

Captiva Community Panel
MINUTES
Sept. 14,2010

Attending: Gordon Hullar, Dave Jensen, Rene Miville, Mike Mullins, Sandy Stilwell

Audience: 12

The meeting convened at 9:05 a.m. Following panel introductions, the Aug. 10 minutes were unanimously approved on a motion by Jensen (Mullins second).

CEPD update: Kathy Rooker noted the district would hold a budget hearing on Sept. 21 at 5:01 p.m. for final approval of the 2011 budget; no budget increase was being recommended. Recent reports have shown the island has lost the most shoreline ever since the district has been monitoring the beach, and the district is working to be proactive with the next restoration project. A referendum on funding for that project is scheduled for Nov. 2 as part of the general election ballot. The last day for voter registration is Oct. 4, and another town hall meeting to explain design for the proposed project is planned on Oct. 19 at 1 p.m. On Oct. 20, there will be an apportionment hearing and a regular district board meeting in the Otter Room at South Seas Island Resort. Economist Dr. Bill Stronge will be on hand to explain the apportionment process and discuss a tentative assessment for your property. Rooker then explained the process the economist pursues to set the value of the restored beach to island properties. Mullins asked when property owners will get the tentative assessments? Rooker said they should arrive in the mail 10 days prior to the Oct. 20 hearing. Miville said the district needed more participation from Lee County for project funding; a discussion of return on payment to the Tourist Development Council followed. Miville said the district could have gotten more money back from the TDC fund in the good years, and asked how we can all work together since there is a tremendous challenge for funds.

Forgey proposal: Max Forgey introduced himself, and referenced the proposal which had been previously provided to the panel members. The proposal was to succeed the Morris-Depew Associates work on the Land Development Code done already. While his first proposal included an hourly rate, he said he could work with a monthly retainer of \$1,500 plus expenses, as had been suggested by Mullin prior to the meeting. This would allow him to provide planning services, to continue the LDC revisions, monitor changes in planning law and policy as they might affect Captiva, work with county staff on the LDC, the Evaluation Appraisal Report and other planning-related items that could affect Captiva. Mullins asked how long would the retainer period need to be to complete the LDC phase. Forgey said he hoped it could be done in six months, but that may be may be optimistic.

Hullar noted that when the panel first undertook the LDC drafting, it decided a planner was not needed; however, eventually we discovered that one was needed to move some of the major issues forward. The lack of planner held us back, so we needed a planner to wrestle this to ground and make the substantive changes. Miville said a lot of time is spent by some panel members working with county officials; if we had someone to pursue this for us, it would save us time. The panel is also lacking getting out the message, perhaps this was an opportunity to get some branding across. How can we move forward and get these things accomplished? Mullins made a motion to accept Forgey's proposal of a retainer agreement for planning services for a period of up to six months and then review periodically (Hullar second). Miville said this could create a synergy for a marketing entity. Stilwell asked to clarify that the proposal up for approval contained a flat retainer fee, since there were two versions on hand; that was affirmed. Approval of the motion was unanimous.

LDC survey: Gooderham offered an explanation of the process to date, that an online survey had been set up for all property owners and registered voters to share their comments about the major issue areas in the code. Postcards had gone out in mid and late August, with two email reminders and articles in the Captiva Current. The raw responses were running at about 10% of the total, but there were some duplicates (due to desires to change responses) that he would remove at the end before the final tally was run. The survey would close at the end of the day Sept. 30, and panel members would get a full report on the response the following week. The results would be presented at the October panel meeting, which was being moved to Oct. 19 to accommodate Gooderham's schedule and allow time for processing and analyzing the results.

Mullins expressed his concerns with the survey process and the CCA involvement through its letter to members taking stances on the survey questions. He felt the panel ought to put something in the paper on the record about the ongoing misrepresentation of the panel's efforts, to address misunderstandings and outright mistruths once and for all. Hullar added that, contrary to one assertion made recently in a South Seas HOA letter, the panel did not "push" undergrounding the island's power lines and eventually made a decision to say "no" to the undergrounding proposal when it was finally brought to the panel by the property owners who had funded the work being done on this matter. Paul Garvey asked whether a survey was ever done on the undergrounding question. Gooderham responded he could not remember that one was ever done. Miville said the panel could create a letter to Lee County commissioners detailing the extensive process of workshops and meetings the panel held to get the LDC proposal finalized, during which no concerns were voiced by CCA representatives. Garvey disagreed with that assertion, and asked why some wanted to rehash all this? Miville wanted to remind the commission of the 10-year history of CCA opposition. Stilwell asked about the process of tracking duplicate survey responses, and asked whether Gooderham could track which computer is used to answer a survey? Gooderham noted that an IP

address was collected with every survey (along with a date/time stamp) and, since each computer's IP address is unique, extraordinary multiple answers from the same computer could be identified. Ann Bradley noted that, since the Captiva Library might be a place where multiple residents come to fill out the survey, those computer addresses should be noted.

EAR update: Matt Noble, with the county's Division of Planning, explained the Evaluation Appraisal Report (EAR) of hearing process and findings, which led to a short list of issues facing Lee County to be considered as the county evaluates the Lee Plan. The Captiva hearing was a microcosm of what county staff heard countywide, focus on global issues rather than local issues. Forgey summarized the issues raised at the Captiva meeting. Jerry Murphy offered another summary: County residents wanted more dozing bulls and fewer bulldozers. There was concern that the Lee Plan has been an excellent suburban development model, but that the plan has to change to accommodate a different kind of growth. Noble suggested the county needed to build on our strengths -- parks, environment, public spaces. The core concerns ahead were:

- Livability, strong connections, pedestrian and mass transit, more mobility options.
- Community character, respond to needs of communities.
- Sustainability, make it work long-term.

Miville noted the difference between Boston (a highly compact urban area with plenty of green spaces remaining) vs. Lee County, which took suburban sprawl to a new level. Now we're defining the cost of sprawl, and looking at recentralization. It's one thing to have the idea, another to move it forward and enact ideas -- people taking in up ideas vs. government support for them. What's being done to lobby for enactment of new planning ideas? A board that can move issues forward long-term may be needed. Murphy said one option may be to use community panels to develop political clout to move ideas forward, collaborate to work together on issues. Jensen asked whether communities will have a chance to come back to this during the next phase? Noble said that would be part of the process, and was why he had come to the meeting today. Input will be taken online, opportunity for feedback online as well. Murphy said we will be coming back in the next few months with a formal presentation: Solutions, issues, options, discuss what can be done.

2011 meeting schedule: Mullins said he'd asked this to be discussed due to some instances this year when the panel and CEPD meeting were not in the same week, which was at times a hardship on those who served on both bodies. Is Tuesday morning still the best time for the panel to meet? He noted that it conflicts with allowing county commissioners the chance to attend, and also creates some conflict with CEPD schedule. Hullar said the CEPD and panel meetings are the two more critical meetings, so we plan our time to attend them. Mullins said he was not opposed to combining them into one day, and suggested Gooderham poll panel members and see what works for them – perhaps

consider just changing the date for those months that conflict with the CEPD week.

Hurricane committee: Doris Holzheimer noted there would be no meeting until October, check the website for updates. Two hurricanes in the Atlantic now, but they don't look like they will affect us. Mullins reminded everyone that a beach emergency plan is in place, should be noted in any storm discussions.

Finances: Gooderham summarized the financial handout provided to panel members. He noted that a year-end summary and plans for 2011 budget would be provided at the October or November meetings.

Water quality: Jensen offered a summary of the monthly report from the SCCF Marine Lab, and said he was working with SCCF to schedule a meeting during season to summarize the study's findings. Mullins asked about the SCCF report on the Ceitus boat lift, which he had provided to panel members. He suggested the panel request SCCF to evaluate the LDC septic language recommendation and report back to the community. Holzheimer said they've said they won't make policy recommendations. Mullins noted that exactly what they did in the Ceitus issue. I'm not rewriting the study contract, just asking them to comment on what we're proposing. He made a motion that the panel send letter to SCCF to take a position on the septic/OSDTS language we've recommended in the LDC draft (Miville second). Jensen asked if this should wait until the water quality study is done? Mullins felt we need response now when we're deciding on whether the proposed language is submitted to the county. Hullar said we have to wait that long for a data analysis. Mullins said that separate from study, they have expertise on this issue and we can ask them to comment on what the panel is proposing. Stilwell asked that these comments would be related to survey language? Mullins said we would ask their opinion as experts on water quality issues. Discussion of the intention of the letter followed, as well as the status of the LDC language, state law, and final draft. The vote to approve the motion was 4-1 (Jensen opposed).

Public comment: LCEC representative Tricia Dorn was on hand as a follow-up to the discussion of power issues at a summer panel meeting. It was observed that there are still a lot of brownouts and outages continuing. Mullins asked if it was possible to include a backup generator for the system, a community generator rather than individual generators. Hullar asked what reliability is on Captiva itself, vs. a systemwide measurement that Hamilton offered? He hoped for a comparison of cost to LCEC vs. cost to customers; we have a lot of assets to protect, and it may take a little more investment by LCEC to protect them. Dorn offered an explanation of what causes brief outages – animals, trees, etc. – and that a temporary interruptions meant LCEC was trying to clear the issue, but if it hits a line three times the power will go out. Mullins asked if a SAID number for Captiva only was possible, as well as LCEC revenue by zip code? Dorn said they could do it by account. Bradley noted there is always a surge at 5 p.m.

Friday. Holzheimer said a study of the length and frequency of outages was needed. Jensen asked whether a 24/7 crew on-island might be possible with community cooperation? Dorn promised to follow up on the questions and concerns raised today at future panel meetings.

The meeting adjourned at 10:45 a.m.

-- Ken Gooderham, administrator