

Captiva Community Panel
MINUTES
June 12, 2012

Attending: Rick Hayduk, Susan Stuart, David Rohn (phone), Jack Cunningham, Mike Mullins

Audience: 3

The meeting convened at 9:05 a.m. Following a roll call, minutes from the May 8 meeting were unanimously approved (Cunningham/Stuart).

CEPD: Kathy Rooker noted there was a CEPD meeting tomorrow at Tween Waters Inn, as well as a district budget workshop on Thursday, June 14 at 1 p.m. She said the district staff was talking with U.S. Army Corps of Engineers on the likelihood of federal funding for the upcoming beach project, and that the Jacksonville District staff was working diligently on the project. The CEPD engineers and staff were moving forward on design, permitting and funding tasks pending the Corps discussions. Hayduk asked if the project was still scheduled for the summer of 2013. Rooker said that was still a possibility. Since the project funding was not in the February 2012 work plan for the Corps this year, so they could not secure funding for this year to start construction. Hayduk asked whether state and county funding was set. Rooker said that the county was not at a number yet, but officials recognized their responsibility to assist in funding. Mullins said that while Gov. Rick Scott OK'd the legislative budget funding the project, CEPD still had to pass Florida DEP hurdles for a funding formula. He said the county fight is huge, since its formula is dependent on state funding. Private homes at South Seas Island Resort could be excluded from being considered part of the public access. He expected a few million dollars at best from both the county and state; federal funding is out of our hands, but on state and local funding we can still have an impact. Cunningham asked whether the \$4.3 million in state funding was locked in. Mullins said that DEP still requires the district to clear some hurdles. Rooker said that the state has a cost-share figure based on eligible shoreline and overall project costs -- 31.05% last time. Cunningham said he had seen the county bed tax breakdown in last Sunday's paper, noting Captiva's share.

Gooderham asked whether protection of the roadway was included in the county share, as that had been an issue in previous projects. Mullins said it used to be, but not anymore. Some of the county funding goes to the Sanibel portion of the project, which puts sand on the coastal areas affected by the retention groin. He said we need Captivans to lobby county officials for fair funding. Hayduk said South Seas and Tween Waters need to take a larger role, owing to the portion of bed tax paid by the two resorts. Cunningham said residents needed to know date-wise when to bring issues to commissioners' attention. He said the Captiva Civic Association might be willing to act, but it needs direction and issues. Hayduk said it was a matter of equity and economic impact of higher assessment for project. Mullins offered a discussion of the real likelihood of funding options. He urged Captivans to take off the rose-colored glasses, to stop listening to the county officials' words and look at what they're offering. Rooker said that road maintenance is in the new agreement. The last agreement was a hard number; this time, we're looking for a fairer deal. She said the county needs to pay this part of what's left, not subtracting everyone else out first. Mullins said the payment needs to be an amount that is greater than this formula against a basic number -- not Sanibel and Captiva both, but what Captiva pays.

QUORUM: The issue was whether the current requirement to hold panel meetings even in the absence or a quorum was still desired by this slate of panel members, since it has been difficult to ascertain

whether a quorum will be present for some of the summer meetings so far. Mullins noted that more people are away in the summer, which makes it harder to convene meetings. However, bylaws changes require time. Cunningham asked whether it was time for a periodic review of bylaws. Nathalie Pyle asked whether the panel really needed to meet in July and August, given the low turnout and lack of pressing issues. Stuart said if there was no pressing issue and no people, don't see a problem cancelling meetings. Hayduk suggested the panel look at bylaws revisions as an agenda item in the fall. Mullins asked if a committee was needed, that it could be announced at the next meeting. Cunningham observed he would not be here in July. On a motion by Mullins (Stuart second) the panel voted unanimously to cancel the July 10 meeting. Mullins noted that panel members had an obligation to make meetings when possible, and reminded all that attending telephonically counts as attendance (but not towards a quorum due to county policy).

HURRICANE PREPAREDNESS: Ann Bradley announced she had brought preparedness brochures from the county Emergency Operations Center from the May seminar. She said there was good attendance for Captiva meeting this year. Hayduk noted that the resort's insurance premium went up 20% even though we haven't had a named storm in two years. When we asked whether that qualified us for a reduction, we were told that it really means that you're due for a storm... so you can't win. We need to stay aware and prepared. Bradley said that 90% of those attending the Sanibel hurricane meeting said they were new to the island. Pyle noted that the islands' population turns over every eight years, so many living here now were not here for Charley.

LDC: Max Forgey noted that the Captiva Code amendment was heard by the Local Planning Agency at its May 31 hearing, which was the third of four hurdles we had to get over to get the code changes approved. He said while the 7-day rental specification raised concerns from county staff, the LPA agreed with the community on that. Discussion followed on Village issues, rental guidelines and other code issues. As a follow to the May meeting, Gooderham and Forgey noted that they had each brought the issue of enforcing the new building height rules (which are in the Lee Plan but still awaiting approval in the code) to the attention of county staff. After discussion downtown, it was agreed that the Plan language superseded Code language, and the new height rules would be used in plan review for building permits pending the final LDC approval this fall.

COMMUNICATIONS: No report

FINANCIAL: Handout referenced, no comments made.

FUND-RAISING: Mullins asked if the panel needed to do another mailing soliciting support for the panel. Hayduk asked whether any further discussion had occurred on targeting the Unincorporated MSTU funds as a potential source for panel funding. A planning funding discussion followed. Mullins said they needed to bring island groups together to create a united front in pursuit of county funding options. Hayduk said the county view that we can't get along out here is stopping progress on our issues downtown, and we do need a unified front. Cunningham suggested the panel needed to redefine what projects we want to take a stand on. Hayduk said this comes back to Captivans' vision for the island, which is an issue we've tried to get traction on in the past. Mullins said the island has concrete things that need to be done... beach projects, code enforcement, etc. We need to get resources for the future to take these things on. Cunningham suggested the panel ask Forgey to review minutes from previous meetings to bring issues together, bring them to the panel to allow us to review and prioritize them. Hayduk said this is about preservation of what makes Captiva great, and how do we want to be in 20 years. Mullins said we should look at using tax resources to tackle private issues -- CEPD, CFD, etc. which ate taxing agencies Forgey suggested the panel consider bringing island groups together, perhaps

as a means to bring county services on a limited basis on the island. He then discussed his meetings with Commissioner Bigelow on a rotating courthouse concept, as it applied to Lehigh first but eventually to other remote unincorporated areas as well. Hayduk said he had heard that the Captiva Fire District was looking at a new fire house, either razing and rebuilding at the current site or at a new location to be determined.

CODE ENFORCEMENT: Cunningham noted his prior comments on this issue, and that he had determined that individuals need to act on concerns rather than expecting island organizations to tackle this on an ongoing basis. A discussion of island code issues followed. Mullins noted there was a difference between strategic issues vs. on the ground concerns, and wondered what the panel function in this was. Gooderham suggested a first step might be better communication of who regulates what to the community. Cunningham asked whether the county would fund it. Gooderham said this was an example of community planning vs. community issues, which could be a way into accessing MSTU funding. Cunningham said there was potential for funding, but this needs a broader discussion that includes LDC enforcement. Hayduk asked if we could find out if the county would fund it, and look at enforcing the LDC as a next step. Cunningham said the county should love that idea. Gooderham noted that it would take a lot of calls downtown off the table if there was on-island enforcement.

Mullins suggested the panel invite representatives from the Lee County Sheriff's Office and the Captiva Fire District to come to panel meetings to update the community. The panel should also consider asking the county to send a code enforcement person out once a month to review island concerns. Cunningham said the panel should get our own agenda together and prioritized first, before we bring more people in to report to us. Mullins said that doesn't mitigate the benefit of hearing from CFD and LCSO now. Mullins made a motion to invite representatives from CFD and LCSO to every monthly meeting to provide a community briefing (Hayduk second). Cunningham said it was interesting to hear from CEPD every month, but they have their own meeting the next day. He felt that having all the organizations come in to report to the panel implies they're reporting to us -- but we're supposed to be a planning body. Stuart suggested we invite them individually, and that their reports probably won't change much month to month. Cunningham suggested making it an invitation to come every quarter. Mullins said these representatives would not be reporting to us, but to the community through these meetings. Hayduk said panel meetings were a conduit to the community. A broad range of issues come before us. He was noticing that other municipalities are merging certain functions, something worth a discussion -- especially with what the CFD is about to do. We should solicit thoughts from Chief Dickerson and Lt. Poppolardo on this, they can let us know if they have anything to report. Mullins said this could be a way to overcome "Capathy" and create a more unified community. Pyle reiterated to encourage such briefings quarterly or when they have an issue to bring forward. Mullins said that more meetings generate more communications. The vote was called to include an option to attend, with a 3-1 (Cunningham opposed) to approve the motion.

CAPTIVA TRIATHLON: Gooderham noted that Randy Cerchie with Lee DOT had asked that the upcoming Galloway Captiva Triathlon be on the agenda for this meeting as part of the permit to use county lands that entailed closing Captiva Drive for approx. two hours the morning of Sunday, Sept. 16. He said very few changes were planned from last year's event, which all agreed went off smoothly and with minimal disruption. While more participants were being considered, the wave structure would be adjusted so that the time bike racers needed to be on the road (which necessitated the closure) would remain the same, and that even organizers were again working closely with Lt. Poppolardo, Chief Dickerson and other public safety officials to ensure that emergency vehicles would have unfettered access to island residents and visitors throughout the event. He also noted that the majority of medical issues in last year's event occurred around the transition area at the north end of the resort, usually tied

to dehydration or heat exhaustion. Panel members and the audience agreed that any impact would be minimal, and they welcomed the positive impact of the event for the island and its businesses during an otherwise very slow period.

OTHER BUSINESS: Pyle asked about the flashing light at the S curve by the Rauschenberg estate... what was the reason it was installed, and did people think it was still necessary. Cunningham said he remembers it was put in as a response to a fatal accident there years ago, and also because it was the busiest curve between South Seas and the Village, with a lot of traffic and pedestrians. Hayduk asked if there was an option to a blinking light. Cunningham said DOT could do reflectors like the ones installed at the Tween Waters curves. Hayduk said this really was a DOT decision. Mullins said Pyle has a right to ask, but he felt the panel should not pursue this and have an accident there occur there later. He also raised a point about walking along Captiva Drive after the road widening, that the blind Pass Bridge was a mess and bicyclists can be a hazard to walkers when they pass at high speed. Discussion ensued. Bradley noted that traffic changes over time, and that is typically was harder to get something put in than to take it out.

Hayduk said the panel should start thinking ahead to what happens once the current LDC is approved by the county, look at "Panel 3.0" and what is the future in terms of funding requests or action items. He listed code enforcement, bike/ped safety and including other organizations as some of those issues the panel should begin considering this fall.

The meeting adjourned at 11 a.m.

-- Ken Gooderham, administrator