

## Captiva Community Panel

# MINUTES

Oct. 11, 2011

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

Audience: 12

The meeting convened at 9:05 a.m., Following introductions, the minutes from the Aug. 9 and Sept. 6 meetings were unanimously approved (Mullins motion, Hayduk second).

**CEPD:** District administrator Kathy Rooker noted that the CEPD has seat on the county Coastal Advisory Council, but that the island also had an at-large seat that was currently open should anyone be willing to participate in the group's monthly meetings. She would be presenting the need to do a countywide beach study to the Tourist Development Council this Friday at its monthly meeting, where she would encourage them to do an economic impact study on all the beaches of Lee County. She noted the county studies the economic impact of baseball and amateur sports in county, but not beaches... those are important, too. Everyone looks to the TDC for financial resources, so you need data to make the right trade-off decisions. It's important not only for local but state and federal funding as well, to show cost-benefit ratio for our beaches. Such a study could also make the case in fighting over river runoff, by showing the economic impact of beaches that would be impacted by lake releases.

In terms of sources of funding for taking care of beaches, the district was always looking for new options for project funding. Lee County Commissioner John Manning and county staff would be attending the CEPD meeting on Nov. 9 to talk about cost-sharing of last beach project and next beach project. It was important for Captivans to be at this meeting, since more local cost share dollars from the TDC will lower residents' payments. She said district research showed the island generates \$3 million in bed taxes annually, but the TDC contribution for the last project was only \$2 million total for a project that would survive for eight years. Mullins said very little money from federal sources was likely for the next beach project. The state wants to drop funding for the northern Sanibel portion of the project, which will reduce its share overall from 30% to 20% if the state has any money at all. Discussion followed about the county cost-share for the last and next project.

**Lee Plan:** Max Forgey said the building height amendment to the Lee Plan was adopted by 4-1 vote at a Sept. 28 hearing. He was pleased by this outcome and by the presentations and support from the community. The take-away from this was to be prepared and show up with committed supporters. Now the panel needs to proceed to the Land Development Code, the rest of the package it has

been working on for the past three years. He noted the panel had sent a version of code language to county staff in April; they did internal review, now we go to four county committees for official review prior to adoption. Miville noted that planner Matt Noble stood firm during the Lee Plan hearing, vociferously supported the amendment at the public hearing. Forgey said it was a coordinated effort, didn't just happen. Ebaugh said the adopted language was sent to the state Friday, and will be effective sometime in November. Discussion followed.

**LCEC:** LCEC staff in attendance for a presentation on trees and vegetation was Diana Gilman, Trevor ??? and Tricia Dorn. The focus was on power reliability vs. island vegetation. The utility launched a proactive program after 2004 vs. a reactive one prior to that. Crews were on island now; we urged them to make contact with owners prior to cutting. Mullins noted these crews were not just doing road lines, but also lines leading back to structures. Gilman said LCEC reported 140 hours of down time in the past year due to tree interference with lines. We trim islands more frequently than other areas. Nathalie Pyle said crews were leaving vegetation piled in driveways. Gilman said they would pick up debris within 24 hours of cutting. McCarthy asked if at the beginning of the island (Blind Pass) couldn't some funds be allocated to moving the lines back away from the roadway. Right now, nothing is masked. Dorn said the utility will bury power lines at the differential cost vs. overhead costs, but the customer has to pay for the difference. McCarthy asked if they could do that one section along Captiva Drive where lines are so close to the road.

**LDC:** Ebaugh explained the county review process for code language: review was put on hold for building heights language resolution. Staff will complete review in 6-8 weeks; comments and changes will be submitted, and Nettie Richardson will be the lead reviewer. The panel will have an opportunity to comment and revise, then that draft goes to the Land Development Code Advisory Committee (for peer review) and the Executive Regulatory Oversight Committee (for review by the development community for any impact). Then the language goes to the Local Planning Agency and Board of County Commissioners for adoption. Pyle asked when would there be an opportunity for input. Discussion followed of the review and comment process. Miville said a new panel was coming due to term-limited seats, so it's time to move this forward ASAP.

**Lee Plan update:** Ebaugh said the staff is undertaking a thorough review of the entire plan, for the first time since 1984. Community elements will be moved to a new Communities Element section, to identify what's unique about our communities. Opportunity for those communities (including Captiva) to change goals as desired, to work with staff as part of this review process. White papers will be done on specific items where we need specific direction, and they will be sent to the Local Planning Agency, the Sustainability Committee and the BoCC. Staff already did one on vision, and is planning one on public health and services. These papers are online and available for distribution. Communities

can schedule meetings to go through their goals with staff... discuss the plan as a whole. Kelly asked how staff could help us understand how it affects Captiva. Ebaugh said the vision process encouraged public engagement, but policymaking is more difficult to get public involvement. Forgey said he could do a review of Lee Plan to identify those areas that affect Captiva -- land use, emergency service, transportation, etc. Ebaugh would coordinate with Forgey on any review. McCarthy asked about a land acquisition vision for the island. Ebaugh said staff could identify how to better protect environmental resources and rural areas, something we heard strongly through all workshops. Miville said it was sprawl vs. solutions, and asked how to engage discussion. The county could work with communities who are willing to become models for mixed-use centers. Forgey noted there were groups such as Reconnecting Lee pushing transit redesign.

At approx. 10:15 a.m., Stilwell left meeting and Hayduk took over as chair.

**Captiva taxes:** Mullins explained his research into what has been collected in island taxes, vs. what has been returned for island projects through beach grants or Unincorporated MSTU spending. He felt there was a pattern of county waste in spending, and is concerned how it relates to beach communities and tourist taxes. Captiva is a donor community, so we need to ask if we are getting a fair shake on our tax return. He will be discussing this more at CEPD meetings and in the future. The MSTU fund could be a source of money for Captiva. He felt that county money isn't coming back to the island in an equitable fashion, and urged islanders to pay attention to this since we need your help. Commissioners need to hear from you for get our fair share. Discussion followed.

McCarthy said the island needs a plan, not just throw rocks. Captiva should not just beat up Lee County but work to improve our situation. Define what we want, and why we deserve to get it based on facts. He said the panel should ask the community to set its priorities, and then take that to the county. We should come up with a plan and pursue those priorities. If something such as tax increment financing would be a good way to fund island concerns, now is the time to consider that. Kelly asked what other communities, beach and otherwise, were doing. Miville said the panel should enlighten the island, get consensus, and develop funding mechanism. The CPOA is looking at hiring an attorney/lobbyist, and then go to the legislators to take action. We have political clout with State Sens. Bennett and Benacquisto. The county should be paying its fair share.

Hayduk said we should include an item to discuss format to pursue this at the November panel meeting. Funding for beaches and the panel, multiple questions that need to be addressed. Miville felt they needed a critical path prior to the next meeting. Kelly asked how the county views the panel, as a true advisory board? Ebaugh replied that panels are not considered as an official advisory board of the county, rather as a community organization that provides input to the county. Official memo on this, has to do with legality of operations. Hayduk asked what

are priorities of Captiva? Taxation = funding... set priorities, and then go after funding. Mullins said municipalities are listened to, communities not necessarily so. Hayduk said it comes back to what is the island's vision for Captiva? Infrastructure, image, impact. Do we want to stay as a sleepy donor community? Capathy vs. action. What's the position of Captiva into the future?

Forgey suggested the panel members write your vision of Captiva in 20-30 years, 100 words or less, send it to me for the next meeting. Hayduk said we should ask the community to get involved as well. Ask everyone to participate. McCarthy said the panel could use the Lee Plan discussion as the hook to ask the community to participate, and the panel can serve as your voice. Ebaugh said that staff could help your visioning process. Hayduk said this discussion has moved from taxation to priorities to bringing the community together. Ask people to respond to: "My Captiva is..." in 100 words or less. Boyle made a motion to add Captiva vision to the November agenda for discussion. with Kelly to head up (Mullins second). Send out vision request to the community, and each panel member needs to contribute. Stuart said communication was a big issue, we need to look at nontraditional ways to get people more informed. Doris Holzheimer asked when things would be due, and the consensus was to set a Nov. deadline for the Nov. 8 meeting. McCarthy suggested a community meeting between Nov. 8 and Nov. 20. Ebaugh said she, Forgey and Gooderham would work on dates. Holzheimer suggested a cover letter to provide perspective. Would the horizon be 20 years out? Forgey suggested to make it 2035 to tie to the county plan. The motion was unanimous approved.

**Hurricane Committee:** Holzheimer said while it was quiet it was still hurricane season; it's been an active season just not here. Mullins suggested the committee could get funding from the Captiva Fire District and the CEPD, that will be discussed at next district meeting.

**Finances:** Background information was offered without questions.

**Water quality:** John Jensen said they were planning to create rain gardens at Twin Palms, and Bob Walsh was working on it to redirect runoff that would head to the bay to go into a garden instead.

**Fund-raising:** No discussion.

**Trees:** No discussion, payment was being anticipated shortly.

**Other business:** Nominating Committee discussion about the seat to come open at the end of the year. Gooderham noted that neither group able to appoint members had responded with its plans, Miville said CPOA was working on making a decision prior to Nov. 1. He asked if the CCA took no action on its appointment, will Kelly and Hullar be willing to stay in their seats as allowed in the bylaws? He said we should assume Kelly and Hullar would stay unless we

hear otherwise from the CCA, and Gooderham should follow up with a reminder about the Nov. 1 deadline.

McCarthy noted the successful Captiva Tri in September, and said the panel should draft a letter of thanks for the work Lt. Joe Poppolardo and Chief Rich Dickerson put in on behalf of keeping the island safe. He made a motion to have the panel send a letter to that effect to the Lee County Sheriff's Office and the Captiva Fire District (Miville second), approval was unanimous.

The meeting adjourned at 11:40 a.m.

**-- Ken Gooderham, administrator**