

# CITY OF MARCO ISLAND

## Office of the City Manager

50 Bald Eagle Drive  
Marco Island, Florida 34145  
239-389-5000



## WEEKLY UPDATE

To: City Council  
From: Steven T. Thompson, City Manager  
Date: November 12, 2009

This *Weekly Update* is intended to provide timely and regular information for the City Council, and often includes substantive and critical information. City staff works to avoid surprises and to ensure that the City Council is informed on issues and able to respond to citizens. Copies are also provided through the City's website for the community. Items that are marked with an asterisk (\*) are updates from a previous City Council Meeting.

## CITY MANAGER

**Employee Commendations.** We received an email from resident Bob Abrams expressing, "I worked with several people from planning and zoning, water and sewer, code violations, building department and others, and everyone that I spoke with and/or met with was amazingly helpful, caring and thorough." He continues, "special accolades to: Liz Carr, Eric Wardle, Betty Larson, Sandy Moore and Keith Shinabarger. What a refreshing change from the typical bureaucratic governments that we citizens typically perceive, keep up the great work in serving our community."

**School Partnerships.** Early in the summer Councilor Recker requested, through City Council, that City staff work with representatives of Island schools to enhance communications and relationships in the best interests of the students. Due to the summer and fall schedule for schools this has taken extra time to bring together, but the attached report summarizes these discussions and efforts. (Attachment)

- \* **Burrowing Owls at Veterans' Community Park.** During Monday's City Council meeting during the discussion about the proposed high school plan a public comment was made by a resident indicating that improper management of protected species occurred by the City, specific to burrowing owls on Veterans' Community Park property. The City did receive a permit from Florida Fish & Wildlife Conservation Commission (FWC) in 2008 to remove the inactive burrow on Veterans' Community Park. FWC can only issue a permit to remove an inactive burrow outside the nesting season and if construction is imminent. Nancy Richie, the environmental specialist for the City, has provided information to correct the resident's claim. (Attachment)

**Comcast Cablevision, Channel 98 Viewing.** Several residents have contacted the City to express frustration with Comcast Cablevision for no being able to view the City government channel, 98. The problem is associated with customers updating to digital cable boxes. Comcast told us today that they would have a resolution to the problem by Wednesday of next week. Currently less than 200 homes are affected.

## **PUBLIC WORKS**

**Linear Park Trail Project.** Councilman Trotter and Commissioner Fiala worked very hard to get the Linear Park Trail Project ranked as the number 1 Transportation Enhancement by the Collier County MPO Board for funding in FY11/12. This project is the construction of a shared use path between the San Marco Road/ Tennis complex to Mackle Park along the power line easement. The linear park trail will provide an off-road enhanced pedestrian and bicycle pathway interconnection between recreational (tennis and Mackle Park), cultural (library and new museum) and government facilities (City Hall complex).

The City received a call this week from FDOT advising the City that the department is prepared to accelerate the funding for this project in FY10. Based on the City's past track record of managing funded projects, getting projects completed on time, and recent funding availability, the FDOT is willing to move this No. 1 ranked project forward quickly. The grant is for \$210,000. To comply with the DOT funding requirements, the City must move forward with completing the current 95% design by March 1, 2010, at a cost to the City of approximately \$40,000. The FY10 bike pathways budget item has sufficient funds to cover this expenditure. This item will be formally presented to City Council on January 4, 2010.

Special thanks must be given to Councilman Trotter and to the City support team of Jim Miller, Tim Pinter and Leslie Sanford. (Attachment)

Please call me at 389-5001 if you have questions, and I always appreciate your service to this City.

A handwritten signature in black ink, appearing to read "St. Thompson".

Steven T. Thompson, City Manager



# THE CITY OF MARCO ISLAND

50 BALD EAGLE DRIVE  
MARCO ISLAND, FL 34145  
PHONE: 239-389-5000  
FAX: 239-389-4359

## MEMORANDUM

Date: October 22, 2009  
To: Chairman Popoff and City Councilors  
From: Steven T. Thompson, City Manager  
Re: City and Educational Community Strategic Plan Process

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### **BACKGROUND**

Councilor Recker requested, through City Council, that City staff work with representatives of Island schools to enhance communications and relationships in the best interests of the students. If successful this program could be expanded to include schools attended by Marco Island students that are located off the Island.

### **PROCESS**

City staff initiated a series of meetings between representatives of Island schools and key staff members to create a strategic plan. City staff met with Dr. Clinton Bunke, an educational strategic planner living on Marco Island, and developed a vision of "*Creating the most desirable future we can design for this City/Community for the educational component.*" City administration and department directors met with the principals and representatives of Tommie Barfield Elementary School, Marco Island Charter Middle School, First Baptist Learning Center, and the Island Montessori Academy. The first session was to generate agreement to the vision and discuss the processes that would be used. During the meeting the participants brainstormed some of the critical areas to be addressed. These included:

- Children's programs during and after school.
- Facility usage.
- Training needs.
- Security and Emergencies.
- Communications.
- Other.

The topic headings were included in handouts and the participants were asked to list their ideas of particular interest or concern and return the completed handout to City staff. City staff then compiled the lists and redistributed to all participants prior to a second planning meeting. A second meeting was held to confirm and review the list for viability and to eliminate previously resolved issues, misunderstandings and duplications.

### **OUTCOME**

All participants from City staff and the educational community are exceedingly enthusiastic about the potential of this partnership. All agree this new relationship will foster strong

community ties and result in a positive impact on our students and the educational community of Marco Island. There will be a series of ongoing meetings between the key participants, staff members, and interested individuals to bring to fruition completion of the many goals and initiatives being discussed. Positive results of these partnership meetings have been immediate. A number of Information technology and communication issues have been resolved and implemented.

Fire Chief Murphy has been an enthusiastic participant in the process, and has agreed to keep these meetings and this dialogue moving forward. Attached is a draft copy of the Defined Objectives by Topic for the near-term and the long-term developed at the second meeting, as well as copies of the initial draft brainstorming sheets.

Sincerely,

A handwritten signature in black ink, appearing to read 'Steven T. Thompson', with a stylized, cursive script.

Steven T. Thompson  
City Manager

cc: Jory Westberry, Tommie Barfield Elementary School  
George R. Abounader, Marco Island Charter Middle School  
T. J. Freeman, First Baptist Learning Center  
Lisa Nguyen Baldwin, Island Montessori Academy

## **DEFINED OBJECTIVES BY TOPICS**

### **GENERAL**

#### **COMMUNICATIONS**

- The group all agreed that communications between all in the past was lacking. This core group quickly identified weaknesses and strengths in communications. Through meetings, email, and identification of key individuals the communication shortfalls have been improved.
- A communications link and resource directory has been established between the key representatives. Individuals have been identified for specific tasks as well as contacts between the various agencies.

#### **TIMELINES AND CALENDARS**

- The group identified better utilization of resources by establishment of a common calendar. Better coordination could be achieved through calendar utilization and understanding of deadlines and programs and objectives that all share. A good example of this is the FCAT requirements, early release days, and how all the schools plan the upcoming year's calendar and programming requirements during the spring. Therefore, both the City and schools jointly can begin working on inserting programs for next year in this upcoming spring's planning calendars.

#### **INFORMATION TECHNOLOGY**

- There was a realization by the group of the great potential for utilization of information technology and the mass media resources existing in both the schools and the City that can be shared.

#### **HUMAN RESOURCES**

- There exists within the schools and the City a human resource component of speakers, talent, and volunteers that could be shared and a benefit to all if coordinated.

### **SPECIFIC AREAS**

- **Children's programs during school.**
  - Next year Fire Prevention Week and City based programs will be moved to a less busy month of school requirements such as January. City staff learned that October, November and December are extremely busy timeframes for the schools and outside programs are lost.
  - City staff will participate as speakers on the morning news programs for the schools. Additionally, the high school, middle school and elementary audio visual students could actually do short informational videos of City departments that could be aired in all schools.
  - A career educational based vocational technical program could be developed for high school students to introduce them to Police, Fire, and government based careers for community service or educational credits.
  - A common school speaker's resource list will be developed with individuals, experts, and programs to be utilized by all schools. This list would include City

staff and the wealth of talented individuals, parents, teachers, and community members who may have an interest in this program.

- The schools requested more visits by Police and Fire, especially at the elementary school level. These efforts would be coordinated by the school administrators.
- Development of a better bike registration program for students to help reunite them with lost or stolen bicycles.
- **After School Programs**
  - Teen Fire/Police Academy will continue.
  - The City Recreation Department and the Marco Island Charter Middle School have a need for tutors. This shared information led to the possible utilization of high school students to assist and the opportunity for City and other school staff to assist.
  - Targeted areas of police presence where students gather after school were identified. A common approach to the handling of this issue was discussed.
  - The group identified how they could better coordinate the rotating sports programs throughout the year. This led to discussion on how coordination of youth programs could lead to better utilization of facilities available to use.
  - A common calendar of programs available could lead to better resource utilization of all agencies throughout the year.

## **FACILITY USE**

- The group discussed space availability at their facilities and criteria for utilization.

## **TRAINING**

- All schools indicated that they would appreciate the following training availabilities for teachers and in some cases students.
  - CPR, First Aid and AED.
  - How to handle potential school violence.
  - A comprehensive anti bullying/harassment program.
  - A respect for each other program.
  - A school neighborhood watch training program.
  - Crisis simulation.
  - Critical Incident Stress Management.

## **SECURITY AND EMERGENCIES**

- A general consensus of more Police and Fire presence at the schools. In particular continuation of contact with the School Resource Officer.
- Have Police and Fire personnel walk through schools on a more regular basis for familiarization with the schools and their security systems.
- Look into the enhancement of the information and security technology between the schools and our police department.

- Planning of drills to simulate crisis situations at specific times throughout the year so that teachers and students can be better prepared.
- Have Fire Rescue work with school nurse and school clinic volunteers to coordinate information and medical response needs.
- Better communication with Police and Fire as to when and how they should be called.

## **COMMUNICATIONS**

- Create and maintain contact list for key individuals in all agencies.
- Create links between all websites.
- Coordinate and send out monthly emails concerning events and updates.
- Create a central calendar outlining events and activities occurring during the year.
- Coordinate and share existing Audio Visual resources and talents of students
- On issues related to City and schools utilize City television and web site.
- Establish strong communication links between schools.
- Student Interviews of City staff, Council members and community leaders for broadcast.

## **OTHER**

- Display student projects and art at City locations.
- Insure that City leaders and educators have an understanding of each others needs and resources.
- Are there any surplus items from the City that can be utilized by the schools and/or students?
- Identify at risk students and/or families that potentially can benefit from City staff, services or social organizations.
- Core group of all schools and City to work on upcoming school year's calendar in spring. This group will identify programs, projects and facility usage that can be implemented during the next school year.

## **CONCLUSION**

A door of opportunity has been opened that can benefit our children in the educational community. The partnership and sharing between our schools and our City staff will lead to better utilization of resources as well as improvement in the many programs that we currently offer. This group will continue to meet and foster bonds and relationships with a common goal. A calendar will be set up for ongoing meetings.

## BURROWING OWL NEST PROTECTION GUIDELINES AND PROCEDURES IN URBAN AREAS

The Florida burrowing owl (*Athene cunicularia floridana*) is listed by the State of Florida, Fish and Wildlife Conservation Commission (Commission) as a Species of Special Concern (Florida Administrative Code [F.A.C.] 68A-27.005). This classification means that the burrowing owl has a high vulnerability to factors that may lead to its becoming a threatened species in the absence of appropriate protection or management. As a Species of Special Concern, it is illegal to take (pursue, hunt, capture, molest, or kill) burrowing owls and their nest burrows and eggs without a permit issued by the Executive Director of the Commission (68A-9.002 & 68A-27.005 F.A.C.). Burrowing owls and their nests are also afforded protection under the Federal Migratory Bird Treaty Act. Rules promulgated under this act (Title 50, Code of Federal Regulations, Part 21) prohibit the destruction of active (i.e., nests which contain eggs or flightless young) nests without a federal permit, which is issued by the U.S. Fish and Wildlife Service Regional Office in Atlanta, Georgia.

The Commission's policy is to issue permits to destroy burrowing owl nest burrows only as a last resort, after all reasonable alternatives (such as realigning development to avoid the nest) have been shown to be impractical. When such permits are issued, they apply only to inactive nests (i.e., burrows containing no eggs or flightless young). Burrowing owl nests can generally be considered inactive from 10 July to 15 February, although some nesting occurs as early as October each year. Between 15 February and 10 July, burrows attended by one or more burrowing owls are considered active nests unless information is available to suggest otherwise (i.e., proof that young fledged from the nest prior to 10 July).

Burrowing owls often nest on vacant lots in rapidly developing suburban areas. In these areas, home construction is a major cause of burrow destruction. However, Commission studies in Cape Coral, Lee County, have shown that if development is conducted in such a way that the area within 50 ft of the burrow is protected from disturbance, nesting is seldom interrupted. No Commission permit is needed to build a home on a lot when at least a 50-ft radius circle can be provided around the burrow, but cautionary measures must be taken to guard against accidental destruction of the nest. A larger buffer, ideally 150 ft, will decrease chances the nest burrow will be adversely impacted. We recommend that the buffer circle around the burrow entrance be staked and roped-off prior to initiating construction. Sod may be laid within the protected area outside the "active" nesting period, but the burrow entrance must be left open. Plugging the burrow entrance or causing the burrow to collapse would effectively destroy the nest, and as such, require a permit. As a cautionary measure, we recommend that after completion of the home, the homeowners place a T-perch (see enclosed brochure) near the burrow or stake-off the area around the burrow to prevent someone from accidentally stepping into the entrance.

At present, the Commission has no guidelines for management of burrowing owls in other than urban/suburban areas. Protection criteria for these situations, or situations where numerous burrows will be impacted, will be developed on a case-by-case basis.

*To request a permit to take a burrowing owl nest, submit an application packet to the Protected Species Permit Coordinator, Species Conservation Planning Section, Florida Fish and Wildlife Conservation Commission, 620 South Meridian St., Mail Station 2A, Tallahassee, FL 32399-1600, (850) 921-5990, ext. 17310, Fax (850) 921-1847. The packet must contain: (1) a complete application stating the location of the burrow(s), (2) a statement as to why the burrow(s) must be destroyed (i.e. nest burrow conflicts with proper installation/functioning of a structure or prohibits construction in a certain manner) in detail, (3) a detailed site plan or scaled diagram of the property that clearly indicates the location of the burrow(s) and it's proximity/distance to the proposed structure/construction activity, and (4) a statement of mitigation measures that will be enacted to offset the loss of nesting habitat for this species. Federal permits are required only if the nest is active (i.e., has flightless young or eggs present). Please contact Special Law Enforcement Agent in charge, U.S. Fish and Wildlife Service.*



State of Florida Fish and Wildlife Conservation Commission
Division of Habitat and Species Conservation

MIGRATORY BIRD NEST REMOVAL PERMIT APPLICATION

(Please Print or Type)

Applicant Name \_\_\_\_\_ Date of Application \_\_\_\_\_

Affiliation \_\_\_\_\_

Mailing Address \_\_\_\_\_

Telephone Number(s): \_\_\_\_\_
Voice line \_\_\_\_\_ Fax \_\_\_\_\_ Email address \_\_\_\_\_

Applicant Signature \_\_\_\_\_

Certification: I hereby state and confirm by signature that the information submitted in this application and supporting documents is complete and accurate to the best of my knowledge and belief. I understand that any false statement herein may subject me to criminal penalties. I further state that I will abide by all applicable State, Federal, and local laws. Finally, I hereby confirm by signature that representatives of the Florida Fish and Wildlife Conservation Commission (Commission) have my permission as the applicant and that of the landowner(s) to enter on and inspect the property(ies) described in the application for all reasonable purposes pertaining to applicable Commission rules.

Bird species: Burrowing Owl\* \_\_\_\_\_ Osprey \_\_\_\_\_ Other \_\_\_\_\_

Did you previously have a state permit for the proposed work at this site? \_\_\_\_\_ Permit number \_\_\_\_\_

Nest information:

Number of nests or burrows to be removed \_\_\_\_\_ Duration of work \_\_\_\_\_

Location of nest (i.e., what structure [light pole, tree, tower etc.] block, lot, street address, city, county, Township/Range/Section [T,R,S]): \_\_\_\_\_

Are eggs or flightless young present? Yes/No Are any adult birds present? Yes/No. How many? \_ You must also contact Special Agent in Charge, US Fish and Wildlife Service, 1875 Century Boulevard, Atlanta, GA 30345, (404) 679-7049 for a federal permit, if any eggs and/or flightless young are in the nest.

Has an environmental consultant or other trained or experienced person inspected the nest(s) or owl burrow (s)? Yes/No. If yes, please provide written confirmation of the inspection from the environmental consultant or other trained individual (indicating they have inspected the nest(s) or owl burrow(s) and have verified the current status.) \_\_\_\_\_

Justification for removal of nest(s) or owl burrow(s) (i.e.-location of nest conflicts with proper functioning/installation of a structure or prohibits construction) \_\_\_\_\_

Describe proposed measures to (i.e., placement of T-perch on-site, starter burrows, erecting replacement nest structure, etc.) mitigate for this loss of nesting habitat for this species (refer to appropriate species policy/guidelines): \_\_\_\_\_

\* - Those applying for a permit to remove a burrowing owl nest burrow must include a site plan or scaled diagram of the property that shows the location of the burrow(s) relative to the proposed construction.

The Florida Statutes require state agencies to approve or deny complete applications within 90-days of receipt. This office operates on a self-imposed policy to make every effort to approve or deny complete applications within 45 days of receipt. Therefore we ask you to submit a complete application and include all relevant information as attachments (i.e. scientific project proposals, site plans etc.). Complete permit applications should be submitted a minimum of 45 days prior to the requested effective date.

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**Exhibit B**

