

## Captiva Community Panel

# MINUTES

Feb. 9, 2016

**Attending:** David Mintz, Jay Brown, Mike Boris, Rene Miville, Peter Koury, Mike Mullins, Dave Jensen, Jack Cunningham, Mike Kelly, Sandy Stilwell

**Audience:** ~20

The meeting convened at 9 a.m. After introductions and roll call, the Jan. 12 minutes were unanimously approved (Cunningham/Kelly).

**CEPD:** *Kathy Rooker:* Plenty of weather in January. On Jan. 15 we had a front from the southwest with 32 mph winds. Jan. 16-17, cold front came through with 42 mph winds and 12 foot waves. Beach has resolved itself mostly. Did a good job protecting upland property, some overwash makes beaches flatter and smoother. Some sand eroded from beach, transferred to the near shore and we hope it will come back onshore. On Jan. 23 another front from the northwest with 24 mph winds. Overall, dune and vegetation look good. Blind Pass: Study now ongoing, gauges put in pass to track tides and currents, there just over a month and now removed. Good data collected, consultants is setting calibrations and models to input data.

**CFD:** No one present to report.

**LCSO:** *Deputy Joe Caiazza:* No much to report, a lot of traffic issues. Blind Pass bridge, working on issues with fishing. Discussion of process. Lot of area checks throughout shift. High visibility a deterrent. *Mullins:* Some break-ins on Sanibel? *Cunningham:* Arrest has been made. Only one incident on Captiva, being investigated. *Mullins:* Reports passed on to DOT, not much exchange, Sgt. Mike Sawicki will pursue. *Caiazza:* Discussion of actions taken. *Mullins:* Keep one side of bridge open? Had taken issue to Sanibel, city did not want to close one side due to parking? *Caiazza:* Liability issue if you force crossing? *Brown:* Checking for undersize snook? *Caiazza:* Doing everything. Discussion on FWC rules. *Jensen:* First step to go to DOT and develop signage to spell out laws? Fishing, drinking, blocking sidewalk, poles, littering. *Mullins:* Every other bridge in county is shut down for fishing. That's what draws them here. One side for fishing other for walking is most fair, I think. *Miville:* Fond memories of fishing on a bridge, problem is with infrastructure design. Plaques to instruct what they can and can't do. *Caiazza:* Regular fishing people very receptive to suggestions. Problem is folks from mainland who don't care. Discussion. *Mullins:* Put something on a website, put up sign with QR code and address. *Jensen:* Nextdoor.com network was mentioned at the last panel meeting, I have set one up and have flyers if you interested in participating.

- **ACTION:** Jensen will investigate use of signage to encourage proper practices for fishing from Blind Pass bridge. LCSO to continue active enforcement.

**Hurricane:** No one present to report.

**LCEC:** *Rick Fuson and Tricia Dorn:* *Fuson:* Discussion of accident that took out pole at Blind Pass. Thought it was a unique incident, then happened again this year. Realized we need to do something about that. Looked at options, and we plan to underground the distribution line through the S curve and tie it in to the other underground section. Have gotten permit to do boring, working with owner to get easement through there. Construction as soon as we get everything in place. Numerous comments made in appreciation of action. *Fuson:* Described what will be done. Will still have poles going to residences there, will not affect service to rest of island. *Stilwell:* Outage two weeks ago? *Brown:* Appreciate this response, general feeling that we have a lot of outages that are very inconvenient to all. *Stilwell:* Outages and brownouts too. Have generator, but it blew that out as well. *Miville:* Island power not looped, makes

it more susceptible to outages. Is that normal? *Fuson*: Most islands such as this have radial feeds, but also have alternate feeds that can be switched in if there's a break in the main service. Additional feeders, power lines, discussion of impact pro and con. *Miville*: What's the best solution? *Fuson*: Narrow right-of-way makes it a challenge, as well as weather. In a perfect world, this is a good system from an engineering perspective, we try to keep it maintained and keep vegetation trimmed. External influences can affect power system. Discussion. *Fuson*: Ideal solution: New substation, new power line over and down as necessary, take out vegetation. *Brown*: Service on Captiva less reliable or normal? *Fuson*: When events occur, we investigate and work to develop solutions or fix problems. External components that affect a power system. We keep up with maintenance, good from an engineering viewpoint. But there are issues out here, as you know. Components can fail, we work to identify and replace them. Discussion of outages and impacts. *Fuson*: We do see what's going on, what failures occur and how to fix it. *Mullins*: In my world, measurements of success were mean time between failures and mean time to repair. Can you report to island residents, compare to other service areas such as Marco Island. See if our anecdotal experience matches your statistics. *Miville*: We're grateful for the quick response, but also no question about brownouts and issues. What can we do? *Fuson*: We do measure system reliability. Includes extended outages, we can get reports off the equipment. *Brown*: Who at LCEC do we need to speak with about this? *Fuson*: Tricia Dorn is local account rep. *Stilwell*: Intermittent outages tears up equipment r, blew my generator and coolers. *Brown*: Put together small group to reach out to LCEC for further discussion. *Miville* to take lead. *Cunningham*: Guessing they got the message today, let them investigate and come back to us with thoughts and solutions. Discussion.

- **ACTION**: *Miville* to form working group to work with LCEC on reports and reliability solutions

**Captiva Plan**: *Mintz*: Circulated final draft, four issues still left to decide. Have incorporated suggestions into the new draft. Page 1...added "existing densities and building heights." Page 5, added "other licensed hotels and resorts." Page 6: Tree language... canopy and buffers, use this kind of tree if you are going to do it anyway. Policy 13.1.4: Concern it could impact sewer options, "sized to limit development"... could that prevent Sanibel hookup? Sanibel will size to limit as well, they don't want to increase density and traffic either. Premature to change language that came from public workshops. Can change it down the road if necessary. *Brown*: No one wants to increase density via sewers, can address if and when it's appropriate. *Gooderham*: Plan application will be finally and submitted to county staff, they will review and issue a report, schedule a public hearing before the Local Planning Agency to send to the commission, then a hearing before the county commission to adopt. Public will be able to comment at both the LPA and BoCC hearings. We will schedule meetings with commissioners beforehand to update them on plan language and process. *Brown*: Have tried to be responsive to county concerns. *Stilwell/Kelly* motion to adopt and submit for county review, unanimous approval. Kudos to *Mintz* for shepherding this through.

- **ACTION**: *Mintz* will finalize draft, *Gooderham* will finish application and submit to county.

**Bylaws**: *Cunningham*: Intent to modify only member selection to panel. Offered handout and explanation of proposed language and amendment process. Discussion, *Cunningham* read statement:

*I am proposing a change to the CCP Bylaws involving the member selection process. The current Bylaws specify five members be appointed by the CPOA, two by the CCA and four at large members be elected by the Panel. This means 64% of the total are appointed and 36% elected.*

*I propose the CPOA appoint two members, the CCA appoint two members, SSR appoint one member and six at large members be elected by the Panel. This arrangement would mean 45% are appointed and 55% are elected.*

*It was my intention to propose all eleven members be elected. With the Panel electing all members, a self-perpetuating Panel could result. The proposed appointment process should prevent that possibility.*

*I am proposing two member appointments by the CPOA because I believe one organization should not control 45% of the total membership nor that two organizations, the CPOA and CCA, should control 64% of the total. The one member appointment by SSR is because of their significant geography, population and overall influence on Captiva. These five appointments equal 45% of the total, thus the majority of the Panel would be elected.*

*This Bylaws change is only focused on the member selection subject. All other aspects of the Bylaws were addressed last year. The Panel should be able to review, discuss and vote on this single proposal without disrupting the committee projects now in process.*

*Bylaws Article Nine, Sec.1 and 2 apply to this proposal. Following discussion today, at the Mar. 8 and Apr. 12 CCP meetings, the vote should occur on Apr. 12.*

### **CCP Bylaws Proposed Changes:**

#### **Article Two, Section 1 – Panel structure**

*The panel structure shall be determined according to the aforementioned Lee County agreement. The Panel shall consist of eleven (11) voting Members. The Panel shall consist of ~~five (5)~~ two (2) representatives appointed by the Captiva Island Property Owners Association, Inc. (CPOA), two (2) representatives appointed by the Captiva Civic Association, Inc. (CCA), one (1) representative appointed by South Seas Resort (SSR) and an additional ~~four (4)~~ six (6) Members to be elected from the Captiva community by the Panel with consideration given to supporting a reasonable geographic representation.*

#### **Article Six, Section 4 – Appointment, nomination and election of Panel Members**

*A. Panel Member positions shall be timely filled in the manner by which they were originally appointed or elected. Those positions designated for appointment by the Captiva Property Owner's Association (CPOA) shall be filled by the CPOA. Those positions designated for appointment by the Captiva Civic Association (CCA) shall be filled by the CCA. The position designated for appointment by South Seas Resort (SSR) shall be filled by SSR. Those positions designated as at-large Panel positions shall be filled by the Panel pursuant to the nomination and election process set forth below. In the event of a vacancy in an existing CPOA, CCA or SSR position which has not been filled within thirty (30) days by the respective organization, the Panel may fill the vacancy by direct election upon two weeks written notice to the respective organization, as if the position was an at large Panel position. The Member elected by the Panel to fill a vacancy which was previously designated for the CPOA, CCA or SSR will serve the balance of that existing term, but upon conclusion of such term, the respective organization shall again be offered its designated position to fill.*

*B. At the Regular October meeting, the CPOA, the CCA, the SSR and the Panel's Nominating Committee (see Article 7, Sec. 3.B. below) shall present to the Panel its appointments and nominations for the respective Panel positions. All appointments and nominations shall be submitted to the Panel in writing with an attached resume or letter of background for each appointment or nominee. All appointments and nominations shall be made known to the public. In the event the CPOA, CCA or SSR does not submit its appointment at or by the Regular October meeting, the Panel may fill the vacancy by direct election as if the position was an at-large Panel*

*position for that single three (3) year term, after which it reverts back to the respective organization for its appointment. With respect to the Panel's at-large positions, the Panel shall not be bound by the recommendations of the Nominating Committee. The Panel may accept the nominations as presented, may suggest names of its own choosing, or may accept additional names from the community. Any additional nominations for the at-large positions shall be submitted to the Panel in writing with an attached resume or letter of background by the Regular November meeting-at which time all at-large nominees will be made public.*

## **Section 5 – Attendance**

*It is important to have as many Members as possible present at every meeting. To accomplish this, unless previously excused by the President, and/or Panel, any member who misses more than three Regular meetings either in person or by telephone in a calendar year is subject to removal from the Panel at the discretion of the Panel. Any position vacated under this Section shall be filled within thirty (30) days by the CPOA, the CCA, SSR or the Panel – depending upon whether the position is elected by the Panel or appointed by the CPOA, ~~or the CCA~~ or SSR.*

## **Section 6, – Removal and resignations**

*C. A vacancy created by removal or resignation of a Panel Member shall be filled within thirty (30) days by the CPOA, the CCA, SSR or the Panel – depending upon whether the position is elected by the Panel or appointed by the CPOA, ~~or the CCA~~ or SSR.*

*Brown:* Proposed now and call for vote in two months? *Mullins:* Panel needs to start the clock. Discussion. *Mullins:* Need motion and second to discuss. *Brown:* Useful to get feedback? *Miville:* South Seas rep needs to be here for this discussion. *Cunningham:* Motion to present this bylaws amendment as offered for a vote in 60 days (Boris second). *Jensen:* This should have been in the agenda so the public would be aware of the proposal. *Brown:* Will be discussed at next two meetings. *Jensen:* Clock should start after community is notified. This bylaws change is more than most items. *Brown:* Feedback on this proposal? *Stilwell:* Last year's bylaws revision was enough, don't need to review every year. A lot of other work to do, meetings are getting longer and longer. Discussion about prior revisions. *Mullins:* Tired of looking at bylaws and not getting work done. *Miville:* Joined to get things done, not re-arranging the deck chairs. What is broken here? Not productive. *Boris:* Having elected members in the majority makes more sense. *Brown:* Trying to represent community, CCA resents that other organization has more representation. Panel should be renewing itself, I'm sympathetic. *Koury:* Very sympathetic. Panel now not representative due to imbalance. Would get more people involved in panel.

*Mintz:* Substantive discussion now? Dispute over interpretation of bylaws, needs to be addressed. Could be read either way, panel has ultimate authority to interpret bylaws. *Cunningham:* If that's interpretation, could be accommodated. *Mintz:* Not wanting to re-open wounds. Appointed to build community input and support. Only elected members could pose some problem as well, have constituencies represented on the panel so they support actions. Working well, change could be more voluntary and beneficial. Wounds staring to get buried, proceed in a positive way. *Kelly:* Not supportive. *Cunningham:* This is not the way it was supposed to work. Discussion. *Mintz:* Decide if it's sufficient, have discussion at third meeting. *Miville:* Re-opening old wounds, not productive. What is the point of doing this? Discussion. *Mintz:* Anyone has right to bring bylaws proposal to the panel for discussion. *Brown:* Just trying to get Cunningham some feedback. Discussion. *Brown:* Up to you to put it on the agenda and call a vote. *Mintz:* Concerns represent not a small minority in the community, has to be resolved at some point but is this the right time? It's Cunningham's last year on panel, it's a principle issue for him. Have it on the agenda for the next two meetings and bring it to a vote in April. Discussion. *Cunningham:* Restated motion to consider this proposal for discussion at March and April with vote at April meeting. Discussion. Vote 7-3 to approve (Mullins/Miville/Jensen opposed).

- **ACTION:** Item will be on March and April agenda, with a vote possible in April.

**Sewer:** *Brown:* Explanation of handout in packet. Know Sanibel position on FGUA plant, SCCF study could not tie septic to water quality. We need information on if there is an environmental rationale for sewers. Questions: Non-environmental benefits to sewer/septics. Options to establish sewer if desired. Who pays, what's the cost? Consequences of central sewer – density increases? *Mullins:* Need review of current septic systems. Downside of current systems, ways to improve maintenance. *Kelly:* Tried it several ways, county shot most of them down. *Mullins:* Is there something else we could be doing to current systems? *Mintz:* Irresponsible not to have a mechanism to regulate septic if we do not choose to pursue sewers. *Miville:* Only density issue is Rauschenberg estate. *Mullins:* Sea level rise discussion, looking at a symposium in the future. Impact of SLR on septic systems needs to be included. *Stilwell:* Rainfall and flooding as well, unusual for this time of year. Good maintenance of what we have right now is also a good conversation to have. *Miville:* Sewer project also makes it possible to bury the power lines.

*Brown:* Cost: Had presentation from FGUA, estimated \$23,500 per household to expand FGUA plant. Establish a MSTU/MSBU for payment, estimated \$1,400 added to everyone's tax bill over 30 years. *Mintz:* Costs can fluctuate on a barrier island. Trying to figure out what it could cost and be very transparent with community, then develop an equitable structure to apportion costs. Discussion of Sanibel costs. *Mintz:* A lot of variables in costs possible. *Miville:* Be careful with Sanibel, could bring you in as a city through some odd law? *Brown:* Other means is connecting with Sanibel, had meeting with Sanibel Mayor Kevin Ruane and City Manager Judie Zimomra. City is highly predisposed to do this, according to Ruane. Attitude that Captiva is not environmentally concerned about this issue. Very exercised about FGUA facility. Have opinion that we are pro-density on Captiva, not interested in controlling density and house size. Concerned we'll flood Sanibel with traffic and tourists. *Mullins:* Old conception that sewers will lead to high-rises. Need regulator on size of system. Twice chaired water quality committee, had meeting during Sanibel's Wulfert expansion. Panel was asked for a feasibility study funding. Another concern about city capacity. History is city was very indifferent in the past. Discussion. *Brown:* Real disconnect here. Discussion.

*Mintz:* Not like they said they have capacity right now, don't have a sense of what they could handle right now. A lot of moving parts. *Brown:* Next step they recommended for us to go to Lee County and request funding for a feasibility study to connect with Sanibel. City feels the county should pay for that. Don't know what capacity city would need, this is how we could get some facts and establish what is needed and what options we have. *Stilwell:* Cost to city discussed? Options to split island sewer service between city and FGUA plant and what costs would be involved? Look at it globally? *Brown:* Not all or nothing, arrange possible scenarios. Could conclude that FGUA is a marginal facility and the entire island should feed into Sanibel. Perhaps a FGUA plant upgrade could accommodate Village, and everything else goes to Sanibel. Could do project in stages. *Boris:* Could it tell us about the adequacy of what we have now?

**FGUA plant...** *Brown:* City has called Feb. 25 stakeholders meeting on FGUA plant and issues for Sanibel. Discussion of who's invited. *Mintz:* Perception that septic as much a problem as FGUA plant. Discussion of misperceptions. South Seas and associations connected to FGUA plant. Sanibel has no real understanding of components inside the gate. Discussion of environmental concerns. *Mullins:* Shocked at SCCF study outcome, may need to do it more regularly if Cape Coral is contributing as much as SCCF is concerned about. *Brown:* Environmental study essential, we will probably not proceed if there is no environmental justification for removing septic. *Mintz:* More nitrogen in septic, not bacteria. Bring SCCF people back to clarify the findings of old study? *Stilwell:* That's why we put brakes on if there were no environmental concerns. *Miville:* Route Village to FGUA, see what improvements that generates.

*Mintz:* Sanibel very concerned about FGUA plant, still needs to be addressed whatever else gets done. They think Captiva community has turned a blind eye to what happens at the plant. Event in April, 600,000 gallons of raw sewage moved to Sanibel for treatment. Unclear if city could accept that much raw sewage if that happened again. Have gotten three explanations of what happened so far... operator

error, flows too great for system, toxic materials introduced into system. Bob Walter also sent an email, don't know if he got an answer yet. I requested clarification, have not gotten an answer either. If current flows greater than the capacity of the plant can cause the need for removal of sewage, FGUA needs to fix the plant. If the resort is planning to add units, FGUA needs to be able to address these issues. Another event in October, 38,000 gallons spilled, Sanibel tied it to beach closure two weeks later, heard it was treated water. Now on Feb. 2 FGUA had a 200 gallon leak of raw sewage at plant. We need to figure this out. FGUA permit up for renewal, should we ask Florida DEP why this is happening? Public comment period right now. Discussion of capacity: Presentation said it was 221K gpd average annual daily flow. Application says that last year flows were 275K gpd, two years it was 540K gpd – double the amount. What is peak flow? How much can they store to flatten out flow? Not certain how much FGUA said in presentation. Want this to work, Sanibel feels we have not asked the questions.

*Kelly:* People have asked, FGUA needs to provide answers if resort is seeking more units at a larger size. As a property owner, I'm concerned. Have had concerns about that plant for years. Years ago they did a study to see if FGUA plant could handle adding the Village, turned out it could not. Can't expand plant because of mangroves. *Brown:* They felt they could expand according to presentation. *Mullins:* I feel they pulled the wool over our heads. Go back to the county to say we need better analysis of these issues. Sanibel has a budget to handle research and analysis, we're limited as a panel to what we can undertake. *Brown:* FGUA gave us assurances they could handle the needs, now we're hearing something very different. Should the panel get involved in the SSIR/FGUA issue, or is that something that county and DEP should pursue this. *Stilwell:* If the permit is coming up for renewal, is this the time to intercede? Look at interlocal agreement with the city to handle FGUA overages? Why not anticipate demand and expand existing storage capacity? *Mintz:* Draft a letter to DEP and Lee County about concerns with FGUA plant, ask them to consider these issues. *Boris:* Draft and send it to panel, then send to county and DEP. *Brown:* Bring letter to stakeholders meeting. *Mullins:* County needs to fund feasibility study, we pay plenty and get not much. Send letter to county about who's looking out for our interests? We're getting info from Sanibel, not county...why? *Brown* and *Mintz* will attend Feb. 25 stakeholders meeting, *Mintz* will draft letter and circulate.

**Density issue...** *Brown:* How do you address concerns about sewers promoting increased densities? How much does our zoning protect us from increased density in the future? Discussion of developer pursuing increased density. Discussion of Miromar rezoning and impact on promises made to adjacent property owners. *Mullins:* What exactly is our density, how does it translate into impact, outcomes, infrastructure? If we're happy with that density, can zoning protect us from future growth? In the long term, no. Takes vigilance to maintain the status quo. Discussion of Gulf Coast Mall development. Short term, we have limits and ordinance, but anything can happen to any property. *Brown:* We have zoning in place, vast majority of community does not want to increase density. Does our zoning protect us? *Max Forgey:* A few years ago, it would be clear that county comp plan is enforceable in circuit court. Today, less true because it's easier to amend the comp plan. *Brown:* Their plan or our plan? *Forgey:* Both. Your community plan, but county adopts it in its comp plan. Discussion of Caloosahatchee Shores and River Hall situation and "overriding public necessity." East Lee County Council challenged BoCC override of plan for River Hall density hike, took it to circuit court judge. Judge found no finding of overriding public necessity. On the right day in the right court, if you have strong language in your plan you can win. Not a Dept. of Community Affairs to enforce plans and growth management any more, you have legal recourse but it's not as strong as it used to be.

*Brown:* So zoning protects, but BoCC can override if the circumstances allow. *Forgey:* BoCC can always amend plan. *Brown:* We would have to fight it. *Miville:* What can be added to strengthen current plan? Need to develop relationships with commissioners. *Koury:* We do not have the "overriding public need" in our plan, we need to add that. *Forgey:* Commissioners may not be a mood to add that. Attorney might object. Vigilance is still the key. *Stilwell:* Need to add that phrase, find out from county attorney what sense for approval could be. *Mullins:* Things can be done without amending plan. Never build the wall so

high they cannot make changes. We pay a lot of taxes and support campaigns, need to be vigilant and speak as a community to fight density increases and other detrimental actions. Discussion of available acreage. *Brown*: No way anything is ever going to happen on those acres, foundation does not need the money. Perception of board members. *Lisa Riordan*: Had discussion with Ann Brady, foundation's 30-year plan has no plans to change or sell anything here. Discussion. *Mintz*: Need to investigate how to protect what we have. Septics are a natural regulator, but maybe not the best way. Look at options and impacts. Sanibel is concerned about county overriding zoning controls, we need to find out what protections there are. *Mullins*: Need to look at other package plants on the island in any study.

Next steps... *Brown*: Meeting with Mick Denham Feb. 11, Sanibel vice mayor and water quality expert. Should learn a lot from that. Stakeholder meeting Feb. 25, *Mintz* and *Brown* will attend, will get more info from that as well. Revisit SCCF water quality study, clarify conclusions as to septic impact on environment. *Mullins*: Want a more thorough study, county should fund that. *Brown*: Need review of what they did. Then, legal input on protections from existing zoning, *Mintz* and *Brown* to discuss how to pursue. Crucial issue even beyond sewers. *Koury*: Concerned about what's happening at SSIR, expanding units increased densities. Not just more structure, more bedrooms and more people. *Jensen*: Rural zoning only consideration in overriding public necessity? Can that apply here? Discussion. *Brown*: Should we go to the county to request they pay for feasibility study? *Stilwell*: Yes, but wait until we hear from the two meetings you're attending. *Mullins*: Expand scope to include performance of current system as well as future hookups. *Jensen*: Ask with ammunition, wait until you attend these meetings. *Mullins*: Empower committee to take action based on what they hear about FGUA system. Discussion. *Mintz*: Empower committee to meet with Meurer on how to proceed.

*Mullins*: Motion to authorize committee to take any and all necessary steps to proceed based on the conversation today (Miville second). *Cunningham*: Are we obligated as a community to act on their findings? *Mullins*: Beyond scope of committee? *Boris*: Needs to be asked. *Brown*: Do we lose control if we ask for a study? *Gooderham*: Establishing an MSTU to pay for a system would require a vote of affected property owners to proceed, so community will have say in moving forward. *Mintz*: Question is not will we do it, but do we need to? *Brown*: Committee does not have an opinion. Discussion. *Cunningham*: Anything from these meetings that could change or be of interest to us? *Brown*: No, opening conversation not writing a letter to request study. *Cunningham*: Going to county vs. going to the community? *Mullins*: Let us do the research and create the framework to take the next step. *Brown*: Not going to initiate study without input. *Mintz*: Between now and March meeting, two meetings will be all that will happen. We can report then. *Cunningham*: Communicate with community before going to the county. *Koury*: In the last survey only 44% in favor of sewers, was that true? *Mullins*: Need to have the survey in front of us. Committee is not going to act without coming back to panel to explore the facts. Unanimous approval of motion.

- **ACTION:** Committee members will attend Feb. 11 meeting with Sanibel Vice Mayor Mick Denham. *Mintz* and *Brown* will attend Feb. 25 stakeholders meeting on Sanibel. *Mintz* may draft letter to county on feasibility study for panel review and discussion prior to any further action. SCCF will be contacted to see if any clarification of the water quality study can be offered related to impact of septic systems. Committee member will report back on meetings to help frame a discussion about whether the panel should play a larger role in monitoring FGUA plant's performance. *Forgey* and *Gooderham* will look at ways to quantify strength of current zoning and plan policies to protect island from density/development increases. Committee will add evaluation of current septic systems to the scope of work.

**Captiva Drive:** *Mintz*: Background, developer's architect Jose Gonzalez agreed to look at options for Captiva Drive from Hagerup Park to Andy Rosse Lane to improve bike/ped safety. Background on issues and need to improvements. Gonzalez did CAD study of the county survey from 2005, right of way vs. roadway vs. private property. Preliminary drawing was provided, initial thoughts were to locate walkway

south and west of Captiva Drive. We had wanted walkway on both sides and shared road use with cars, carts and bikes. Walkway on the north and east would require us to redo drainage system. Suggested a two-way walking lane on west and south side, move road to furthest point in right of way, leave drains as they are. We will measure road to determine current lane widths and see if there's any space we can use for walkway. Otherwise we will need to work with property owners to offer land and eliminate liability. *Mullins*: Road goes over private property. They were able to do that in the past. *Mintz*: Talk to people and see what's possible first. Look at design, see who we need to speak to, go to county with this as a safety issue rather than a bike/ped issue. *Mullins*: Will meet after this meeting to discuss what we're paying to the county now and what it's being spent on. *Brown*: Objective to gain leverage to get more support and services out here? *Mullins*: A number of needs, studies, panel support, services. Validate research and support county requests. Discussion.

- **ACTION**: Mintz and Gooderham will measure lanes, discuss options with Gonzalez and report back to panel.

**Trolleys**: *Stilwell*: Discussion about pursuing something to be supported by businesses, happy to pursue. *Mintz*: Is it in Captiva residents' interest to have trolleys run from South Seas to Tween Waters to keep people off the roads? How many people would be served, how to share the costs? Encourage people to use trolley rather than cars. *Stilwell*: Could charge someone a dollar, have restaurants reimburse. To ask restaurants to voluntarily fund it is not going to happen. Discussion. *Stilwell*: Maybe county would provide this service? Need a committee. *Mullins*: Talked about allowing parking at night at Hagerup lot, have not been able to pull that together. Trolleys could help with federal funding for beach protection. Double edged sword with increased parking capacity. *Brown*: Opportunity to determine feasibility of trolley service, SSIR to TWI likely. Someone has to own this project to pursue it. Stilwell and Deb Almeida have led this, Adventures in Paradise has provided a quote for service during lunch and dinner seven days a week running perhaps to 11 p.m.? *Mintz*: Someone besides Stilwell who wants to work on this issue? *Jensen*: Jeff Shuff just retired. *Mullins*: Willing to help, let me know scope of need. *Cunningham*: Also interested.

- **ACTION**: Stilwell will finalize committee to further investigate trolley service.

**Rental issues**: *Riordan*: Overbooking... meeting with rentals agents. Overbooking, over-parking, length of rental, overcrowding main issues. Royal Shell issues parking permits to renters, easier to determine if extra cars at property. Maintenance people will count heads while doing other repairs in homes. LCSO has been called for noise complaints. If renter violates contract, Royal Shell can force them out with no recourse, but they don't often do that. Rentals done by STRAP numbers, can't have two rentals in one STRAP. All agencies adhere to 7 day minimums, usually Saturday to Saturday. Concerned about BRBO rentals, some owners advertise for less than 7 days, not many because they can't get cleaning people to come out that often. Agencies could be coming in to area to manage BRBO at very low rate. Want to work with the panel on this issue. Bigger issue in summer than in season, as many people here in July as in March. Agents rely on feedback from owners and neighbors, would like a call right away. First step to address overcrowding, send letter to each homeowners about strain of overcrowding, agents would be willing to include such a letter in their packets. *Brown*: Can we set up a number that people could call to complain if policies are violated? *Riordan*: If it's noise problem, call LCSO. Will have Mike Sawicki at upcoming meeting to discuss. Difficult for a central number to work, unless it was LCSO. *Jensen*: Typically call the rental agent who handles the home. *Riordan*: Dec. 15 conversation with Ryan Block, an accommodations specialist with REMAX. They will be handling BRBO homes, charging 10% rather than usual 20%. Manages Air BnB properties on Captiva. Websites offers a range of accommodation, 17 properties currently on Captiva, all entire units and seven day minimum (except some in South Seas). *Miville*: Isn't that a good sign? Who would be that silly to surrender a big rental fee for a few days? Discussion. *Mullins*: Could be less than 7 days as long as they don't put someone in again within 7 days? Agreement. *Miville*: Not hearing the numbers, just the complaints. Discussion. *Riordan*: There's no one

neighbors can go to if it's rented BRBO. *Miville*: Is this a problem in the Village? *Riordan*: Continuous battle with noise. Discussion about rentals. *Riordan*: Will schedule another meeting, include deputy. *Mullins*: Talk to Kathy Rooker about CEPD beach postcard, worked better than a letter. *Riordan*: Agencies very eager to work on a growing problem on island, overcrowding and noise.

- **ACTION**: Committee will plan further efforts with rental agencies, looking at informational options and enforcement facilitation.

**Financial**: *Gooderham*: At Cunningham's request, looked at funds on hand and anticipated expenses. With county reimbursement, about \$30,000 on hand. Last year you spent roughly \$3,00/month, if that holds you have 10 months. Of course, you don't want to wait until last minute to send a fund-raising letter, at least a month lag time between mailing it and seeing any funds coming in. *Cunningham*: No new events. Need to look at costs for some of these efforts under way. If funding comes from the county, great. If we need to fund a specific project, we will need to consider fund-raising. Propose we do a repeat of the letter like we did last July.

**Planning**: *Forgey*: Monitoring Legislature for anything on short-term rentals, signage, water quality. *Stilwell*: Tourist tax redirect and use, expanding what it could be used for. *Miville*: Need commentary from business people on actual financial cost of the Lake Okeechobee releases to our community. *Mullins*: Ding Darling Society committee has studied some of this, start there for data? *Miville*: Trying to make a difference. Discussion of lake releases and impact.

The meeting adjourned at 12:30 p.m. A brief meeting of the county funding committee was held afterwards, with Mullins, Brown, Mintz, Koury, Jensen, Boris, Miville attending.

- **ACTION**: Mullins will proceed with analysis of taxes paid vs. services received, develop a list of potential project, and see what audit options for Unincorporated MSTU funds are available to better determine how that are spent on the island.

-- *Ken Gooderham, administrator*