

Captiva Community Panel

MINUTES

May 10, 2011

Attending: Jim Boyle, Gordon Hullar, Paul McCarthy, Rene Miville, Mike Mullins, Sandy Stilwell, Susan Stuart

Audience: ~10

The meeting convened at 9:10 a.m. Following introductions, a motion was made by Stuart (Boyle second) to approve the minutes of the April 12, 2011, and April 26, 2011 meetings as submitted, with unanimous approval.

CEPD update: Administrator Kathy Rooker noted that the next meeting on May 11 Lee County Commissioner John Manning was planning to attend, along with County Manager Karen Hawes and Steve Boutelle and Robert Neal from the Division of Natural Resources. This would be a good opportunity to talk to them about island issues. With the Florida Legislature now adjourned, Rooker was happy to note that the final budget included \$16.2 million for beach funding, and that the Captiva project was in the top 5 list. Any state funding will help offset costs for permitting and design for our project. The Legislature also agreed to continue to fund the beach trust fund, also good news. In that morning's front-page News-Press article about state funding that came back to Southwest Florida, included was the money coming back for the Captiva project. Rooker thanks those in attendance for making a difference by keeping island issues in front of lawmakers. She also noted that Trip Advisor named Captiva one of the top 10 beaches; Travelocity named us one of the most romantic beaches; and the Disney magazine recommended us as one of four island vacation getaways.

LDC/Lee Plan: Gooderham gave a brief update about the status of the Lee Plan amendment on building heights, that revised language would be turned in to the county right after this meeting in anticipation of the May 23 hearing before the Local Planning Agency, the first step in the approval process. As planners Max Forgey and Kathie Ebaugh had just arrived at the meeting, Stilwell moved to the next agenda item to give them a moment to prepare.

Water quality: Gooderham introduced the topic, noting that a written summary of the suggestions made during the April presentation by the SCCF Marine Lab staff was included in the handouts, both as a summary and a reminder to the panel of the areas they might want to look into in the future to help enhance the island's water quality. Committee chair Dave Jensen suggested those interested check out the Department of Health website to see what studies, links and other useful information was there. One thing he found was a description of a state study into the most cost-effective septic systems, and he hoped to follow up with Dr. Judith Hartner (local DOH head) whether the study was funded for another year. He noted that the septic inspection law passed last year was not taken off

the books in this session, but there was concern whether the program would get any state funding to implement inspections. Gooderham also noted an article in *Florida Specifier* about the SCCF study on Captiva, which was provided to panel members.

LDC/Lee Plan: Ebaugh gave a brief review of the staff report on the proposed amendment. Dual standard is now advanced, it's not how tall you're going but how high you need to start. In the report, staff recommended approval of the amendment. If the Local Planning Agency agrees at its May 23 hearing, then it goes to the county commissioners at a June 14 meeting, then on to the state for review with a report likely back by the end of summer, meaning it could be adopted perhaps in October. Forgey gave a review of two years of effort on the Land Development Code, identifying the key areas:

- Mangrove protection...the key word is restoration. If mangroves were cut down, you wanted them restored...not just paying a fine. Staff wanted standards, some form of setback, which was put in.
- Water quality... everything to do with septic tanks, as it assumed you will never have a central sewer system here. Wanted a regulation that required pumpout and inspection at times when it was least intrusive.
- Short-term rentals...a matter of some contention. Thanks to a question at the April 26 workshop and a discussion with Mike Kelly afterwards, we have deleted the 30-day or less language, defer to other existing county rules to govern allowed length of rentals.

Stilwell asked if we could refer to other documents to ensure conformity. Ebaugh said staff prefers not to do that, trying to keep the code as short and concise as possible. Gooderham noted that in previous workshops the panel was told the county's definition of dwelling unit meant a unit rented not less than seven days at a time; anything less was covered under hotel/motel units. Miville said in the RSC-2 zone less than seven day rental is a rare issue. Owners will not release their expensive homes for a one-day rental, because it's not cost effective. Rental term is not an issue to those who live in RSC-2 zoning; perhaps it is to those who don't live there. Mullins asked what was the goal of this discussion, shouldn't this wait until the beginning of the next season. Forgey said he was suggesting you approve a new version of the LDC draft to move forward.

Mary Ann Cowart said limiting rentals to no less than 30 days was way too restrictive, perhaps make it only once in 30 days. Stilwell said the panel was only trying to amend the current code, but if rental restrictions are there already leave it alone. Ebaugh said the panel could consider waiting until the next meeting to review. McCarthy said it was a good idea to wait and discuss, look at options. Understandable and consistent is important. Paul Garvey asked what has changed, what is the purpose of this amendment? Discussion of changes and intent. Gooderham said the goal today was to determine what the panel wants to move this forward. Miville said enabling people to live in one unit and rent the other was the intent from the beginning. Garvey said then it's not a single family

district any longer. Stilwell said the panel will come back to this at another meeting. Mullins asked whether recordings of previous meetings and workshops could be made available. Gooderham said yes, but the size of the files might make online access and storage difficult. Miville said rental limits are not enforceable, so why put it in the code. It's going to ultimately be complaint-driven anyway. We're going backwards, don't need another meeting for that. Hullar made a motion (Stuart second) to delay discussion of rental terms until the October panel meeting. Following discussion, the motion was approved unanimously.

Hurricane Committee: Doris Holzheimer reminded the audience that a hurricane seminar was scheduled this afternoon, with staff from the county Emergency Operations Center attending. Forecasters are separating surge from wind in hurricane forecasting, and staffers will be looking back at changes a year later. The seminar will start at 2:20 p.m. in the Auger Room at Chadwicks Square. She also noted that a Structural Safety Inspection training was held last month.

Fund-raising: Gooderham gave a summary of the results from the April 20 food and travel festival, with just under \$20,000 in revenues against about \$1,800 so far in expenses, resulting in a net of \$18,000. Even though festival organizer Rick Hayduk could not attend this meeting, he wanted those involved in the event to discuss things that could have been done to make it better or more successful. Stuart said the SSIR staff did an incredible job, but the day's timing needs to be different to start later when people are not at the beach. Auctions work better when people have been drinking. Rather than signs, use banners to advertise event. Stilwell suggested the festival be moved into the evening, better for food and drinking.

Miville said it was hard to do a successful fund-raiser when you're not desperate for the money, it's hard to be motivated. Mullins thought that approach was too cavalier. He felt Hayduk had been carrying the burden too long, and this was a very busy year for him. We need to develop a committee to work on this over time. Need a post-mortem now, start planning today and keep the momentum going. McCarthy said anything worth doing is worth doing well. A lot of effort, just not positioned to do what needed to be captured. Don't wait until you need money to raise, make this an annual and signature event. Plan and develop a tradition for it, make it a community event. Stilwell said the food changes were a good move.

Cowart suggested that when picking date, to look at Spring Break... April 20 was a slow week for some rentals; She concurred with moving the event later in the day. Can work on marketing as well. Hullar said since Easter week was so late, the festival wasn't as busy as we hoped. Terri McClure said the committee did more advertising this year, but got less of a result. Boyle echoed that later in the day is better. Stilwell said we need more people working on this, need a

committee. Miville observed there was a lot of experience on this panel to raise money. Mullins said there was a total lack of understanding of what this group does. We need a communications committee established to promote the panel. Stuart said a cocktail party setting was a better time to explain what the panel does in a local small group setting.

Island bank: Stuart said that Bank of the Islands was supposedly looking at the Wachovia property, and that staff was told not to talk to the media. Mullins felt islanders should not hold off on a media push. Stilwell mentioned she had received a survey on the impact of loss of a bank to the island and its businesses. Miville suggested a push to get the Sanibel Captive Community Bank in there, which would create local jobs and business. Mullins suggested they don't give up on the ones who have a lease now before you look at new options.

Finances: Gooderham noted that an update summary had been provided to the panel.

Trees: Gooderham offered a brief update, that planting would proceed in the Turner Beach area and SCCF was looking into options for the northern end of Captiva Drive and elsewhere. He noted that there had not been any response with ideas for Andy Rosse Lane, so that had not progressed. McCarthy noted that he could envision a row of palms lining the road, which was once called Palm Avenue, and that he would be happy to meet with anyone to discuss and move it forward. Mullins noted he had seen an invasive red thread plant that was common on Sanibel show up in the retention area, and asked that SCCF be alerted to it in case there was a remedy available.

With no further business, the meeting adjourned at 10:45 a.m.

-- Ken Gooderham, administrator