-1859](#) Baseline Monitoring Proposal/ Engineering Proposal

Mr. Dabees advised the Board that the DEP permit application is complete. It's now in review, and the Department of Environmental Protection will come to a decision whether or not to approve the application in the next few weeks.

The USACE (U.S. Army Corps of Engineers) is pleased with the material provided, and the responses to the questions that they asked. It is going through the formal review; required to process the permit application.

The annual monitoring scope of work outlined by Mr. Dabees was presented to the Board, and the estimated cost will be in the range of \$40,000 per year.

The scope of services presented by Mr. Dabees for the pre-construction environmental monitoring that is required by permit for construction and implementation of the project, came in at an estimated cost of \$48,622.

The scope of work for the pre construction phase by Humistan & Moore Engineers also came in at an estimated cost of \$25,274.

Also, an appeal to the State for cost sharing on a coastal resiliency grant would mean a 50/50 share with the state and Hideaway, if approved.

MOTION by Member Ryan, seconded by Vice Chair Barto, to Approve authorizing Tim Pinter to put in a PO for the proposal for pre-construction environmental services in the amount of \$48,622. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

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

MOTION by Member Ryan seconded by Member Zinkan, to Approve the pre-construction phase, bid service and the resilient Florida application cost \$25,574 payable to Humiston & Moore. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

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

b. *Discussion of August 2022 Bonding Capacity Referendum (Woodward)*

[ID 21-1830](#) Discussion of August 2022 Bonding Capacity Referendum

Mr. Zach Lombardo reported that prior records were located at Cheffy Passidomo P.A.'s office and that there are 8 boxes. A release form signed by the Chair will allow his office to retrieve all boxes.

Mr. Woodward has the signed Resolution from the City Council for an inter-fund loan, assuming permits are approved, for a loan amount of 700,000 at a rate of 2.5% to be obtained early next year. The loan will finance the shortfall of what is collected in taxes and what the project actually costs. Also discussed was the Referendum for a 10 year extension for \$2.9 million and a 2.6 millage rate as it currently stands or if the amount or rate should change.

Mr. Chris Roe, Bond Council with Bryant Miller Olive P.A. (via phone) noted that unexpected weather could result in 2.9 Million not being sufficient to cover the cost to repair the damage. He recommended getting input from the engineers on estimates to address a worst case scenario.

After further discussion, it was decided to retain the current levels currently projected.

MOTION by Zinkan, seconded by Vice Chair Barto, to Approve the proposed Referendum with \$2.9 million bonding capacity not to exceed the millage rate of 2.6 Mils for the next 10 years. MOTION CARRIED BY THE FOLLOWING VOICE VOTE:

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

c. *Video Production & Media Interface (Ryan/Shields)*

[ID 21-1831](#) Video Production & Media Interface

Mr. Denny Shields explained there are two communication plans for the Sand Dollar Island/Tigertail Lagoon project: an internal and external video. After discussing how the audience could interpret HBTDB involvement, motion was advanced.

MOTION by Member Ryan, seconded by Member Fernstrum to Approve and accept the not to exceed the cost of \$8785.00 for RDS Communications to complete an external video and conduct two proactive media engagements in support of the project.

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

d. *Selection Process for the Hideaway Beach Tax District Attorney (Update)*

[ID 21-1826](#) Selection Process for the Hideaway Beach Tax District's Attorney

Ms Lina Upham offered three options for the Board's consideration 1) Utilize the City's legal firm (Weiss Serota Helfman Cole & Bierman, P.L. on as needed basis; 2) Continue with it's current legal firm, or; 3) Solicit outside law firms.

Ms. Upham will obtain a proposal and resume from Weiss Serota Helfman Cole & Bierman, P.L. This item will be addressed at the Board's next meeting.

(10) NEW BUSINESS

a. *Scope of work, Bid Process & Start Date- Dredging (Delawder)*

[ID 21-1836](#) Scope of Work, Bid Process & Start Date- Dredging

Mr. Dabees noted that when the decision by the State is received, it will issue a draft permit, and that permit will need to be approved by the Board sometime in November. Also discussed was the time period within which the State is allowed to respond after the submittal of the application.

b. *Rip- Rap on Beach (Delawder)*

[ID 21-1837](#) Rip Rap on Beach

Chair Delawder, reported that he received a letter from South Florida Water Management that will need to be shared with the Board and City Director about a rip rap on the beach. This letter was not presented at the meeting. Attorney Woodward's office will obtain more information regarding this matter. Further discussion is expected at the Board's next meeting.

(11) COMMITTEE COMMUNICATIONS

a. *Confirmation of Board Members Availability for the Next Meeting.*

The Board discussed scheduling it's next meeting on Wednesday the 10th or Monday the 15th of November 2021. All Board Members indicated their ability to be present for either date. (Editorial Note: Following the meeting, November 10th was selected at 2:00P.M. as the date for the next meeting of the Hideaway Beach Tax District Board.)

b. *Sharing of Thoughts on Topics of Board Interest (All Members)*

No topics were discussed.

(12) ADJOURNMENT

There being no further business before the Board, Chair Delawder adjourned the meeting at 3:45 P.M.

Tracey Barnett, Administrative Assistant for Public Works