

Captiva Community Panel

MINUTES

Nov. 14, 2017

Attending: Dave Jensen, Andreas Bieri, David Mintz, Rene Miville, Bob Walter, Mike Lanigan, Mike Boris, Sandy Stilwell (p), Peter Koury (p), Mike *Mullins*:

Audience: 20

The meeting convened at 9:05 am. Following introductions and roll call, the Oct. 10 minutes were unanimously approved (*Mullins*: Walter).

CEPD: *Kathy Rooker*: Engineers have finished physical survey out on beach, post storm assessment. Preparing report comparison of pats project and current conditions. Met with FEMA three meetings in person. Waiting for us to return post storm survey. loss of volume of sand from storm. Big change in FEMA person I work with has stayed the same, in the past they always changed meeting to meeting. One main contact with FEMA, will carry our project in for funding. *Boris* How much benefit possible? *Rooker*: Visual survey thought we lost 100K CY of sand, \$18 per CY plus mobilization. Have to wait to see what they can do for us. Report will go to commissioners then to FEMA. ?? Timeline? *Rooker*: All depends on what conditions are. Normal cycle was 2021, this may change open to discussion.

Miville: Past panel and CEPD members in audience today. Some new faces as well, thanks for being here.

LCSSO: *Lt. Mike Sawicki*: Working on mitigation problems at Turner Beach and Blind Pass Bridge. Enforcing nighttime closure, getting better signage. Nighttime closure, park is closed dusk to dawn. Input welcomed. *Mullins*: Captiva side only? *Sawicki*: Don't believe Sanibel has a closing time for bridges. *Bieri*: What about problems at Hagerup Park? *Sawicki*: Not a regular problem, no plans to change anything. Trying to reduce impact on neighbors. *Mullins*: CEPD did change to close at dusk, but it's not enforced. *Bieri*: Parking situation on island, we need those 60 parking spots open so people can to walk to restaurants. *Sawicki*: Was posted for 11 p.m., rule was actually dusk to dawn. Seeking agreement in rules to enable enforcement. issue between business, CEPD and parks. Issues was other people, trash, fishing, entering South Seas Island Resort. Discussion. *Sawicki*: Concern was loitering at night. *Walter*: Captiva side will be gated? *Sawicki*: Maybe? *Walter*: False hope, if Sanibel does not do the same nothing will change. *Sawicki*: Reduction of scope of problem, fewer parking spaces, etc. Can't affect Sanibel enforcement, would keep some issue son their side. *Mullins*: Issue was fishing from docks after people go to bed. *Sawicki*: Trespassing on private properties more of a concern than just trash. Both beach and bay properties. *Miville*: Hagerup Park parking convenient for restaurants, enforcement is for people who might be doing trouble. Think about this when we discuss code issues, parking for business vs. parking for troublemaking. *Sawicki*: Business use is not our issue, We're not trying to enforce simple parking, more focused on loitering. *Mullins*: South issues vs. north issues on beach parking. Considering charges at next month's meeting. *Sawicki*: Scale of problems different at each beach.

CFD: *Assistant Chief Jeff Pawul*: Introductions. Just changed clocks, change your batteries in smoke detectors, turn heaters on now to test it out. Holidays ahead, don't cook turkey in a deep fryer inside. With holiday lights, watch your extension cords.

Librarian: *Lisa Riordan:* Last spring we had no FT librarian. County changed its mind, hired someone over the summer, she quickly left. Posted for FT librarian again, appointed a person two weeks ago, Colleen Barany, currently in Cape Coral, met with her last week. Here FT Dec. 1, bring her to December meeting. Thanks to panel for support, community for support to keep FT librarian on Captiva. *Mullins:* Paying for causeway tolls? *Riordan:* Friends of the Library raise funds for items not in library budget, details of gifts. Tolls included in that. Paid for all three librarians there. Intend to pay for new librarian. We were told county has changed rules on how Friends can spend money. Included we can't pay tolls, unofficially. Ceased paying for current librarians as well as new ones. *Mullins:* Could member of community donate cost of transponders? *Riordan:* Can't do that, form of compensation. Trying to find a way around that. *Mullins:* Some of us would be happy to donate transponders.

- **ACTION:** *None.*

Captiva Plan: *Mintz:* Worked out plan compromise with staff, presented to Local Planning Agency (LPA) as joint proposal. Unanimously approved by LPA. Goes to Board of County Commissioners Nov. 22 for public hearing for transmittal. Met with Commissioner John Manning to discuss any issues. Confident of passage and transmittal to Tally, then back for adoption. *Mullins:* Not soliciting anyone to come to meeting? *Mintz:* No. LPA asked about meeting about plans, very important to LPA and Manning. Full transparency very important. County revising Lee Plan, to impact all communities, ours will be exempt since we've gone through this process already. Succinct purpose and role of plan, read email. Consistent with goals, objectives and policies. Source of authority for local government land development regulation. Next job will be to develop code regulations to implement plan. Outlined in Administrative Codes for county. Assign panel to do this for the community, as long as we do it transparently, also to fund writing of code. *Mullins:* Aware of anything in conflict for us. *Mintz:* Not seen anything yet. Discussion. *Mullins:* Source of authority worth exploring further. Nice to have development plans brought to panel voluntarily. Discussion. *Mintz:* Community would like to know what building is planned. *Miville:* Code discussion or just discussion. *Mintz:* Source of authority is the document, the plan. Code is also incorporated into county code. Ordinances as well. Get everything in one place so people know what's required to build on the island. *Miville:* Discussion of lack of funding for future planning. will be discussed later. Discussion. *Miville:* County is sensitive to fact of island's needs and unique qualities.

- **ACTION:** *Prepare for transmittal hearing Nov. 22.*

Captiva Code: *Mintz:* Chart lays out code needs based on plan goals and policies. Chart handout shows a full range of issues which may be able to be addressed in code or ordinances. Associated issues with provision in plan that gives us authority to act. Asking for other issues not on this list, plus thoughts on how to proceed with the issues listed. Discuss next month, then have Gooderham and Mintz work on draft plan and language on how to proceed. *Miville:* Critical path timeline by December? *Mintz:* Yes. *Hal Miller:* Astounded at amount of time spent on this, no surprise the county looks at us with the time spent on this. *Miville:* Power of the people, engage community and government on behalf of island. *Mullins:* Particularly applaud Mintz and his work on all this. Discussion.

- **ACTION:** *Prepare timeline and proposed structure for Captiva Code development.*

Sunshine Cafe: *Mintz:* Confusion at last meeting on what was being asked of the panel, required by the county. Sunshine Café needed an amendment, was required to hold public informational meeting. Did not

meet requirements at our meeting, made it clear to county that it did not comply. Sunshine held its own meeting in early November. Tween Waters did not need variance, here just as a courtesy, no action required.

- **ACTION:** *None.*

Public information meeting: *Gooderham.* Handout explained, summary of language now and to be approved. May want to include additional issues, such as requiring presenters to provide materials in advance for electronic distribution, discuss whether presentation is required (and why) or a courtesy to community, and explain that no panel action is required, only for minutes to reflect discussion and any objections. *Mullins:* Concerns about people bypassing the panel. *Mintz:* Explanation of steps. *Gooderham:* Regardless of who's in charge of development regulation, vigilance by the community is essential.

- **ACTION:** *None.*

Website: *Miville:* Mike Lanigan brought attention that we need a website redesign. Asked someone I had worked with, T.J. Walker, to submit bid for redesign. *Walker:* Introductions. Handed out redesign proposal. Fresh contemporary look. Streamlining navigation, eliminate redundancies. Discussion of plans. Can add social sites. *Miville:* Forum capabilities? *Mullins:* How easy to change things on here? *Walker:* WordPress format. Forum is possible, adaptable and expandable site via including modules. *Bieri:* How much? *Miville:* \$5,000. *Mullins:* Invasive Species a temporary thing, how easy to change? Discussion. *Walker:* Adaptable to devices and formats. *Mullins:* Changes we can make? *Walker:* I'll cover first three months, easy to change after that. Discussion. *Walter:* Current site is obsolete. *Mullins:* Quick changes necessary. *Mullins:* Social media more important to flexible communications? Better to build something on social media, leave current website for backup? *Walter:* Website is foundation, social media leads to it. *Lanigan:* Needs to look at all platforms. *Miller:* Ongoing fees? *Walker:* Hosting fees. Webmaster, can set authorities and hierarchies. Discussion. *Miville:* Summary. Next step is budget and hiring? *Lanigan:* What do we want on this? *Mullins:* Target next month to discuss. *Jensen:* Establish panel contact person, set up deliverables. *Boris* Foundation of the Island support possible. Discussion. *Lanigan:* Price tag based on what we want. List of deliverables to provide to vendors. *Mullins:* First phase is requirements. *Boris* Would like input from more of community, or more from panel. *Mullins:* All in favor of updating, just need to define requirements. *Mintz:* Boris, Lanigan, Rathbone and others could meet before December meeting, set requirements and deliverables to discuss in December. *Miville:* A collaborative process with the designer. *Walter:* Community involvement crucial, designing it for people who are not here. *Lanigan:* Good interactive design presented.

- **ACTION:** *Work on website and communications needs.*

Captiva Drive: *Lanigan:* Background on request. Information gathering mode, spoke with Lt. Sawicki, limited resources for patrolling and enforcement. LCSO is committed to try to patrol at critical times. Talked about including speed measurement signs, looking for community feedback on that. Lee DOT responsible for that. *Sawicki:* Sign belongs to LCSO, placement is DOT decision. *Lanigan:* Also update speed study, it's been a few years since that was done. Randy Cerchie will get back to us. ????: Eliminate passing lane, encourages speeding. *Boris* Also agree, passing endangers cyclists and pedestrians. *Lanigan:* Probably a DOT decision about that. *Riordan:* Inconsistency of speed limits? *Lanigan:* Good

suggestion. Different speed limits for trucks and cars? *Mullins*: Temporary sign is easy to do, might indicate impact. *Sawicki*: Two categories: People who don't know speed limits, new to community. Then those who speed with intent. Highest repeaters are employees. Employers can be effective on this. Mutual benefit to employers and employees to obey the speed limits. *Mullins*: Also residents, we could all help with that. Some cars tell you what speed limit is on road, do we have that technology on here now? *Sawicki*: Goes through GPS. ??? Wiles Lane speeders. *Sawicki*: Hard to assess speed based on road conditions. Discussion of Village, vegetation management. *Antje Baumgarten*: Consider why do we do it? Running late, aggressive drivers. Problem is not those who are not aware of limits, but ones who are driving aggressively. *Sawicki*: Get us a vehicle description and a good time of day, we can catch hem if they are regular drivers. Also be selective about warnings vs. tickets. Part of community, help us keep it safe. If we stop you again, there will be tickets – no more warnings. *Ann Brady*: One of those who drive to work every day, hard to be in a Zen state of mind. Sign by S curve is hard to see, to know about 10 mph limit. Vegetation needs to be trimmed. *Sawicki*: That an advisory sign, yellow sign is maximum safe speed.

- **ACTION**: *Follow up with Sawicki with problem drivers.*

Nominating Committee: *Miville*: Any public nominations? Panel appointments Mintz and Jensen willing to continue, anyone who wants to submit resume to be considered? *Mullins*: Clarification. No submittals. *Mintz*: Explanation.

- **ACTION**: *Final vote in December.*

Wastewater: *Mintz*: Feasibility scope of study went out to bid from county, TKW Consulting won bid, study over next 4-5 months. First, TKW sat down with wastewater committee, found out there were changes in scope from our original scope. Compared their scope with original, wanted to meet with them to express things important to panel included in final scope moving forward. Productive meeting, think we worked out issues... assess all feasible options for Captiva, review other islands' decision to move to sewer or other wastewater decisions, financial feasibility for all feasible options. Will continue to work with them to monitor course moving forward. Looking to set meeting in January to explain scope, how we got there, hopes from the study. *Mullins*: We defined requirements, county chose consultant and is paying for project.

- **ACTION**: *Follow up with TKW on revised study scope.*

Captiva Drive: *Mintz*: Background. Going to meet with LCEC engineers on street to look at needs and options. small number of property owners, want to get needs right and see what's feasible. Optimistic we can move forward. Met with Rauschenberg Foundation members, very supportive.

- **ACTION**: *Set LCEC on-site meeting.*

Overbooking: *Jensen*: Background. Developed letter for rental agents to send to renters. No communication after that was sent. Will follow up with agents to see how it's working, any feedback. *Tom Libonate*: Contact owners who rent on their own via VRBO? *Mullins*: Look them up through services. *Jensen*: look at problem properties. *Miville*: Masked owners as part of process. *Walter*: Contact directly via VRBO, or other services. *Miville*: Used to be easier before? *Baumgarten*: Set conditions on contracts?

Lanigan: Enforcement is impossible. *Baumgarten:* Servicing opportunity to see who's renting homes. *Jensen:* Enforcement is the key, we can only suggest. *Mullins:* Assessment from last meeting, issue with noise and construction. Need to know limitations. Neighbors need to reach out to construction companies or rental agencies. Panel happy to help, but not enforcement arm. *Mintz:* Send letter out with contracts, follow up to ensure that has happened. Issue with noise, to address via code wish list to determine whether we can address it for enforcement purposes.

- **ACTION:** *Follow up with rental agencies.*

Invasives: *Jensen:* Fish & Wildlife Commission local office contact Dan Quinn, has more powers to enforce invasive enforcements, with owner's permission. Willing to set up meeting if anyone has an interest. Contact me. Discussion of other invasives and non-invasives. Discussion. *Mintz:* Iguanas, bounty hunters available. Crosses a threshold to become a community issue, need to take county action through panel. Time for government intervention vs. individual people.

- **ACTION:** *Solicit support for next steps.*

Development: *Walter:* Nov. 20 welcome back cruise sunset cruise. Departing at 5 pm, cocktails and hors d'oeuvres, \$100 per person, filling up fast. *Boris* Opportunity to tell people what we are about. *Miville:* Can you provide that on the cruise. *Mullins:* Opportunity to thank businesses who support us – South Seas, Cruise, Green Flash, Sandy. *Boris* Extraordinarily well, \$20,000 gift from Jay Brown. Two other programs in works: Rasuchenberg Residency tour and Monday After The Masters. *Mullins:* That's unique for panel to have this financial cushion, historically hand to mouth. Rely heavily on contributions. *Boris* Virtually all support is from the community. *Boris* Want MATM to be more community and panel supported, less on South Seas.

- **ACTION:** *None.*

Septics: *Rae Ann Wessel:* Issue arose about county request to allow septic system to be installed seaward of CCCL. Normally should be a variance, rather than change entire code about septic systems. Why impact the entire coastal community for one home? Four hearings, two of those have already occurred, Next hearing is LPA on Nov. 27, 8:30 a.m. downtown, comment or attend. *Miville:* Septic field or wastewater treatment plant? *Wessel:* Code does not make distinction. Inconstant with LDC and plan, has not come to the community for comments. Crosses the line on a whole bunch of policies. No notification of community made, legislative change to code rather than seeking a variance. *Mintz:* Staff position articulated? *Wessel:* Staff told them to go for a variance. Applicant said no. Very odd situation, many staff did not know it went before these committees. *Mintz:* Preempted state legislation, should not be in code at all? *Wessel:* Applicant came to county with Florida DEP permit. Westernmost line, most susceptible to sea level rise and storm waves. County EROC said not at all consistent with plan process. *Mintz:* Public hearing before county commission? *Miville:* How did state permit that? *Mullins:* Abstain only with conflict of interest? Can't entire vote be rejected? *Wessel:* Advisory only. *Nathalie Pyle:* Communicated to community? *Wessel:* Sent to lists. *Miville:* Send something to panel list. *Lanigan:* Concerned about Manning's lack of discussion. *Miville:* Invite Manning, commissioners?

- **ACTION:** *Follow up on issues, LPA hearing.*

Comments: *Pyle:* Golf cart parade moved back to luminary Saturday, Dec. 2. Encourage all to participate. *Lanigan:* Comment page on back of agenda. Coconuts and palm fronds.

Meeting adjourned at 11:20 a.m.

-- *Ken Gooderham, administrator*

DRAFT