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**Captiva Community Panel
Tuesday, Oct. 14, 2014 @ 9:00 p.m.
Cone Room, South Seas Resort**

Members:

Mike Mullins (President)
Jack Cunningham (JC)
Jay Brown (JB)
Bob Walter (BW)
Paul McCarthy (PMcC; quorum present)
Mike Kelly (MK) joined meeting at 9:05.
Susan Stuart (via telephone)

Max Forgey (MF), note taker

Sharon Jenkins-Owen, AICP (SJO); Principal Planner, Lee County Department of Community Development; SJenkins-Owen@leegov.com
Sgt. Mike Sawicki (MS), LCSO
Kathy Rooker (KR), CEPD

Cindy Brown (CB?)
Doris Holzheimer (DH)
Harry Kaiser? (HK)
Fred?

David Depew, AICP (DD)
Bill Morris
Tina Ekblad, AICP
Jose Gonzales, AIA (JG)

Meeting convened at 9:02 AM by Mike Mullins who announced the presence of a quorum.

MM: Proposed to dispense with reading of minutes. Motion Cunningham, second Brown. Adopted unanimously. Kathy, can you explain the visitor's card which CEPD has produced?

Kathy Rooker: It's a two-sided card with rules for visitors. How to keep the island and beaches beautiful and safe for people and wildlife. Sea turtle season is coming to an end. This is important because it affects county permitting. The biggest two sources of violation on the island [among visitors] are lighting and items left on the beach. The newly adopted CEPD budget lowered the tax millage slightly and should keep taxes level for the next year.

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Paul McCarthy: The cards are great. I wonder if we could combine our resources and funding and produce a one-page “Welcome to Captiva” brochure with information from the Sherriff, Fire, Noise, etc., explaining the role of the Panel, CEPD and other resources.

Bob Walter: That’s a great idea

PMcC: “Welcome” is the important word. Again, this is a great product but I wonder if we could get the main issues on one sheet.

Jay Brown: Last meeting we went through a litany of rental issues.

MM: Yes, and I think it would have been better if we had made that workshop a separate item from the Panel meeting. In the future, I would like to do it that way. Some people want to attend only that item, and they can arrive at 10:00 for example. Regarding CEPD, we understand that it was an independent effort and the result has been commendable. It would be a good to have the conversation that Paul proposed. Is Chief Rich Dickerson here today?

Max Forgey: Dickerson was unable to be here, but he sent word that the fire station construction is on schedule and should open on time.

MM: Mike, could you bring us up to date on the County’s new noise ordinance?

Sgt. Mike Sawicki: Most noise disturbances are no longer pinned to decibels. The new standards are applicable when we arrive on scene — volume of noise, can it be heard from receiving end? Nature of noise, volume and intensity of ambient noise. Proximity to sleeping areas. Is it commercial or noncommercial activity? It does not work for all types of complaints — e.g. it’s too bad that service vehicles are making noise, but the ordinance does not prohibit it; lawn care, leaf blowers, chippers, they’re all OK with the new ordinance.

MK: What about construction noise?

MS: That’s usually a code enforcement matter, but we sometimes get involved. When it comes to construction noise, decibels still matter; we do have the decibel readers to measure it.

MM: There are now apps that register dBs. In fact, Mike, you’re speaking at 68-70 right now.

MS: Yes, and I’m allowed 72.

David Depew (Morris Depew Associates): Those apps won’t hold up in court.

MS: Ours have to be calibrated. Again, not everything in the new ordinance is tied to decibels.

MM: Doris, can you give us a hurricane report?

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Doris Holzheimer: It's still hurricane season until Dec. 1. There is a hurricane near Puerto Rico, but it is not expected to reach Florida. We will monitor—remember to go to MyCaptiva.info, our website. Our January meeting is scheduled, and our information meeting will be May 7th. We've had poor attendance the last few years, now that the last hurricane was ten years in the past, people forget.

MK: Is there a better way to get attendance?

DH: They have good participation on Sanibel. [Encourage neighbors to attend.]

MM: Paul, fund raising?

PMcC: We have sent brochure to all property owners requesting \$50/100 contributions to support our work.

MM: Also, let's remember that business owners are our constituents.

Harry: Do we send thank-yous?

PMcC: Yes, Ken does.

Susan S: Ken will be back next month and he can provide more details.

MM: We get reimbursed through planning and are expecting up to \$50,000 this year, Max Forgey, would you like to explain?

MF: We receive funding through working on workshops, planning efforts like updating comp plans or land development codes. And as we bring in experts, rent buildings, or any useful items are billable to the county. Sharon, could you elaborate?

SJO: The county has a program where individual communities apply for funding and are awarded \$50,000 towards community planning and development. Max here is your consultant and we have a contract to meet certain deliverables. We usually share the cost with the community.

MM: I did want to point out the budget this past year was very tight and we failed some of the gaps, but do you know if we have filed for reimbursement for some of that?

SJO: One invoice filed so far; one more is on the way.

MM: Max, would you like to segue into the planning portion?

MF: I do see a couple of new faces so I'll probably get into River Hall a little more in depth than I originally planned to. River Hall is in east Lee County, just east of I75, along SR-80. It is a part of the Caloosahatchee Shores Planning District. Important thing is the Board of

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County Commissioners is struggling with a passage in that community plan that says that any conversion of currently rural property to a more intensive use has to be predicated upon a finding of “overriding public necessity.” You have two commissioners who appear to be ready to make the finding (Hamman and Pendergrass), two who are entirely opposed (Mann and Manning), and one who has an evolving view of the issue, Kiker. This is important to this community because if they can set aside some of their community plan in C-Shores, they could do something similar to us as well. I will keep you informed about it, as it’s coming back to the Board on Oct. 22.

JC: I want to come back to the statement that we are sharing some of the cost from the money given by the county. I was under the impression that the \$50k was only from the county.

SJO: Correct

MM: On an ongoing basis, all of our fund-raising that we do here, the idea is that we raise a match to the grant, but we usually get well over.

JC: But we’re not obligated to match this \$50k grant.

MM: I think we either have previously, and we periodically get the grants and we match or beat them over time.

MF: For instance, when you pay Ken or me, it’s part of your match.

MM: And any events we run for community purpose, like Paul’s boat ride or South Seas.

MF: And I never bill more than my standard monthly fee so you get more for your investment.

MM: And you explained to me if the workload is light you bill less accordingly to fit the load?

MF: Yes, in August I charged less than my retainer because the workflow was so light.

MM: So you’re using your numbers as a baseline operating number?

MF: Yes.

PMcC: Is the golf tournament on for the same time next year, Bob?

BW: Yes, at least for this year. It’s still the Monday after the Masters’ Tournament. [Monday April 15, 2015. Ed note.]

MM: SSR has always been a special supporter for this event and we appreciate it.

MM: I had an illness when the initial agenda came out. By the time I had a chance to read it—that was probably 10 days ago—I contacted Ken, and got a larger volume of contacts that had concerns that the Panel was originally developed as an objective of satisfying its

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constituents that would be transparent and give people sufficient notice. Some people are upset about inadequate notice, but people are concerned about the effect on South Seas and hope we could get another round of discussion of it. Max contacted the proper people [at Morris Depew] and we are trying to schedule a second round.

The next item is the presentation of the proposed changes at SSR [South Seas Resort]. I have been getting calls from the public about this item. Since I missed two meetings this summer, this item caught me somewhat by surprise. There are 140 units that I understand will be moved from the south end to the north end of the property. Max called Tina and opened up a dialogue. I just want to make sure that this is not our last discussion on this matter. Dave, will give us a presentation?

DD: We will be filing an amendment to the administrative interpretation soon. We plan on coming back to keep Captiva informed. You will recall that a number of years ago the Board of County Commissioners adopted an order controlling SSR development [AI 2002-00098, Ed note]. It included employee housing. A modification of the site plan is associated with the administrative interpretation. We haven't engineered it yet; we haven't done the landscaping plans. When we have those things, we'll come back to you. The challenge is how to move 140 units from this area (on the south end, the front of the development). This is the first preliminary step.

MK: I'd like to know more about employee housing.

DD: Most don't want to live there. They aren't interested; we will retain some of them for those who want to live there; but we don't want to maintain empty units.

MK: What about the land where the employee housing was situated. Do you have plans for that?

DD: Nothing at this time. We may eliminate units. Conversion is difficult—we'll start construction on the other end and start demolition here [i.e. south end of SSR.]

MK: Are you adding rental units?

DD: [No net increase in units.] There are 140 employee units now. It's consistent with the administrative interpretation. [Introduced Jose Gonzales, project architect.]

Jose Gonzales: I'm with Gonzales Architects, a Miami-based firm. I have been coming to Captiva since I first got my license in 1980. This project will result in a shortening of the ninth hole at the golf course, but our golf course designers were able to assure that the remainder of the course will be unaffected. Units to north side won't have sight lines compromised. We feature a center court with pool on edge of lake. Units are two stories over parking with aspects of modern aesthetic combined with vernacular look—articulated rooflines. We always design to Category 5. We use impact windows and turtle glass. The basic pad is eight units per floor; two bedrooms, although we are allowed to go one bedroom on a maximum of 28 of these units.

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BW: This doesn't make economic sense for most employees.

JG: We're not creating new units. We still have to accommodate employees in some cases.

DD: Employee housing won't be in *these* units. We have to supply up to 140 units of employee housing, but not specifically that all of those units are – just for employee use. I didn't mean to lead on that, but we have to supply units.

JG: We have 140 units.

PMcC: This could be an opening discussion.

DD: It's a community thing—we provide parking, opportunity for day trips.

Man in Back: Absentee ownership.

JG: We want you to love this, and we hope to have it finished by Christmas 2016.

DD: We're optimistic.

MM: There will be more feedback. Could you come back and provide us with more information in January?

DD: Yes.

JC: January would be fine. I'm not opposed to this project...yet.

MM: Are there any urgent questions?

Fred?: Does the sewage treatment plant have the capacity to handle the additional demand for service or is it already maxed out? Is there room for expansion?

MM: That's a good question but I think we should hold it in abeyance until we can get a good answer. I have some concerns about the scheduling of this presentation, which was very informative.

DD: We scheduled it as soon as we had the go-ahead.

MM: Ken scheduled it for us. The by-laws assign this task to the Panel. I disagree with Ken's interpretation of those by-laws. We might have scheduled this for November, December, or January. At any rate, this should have had the President's authorization. We should have been consulted before it was put on the agenda. On other Panel business, I put Rene's [Miville] name to the Nominating Committee. If anybody else is interested, they need to call me. Susan's, Paul's, and my terms will expire at the end of this year. Paul is on the committee.

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[Depew party left at approximately this point.]

JC: I volunteer as Panel rep if nobody else is interested.

CB: I think that Jerry McClure is interested.

PMcC: I think we can have two if there isn't a sunshine problem.

MM: We'll resolve that matter. The final choice is the Panel's call, but historically we have accepted the Nominating Committee's recommendations. I'll see if Ken has heard from anybody. My point to Ken is to be more sensitive. Two weeks are important. Panel, not staff, should decide what goes on the agenda.

BW: In the spirit of transparency, should we not invite anyone to appear, if that's what they want to do?

MM: Of course we don't want to stop people from appearing. It's a timing issue—should Ken be the keeper of the agenda?

JC: I think the current rules (by-laws) work just fine. Panel sets agenda.

JB: If we have future conflicts like this, we can resolve them on an *ad hoc* basis.

[MM?]: As long as they aren't asking for a final, it's not a problem.

PMcC: It's likely that they would want to come back.

MM: I gave my feedback. There's no harm this time.

MK: This item should be on the agenda every time. People from here will be going to the BoCC and griping. Just put it on the agenda for update. It really isn't an employee thing. Opportunity for major meeting.

PMcC: I'd like to see it every month as a ten-minute item. Give Dave or one of his people an opportunity to update us.

JC: Would company entertain a site plan change if it affects the Agreement?

Adjourned 11:13 AM.

Sharon's notes follow.

Project Summary:

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- Dave Depew said that they would be filing to modify the administrative interpretation with the County sometime in December.
- Plans are still conceptual at this time. Engineering plans have not been prepared. (They will come back to the community once the engineering plans are ready. Later in the meeting, Dave committed to present at the January 2015 community meeting.)
- Dave Depew said that the current agreement contains a provision for employee housing up to 140 units onsite.
- Employee housing onsite is underutilized. Only 90 of the 140 are used for employees. Most employees use the van service.
- The new buildings would be built and then the existing employee housing would be demolished. There are no plans at this time for the site that will be demolished.
- The new 140 units would not be used for the employee housing. Instead, the employee housing would be provided elsewhere within the existing buildings.
- A portion of golf hole 9 would be redesigned to accommodate the buildings.
- Buildings will be on the other side of Coastal Construction Line.
- There will be seven 2-story buildings, eight units per floor, 16 units per building.
- Contemporary Florida Style
- Most will be two- bedroom units . However, 28 units may be converted to one bedroom units.
- Units will be built to Hurricane 5 standards to withstand 155 mph winds.
- Units will have “turtle glass” that will allow residents to keep their lights on without disturbing the turtles with light pollution.
- The new units will be “resort units” and not individually sold.
- Property to the south will not be impacted.
- They studied the sight lines from the end units on the property to the north to verify that they would still have an unobstructed view of the water.
- Dave Depew said that the community could anticipate more redevelopment within South Seas over the next few decades as they replace obsolete buildings.
- Estimated Project Timeline: Submit modification to Administrative Interpretation around December, followed by SFWMD and Lee County Permits, followed by construction (15 to 18 months). Units could be ready by end of 2016.

Community Concerns:

- Impacts outside of South Seas
 - Parking
 - Traffic
 - Evacuation
- People density – how many people will be in each unit
- There will be no restriction on the size of the units – 20% more square footage than today
- With nicer units, more employees may want to live onsite.
- Board needs to talk among themselves and community regarding the impacts and how it fits into the overall long term plan (Lee Plan and LDC amendment updates).
- Is the Sewer Plant at capacity? If not, and if there is room for expansion, consider expanding services to Captiva Village.
- Mike Mullins’ (President of Captiva Community Panel, primary concern is that not enough residents are back yet to provide input on the South Seas Plan. Dave Depew said he would present at the January meeting to give a project status report.