

## Captiva Community Panel

# MINUTES

*April 14, 2020*

**Attending:** David Mintz, Mike Boris, Mike Lanigan, Antje Baumgarten, Jay Brown, John Jensen, Anny Brady, Tony Lapi, Mike Mullins

**Audience:** 33

Meeting convened via Zoom at 9 a.m. *Mintz:* Introductions and minutes. Explanation of quorum allowances and bylaws interpretation. Explanation of how Zoom process works, with materials online. Nominating Committee obligation, Mintz and Boris term out at end of 2020, Baumgarten and Jensen terms end but can serve another three years. Boris is CPOA appointment, as is Baumgarten. Mintz and Jensen are panel appointments, which is why we need a Nominating Committee. Will recommend six people to serve on committee: Mike Boris as chair and as panel representative, also request as members Sue Henry, John Dale, Richard Sonking, Jon Rosen and Tom Libonate. Explanation of committee process. Did not include Linda Laird, Bob Walter or Sandy Stilwell who would be eligible to be appointed to the panel. *Brown:* Being termed out does not prevent you from serving on a panel committee. *Mintz:* Correct. *Mullins:* Can you be appointed by one of the groups even if you are termed out? *Mintz:* Not if it takes you beyond the six year limit. Only serve two terms, cannot take you beyond six years total. Review of March 10 minutes, motion for approval (Mullins/Brown), unanimous

**LCSSO:** *Mintz:* Lt. Mike Sawicki not available to attend today, I have been speaking with him almost every day. Prepared to give his report. Three levels of governmental authority that apply to island: State, county and Sanibel emergency orders. State closed all restaurants to May 8, issued a Safer At Home order EO 20-91 applies to end of April. Vacation rentals prohibited, renewed to April 30. County closed county parks until further notice, including Hagerup Park. Expected governor's order to be extended before it expired April 10. Lee County stepped up to extend governor's order. Explanation of county and Sanibel orders on vacation rentals, Sanibel rentals in effect through April 24. State through April 30, as well as county. Sanibel includes hotels, motels and resorts, county and state does not cover those. Captiva hotels have opted not to accept bookings. *Mullins:* Not for April but for later dates? *Mintz:* Technically, no bookings are to be accepted. *Brown:* Not certain that is the case. *Mintz:* Read order language, prohibit new reservations or bookings. Discussion. *Jensen:* We're taking bookings after May 1, accepting future bookings with understanding we don't know what will happen. *Mintz:* State does not apply to hotels – Jensens, Tween Waters. *Jensen:* Going along with Sanibel rule. *Mintz:* Appreciate that, felt that Sanibel vacation rental prohibition pushed people up to Captiva. Coordination helpful to limit spread of virus, only one case on Captiva. Ambiguity and vagueness in how language was written. *Brown:* Never understood it that way. Baileys and Jerry's doing yeoman work in terms of deliveries. Coordinating to serve both communities safely and efficiently. 642 positive cases in Lee County of COVID-19, 18 deaths, 125 hospitalizations. One case on Captiva, six on Sanibel. Total adult ICU beds is 120, 79 filled now. Expect peak to reach Florida May 3. Numbers testing positive related to numbers being tested. Lt. Sawicki and deputies doing a great job on Captiva. Have turned vacationers away if they violate the rules, excellent job. *Brown:* Make any sense to have on panel website summary of current restrictions, and update community when they change. *Mintz:* Been doing that as we get changes, put updates on website. *Baumgarten:* Following what's going on in other countries ahead of U.S., Germany already talking about reopening economy. Thanks to hotels for closing voluntarily, helped us to control the spread. Not sure why vacation rentals were closed before hotels, hotels more likely to help spread of virus. If possible, discourage reopening of vacation rentals. *Mintz:* Expect governor to keep extending as long as there's an

issue. Don't know thinking of allowing hotels to continue to work. Discussion. Sanibel conscious of inconsistency. *Mullins*: Fishing on bridge, county refuses to enforce social distancing. No way to socially distance on crowded bridge. Parking illegally. Thumbing noses at south end of Captiva, unfortunate situation. *Mintz*: Have reached out to commissioner to close bridge. No action. *Baumgarten*: Any other recourse on state level? *Mullins*: May go to DOH to act on basis of distancing. *Mintz*: Question from attendee, still have to self-quarantine 14 days when you come from other parts of the country. Tied to origination source, not due to rentals. If you arrive from a place that's a hot spot, you have to quarantine. *Mullins*: Kelly Sloane asked about available rental for intern coming in soon.

**CEPD**: *Mintz*: Anyone here. *Mullins*: Looked at budget austerity, don't know what future holds.

**Wastewater**: *Mintz*: Information handouts at website. *Brown*: Introduction and recap, looking at options of providing service to all areas outside South Seas. Discussion of report, best option is for Sanibel to handle wastewater processing, would require sewer collection system outside South Seas to move wastewater to Blind Pass and then to tie in to Sanibel collection system. Reached a point where we can't develop any further significant with some demonstration of community support. Need for better engineering and design to grasp actual impact and location of facilities. Better sense interlocal agreement between Sanibel and Lee County to provide treatment services, be sure to protect interests of Captivans. Look at sources for outside financial assistance, which could make the project more feasible for property owners. Examples of more work that needed to be done before any proposal could be brought to Captiva property owners to decide, wanted to assess breadth of support with this straw poll of properties in potential service area. Explanation of poll deadline and process – mailed ballot and summaries, plus email follow-up numerous times prior to April 7 deadline. Had about half of the owners respond to the poll, out of approx. 500 properties in area... of those that responded 66% strongly in favor or in favor of service, 8% neutral, 27% disagreed or strongly disagreed with sewer service. Better response than normal for this kind of survey, more remarkable since it was held during a pandemic. Clear majority in the responses to favor pursuing this further. Uniform across geographic areas.

Also solicited comments with poll, which were clustered around four topics: 1) What they are doing now does not contribute to pollution, especially package plants and performance systems. 2) Not sufficient evidence of a problem yet to warrant expenditure. 3) Project would be highly disruptive to community. 4) In general they think the project is too expensive. We also asked if their opinion would change with significant outside funding available, 60% said that would not change their opinion. That surprised me somewhat. That's the results, what do they mean? High response compared to past surveys. Significant endorsement, a strong show of support for project. Other interpretations? *Mullins*: If this were a vote for a taxing unit, lack of response concerns me. Would impact outcome of taxing unit petition. Still need to pursue funding from the county for the next steps. *Brown*: Correctly, a non-response equals a no vote in any petition drive. Not majority of people who vote, but a majority of owners whether or not that vote. *Mintz*: Geographic breakdown, did not see opposition where you might expect to see it. Looked at comments, people in favor put their names on responses while those who opposed did not. Surprised that those who have performance systems still in favor of central sewer. *Brown*: Looking at the best interests of all of Captiva, not just their own interests. *Mintz*: This is not a final vote, just giving up the approval to continue to go forward with county and state, show of support to expend funds to move this process to the next step – costs, design, disruption. Need more information for community to decide. This shows support for more information for community to decide. Need community support to pursue funds to move forward to next step.

*Karel Wetzel*: COVID summary great. President of Captiva Shores, if people were confused about governor's order, we just said we're closed. Could not find some items at Baileys, but the little store at

Santiva has everything, a real resource. Wastewater poll: Need to have a plan that does not include us as a lift station. Reason for resistance here until we know the infrastructure impact on our neighborhood. Need to have a plan that does not include us as a lift station, we need to be made comfortable about that issue. Would draw slightly different conclusion from survey. Very controversial issue is reason to get such a good response rate. When 35% of people are not on board, not a ringing endorsement. *Brown*: If county will fund an engineered design project, my intention is they should interview package plants as part of developing any design. Design a system to minimize the negative impact on various constituencies on the island. Your comments point out need for more engineering, how system would impact island as a whole and their individual properties. TKW study was very broad to evaluate a variety of wastewater alternatives, that engineering was very hypothetical. *Wetzel*: A plan that the community can endorse, not just pure engineering plan. *Mullins*: Support central sewer, some concerns about response. Explained history of taxing unit for burying power lines. Raised funding to study costs, but the price the county put on it was much higher, had to anticipate objections from property owners, lawsuits and even eminent domain. Wanted more than a majority for show of support. Will find ways to minimize conflict.

*Jensen*: Sunset Captiva has a package plant for 76 homes, covers a quarter acre. How big is a lift station compared to package plant and drainfield? Lift station not that intrusive. *Mullins*: Not a lot of space, biggest objection is ventilation of gases in the system, some smell associated with one. *Jensen*: Package plant creates smell as well. *Brown*: Objective was to explain results and hear from others on their interpretations. Next steps: Does panel want to continue with wastewater work based on these results? Not time for an endorsement from panel, we need more information and engineering to decide. Endorsement that committee work should continue. Then inform public of poll results in an email blast. Third, send emails to Sanibel and county officials to advocate for more detailed engineering project initiated. Not a good time to ask county for money right now, wait until the pandemic is past. Provided draft of email I would send to Sanibel/county officials, and one to the public. *Mintz*: Jeff Brown (next step and costs) and Tony Lapi (who's going to fund study going forward) questions. *Brown*: Most likely Lee County would fund project. Ballpark estimate from TKW of cost, around \$200,000 to design/engineer, just a guesstimate. *Mintz*: Motion to support Brown's recommendation, support committee to continue to move forward, advocate for comprehensive engineering study to provide community with basis to evaluate a sewer project in more detail, and send to community results of the straw poll as drafted, and send emails to Sanibel and Lee County (Boris). Unanimous approval.

**Sea Level Rise**: Linda Laird presentation: Initial vulnerability assessment report, pre-proposal for NWF grant with Sanibel, and Hans Wilson dredge-and-fill explanation. Committee will review report, decide on focus areas for community and adaptation strategy options, select best choices and work on community engagement. Got results and sense of timetable for action, committee needs to review and refine, get panel and community involved. *Mintz*: Committee has produced a technical memorandum produced for the island, high and detailed levels of SLR impacts, done pro bono basis by Hapke team, gives us a very good start on how to deal with SLR. A very detailed and informative report. *Brown*: Put Hapke memo on panel website or too premature? *Laird*: Let's share all the information, defer to David's opinion. *Mintz*: Yes, but reviewing at next meeting in detail, wait in case there's something we need to revise post it right after that. Discussion.

*Laird*: Explanation of NFWF National Coastal Resilience grant application. Based on \$31 billion from Deepwater Horizon funding, \$31 million in project funded next year. Community capacity building and planning focus. Submitted April 8, seeking to be invited for next step in June, should hear in mid-May. Partnering with SCCF, City of Sanibel, FGCU's Water School, USF, CEPD. Interested in fish and wildlife, ecosystem services and wildlife, just not infrastructure and structures. Valuing wildlife, using

ecological economists. Impact on built environment and impact to natural environment, look at natural solutions to protect both. Ryan Orgera is co-PI with me, real partners with SCCF. If we get funded, it will be for Sanibel, Blind Pass and surrounding keys as well as Captiva, an integrated look at the larger barrier island system. Next is storms... Michael Savarese from FGCU Water School has put in a proposal with Sanibel to look at what happens with storms on both island. If they are funded, we will add to the modeling work going on. Previously did a beach erosion study, will be added as well. More in-depth, 1-2 years to finish, put them together at the appropriate time. Would position us for next phase of grant, coastal resilience plan for both islands with prioritize projects for both communities. I'm hopeful, committee has been very helpful, others will join in once we hear if we can go to the next phase. *Brown:* Commendations for turning on a dime to pursue these funds, churned out a lot of work, got a lot of people together. *Laird:* Testament to all of us, everybody helped to put it together. A good integrated effort for our communities. Dredge and fill, review of Hans Wilson presentation in February. Significant regulations, very multi-level. Easy to go 10 feet out from the shoreline to promote mangroves. Replace seawalls with riprap to allow mangroves to move, use vegetation as a storm buffer. Develop a design plan for SLR, stormwater management and water quality solutions. Laws about runoff, rarely enforced. Community action vs. individual actions. What should we be doing in terms of overall solutions, don't have any answers yet.

**Iguana control:** *Mintz:* Check to see if Alfredo is still working during pandemic, provide information to panel. Look for consultant to lead project at reasonable cost, rather than have volunteers. Might be worth a little investment, concerned whether it can be done only with volunteers. Work with committee but do the research. *Jensen:* Alfredo still coming out every Tuesday, likes it because there is no traffic. *Mintz:* Get numbers and look at consultants. *Mullins:* Broaden it to pests, not just iguanas. *Mintz:* We did that. *Mullins:* Any issues with rats moving on since restaurants have shut down?

**Financials:** *Gooderham:* Background on cash on hand status, look at next six months where we would be if we had no revenue. About \$4,500 a month on administration, planning, fees, ongoing costs. Plus expectation to fulfill contract with Johnson Engineering plus D&O insurance (about \$1,800). Down to about \$25,000 by November assuming no revenue. Looking at another fund-raising letter, holding off to see how economy does. Also status of MATM, rescheduled or eliminated. Eliminate meetings, your other significant cost. *Mintz:* Do we have any sense about MATM. *Baumgarten:* No response from resort, not likely to reschedule at this time. Discussion of fund-raising letter draft and timing. *Mintz:* Explain to community that we had to cancel Monday After The Masters, want to continue to play the role we play in community. Redraft letter to reflect situation our community is in, ask if they can afford to make a contribution to continue the work of the panel. *Boris:* Now is a good time, we have their attention, if we delay we cannot do anything until the fall. These are difficult times, we need to keep panel moving. *Baumgarten:* Completely different letter from what was drafted. *Mullins:* Look at areas where we could cut back to control expenses. Other entities have decided to pare expenses to be mindful of what economy might look like, what individuals might be facing. Inappropriate to ask people to for money until we cut. Work on items that could be reduced for the short term. *Baumgarten:* Plan for both options, recession looks unavoidable. *Gooderham:* Say that in letter, we are working to cut costs but still need your help. *Mullins:* What other options? *Gooderham:* Cut in person monthly meetings. SLR, need to support grant pursuit but could lower costs in other areas. *Mullins:* Look at budge before next meeting, look at what austerity measures could be applied. *Mintz:* Happy to work on redraft of letter, make it clear we understand the situation. If we write letter correctly, community will support us. Discussion of stimulus funding as optional source.

**Meeting:** *Gooderham:* Plans for future meetings, availabilities. *Mintz:* Zoom works well, people who aren't here can attend meeting. Consider them for the summer meetings. Zoom meeting will be necessary for May 12 meeting, and then decide future meetings. Discussion of conformance with bylaws and Zoom licenses. (Mintz dropped out.) *Baumgarten:* Had one golf cart committee meeting on Zoom, worked out well. Could not meet with Mike Sawicki due to his schedule, but Zoom meetings are very efficient. *Boris:* Discussion. Do we need to wait until next meeting to act on fund-raising letter? *Mullins:* Authorize him to act on his good judgment, or for the three of you to agree? Motion to circulate fund-raising letter to panel and allow Mintz, Baumgarten and Gooderham to decide schedule to send, unanimous consent.

The meeting adjourned 11:05 a.m.

*Ken Gooderham, administrator*

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