



Agenda Item – January 5, 2009	Motion	Forcht	Gibson	Kiester	Popoff	Recker	Trotter	Waldack	Passed	Failed
Bid Protests from D.N. Higgins, Inc. and Mitchell & Stark Construction Company, Inc. regarding the award of the construction contract for the Septic Tank Replacement Program Year 4 – Kendall & Mackle Park Sewer Districts	MOTION by Councilor Waldack to award the bid to Quality Enterprises USA, Inc. for the Kendall District (with stipulations) and award the bid to Mitchell & Stark Construction Company, Inc. for Mackle Park District (with stipulations.) Second by Chairman Trotter.	MOTION AND SECOND WERE WITHDRAWN FOLLOWING DISCUSSION								
	MOTION by Vice-Chairman Recker to declare the bid protest appropriate, and recalculate the revised scoring average for the Kendall Septic Tank Replacement Program for the Project Approach of the allocation to be raised from 13.6 to 18.6 (by adding 5 points) and change the MOT Approach from 6.8 to 9.8 (by adding 3 points), equaling 8 points with a total of 46.2 points and final total of 96.2 points for D.N. Higgins, Inc. which indicates that D.N. Higgins, Inc., would come out as number one. Second by Councilor Forcht.	Yes	No	Yes	No	Yes	No	No		4-3
	MOTION by Chairman Trotter to declare protests from D.N. Higgins, Inc. related to Mackle Park Sewer District as invalid. Second by Councilor Waldack.	MOTION AND SECOND WERE WITHDRAWN FOLLOWING DISCUSSION								
	MOTION by Vice-Chairman Recker to reject bids as it relates to Kendall and Mackle Park Sewer Districts. Second by Chairman Trotter.	Yes	Yes	No	Yes	Yes	Yes	Yes	6-1	
	MOTION by Vice-Chairman Recker to rebid both the Kendall and Mackle Park Sewer Districts without the subjective criteria and with the same deadline for completion. Second by Councilor Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
ORDINANCE – Second Reading & Public Hearing – An Ordinance to Amend Chapter 54, Boat Docking Facilities	MOTION by Councilor Popoff to adopt on second reading the ordinance to Amend Chapter 54, "Boat Docking Facilities" as proposed. Second by Vice-Chair Recker.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Approval of Capital Project Carry Forward	MOTION by Councilor Waldack to approve the budget amendment to carry forward unexpended capital project funds for Fiscal Year 2009, amended to delete column "G". Second by Chairman Trotter.	No	Yes	Yes	Yes	Yes	Yes	Yes	6-1	
DISCUSSION – Appointments and Direction to the Ad Hoc Forensic Audit Advisory Committee	MOTION by Councilor Forcht to nominate Mr. Amadeo Petricca to serve on the ad hoc Forensic Audit Advisory Committee. Second by Councilor Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Councilor Gibson to nominate Mr. Ronald Saffin to serve on the ad hoc Forensic Audit Advisory Committee. Second by Councilor Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Councilor Kiester to nominate Mr. Joseph Batte to serve on the ad hoc Forensic Audit Advisory Committee. Second by Councilor Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Councilor Waldack to nominate Mr. Larry Magel to serve on the ad hoc Forensic Audit Advisory Committee. Second by Councilor Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Councilor Popoff to nominate Mr. Jim Young to serve on the ad hoc Forensic Audit Advisory Committee. Second by Councilor Gibson.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Vice-Chair Recker to nominate Ms. Terri DiSciullo to serve on the ad hoc Forensic Audit Advisory Committee. Second by Councilor Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Chairman Trotter to nominate Mr. Bill Sneddon to serve on the ad hoc Forensic Audit Advisory Committee. Second by Councilor Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Ad Hoc Charter Review Committee	MOTION by Councilor Popoff to form an ad hoc Charter Review Committee. Second by Vice-Chair Recker.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Award of Contract for Architectural Design Services for Utility Operations Building	MOTION by Councilor Waldack to authorize the City Manager to enter into a contract with Astorino for the design of the new Utility Operation Building at a not to exceed cost of \$484,130 and authorize the City Manager to execute the contract. Second by Councilor Gibson.	No	Yes	No	Yes	No	Yes	Yes	4-3	
DISCUSSION – Award of Contract for Design of Phase III Reclaimed Water Production Facility	MOTION by Councilor Gibson to defer this matter until the January 20, 2009 meeting. Second by Councilor Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Award of Contract for Vacuum Truck	MOTION by Vice-Chair Recker to table this matter until the January 20, 2009 meeting. Second by Councilor Kiester.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
Agenda Item – January 20, 2009	Motion	Forcht	Gibson	Kiester	Popoff	Recker	Trotter	Waldack	Passed	Failed
RESOLUTION – A Resolution Urging the Florida Legislature to Support Key Issues During the 2009 Legislative Session	MOTION by Councilor Kiester to approve the Resolution Urging the Florida Legislature to Support Key Issues during the 2009 Legislative Session. Second by Councilor Popoff.	Excused	Yes	Yes	Yes	Yes	Yes	Yes	6-0	
DISCUSSION – Approval of Capital Project Carry Forward – General Fund	MOTION by Councilor Kiester to approve a budget amendment to carry forward unexpended General Capital Projects funds to Fiscal Year 2009. Second by Councilor Gibson.	Excused	Yes	Yes	Yes	Yes	Yes	Yes	6-0	
DISCUSSION – Approval of Capital Project Carry Forward – Utility Fund	MOTION by Councilor Waldack to approve a budget amendment to carry forward unexpended Utility Capital Projects funds to approved Fiscal Year 2009 projects. Second by Councilor Gibson.	Excused	Yes	Yes	Yes	Yes	Yes	Yes	6-0	
DISCUSSION – Award of Contract for Design of Phase III Reclaimed Water Production Facility	MOTION by Councilor Waldack to authorize the City Manager to approve award of contract with Camp Dresser McKee, Inc. for \$554,060 for the design needed to complete the construction work for Phase III of the Reclaimed Water Production Facility. Second by Vice-Chair Recker.	Excused	Yes	No	Yes	Yes	Yes	Yes	5-1	



DISCUSSION – Award of Contract for Vacuum Truck	MOTION by Councilor Waldack to authorize the City Manager to purchase one Vactor Vacuum Truck from Environmental Products of Florida at the City of Tallahassee contract price of \$329,758. <u>Second by Councilor Popoff.</u>	Excused	Yes	No	Yes	Yes	Yes	Yes	Yes	5-1	
DISCUSSION – Award of Contract for Utility Rate Study	MOTION by Councilor Waldack to award a contract to Public Resources Management Group, Inc. (PRMG) to perform a Utility Rate Study for the City and authorize the City Manager and his staff to negotiate a scope of work, deliverables due date and fees. <u>Second by Councilor Gibson.</u>	Excused	Yes	No	Yes	Yes	Yes	Yes	Yes	5-1	
Agenda Item – February 2, 2009	Motion	Forcht	Gibson	Kiester	Popoff	Recker	Trotter	Waldack	Passed	Failed	
ORDINANCE – First Reading – New Administrative Construction Code – Local Amendments to Chapter 1, Florida Building Code	MOTION by Councilor Kiester to table this matter until the February 17, 2009 meeting. <u>Second by Vice-Chair Recker.</u> MOTION by Councilor Waldack to adopt the Ordinance on First Reading to Incorporate Local Amendments to the Florida Building Code. <u>Second by Councilor Forcht.</u>	MOTION WITHDRAWN FOLLOWING DISCUSSION									
ORDINANCE – First Reading – Amendment to Firefighters' Pension Plan	MOTION by Councilor Waldack to adopt on First Reading the Ordinance relating to the Amendment of the Firefighters' Pension Plan. <u>Second by Councilor Gibson.</u>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Request for Reduction in Code Enforcement Fines for 178 Hollyhock Court	MOTION by Councilor Waldack to accept the recommendation of the Marco Island Code Enforcement Board to reduce accrued fines at 178 Hollyhock Court to \$10,000.00, to require continued assessment of the administrative fee in the amount of \$150.00, and to require <u>payment of the total amount of \$3,150 within 30 days on or before March 4, 2009.</u> MOTION by Councilor Waldack to accept the recommendation of the Marco Island Code Enforcement Board to reduce accrued fines at 178 Hollyhock Court to \$9,000.00, to require continued assessment of the administrative fee in the amount of \$150.00, and to require payment of the total amount of \$9,150 within 30 days, on or before March 4, 2009. <u>Second by Councilor Popoff.</u>	MOTION FAILED FOR LACK OF SECOND									
DISCUSSION – Award of Contract for Bond Disclosure Counsel Service	MOTION by Vice-Chair Recker to award a contract to Gray Robinson to act as Disclosure Counsel for the City and authorize the City Manager and his staff to negotiate fees. Failure to agree upon those fees will result in negotiations with the next highest ranked firm. <u>Second by Councilor Waldack.</u>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Award of Contract for Bond Underwriting Service	MOTION by Councilor Waldack to award a contract to Bank of America to provide Bond Underwriting Service as Senior Manager with 65% of the issue amount and RBC Capital a contract to provide Bond Underwriting Service as Co-Manager with 35% of the issue amount. <u>Second by Chairman Trotter.</u>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Grant Opportunities Under Federal Economic Stimulus Plan	MOTION by Chairman Trotter to authorize staff to proceed with the Florida Department of Environmental Protection 319 Grant applications for the Swallow Avenue storm drain improvements (\$750,000), Marco Lake Drive improvements (\$300,000), and Manhole repairs (\$2,240,000) and provide the required matching funds from Construction Contingency, Capital Reserve or Emergency funds as necessary. <u>Second by Councilor Kiester.</u>	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	6-1	
DISCUSSION – Appointments to Charter Review Advisory Committee	MOTION by Councilor Forcht to nominate Mr. Jim Riviere to serve on the Ad Hoc Charter Review Advisory Committee. <u>Second by Councilor Popoff.</u>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Councilor Kiester to nominate Mr. David Rush to serve on the Ad Hoc Charter Review Advisory Committee. <u>Second by Councilor Popoff.</u>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Councilor Gibson to nominate Mr. Monte Lazarus to serve on the Ad Hoc Charter Review Advisory Committee. <u>Second by Councilor Popoff.</u>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Vice-Chair Recker to nominate Mr. Larry Magel to serve on the Ad Hoc Charter Review Advisory Committee. <u>Second by Councilor Popoff.</u>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Councilor Popoff to nominate Mr. Dick Shanahan to serve on the Ad Hoc Charter Review Advisory Committee. <u>Second by Councilor Kiester.</u>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Councilor Waldack to nominate Mr. Jack Patterson to serve on the Ad Hoc Charter Review Advisory Committee. <u>Second by Councilor Popoff.</u>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Chairman Trotter to nominate Mr. Joe Granda to serve on the Ad Hoc Charter Review Advisory Committee. <u>Second by Councilor Popoff.</u>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Award of Contract – Electric Municipalization Study	MOTION by Councilor Waldack to award WHH Enterprises a contract to undertake Phase I of the Electrical Municipalization Study, with assistance of the community Electric Municipalization Ad Hoc Advisory Committee for a not to exceed cost of \$4,700.00. <u>Second by Councilor Gibson.</u>	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
Agenda Item – February 17, 2009	Motion	Forcht	Gibson	Kiester	Popoff	Recker	Trotter	Waldack	Passed	Failed	



ORDINANCE – Second Reading & Public Hearing – New Administrative Construction Code – Local Amendments to Chapter 1, Florida Building Code	MOTION by Vice-Chair Recker to adopt on second reading the Ordinance amending the Administrative Construction Code incorporating local amendments to the Florida building code, modified to delete the amendment to Section 102.2.5, and eliminate the permit requirements for the replacement of hot water heaters that are replaced with the same or similar type of water heater in the same approximate place. Second by Councilor Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	No	6-1	
ORDINANCE – Second Reading – Amendment to Firefighters' Pension Plan	MOTION by Councilor Waldack to adopt on second reading, the Ordinance to provide for annual supplemental benefits funded only from the annual receipts of additional premium tax revenues mandated under Chapter 175, Florida Statutes. Second by Councilor Forcht.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
RESOLUTION – Public Hearing – CU-08-04, Conditional Use Approval for a New 3.5 Million Gallon Finish Water Storage Tank for Property Located at 415 Lily Court	MOTION by Councilor Waldack to approve the Conditional Use Permit Petition CU 08-04 to allow for construction of a new 3.5 million gallon water storage tank with the following condition that the existing internal access road will be realigned to the east as depicted as in "Option 1". Second by Vice-Chair Recker	No	Yes	Yes	No	Yes	Yes	Yes	5-2	
DISCUSSION – Award of Contract for Professional Services for Design of South Plant Finished Water Storage Tank	MOTION by Councilor Waldack to award contract to CH2M Hill for not to exceed \$349,336 for the design needed for a new finished water storage tank and other items required to be upgraded at the South plant. Second by Councilor Gibson.	No	Yes	No	Yes	Yes	Yes	Yes	5-2	
DISCUSSION – Award of Contract for Construction – Septic Tank Replacement Program Year 4 – Kendall & Mackle Park Sewer Districts	MOTION by Vice-Chair Recker to award the construction contract for the Mackle Park District in the amount of \$6,019,729.52 to Mitchell & Stark Construction Co., Inc., and award the construction contract for the Kendall District in the amount of \$6,538,983.86 to D.N. Higgins. Both awards of contract will be contingent upon both contractors waiving any objection or protest. Second by Councilor Waldack.	MOTION FAILED FOR LACK OF SECOND								
	MOTION by Chairman Trotter to authorize the City Manager to award the construction contract for Kendall Sewer District in the amount of \$6,069,449.84 to Mitchell & Stark Construction Co., Inc. based on low bid and contract execution being subject to completion of the dispute resolution process instigated by D.N. Higgins, Inc., and require that staff provide Council with a monthly list of all change orders for the project. Second by Councilor Popoff.	No	Yes	No	Yes	Yes	Yes	Yes	5-2	
	MOTION by Chairman Trotter to authorize the City Manager to award the construction contract for Mackle Park Sewer District in the amount of \$6,019,729.52 to Mitchell & Stark Construction Co., Inc. based on low bid and contract execution being subject to completion of the dispute resolution process instigated by D.N. Higgins, Inc., and require that staff provide Council with a monthly list of all change orders for the project. Second by Councilor Popoff.	No	Yes	No	Yes	Yes	Yes	Yes	5-2	
DISCUSSION – Award of Contract for Water Plant Standby Generator	MOTION by Councilor Waldack to award the North Water Treatment Plant 1.5 megawatt generator project to Coastal Service and Supply, Inc. for a cost of \$790,000 and authorize the City Manager to execute the contract documents. Second by Councilor Kiester.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Award of Contract for Storm Water Engineering Services	MOTION by Councilor Waldack to award contracts to Agnoli Barber, RWA, CDM, AECOM and Kimley-Horn for storm water engineering services for a term of three (3) years with an option for an additional three (3) year period. Second by Councilor Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
Agenda Item – March 2, 2009	Motion	Forcht	Gibson	Kiester	Popoff	Recker	Trotter	Waldack	Passed	Failed
RESOLUTION – Approval of Bank Line of Credit	MOTION by Councilor Waldack to approve the resolution accepting the proposal of Bank of America to provide a \$14,155,000 line of credit for interim financing of the Mackle Park and Kendall sewer assessment areas. Second by Chairman Trotter.	Yes	Yes	No	Yes	Yes	Yes	Yes	6-1	
DISCUSSION – Adoption of City Council Goals for Fiscal Year 2010	MOTION by Councilor Waldack to adopt the goals developed at the City Council Goal Setting Session of January 16, 2009, referenced in the report as Priority Objectives, and with this adoption ask the City Manager to incorporate these goals into the upcoming budget process. Second by Vice-Chair Recker.	No	Yes	Yes	Yes	Yes	Yes	Yes	6-1	
DISCUSSION – Funding of Community Grants Requests	MOTION by Councilor Popoff to award the Community Grants as recommended by the Parks & Recreation Advisory Committee, with \$6,962 for the Marco Island Police Foundation's Music Festival and \$6,500 for the Art League of Marco Island's "Celebrate the Arts" festival. Second by Councilor Waldack.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Selection of Forensic Audit Firm	MOTION by Vice-Chair Recker to authorize the City Manager to negotiate a contract with and engage the firm of James Moore & Company to conduct a forensic audit, under the direction of the City's Forensic Audit Ad-Hoc Committee, at a contract price not to exceed \$79,000, and direct staff to clarify the scope of services and terms of payment, with said contract subject to the City Attorney's approval. Second by Councilor Kiester.	No	Yes	Yes	Yes	Yes	No	No	4-3	
Agenda Item – March 16, 2009	Motion	Forcht	Gibson	Kiester	Popoff	Recker	Trotter	Waldack	Passed	Failed
DISCUSSION – Election of Chair and Vice-Chair	MOTION by Vice-Chair Recker to nominate Councilor Popoff for Council Chairman. Second by Councilor Gibson.	Following the nominations, Chairman Trotter called for the vote. Councilor Popoff received 7 affirmative votes and Councilor Gibson received 4 affirmative votes.								



DISCUSSION - Request to Reduce Code Enforcement Fines for Property Located at 1258 Mulberry Court	MOTION by Councilor Waldack to accept the recommendations of the Code Enforcement Board to reduce the fine for the property located at 1258 Mulberry Court to \$11,500, and if not paid in full in thirty (30) days, reinstate the original fine in the amount of \$29,750. Second by Vice-Chair Recker.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0		
ORDINANCE - First Reading of Ordinance to Provide Authority to Mitigate and Reduce Fines after Imposition of Lien	MOTION by Councilor Waldack to adopt on first reading the Ordinance to Provide Authority to Mitigate and Reduce Fines after Imposition of Lien. Second by Chairman Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0		
Agenda Item – May 18, 2009		Motion										
RESOLUTION – Public Hearing – Petition CU-08-05 – Marriott Ownership Resorts Requests a Conditional Use Permit to Amend Resolution 07-31 for Extension of Construction Completion Dates for Phases 2, 3, & Public Beach Access	MOTION by Councilor Gibson to adopt the Resolution relating to Petition CU-08-05 Marriott Ownership Resorts Requesting a Conditional Use Permit to Amend Resolution 07-31 for Extension of Construction Completion Dates for Phases 2, 3, & Public Beach Access. Second by Councilor Waldack.	No	Yes	6-1								
ORDINANCE – Second Reading & Public Hearing – Code Enforcement Board Ordinance to Provide Authority to Mitigate and Reduce Fines after Imposition of Lien	MOTION by Councilor Kiestler to adopt on Second Reading the Ordinance Providing the Code Enforcement Board Authority to Mitigate and Reduce Fines after Imposition of Lien. Second by Councilor Forcht. MOTION CARRIED UNANIMOUSLY 7-0.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0		
DISCUSSION – Appointments to Code Enforcement Board, Police Pension Board of Trustees, and Collier County Coastal Advisory Committee	MOTION by Councilor Kiestler to nominate Ms. Carol Glassman to the Code Enforcement Board. Second by Chairman Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0		
	MOTION by Councilor Trotter to nominate Mr. Tarik Ayasun to the Code Enforcement Board. Second by Vice-Chair Recker.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0		
	MOTION by Councilor Gibson to nominate Mr. Trigg Kuhn to the Police Pension Board of Trustees. Second by Chairman Popoff. (Ed. Note: voting results follow below.)											
	MOTION by Councilor Waldack to nominate Mr. Sal Soldano to the Police Pension Board of Trustees. Second by Vice-Chair Recker. (Ed. Note: voting results follow below.)											
	MOTION by Councilor Kiestler to nominate Ms. Patricia Walsh to the Police Pension Board of Trustees. Second by Councilor Forcht. (Ed. Note: voting results follow below.)											
	Following the nominations, the Chairman asked Council to vote for each candidate individually. Mr. Kuhn and Ms. Walsh received 2 affirmative votes and Mr. Soldano received 4 affirmative votes. MOTION by Councilor Kiestler to appoint Mr. Sal Soldano to the Police Pension Board of Trustees. Second by Chairman Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Councilor Forcht to nominate Victor Rios to the Collier County Coastal Advisory Committee. Second by Councilor Waldack.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Proposed Amendment to City Attorney Contract	MOTION by Councilor Forcht to accept the modified engagement proposal as presented. Second by Councilor Gibson.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0		
DISCUSSION – Award of Contract for Caxambas Bridge Repair	MOTION by Councilor Waldack to award the contract to Thomas Marine Construction, Inc. Second by Councilor Trotter.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0		
DISCUSSION – Award of Contract – Reverse Osmosis Membrane Elements Replacement	MOTION by Councilor Waldack to award the contract to Toray Membrane USA, Second by Councilor Trotter.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0		
Agenda Item – June 1, 2009		Motion										
ORDINANCE – Second Reading & Public Hearing – Provide Authority to Mitigate and Reduce Fines to the Code Enforcement Board	MOTION by Councilor Forcht to adopt on Second Reading the Ordinance Providing the Code Enforcement Board Authority to Mitigate and Reduce Fines after Imposition of Lien. Second by Councilor Kiestler.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0		
DISCUSSION – Iguana Abatement Program	MOTION by Councilor Forcht to authorize the City Manager to continue the Iguana Abatement Program and include this service in the budget for the upcoming year. Second by Councilor Waldack.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0		
DISCUSSION – Award of Contract for North Water Treatment Plant Standby Generator Installation	MOTION by Councilor Waldack to award the North Water Treatment Plant 1,600 kilowatt generator and switchgear installation project to Patrick's Electric Co. for a cost of \$174,037 and authorize the City Manager to execute the contract documents. Second by Councilor Trotter.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0		
DISCUSSION – Award of Contract for Engineering Services for Jolley Bridge Utility Relocation Project	MOTION by Councilor Waldack to award Kimley-Horn and Associates, Inc., the contract to undertake the design of the S.S. Jolley Bridge Utility Relocation Project for a not to exceed cost of \$89,000 and utilize the required capital contingency funds. Second by Councilor Trotter.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0		
DISCUSSION – Award of Contract for Winterberry Park Athletic Field Renovations	MOTION by Councilor Kiestler to award the contract to Boran Craig Barber Engel Construction Co., Inc. for the construction of a new baseball diamond and athletic field at Winterberry Park for a not to exceed amount of \$222,522. Second by Councilor Waldack.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0		
DISCUSSION – Award of Contract for Annual Financial Audit Services	MOTION by Vice-Chairman Recker to table this matter until the July 20, 2009 meeting. Second by Councilor Forcht.	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes	6-1		
DISCUSSION – Award of Contract for Land Management and Building Permitting Software and Related Hardware	MOTION by Councilor Trotter to table this item until the budget workshop. Second by Chairman Popoff.	Yes	No	No	Yes	Yes	Yes	No	No	4-3		



	MOTION by Councilor Forcht to reconsider Item 8(G). Second by Councilor Waldack.	Yes	Yes	Yes	No	No	No	Yes	4-3	
	MOTION by Councilor Forcht to table this matter until a future work session (date uncertain). Second by Councilor Gibson.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
COUNCIL / CITY MANAGER COMMUNICATIONS AND DISCUSSION	MOTION by Vice-Chairman Recker to nominate Mr. Joe Batte to the Code Enforcement Board. Second by Chairman Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
Agenda Item – June 15, 2009	Motion	Forcht	Gibson	Kiester	Popoff	Recker	Trotter	Waldack	Passed	Failed
COMMUNITY FORUM	MOTION by Councilor Kiester to transfer up to \$500.00 from City Council Contingency Fund to pay for any permit fees required by family of Olivia Davis for home modifications. Second by Councilor Waldack.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Dumas Litigation	MOTION by Vice-Chairman Recker to direct legal counsel to terminate litigation in the case of City of Marco Island vs. David Dumas. Second by Councilor Waldack.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Land Management and Building Permitting Software	MOTION by Vice-Chairman Recker to authorize the City Manager to negotiate a contract with EnerGov Solutions for purchase and installation of Land Management and Building Permitting Software for an amount not to exceed \$103,022 subject to the requirement that the software integrates compatibly with the City's financial accounting system. Second by Councilor Waldack.	No	Yes	Yes	Yes	Yes	Yes	Yes	6-1	
RESOLUTION – Amendment to Mackle Park Septic Tank Replacement Program Assessment Area	MOTION by Councilor Kiester to approve the Resolution Amendment for the Mackle Park Septic Tank Replacement Program Sewer Assessment Area. Second by Councilor Forcht.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
RESOLUTION – Establish Dog Park Policies and Rules	MOTION by Councilor Gibson to approve the Resolution to Amend the Established Dog Park Policies and Rules. Second by Councilor Waldack.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Consideration of Dog Park Name	MOTION by Councilor Gibson to accept "Canine Cove" as the official name for the off-leash dog park at Mackle Park. Second by Chairman Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Setting Maximum Ad Valorem Tax Levy for FY 2010	MOTION by Vice-Chair Recker to direct the City Manager to certify a maximum ad valorem tax rate for the operating tax levy for 2009 (Fiscal Year 2010) at 1.855 mils (Option 5) and a debt service millage rate of 0.10 mils for a total of 1.955. Second by Councilor Trotter.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Award of Contract for Bald Eagle Bike Lane Widening	MOTION by Councilor Waldack to authorize the City Manager to award a contract to Better Roads, Inc. for the amount of \$145,495.10 for the Bald Eagle Drive Bike Lane Widening project. Second by Councilor Gibson.	No	Yes	No	No	Yes	Yes	Yes	4-3	
DISCUSSION – Funding of Community Grants Requests	MOTION by Councilor Trotter to award the Community Grants as recommended by the Parks and Recreation Advisory Committee, with \$2,060 for the Marco Island Foundation for the Arts, Inc., and not to exceed \$2,500 for the 2009 Marco Island Fireworks Display. Second by Councilor Waldack.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Purchase of Budgeted ALS Fire Engine	MOTION by Councilor Waldack to authorize the City Manager to enter into contract with Pierce Manufacturing/Ten-8 Equipment for the acquisition of a new ALS Fire Engine. Second by Vice-Chairman Recker.	No	Yes	No	Yes	Yes	Yes	Yes	5-2	
RESOLUTION – Fire Station Construction Grant	MOTION by Councilor Waldack to adopt the resolution and authorize the City Manager to apply for, submit and administer grant funding for the Assistance to Firefighters Fire Station Construction Grant, to execute all necessary grant documents, and to utilize construction contingency funding to finance the design/build documents. Second by Vice-Chairman Recker.	No	Yes	No	Yes	Yes	Yes	Yes	5-2	
DISCUSSION – Approval of Veterans' Community Park Design	MOTION by Vice-Chairman Recker to Adopt the Veterans' Community Park Master Plan and Report, and direct the City Manager to study and recommend funding opportunities. Second by Councilor Trotter.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Councilor Trotter to direct staff to execute Phase I of the Veterans' Community Park Plan with estimated cost of not to exceed \$50,000. Second by Councilor Waldack.	No	Yes	No	Yes	Yes	Yes	Yes	5-2	
Agenda Item – July 20, 2009	Motion	Forcht	Gibson	Kiester	Popoff	Recker	Trotter	Waldack	Passed	Failed
RESOLUTION – Ten-Year Water Supply Facilities Work Plan	MOTION by Councilor Kiester to approve the Resolution for the proposed Ten-Year Water Supply Facilities Work Plan. Second by Councilor Gibson.	Yes	Yes	Yes	Yes	Yes	Excused	Yes	6-0	
ORDINANCE – Second Reading & Public Hearing – An Ordinance Amending the Comprehensive Plan	MOTION by Vice-Chair Recker to approve on Second Reading the Ordinance to amend the City's Comprehensive Plan, incorporating the Ten-Year Water Supply Facilities Work Plan by reference, and to authorize the City Manager to transmit the adopted amendments to the Florida Department of Community Affairs and required review agencies, in the manner prescribed by Florida Statutes, amended to incorporate the corrections suggested. Second by Councilor Kiester.	No	Yes	Yes	Yes	Yes	Excused	Yes	5-1	
ORDINANCE – First Reading – An Ordinance to Allow Conversion of Septic Tanks to Cisterns	MOTION by Councilor Forcht to adopt on first reading the proposed ordinance change to City Code Section 18-80. Second by Vice-Chair Recker.	Yes	Yes	Yes	Yes	Yes	Excused	Yes	6-0	
RESOLUTION(S) – Bond Resolutions: North Barfield Sewer Assessment District, North Marco Sewer Assessment District, Old Marco Sewer Assessment District and West Winterberry	MOTION by Vice-Chair Recker to approve the Bond Resolution for the West Winterberry Sewer Assessment District in the amount of \$2,450,000. Second by Councilor Waldack.	Yes	Yes	No	Yes	Yes	Excused	Yes	5-1	



RESOLUTION – Preparation and Submission of Tax Roll	MOTION by Councilor Waldack to approve the Resolution directing the preparation of the non-ad valorem tax roll and submission to the Collier County Tax Collector. Second by Vice-Chair Recker.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
RESOLUTION – Annual Level of Service Report for 2009	MOTION by Councilor Waldack to accept the attached Annual Level of Service Report and accompanying Resolution at First Reading, and to schedule the resolution for final consideration at Second Reading following a public hearing on August 17, 2009. Second by Vice-Chair Recker.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Electric Franchise Fee Status	MOTION by Vice-Chair Recker to terminate the Lee County Electric Cooperative Franchise Fee Agreement at the end of the fiscal year. Second by Councilor Forcht.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
COUNCIL COMMUNICATIONS AND FUTURE AGENDA	MOTION by Councilor Kiestler to reconsider the vote on the Key Marco Collection System. Second by Chairman Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Councilor Kiestler to approve the Interlocal Agreement for Key Marco Collection System. Second by Councilor Waldack.	Yes	No	Yes	Yes	No	No	Yes	Yes	4-3	
Agenda Item – August 17, 2009	Motion	Forcht	Gibson	Kiestler	Popoff	Recker	Trotter	Waldack	Passed	Failed	
RESOLUTION – Public Hearing – Annual Level of Service Report for 2009	MOTION by Councilor Waldack to accept the attached 2009 Annual Level of Service Report and accompanying Resolution on Second Reading, with direction to forward the report to the Department of Community Affairs. Second by Councilor Trotter.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
RESOLUTION – Public Hearing – Vacation of Elkcam Circle Right-of-Way	MOTION by Councilor Waldack to approve the Resolution to vacate a portion of the Elkcam Circle right-of-way as described in Exhibit A and recommended by the Marco Island Planning Board. Second by Councilor Trotter.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
RESOLUTION – Support for Florida Classification of Waterbodies	MOTION by Councilor Waldack to table this item until the September 8, 2009 meeting. Second by Councilor Forcht.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Modification of STRP Schedule	MOTION by Councilor Waldack to create the remaining Septic Tank Replacement Program Districts; complete the construction design; bid the districts; and provide award of contracts to Council for consideration. Second by Vice-Chair Recker.	No	Yes	No	No	No	Yes	Yes	Yes		4-3
DISCUSSION – Creation of Audit Review Committee	MOTION by Councilor Gibson to authorize the creation of the Audit Advisory Committee, as proposed in the attached scope of responsibilities and amend the scope of responsibilities for the committee to include the review of the financial process and internal controls. Second by Councilor Trotter.	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes	6-1	
Council Appointments to Audit Advisory Committee	MOTION by Councilor Forcht to nominate Mr. Amadeo Petricca to serve on the Audit Advisory Committee. Second by Councilor Gibson.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Councilor Gibson to nominate Mr. Ron Saffin to serve on the Audit Advisory Committee. Second by Councilor Trotter.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Councilor Trotter to nominate Mr. Tom Kirstein to serve on the Audit Advisory Committee. Second by Councilor Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Chairman Popoff to nominate Mr. Ray Beaufort to serve on the Audit Advisory Committee. Second by Councilor Forcht.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Creation of (and appointments to) Ad Hoc Utilities Advisory Committee	MOTION by Councilor Waldack to authorize the creation of an Ad Hoc Utility Advisory Committee, as proposed in the attached scope of responsibilities, (and each Council member shall nominate one citizen to serve on the committee), amended to require Items 1 and 2 under the suggested committee objectives due at the first meeting of December. Second by Councilor Trotter.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
Council Appointments to Ad Hoc Utilities Advisory Committee	MOTION by Councilor Gibson to nominate Jose Granda to the Ad Hoc Utilities Advisory Committee. Second by Chairman Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Vice-Chair Recker to nominate Larry Magel to the Ad Hoc Utilities Advisory Committee. Second by Chairman Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Councilor Trotter to nominate John Arceri to the Ad Hoc Utilities Advisory Committee. Second by Chairman Popoff.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Councilor Waldack to nominate Don Henderson to the Ad Hoc Utilities Advisory Committee. Second by Councilor Waldack.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
	MOTION by Chairman Popoff to nominate Ken Honecker to the Ad Hoc Utilities Advisory Committee. Second by Councilor Gibson.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
DISCUSSION – Appointment to School Concurrency Advisory Committee	MOTION by Vice-Chair Recker to appoint Ms. Tara Hagan to the School Concurrency Advisory Committee. Second by Councilor Kiestler.	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	7-0	
Agenda Item – September 8, 2009	Motion	Forcht	Gibson	Kiestler	Popoff	Recker	Trotter	Waldack	Passed	Failed	
DISCUSSION – Special Event Permits for the Esplanade	MOTION by Vice-Chair Recker to approve the continuation of special events at the Esplanade at 56 events per year, consistent with the requirements and restrictions of the approved and recorded Development Agreement. Second by Councilor Forcht.	Yes	Yes	No	Yes	Yes	No	Yes	Yes	5-2	



DISCUSSION – Award of Contract for Reuse Facility Phase 3 Construction	MOTION by Councilor Waldack to authorize the City Manager to execute a contract with Cardinal Contractors, Inc. in the amount \$4,655,279 for the construction of the Phase 3 upgrade to the Marco Island Wastewater Production Facility. Second by Chairman Popoff.	No	Yes	No	Yes	Yes	Yes	Yes	5-2	
DISCUSSION – Award of Contract – Reuse Facility Phase 3 Oversight	MOTION by Councilor Waldack to authorize the City Manager to execute a Purchase Order under the Engineering Contract with Camp, Dresser & McKee for Phase 3 Reclaimed Water Production Facility Construction Oversight for a not to exceed fee of \$383,820. Second by Councilor Trotter.	No	Yes	No	Yes	Yes	Yes	Yes	5-2	
COUNCIL COMMUNICATIONS AND FUTURE AGENDA	MOTION by Councilor Kiester to reconsider the disposition of electric franchise fees concerning the transfer of \$400,000 to be used for undergrounding of the three phase power along Elkcam Circle. Second by Councilor Forcht.	Yes	No	Yes	Yes	No	No	No		4-3
Agenda Item – December 7, 2009	Motion	Forcht	Gibson	Kiester	Popoff	Recker	Trotter	Waldack	Passed	Failed
San Marco Street Lights	MOTION by Councilor Waldack to authorize the City Manager to transfer the ownership of the 63 lights on San Marco to LCEC and to enter into an agreement with LCEC for a monthly flat charge per light for electricity and maintenance. Second by Councilor Trotter.	Yes	Yes	Yes	Excused	Yes	Yes	Yes	6-0	
Marco Island Historical Society	MOTION by Councilor Waldack to send a letter of intent to the County to match funding up to \$350,000 contingent upon the County matching funds. Second by Councilor Forcht	Yes	No	Yes	Excused	Yes	Yes	Yes	5-1	
ORDINANCE – Second Reading & Public Hearing – Amendment to Comprehensive Plan, Capital Improvement Elements	MOTION by Councilor Kiester to adopt the ordinance on second reading amending the City's Comprehensive Plan to incorporate the approved schedule of capital improvements for the years 2010-2014. Second by Councilor Waldack.	Yes	Yes	Yes	Excused	Yes	Yes	Yes	6-0	
ORDINANCE – First Reading – An Ordinance to Create a Utility Oversight Board	MOTION by Councilor Waldack to pass on first reading the ordinance providing for the creation of a new standing committee to be known as the "Utility Oversight Board," and to transfer the required funds for FY10 from the City Council contingency fund. MOTION FAILED DUE TO LACK OF SECOND.									
	MOTION by Councilor Trotter to adopt on first reading the ordinance providing for the creation of a new standing committee to be known as the "Utility Oversight Board," and to transfer the required funds for FY10 from the City Council contingency fund, and incorporate amendments recommended by City Financial Advisor John White. Second by Councilor Waldack.	No	Yes	No	Excused	Yes	Yes	Yes	4-2	
DISCUSSION – FY2011 Budget Process Review	MOTION by Councilor Waldack to adopt the budget process review as presented (FY11 Budget Process and Calendar). Second by Councilor Forcht.	Yes	Yes	Yes	Excused	Yes	Yes	Yes	6-0	
DISCUSSION – Approval of Purchase of Fire Department Air Pack System	MOTION by Councilor Forcht to authorize the City Manager to execute the purchase agreements for the acquisition and installation of new Scott self-contained breathing apparatus (SCBA), breathing air cascade station and firefighter communication units. Second by Councilor Waldack.	Yes	Yes	Yes	Excused	Yes	Yes	Yes	6-0	
Final Assessment Resolution – Copperfield Assessment Area	MOTION by Councilor Waldack to approve the Final Assessment Resolution for the Copperfield Assessment Area. Second by Councilor Forcht.	No	Yes	No	Excused	Yes	Yes	Yes	4-2	
Final Assessment Resolution – Goldenrod Assessment Area	MOTION by Councilor Forcht to approve the Final Assessment Resolution for the Goldenrod Assessment Area. Second by Councilor Waldack.	No	Yes	No	Excused	Yes	Yes	Yes	4-2	
Bond Resolution – Copperfield Assessment Area	MOTION by Councilor Trotter to approve the Bond Resolution for the Copperfield Assessment Area. Second by Councilor Waldack.	No	Yes	No	Excused	Yes	Yes	Yes	4-2	
Bond Resolution – Goldenrod Assessment Area	MOTION by Councilor Waldack to approve the Bond Resolution for the Goldenrod Assessment Area. Second by Councilor Trotter.	No	Yes	No	Excused	Yes	Yes	Yes	4-2	
Resolution Authorizing Application for State Revolving Loan Funds for Copperfield and Goldenrod Assessment Areas	MOTION by Councilor Gibson to approve the Resolution Authorizing application for State Revolving Loan Funds for Copperfield and Goldenrod Assessment Areas. Second by Councilor Waldack.	No	Yes	Yes	Excused	Yes	Yes	Yes	5-1	
RESOLUTION – Florida Classification of Water Bodies	MOTION by Councilor Trotter to approve the Resolution opposing the proposed creation of new designated uses for Florida waters by the Florida Department of Environmental Protection (FDEP). Second by Councilor Gibson.	Yes	Yes	Yes	Excused	Yes	Yes	Yes	6-0	
DISCUSSION – Approval of Community Grants and Service Awards	MOTION by Councilor Waldack to award community grants as recommended by the Parks and Recreation Advisory Committee. Second by Councilor Kiester.	Yes	Yes	Yes	Excused	Yes	Yes	Yes	6-0	
DISCUSSION – Award of Contract – Mackle Park Athletic Field Lighting	MOTION by Councilor Waldack to award the contract to Musco Lighting for the construction of new athletic field lighting at Mackle Park in the amount of \$149,591. Second by Councilor Kiester.	Yes	Yes	Yes	Excused	Yes	Yes	Yes	6-0	
DISCUSSION – Eligibility Study for Community Redevelopment Area	MOTION by Councilor Kiester to accept the Town Center Community Redevelopment Area finding of Necessity and authorize the City Manager to proceed with completion of tasks necessary for creation of the CRA including briefing of Collier County representatives on the proposed CRA, preparation of a resolution formally approving the Finding of Necessity, and creation of a draft ordinance to establish the CRA. Second by Councilor Waldack.	Yes	Yes	Yes	Excused	Yes	Yes	Yes	6-0	