

**Captiva Community Panel**  
**MINUTES**  
*April 14, 2015*

**Attending:** David Rohn, David Mintz, Bob Walter, Dave Jensen, Jerry McClure, Mike Kelly, Mike Boris, Jay Brown, Jack Cunningham, Sandy Stilwell

**Audience:** ~20

Meeting convened at 9 a.m. Following introductions and roll, the March 10 minutes were addressed. *Jensen:* Add “road within the resort, comments prompted by neighbors and friends who live within South Seas” to comments on page 2. *Mintz:* Why are there question marks with some comments? *Gooderham:* Not able to identify speaker. The minutes were then unanimously approved (Boris/Walter).

**CEPD:** *Administrator Kathy Rooker:* Sanibel County and CEPD working to issue solicitation RFP for Blind Pass Inlet Study. County will pay for with TDC money. To meet the needs of all concerned, issued on Friday if all goes well. Not just sand, looking for inlet management plan to address erosion problems the inlet causes. May 1 beginning of turtle nesting season, May 1-Oct. 31 rules go into effect. Past violations have included lightings County will do regular lighting surveys, enforcement process explained. 42 different properties that had some type of violation, some multiple violations. Still Joined meeting. Lights visible from beach, even from inside the home, reflected lights off buildings. Hanging white lights, ceiling fans lights, under floor Xmas lights, laundry room lights. Stair lights, pool lights, porch lights, exterior sign lights. Turn off landscaping lights during nesting season. Change blubs to amber or orange LED lights, lower watts. Turn off up lights on plantings. Close blinds and curtains. Look for turtle-friendly light fixtures and bulbs. Google turtle friendly lights and it will take you to Florida Fish & Wildlife Commission. CEPD meeting tomorrow 1 p.m. at Tween Waters. *Walter:* Turtle etiquette cards again this year? *Rooker:* Still have copies of last year's, let me know if you run out.

**CFD:** *Deputy Chief Jeff Pawul:* Hurricane preparedness seminar May 7, 2 p.m., in Auger Room. Encourage everyone to attend to stay prepared. Great turnout for SkyWarn training. Numbers up 50% compared to last year. *Rohn:* Station? *Pawul:* Don't know yet, in final inspections right now. *Mintz:* Dumpster? *Pawul:* Will be removed once work is finished. *Cindy Brown:* If numbers for seminar are down, have you considered moving it earlier? *Pawul:* Not who's here, but who's paying attention about storms. ??? Restoration after dumpster is moved? *Pawul:* Contractor issue with property owner, a lot of different contractors parked there, I have brought it up to them multiple times and they have tried to clean it up. Discussion. *Waite:* Private property, can't charge with trespassing without owner's permission. Other property back under control of bank, seeking to sell it.

**LCSO:** *Deputy Waite.* Season winding down, high increase in kids, more nighttime wave of people. Changed hours to work later at night. Most just having fun. Golf carts, a number of accidents, mostly hit and run. Stayed on top of that. Parking a real issue. Day-trippers parking wherever they could. Try to find owners, if not we have to ticket them. Lot more compliance with dog violations once we started enforcing rules. Conflict with Sanibel rules an issue for understanding. Discussion of golf carts.

**Financial:** *Cunningham:* Really fund-raising. Cancelled Monday After The Masters due to time, looked at cruise as alternate. Also too late to do anything while people were still here. Brown, Boris, Mintz and Cunningham on committee, with Paul McCarthy to assist. Plan is to look at cruise in fall, welcome

back to Captiva late October or early November, combine with barbecue, more full-fledged fund-raising event. Need to make up \$20K from golf event. Cash flow, OK until then we hope. Did do mailing last year raised \$15K from that. Send something this summer to get us through the period. List of possible donors? Trying to get community to pay a consistent amount annually. *Brown*: When to get together? *Cunningham*: May or June for mailing, start in August for fall event.

**Planning:** *Max Forgey*: Workshop after today's meeting on Captiva Plan update. Some county personnel changes ahead, Planning Director Paul O'Connor and Community Development chief Mary Gibbs both retiring in May.

**Future priorities:** *Mintz*: Long-term goals chance to discuss. Looked through surveys, minutes, discussions. Short/medium/long-term projects. Choose which we want to pursue, then how to pursue them. Review now and discuss at next meeting. S-curve, trolley service outside SSIR to mitigate traffic, Captiva code violations and education committee, taxes paid vs. services in return. *McClure*: Short is how long? *Mintz*: Short year, medium two years, long three years plus. Trolleys, commercial base in Village. Septic regulations and enforcement. Noise from landscapers. Switch to electric golf carts. Beach access documenting actual use and public access. Sewers and working with Sanibel. *Brown*: Opportunity to share infrastructure costs. *McClure*: Sanibel resisted it in the past. *Mintz*: Underground utilities, purchase of density rights on undeveloped lands. Rauschenberg and Buck Key still out there. Bike/ped facilities. *Brown*: Long list, how do we translate from ideas into projects. *Stilwell*: Plan a session with facilitator. *Kelly*: Look at this at a start, plan session for next month to discuss our preferences, eventually go to a facilitated workshop to thoroughly review. In May with enough time to discuss. Also bylaws to be discussed in May.

**Bylaws:** *Cunningham*: No feedback from anyone. Initiated March 10 meeting for vote at May 12 meeting. *Kelly*: Make changes for next meeting or hold your peace.

**BPAC & Village bike/ped access:** *Gooderham*: Made presentation at March 18 BPAC (Bike Pedestrian Advisory Committee) meeting. Supportive and aware of issues, but would need to go through county process for ranking to be put on the project list. Ranking would not be favorable for Captiva as it's tied to schools, parks, connectivity. Current project list is lengthy, major backlog without major funding to address it. Lee DOT suggestion short-term was to mark roadway for shared use ("sharrows") and long-term to consider forming a Municipal Service Taxes Unit to fund improvement on your own. Other option would be to raise private funding either to request county to engineer and construct something or hire your own engineer to permit and construct project. Need to balance drainage issues and lack of right-of-way with bike/ped uses. Interesting suggestion from BPAC member was to put in a beach boardwalk from the Hagerup access to the end of Andy Rosse to give people an alternative to the road. A lot of other issues there, CEPD would have to support and beachfront owners might object. *Mintz*: What kind of costs for roadway upgrades? *Walter*: We've been quoted \$850,000 per mile for widening and paving. *Gooderham*: Assume a half-mile, would depend on drainage enhancements. Also need to understand right-of-way boundaries, if anything could be done with road-front property owners to keep ROW clearer. Discussion of past issues and options.

**Priorities:** *Mintz*: Send letter in support of Lake Okechobee storage acquisitions. *Jensen*: Get on SCCF email list for background. *Mintz*: Send letter in support? *Jensen*: Rae Ann Wessel with SCCF can draft something based on current status. Consensus to send letter in support. *Mintz*: Insurance coverage... needs clarification. Request letter of coverage or clarification from insurer.

**South Seas:** *Kelly:* Introduction... Jose Gonzalez, Bill Morris, ???: Any new issues? Anything the panel wants to share with the county? We need to act as island planner, not SSIR planner. *Walter:* Planners from county have attended every meeting since November presentation. *Gonzalez:* What are we actually submitting and approving? 2008 plan approved to add units and restaurant at north end and a boutique hotel at the south. Showed graphics of approved vs. proposed south and north end. Compare what's approved (not built) vs. what's proposed. Explanation of differences between approved and proposed. *Brown:* How many units? *Gonzalez:* 20 plus restaurant in 2008, 96 smaller units now. No change in numbers resort-wide. *Mary Ann Cowart:* Whole ownership in 2008? *Gonzalez:* Always hotel rooms. *McClure:* Occupancy/capacity? *Gonzalez:* 10-12 per unit perhaps, not consistent throughout year. *Gonzalez:* Possible changes in roadway. Be redone and move all bike/ped to one side, expand 1-2 feet without habitat endangerment. Ownership of road is shared by up to a dozen associations and resort. SSIR will take care of the road improvement, but all ownership entities have to be in agreement on design and solution. *Brown:* Prior position had been each owner needed to pay a share, so that's changed? *Gonzalez:* Yes, I can be very persuasive. You as a community need to decide how to fix it.

*Mintz:* Pedestrian highway from resort to Andy Rosse, mostly from resort. If you add units on the south end, you add pedestrians to the highway. Help mitigate S-curve issues primarily used by South Seas people. *Walter:* Not all South Seas guests. *Gonzalez:* Very little ROW. No eminent domain issues, how can you best rework the ROW. Community action and initiative. Willing to help with planning process. Wrap-up, working our units within the resort. Will pay for resort roadway but all owners must participate in process as well. *Kelly:* Road must be improved, with or without consent of owners. *Walter:* Everyone wants the road done. *Gonzalez:* If you want it to be better than it is now, we will participate. But if you want it improved, we need your input and your permission to do that. *Mintz:* Reiteration of offer. *Stilwell:* Good time to make it better, not just fix it back to as is. *Kelly:* Have not seen a plan or proposal to this point, this is new. Discussion. *Lisa Riordan:* Has trolley service been discussed? *Gonzalez:* If you improve road, also improve trolley service to manage traffic better... need predictable service. Conduct community study on how to reduce vehicular traffic overall. *Walter:* Full access inside the gates, outside the gates is a community issue.

??? As bike rider on that road, have issue with two-way traffic on one side (as shown in mockup), will invite accidents. *Gonzalez:* Would be curbed to separate vehicles. More for a casual rider, not higher speed cyclists. Could put cyclers in road with vehicles and make side path ped only. Design is up in the air, but South Seas will pay for the road. Road will happen regardless, not linked to development, but would only be done at the end if development moves forward. Last item in sequence. Discussion. *Mintz:* Add funding to fund S-curve. *Gonzalez:* Will add planning to the solution, don't know what that will yield. *Mintz:* Harbour Pointe units pending, how will that come into play. Agreement with Mariner to build those units elsewhere? *Gonzalez:* Those units have a value if viable, could sell to someone else. Always a possibility, would come with a full public hearing. *Mimi Schwartzel:* Outside gate, give us a sense of what we're looking at? *Gonzalez:* Would ask you to have a community meeting first. Tied to a tangible solution though community input. *Walter:* This is our first short-term priority. Put it into a designed package. *Gonzalez:* Give me the best possible data to develop that.

*Mintz:* Sewage? *Gonzalez:* DEP letter issued about flow concerns exceeded allowed rates. Operator investigated, an error in reporting. Mislabeled decimal point, error verified, DEP confirmed it's a non-issue. Capacity... verified in writing there is capacity in place. Explanation of treatment and dispersal. How rates are calculated and set. Apartment vs. resort units factored differently, higher factor for resort... Still under design capacity of plant. Operation vs. capacity, have plenty of capacity but will always worry about operations. Permitted vs. real flows. *Lisa Riordan:* Reason for sewer trucks lately?

*Walter:* US Water had maintenance issues with plant due to personnel issues, more waste than they could use for irrigation. *Gonzalez:* That's why it's crucial plant is operated properly.

*Kelly:* Thanks for update, take a quick break. *Brown:* What should panel do in terms of project. Stay silent? Request public hearing? Admin action OK with conditions? Express support? Where are we on this? *Kelly:* Look at planning issue with respect to Captiva. Not to critique master plan of South Seas. Act as forum, improve roadway, sewer capacity. Personally, I'm satisfied on those issues. *Cunningham:* Had enclosure on issues. A lot of the explanation was "inside the resort" issues. Some outside issues, traffic and bike/ped. More hearings on external issues, or are we done? *Walter:* Does panel need to take a position on variance? *Gooderham:* Not required. *Stilwell:* Satisfied, no need to take a position. *Mintz:* before Mariner purchased, resort originally zoned for 3,900 units which they downzoned to 912 units. Have right to those. Administrative interpretation emphatic about not creating more vehicular traffic for the island. That alone raises the issue about going to a public hearing. Do mitigation to meet criteria of administrative interpretation. Original resort was all-inclusive, now they are part of the Village and the island. That's my opinion, not a panel statement.

*Kelly:* You're looking at it as a lawyer, not what panel should be looking at this as a Planned Unit Development. Look at traffic, road, sewer only. Not prepared to make that recommendation. Satisfied to do nothing further, no recommendations beyond what has been addressed. If someone wants to raise legal issues, that's not the panel's role. *Jensen:* Agree with that. A lot of community input, voiced position and gotten clarifications. *Boris:* Support not taking a position. Still concerned about impact outside the gates. *Stilwell:* County is hearing these concerns. *Walter:* High priority regardless of this project, need more county support. *Cunningham:* Tremendous input, support no position but providing forum. Some coming together, building some level of trust back among owners. *Kelly:* Not prevented from commenting on overall impact on Captiva by any project or effort. *Brown:* Impressed with response on road issues, commitment to fix the road and even improve it. Concern about location of units, but you have right to have those somewhere. *Rohn:* Agree on not taking position. Need to convey concern about density to county overall. Number of units vs. number of people, not necessarily through this issue. Motion (*Stilwell, Brown*) that panel not to take a formal position and let the county proceed as it determines is appropriate. Unanimous approval.

*Rohn:* Can we improve teleconference options for summer panel meetings? *Walter:* Resort will address.

*Kelly:* Move on to plan discussion. *Cunningham:* Motion to accept draft amendments as presented (*Stilwell* second). *Tom Terrell:* Looks good, slight awkwardness. Bottom of first page... pollution issues... during evening walks, there's a lot of music noise. Lack of enforcement makes this difficult in terms of the other goals. Motion unanimously approved.

Meeting adjourned at 11:45 a.m.

-- *Ken Gooderham, administrator*