



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

Monday, December 4, 2023

5:30 PM

Community Meeting Room

1. *Call to Order*
2. *Roll Call*
3. *Invocation - Pastor Casey Nowlin of First Baptist - The Family Church*
4. *Pledge of Allegiance*
5. *Election of Chair and Vice-Chair*

[ID 23-3064](#) Election of Chair and Vice-Chair

6. *Approval of the Agenda*

7. *Approval of the Minutes*

[ID 23-3174](#) Approval of the City Council Meeting Minutes of November 6, 2023

Attachments: [City Council Meeting Minutes of November 6, 2023](#)

8. *Approval of Consent Agenda*

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

- a. [ID 23-3205](#) Resolution - Approving the Uniform Method for Collection of Non-Ad Valorem Assessments - Guillermo Polanco, Director, Finance

Attachments: [Resolution 23-60](#)
[2023 Published Notice of Uniform Collection](#)

- b. [ID 23-3279](#) Resolution - Removal of RIBS Property from Surplus Property List - Casey Lucius, Ph.D., Assistant City Manager
Attachments: [Resolution 23-62](#)
- c. [ID 23-3035](#) Award a Purchase Order as a Result of ITB 2024-001 for the Replacement of the Police and Community Room Building's Outdoor Air System to Page Mechanical Group, LLC in the Amount of \$134,000.00 - Miguel Carballo, Manager, Fleet and Facilities
Attachments: [Notice of Intent to Award ITB #2024-001](#)
[Declaration Statement - Page Mechanical Group LLC](#)
- d. [ID 23-3253](#) Award of Contracts to Twelve (12) Companies for Public Infrastructure Construction Services on an As-Needed Basis (RFQ 2023-029) - Angela Johenning, Purchasing & Risk Manager
Attachments: [RFQ 2023-029 Selection Committee Appointments](#)
[Final Scoring Worksheet](#)
- e. [ID 23-3258](#) Award of Contract to Master Pyro Display LLC, for the 2024 and 2025 4th of July Fireworks, in the Amount of \$78,000, with an Option for One, Two-Year Extensions, Subject to Budget Appropriation - Angela Johenning, Purchasing & Risk Manager
Attachments: [Contract 2023-006 4th of July Fireworks](#)
- f. [ID 23-3252](#) Authorize the City Manager to Execute a One-Year Contract Renewal with Maudlin & Jenkins LLC in the Amount of \$65,000 to Perform the City's Annual Financial Audit for the Fiscal Year Ending on September 30, 2023 - Angela Johenning, Purchasing & Risk Manager
Attachments: [Signed Extension Letter](#)
- g. [ID 23-3286](#) Award of Contracts to Ten (10) Companies for Specialty and General Contracting Services on an As-Needed Basis (RFQ 2023-030) - Angela Johenning, Purchasing & Risk Manager
Attachments: [Final Scoring Worksheet](#)
[Scoring Committee Appointments](#)
- h. [ID 23-3248](#) Authorize the City Manager to Issue a Purchase Order to One Source Construction Inc. for the Repair of Thirteen (13) Storm Boxes at Tallwood Street, Elkcam Circle, and 6th Avenue, Including Storm Sewer Pipe Repair at 6th Avenue in the Amount of \$126,800.00, Using the City Public Infrastructure Construction Services Contract 2021-006 - Justin Martin, P.E., Director, Public Works
Attachments: [One Source Construction Proposal](#)

9. Proclamations and Presentations

- a. [ID 23-2750](#) Employee Service Awards: Jesse Yarnell - 15 Years
- b. [ID 23-2946](#) Proclamation - Daughters of the American Revolution (DAR)
Recognizing the 250th Anniversary of the Boston Tea Party - Presented to Ms. Valinda J. Bilbrey, Chairman of the Chapter's America 250 Celebration Committee

Attachments: [Proclamation](#)

10. 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.]

11. Quasi-Judicial Public Hearing - None

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.)

12. Ordinances

A. Public Hearings

- [ID 23-3282](#) Ordinance - Second Reading - Amending Chapter 46, "Telecommunications," Article IV, "Telecommunications Facilities in Public Rights-of-Way," - Justin Martin, P.E., Director, Public Works

Attachments: [Ordinance 23-01](#)
[Public Notice 11-22-23 Ordinance 23-01](#)
[Business Impact Estimate](#)

B. First Readings

- 1. [ID 23-3285](#) Ordinance - First Reading - Referendum Amendments to the Charter of the City of Marco Island to Provide for an Increase in Salary for the Chairman and Council Members - Vice-Chair Jared Grifoni

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

2. [ID 23-3284](#) Ordinance - First Reading - Referendum Charter Amendment
Change in the Title of the Chief Elected Officers from
Chairman and Vice-Chairman to Mayor and Vice-Mayor -
Vice-Chair Jared Grifoni

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

3. [ID 23-3276](#) Ordinance - First Reading - Health Freedom Bill of Rights -
Chair Greg Folley

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

13. Resolutions & City Council Items

- a. [ID 23-3278](#) Resolution - Health Freedom Bill of Rights - Chair Greg Folley

Attachments: [Resolution 23-61](#)

- b. [ID 23-3289](#) Resolution - Creating the Ad-Hoc Business Development and
Redevelopment Advisory Committee - Councilor Rich Blonna

Attachments: [Resolution 23-63](#)
[Sample Ad Hoc Business Development and Redevelopment](#)

- c. [ID 23-3283](#) Authorize the City Manager to Issue a Purchase Order in the Amount of
\$150,199 to TY Lin International for a Supplemental Agreement to
Contract No. 2020-008 for Post Design Engineering Services for the
Replacement of the West Winterberry Bridge Replacement Project -
Justin Martin, P.E., Director, Public Works

Attachments: [Post Design Services Estimate \\$150,199.00](#)
[Winterberry Post Design \\$150,199.00](#)

14. Items Removed from the Consent Agenda

15. Council Communications & Future Agenda

[ID 22-2639](#) Future Agenda Items

Attachments: [Future Agenda 1-8-24](#)

16. Council Reports

[ID 23-3298](#) White Paper, Bill of Rights Sanctuary City, Chairman Greg Folley

Attachments: [Bill of Rights Sanctuary City White Paper](#)
 [Proposed Bill of Rights Ordinance](#)
 [Signed County Bill of Rights Sanctuary County Ordinance](#)

17. City Manager's Report

18. City Attorney's Report

[ID 23-3254](#) City Attorney's Report

Attachments: [City Attorney Report](#)

19. Departmental Reports

[ID 22-2640](#) Monthly Departmental Reports

Attachments: [Public Works](#)
 [Water and Sewer](#)
 [Police](#)
 [Finance](#)
 [12 Month Budget Status - FY2023](#)
 [Internal Services](#)
 [Community Affairs](#)
 [Fire-Rescue](#)

20. Citizens' Comments

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

21. 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 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.