

**Captiva Community Panel**  
**MINUTES**  
*Aug. 14, 2012*

**Attending:** Rick Hayduk, Jay Brown, Paul McCarthy, Jack Cunningham, David Rohn (by phone)

**Audience:** 6

The meeting convened at 9 a.m. with a welcome by Hayduk and panel introductions. Hayduk explained that he asked for a new approach to the agenda, putting more on the front side to encourage panel members and presenters to be more prepared and concise. He said with the Captiva Land Development Code adoption process coming to a close, the next step was to discuss what path the panel wants to take. He asked for approval of the June 12, 2012, minutes as presented (Mullins/Cunningham), to unanimous approval.

**CEPD:** Administrator Kathy Rooker said with Tropical Storm Debby this has been a busy period for the district. Staff was monitoring during and after storm, and the curve near Tween Waters Inn and Jensen's on the Gulf was a concern. The county put boulders in to stabilize the dune there. A USACE assessment team was there that Saturday to assess damage to the beach, and we're working for federal help to restore it to pre-storm conditions. Chairman Jim Boyle worked with Lee County Commission John Manning to forward materials to Sen. Bill Nelson, which helped to ensure the county was declared a federal disaster area which gives us access to FEMA funding and Corps funding to restore the beach to pre-Debbie conditions. Our engineer has survey boats out offshore assessing the damage, and we will have details next month. The northern part of the island had the most loss of sand, with South Seas the worst. Surveys will be forwarded to the federal agencies, with funding applications to FEMA and USACE. The storm gave us more sense of urgency to restore beaches, and this damage survey will also serve as a pre-construction survey for the next project and could lead to adjustments to the design of the next nourishment. We're getting three surveys for price of one... a 7-year post-construction, a post-storm and a pre-construction. Brown asked if Debbie will change the scope of next project. Rooker said it could mean adjustments in the design. We need to look at the hot spot near the S curve to protect Captiva Drive, perhaps need to widen the beach.

On Blind Pass, Rooker said it's a county project, and staff met with CEPD at its last meeting. They said they hope to bring the dredge inside the pass to clean out the bayside channel. That's an option only if it's possible to move dredge in there. Brown said the pass has shallowed out since the dredging started. Discussion of changes ensued. Mullins said that between Debbie and dredging, a full foot of sand came in to rocks, mostly from storm. Cunningham asked about Corps funding, whether it would help to restore beach with next project. Mullins said the island could count on emergency funding only, since the Corps' standard funding now rolls over to its 2013 work plan. Rooker said that's the ideal, what we're working for. She noted that FEMA will build dunes, but the Corps won't. As far as upcoming CEPD meetings, on Aug. 15 would be the regular monthly meeting; on Sept. 6 the district would hold its first budget hearing at 5 p.m. in the Ding Darling Room at Tween Waters. There would be a regular board at 3 p.m. that same day, and the final budget hearing would be held on Sept. 20 at 5:01 p.m. in the Wakefield Room at Tween Waters.

**Hurricane preparedness:** Ann Bradley noted that the county response was great to protect the road during Tropical Storm Debbie; the Emergency Operations Center and the Sheriff's Office helped a lot. Our preparedness paid off. The Hurricane Committee has planned a presentation at the Captiva Holiday

Village this year, about what it takes to be storm ready. Mullins said that Lee DOT also was responsive prior to Debby; their crews helped us to get ready for any road risk. He felt the panel should send letter, and they could contact CEPD for details about the county efforts to thank them for being here in full force. Consensus was for Gooderham to prepare and send such a letter.

**LDC:** Planner Max Forgey opened with the observation that Captiva had a good day with the Local Planning Agency on July 30 when the body reviewed and approved the Captiva Code language the panel proposed. He summarized the proceedings, and a discussion of comments ensued. Forgey said the next step is an Aug. 28 public hearing before the Lee County Commission on the LDC amendments. He discussed the hearing process, and noted that the only areas of disagreement with staff were over septic and rental period language. Gooderham noted that recent discussion with the County Attorney's Office indicated the problem with the septic checkoff requirement for permits may be resolved, and that staff may end up supporting the proposal. Hayduk suggested the panel move its Sept. 11 meeting to avoid a conflict with the second public hearing before the commission scheduled for that morning. Cunningham and Brown both noted that they probably would not be able to attend a Sept. 11 meeting anyway due to schedule conflicts. There was a discussion of who would be available to speak at the Aug 28 hearing if needed. Cunningham asked that the date and time of the hearings be sent out again.

Mullins launched a discussion of the RSC-2 rental terms in the proposed code language. He noted that the Jensens on the Gulf property was on the market as a residential property and had been operating as a short-term rental property even with residential zoning. He was very concerned about how it is being leased this way, and whether this could be done on other properties, and thus whether the seven-day language could be expanded to the entire island. There was a discussion of rental terms in multifamily areas. Cunningham said it was appropriate to support what rental language we have now, and then ask for a wider application once fact-finding on the issue was done and islanders could be heard on the issue. Mullins said he might have to address his concerns at the Aug. 28 public hearing. A discussion of potential impacts from that followed.

Forgey offered to request clarification on the Jensens issue from Community Development Director Pam Houck. Cunningham said it was important for the island to present a unified front to the county, and that this would be a setback to that effort. McCarthy said nobody wants hotels popping up around the island, but this is two separate issues and we need to address them separately. Hayduk said the process of drafting this language has been educational and beneficial, and that all Captivans have a commitment to address these problems. On other matters, we've tabled issues for the good of getting this one done, and that should be considered here as well. He said Mullins' interests are the interests of the island. Jensens could be opening a Pandora's Box that we have a responsibility to address if necessary, and he suggested the panel put on the agenda for the next meeting. McCarthy said we want the same protection you as an RSXC-2 owner are getting. Cunningham asked Mullins that if he decided to object, to let the panel know prior to the Aug. 28 hearing so it could be part of what comments are made.

Gooderham noted that the future agenda item on the Lee Plan revision would be delayed due to a slowdown in overall review. He also reminded the panel about the new county town hall website on planning issues, and encouraged them to sign up for it. Forgey noted that the proposed Coastal Communities language in the Lee Plan was a benefit to all the county islands.

**Financials:** Gooderham noted the handout update provide to members.

**Water quality:** Gooderham said plans to expand the water quality section of the panel website and finalize the landscaper card would be done shortly.

**Fund-raising:** Hayduk said the Monday after the Masters event would be planned for next spring on April 15. He said they will likely raise entry prices due to this year's demand.

**Panel agenda:** Hayduk said the goal of this item was to set the panel agenda for the future, and we've started with a basic list from past panel meetings in hopes that you'll add or prioritize items to help focus the energy of the panel as desired. Cunningham said the seven-day rental issue for rest of the island was already brought up as deserving attention. He suggested designating the list as short vs. long term items, and then use this breakdown to help identify priorities. Hayduk said this could serve as a map as well as a destination for a panel. Brown said that communication needs to be two-way to be meaningful. Hayduk said the panel can use technology to encourage communications, through the website and blog-like approaches. Mullins said that people show up when something is controversial. Frame this around hot issues to draw an audience. Hayduk said he could call Susan Stuart (as communications chair) and work on options. McCarthy said the panel should ask the community what the agenda should be, and make it focus of October meeting.

To help that process, the panel went through the agenda list to determine timeframe for action:

- Landscaping – short-term.
- Laika -- short term if ever. McCarthy offered a brief explanation of its status.
- Code enforcement – short term.
- Bylaws – short term.
- Vision – long term and ongoing.
- Panel funding -- research is needed to look at what's been accumulated and what's come back to island. A discussion of process ensued, concluding that research was short term but implementation was long term.
- Coordination with island organizations – again, research was needed.
- Hurricane preparedness – short term.
- Information – short term.
- Seven-day rentals – short term.

Cindy Brown said the panel should clarify process to develop goals, to let community know how this gets done. Cunningham felt that the full panel needed to be here to prioritize goals. McCarthy suggested putting these up as a start to give the community a chance to respond. Hayduk said that people come together in a crisis and in a moment of celebration, so we should look at community events. Bring groups together to hold events, such as a residential block party on Andy Rosse Lane. Bring associations together in an all island block party, sponsored by all the acronyms that exist on Captiva. Mullins suggested that Gooderham use this list to discuss how to set up a public involvement component at the September meeting. Hayduk said that while the panel could set priorities, we could expect issues to arise that would demand more immediate attention.

McCarthy noted that he had asked to include a discussion about a proliferation of rabbits on the island, apparently after someone had let their domesticated rabbits free. Particularly noticeable around the Bubble Room. Gooderham outlined the responses from the county, that Animal Services did not handle feral animals and that Boca Grande had handled its lizard issue by funding a trapper through a Municipal Services Taxing Unit. However, an issue there would be getting permission for someone to

set traps on private property.

Mullins moved (Cunningham second) to move the September panel meeting to Sept. 7 to avoid a conflict with the county commission hearing on the Captiva Code. Approval was unanimous. It was suggested to work toward establishing a Bylaws Committee at the October meeting. Cunningham asked about the resignation of panel member Jim Boyle (which was received earlier in the week). Gooderham responded that Boyle was a CPOA appointee, and that had contacted CPOA President Susan Stuart to ask her to start the process of replacement. She would work on that once she returned to the island in September.

Gooderham asked how the panel wanted to proceed with its ongoing retainer agreement with Forgey, which was on a month-to-month basis at this point, as the LDC process reached its conclusion for this cycle. Mullin suggested the panel extend the retainer to the end of 2012 at \$1,000/month (Brown second), with the switch to a lower rate to commence Sept. 1. Approval was unanimous. Forgey noted that the Florida Chapter of the American Planning Association was meeting in Naples in mid-September, and that space was available on its planned beach field trip. He was willing to sponsor panel members willing to attend, and they should contact him to arrange that. Gooderham reminded all that the Galloway Captiva Tri was Sept. 15-16, that the event had sold out and that Captiva Drive would be closed 6:45-8:45 a.m. on Sunday, Sept. 16, for the bike portion of the race.

The meeting adjourned at 10:45 a.m.

*-- Ken Gooderham, administrator*