

Captiva Community Panel
MINUTES
Sept. 7, 2012

Attending: Mike Mullins, Jay Brown, Paul McCarthy, Jerry McClure, Jack Cunningham, David Rohn (telephone).

Audience: 7

The meeting convened at 9:05 a.m., with introductions and roll call.

CEPD update: District administrator Kathy Rooker said that post-storm monitoring after TS Debby was complete. This data will be used with FEMA and USACE funding requests. The beach lost 14 feet of average beach width in the project area; it accreted at Redfish Pass, but saw a 21.4-foot average recession on Captiva without the Redfish accretion included. Brown asked how wide the beach was on average. Rooker said there were huge differences throughout the island. Discussion followed. Rooker said the district studies shows a 203,000 CY lose since February 2011. Mullins said sand also came into Blind Pass. I measured two feet in my mangroves. Rooker said dredging at Blind Pass will cause some changes in shoreline. We found out yesterday that the dredger will not dredge the inside of Blind Pass after all, because the dredge is too big to go back in there. Mullins led a discussion of prior dredging. He said we still have a plug on the inside of the pass, dredging won't be effective until they clear out both sides properly. The channel is very shallow right now, and the county has no plans to do anything more right now. Hopefully we will continue to have water flow. He felt it was time to start lobbying for a groin on Sanibel, which has a policy of no hard structures on the beach. Rooker noted that design differences in this dredging project included an offshore sediment basin to trap moving sand.

Cunningham asked why fishing was not allowed off the bridge. Rooker said that was in effect only during construction. Cunningham said the new "Welcome to Captiva" looked sign very nice. He asked about the status of a transfer of the Turner Beach lot to Captiva from Sanibel. Rooker said it was very bleak, the county looked into the contracts it signed with Sanibel, which cannot be broken -- and Sanibel wants to keep it due to the parking revenue. Lee County could find no way out of contract unless Sanibel allows it. Mullins said it was always clear we can't get Sanibel out of it that the county needs to give the city something else to get it out of the contract. The city has no incentive to walk away. Rooker said Count Parks and Rec was asking Sanibel to spruce up the Turner parking lot.

She said Sept. 20 would be the district's final budget hearing, and the tentative 2013 millage rate was just over 4% greater than last year. This meeting will be held in the Old Captiva House's Sunset Room at Tween Waters at 5:01 p.m. Sept. 20. Tentative project start date of June 2013 was approved by the board. If the Corps comes through with funding, that will affect start date. Cost of up to \$20 million, with up to \$4.5 million from Florida DEP that deadlines by the end of 2013. We're still negotiating cost share with the county. Brown asked if islanders could be looking at \$14 million to \$15 million unfunded to undertake the project. He asked how that compared to previous projections. Discussion of county funding options followed. Rooker said there's also USACE and FEMA emergency funding in the mix. Mullins said he's not optimistic about federal funding. Rooker said that FEMA funding is possible; it depends on how much funding they have left after all these storms.

Hurricane Committee: Ann Bradley said there would be a meeting in October. The committee was pleased with path of Isaac and its lack of impact on Captiva. If you're interested in being part of a

Structural Safety Inspection team, volunteer with Mark Wells at the Captiva Fire District.

LDC: Max Forgey updated the panel on the pending LDC amendment for the Captiva Code. On Aug. 28, the county held the first or two public hearings for adoption, which was a very quick meeting. The next meeting is Sept. 11 at 9:30 a.m. With building heights out of the way, the only major issue was seven-day rentals in the RSC-zoned area, and the CCA email supporting that provision helped confirm island concurrence with this proposal. County staff is not pursuing removal of that language very aggressively at all. As to the septic language, the county had made a counterproposal Thursday, text of which was provided to the panel members for discussion. McCarthy said he could see no impact of this proposed language. If our plan is to call attention to the issue and start the process to make it more stringent later, this would work. Mullins said he was shocked the proposed language was as tepid as it was. Discussion followed. Cunningham said let this go through as is and come back once negotiations are done. Mullins said he felt this was an embarrassment; he'd rather do nothing than do this now. Brown said what was being proposed had more value than having nothing at all. McClure made a motion to have no objection to proposed language with reservations (Cunningham second). Vote was 4-1 to approve (Mullins dissenting). Mullins said Rene Miville asked me to do something to be more aggressive to work for code passage, I felt enough was being done.

Finances: Cunningham asked why the panel took funding for the hurricane committee. Discussion followed, including considering CEPD and CFD as funding options. Mullins said it should not be included in the panel budget. Terry McClure said the total cost was not high; the most she could remember was \$2,200 one year. Mullins said he was not diminishing the value of the committee, he just felt it should be funded by all taxpayers of the island. McCarthy said it was good from a PR standpoint for the panel to back the committee. It was a small amount for the value we get. The committee is doing a fantastic job, it reflects very well on us. Mullins said it was a benefit that the committee is apolitical. Bradley said the committee serves the community, not associated with a specific organization. Mullins said the panel should leave it in the budget and let committee chair Doris Holzheimer address this. Nathalie Pyle said she liked the idea of funding the committee through the CEPD, a good fit to benefit the whole island. Terri McClure suggested why not share, some from CCP some from CEPD? Cunningham said the committee needed to have one boss, not to split focus and funding. Mullins said the panel is not their boss, the committee reports to the community. Pyle asked what the cost is if there is no storm. Discussion of prior funding and needs followed. McCarthy said asked if the CEPD is a better place for it to be. Mullins said to let Holzheimer speak to this next month. McCarthy said they need to have contingency funding if something would happen.

Water quality: Gooderham noted that the water quality portion of the panel website had been expanded and updated, and that there were still plans to have a card for landscapers to send out once season was closer.

Fund-raising: Mullins noted that Hayduk was not in attendance today due to a conflict with a Horizon Council meeting, which he has recently become more involved with. Mullins also said that Hayduk would be termed out at the end of 2012 and was not planning to seek another term. A discussion of funding ensued – contributions vs. apathy. Mullins suggested the panel needed to look at tax options. Try to get more money from county, a losing battle but worth pursuing. Too much comes out of our individual pockets; try to take it from taxes.

Panel priorities: Brown said that the options offered should be more general; to lay out the discussion Mullins said this was simply a straw man to facilitate discussion. Brown said there are other issues that

need to be included. Mullins suggested leash laws and enforcement. Pyle offered a summary of her past experiences with dogs on beach, and suggested leash law signage near tourist locations. Mimi Schwartzel said the county has a law but many don't know it. Mullins said if it's a county law, let's see if the county will put up a sign. Cunningham suggested the panel be ready to discuss specifics at the Oct. 9 meeting, and asked about a plan to get the word out to the public. This is not a strong enough pull by itself, and we need to say what we will do beyond the Nov. 13 meeting -- what we specifically will do to address these. McCarthy suggested that in October the panel formulate a plan to solicit public opinion, in November discuss everything, and in December draft an agenda for 2013. The result should be the panel agenda for 2013... that it is not our opinion, we should ask the community what they'd like the agenda to be, what their hot-button issues are. We're not ready to launch it yet. Have something we can offer to the public that asks what do you think of this approach and what is the best way to accomplish it? Schwartzel said these are panel issues, you can add any other issues to them. Cunningham said the CCA is planning newsletter in October. Look at that to spend the word. Mullins said the panel should seek input Oct. 9 and Nov. 13. McCarthy suggested reaching out through the website, news release, emails.

Cunningham asked about panel resignations, and what will happen next. A discussion of a potential CEPD conflict followed, with the conclusion to seek the CEPD letter on this, look at Sunshine Law citations and perhaps seek an AGO report on conflicts of other meetings and consequences. Pyle said the panel could watch how far you go with CEPD discussions in these meetings. It goes beyond an update at times; need to watch how far this discussion goes. Mullins said the panel meetings are a good community forum, they offer more public awareness of CEPD issues since turnout can be low for district meetings.

Upcoming meetings: The code enforcement workshop in October will be confirmed. A discussion of panel nominations needs to be included once Susan Stuart is back and decides what the CPOA is going to do to fill Jim Boyle's seat. Plans for public input on the island/panel agenda in October and November.

Mullins said he drafted a letter responding to the county manager's response to the panel letter thanking county personnel for their response to TS Debby. He took exception to "bashing" allegation about staff. The county is more provider oriented vs. consumer oriented. Captiva provides an inordinate amount of money to the county; we need to get value for our contributions. Brown said he would not want to associate this letter to our prior letter and their response; it will undo what good came of this. Mullins agreed, frustrated because we're not making good progress on getting commitments from them. Just asking for more equitable treatment from them. McCarthy felt that was apples and oranges, we need to look at funding as a goal.

The Aug. 14 minutes were unanimously approved on a motion by Brown/Cunningham.

The meeting adjourned at 10:35 a.m.

-- *Ken Gooderham, administrator*