

## Captiva Community Panel

# MINUTES

Sept. 8, 2020

**Attending:** Tony Lapi, Jay Brown, John Jensen, David Mintz, Ann Brady, Michael Lanigan, Antje Baumgarten

**Audience:** 12

Meeting convened at 9 a.m. Introductions. Approval of Aug. 11, 2020, minutes as submitted (Brown/Lapi) unanimous.

**Covid 19 update:** *Mintz:* Maybe last summary, things haven't changed very much. Florida's positive rating in last seven days 13.7%, according to Johns Hopkins. State says 8%. Quest Labs dumped 75,000 tests in Florida, did not report, about 4,000 were positives. Want positivity rating of 3% or less. State is at 6.8%, moving down but not there yet. Discussion of positivity rates and testing. Now, 29 of 138 ICU beds filled in Lee County, Captiva still has three cases, Sanibel up to 47 cases. Other communities listed. Impact of school reopening and mechanics of making decision. *Baumgarten:* Summary of local school status, students with possible infection.

No one present from LCSO, CFD and CEPD. Mintz gave a brief update on CEPD hiring plans.

**Roosevelt Channel:** *Mintz:* Background on sign removal. June 29 sent letter to Steve Boutelle and others, spoke to state FWC person, letter to Manning. Do research necessary for slow speed zone in channel all year. Requested prep of ordinance for year-round slow speed zone. *Lanigan:* Where does the zone start and end? *Mintz:* Should go from beginning of channel north end to bridge. *Lanigan:* Crazy back there. *Mintz:* Will contact Boutelle to include that section. Discussion.

**Briefing report:** *Mintz:* Omitted from agenda by mistake. To Manning and Ruane to bring them up to speed. Some updates to SLR section. *Brown:* Present to Ruane in virtual meeting. *Mintz:* Meet with the panel? Not officially elected yet, don't want to be too presumptive. *Brown:* Send now and meet later after election.

**Code:** *Mintz:* Background of staff review. Met with staff Aug 24, listed who attended. Ran through list... Septics DOH, fertilizer Change, Dune veg state law may amend count ordinances. Straw ban to BoCC to make a policy decision. Beach furniture, explained rationale, Village is issue, staff suggested entire county we explained it needs to be more localized. *Brown:* Received notice of code violation, bench too far forward of dune, move it in five days or be penalized. *Baumgarten:* Talking to Sawicki, involved due to beach violations especially golf carts and motor vehicles on beach. Noticed other code violations, not the only one. *Mintz:* Tied to turtle season, May through October. No code about beach furniture except in turtle season. *Baumgarten:* Reach out to county to urge them to improve their communication. Violations not done on purpose and has been in place for a long time, then given short deadline to act when people may not even be on the island. *Mintz:* SCCF marks beach furniture in violation during turtle season. Discussion. *Mintz:* Noise disturbance, need to amend existing ordinance, will confirm with LCSO on concurrence. Lighting, staff wants county language only, we said Upper Captiva had it in code so should we. Tree buffer and signs, OK. Parking changes, staff did not understand, now agree with it, need to amend ordinance rather than put in code. Overall, a long and non-adversarial conversation.

**Iguanas:** *Mintz:* Waiver request has gone to BoCC at Sept. 1 hearing, approved on consent agenda. Can move forward, explain Year 1, 2 and 5 budgets to show mechanics. Outline of plan to move forward,

distribute property lists and petitions and ask people to follow up. Sense among panel that \$25,000 should be covered by county. County does not budget for this kind of service, do not want to set a precedent. I think we can still get this approved. *Brown*: I see thousands of hours of work. Boca Grande did this? How many people did Boca have to get for its MSTU? Discussion. *Mintz*: From my experience with a list of owners, we will find we can get 600 signatures fairly quickly. *Brown*: Doesn't seem that way to me, but I can see the benefit of having this experience on ways of funding programs. In favor from that point of view. Discussion. Start with email push to see what you can get, then move to snail mail follow-up. Discussion of process. *Mintz*: Don't think panel members should be spending time on pursuing signatures, instead get someone hired to do follow-up. Start with email campaign Oct. 1 and see what we get. Get owners' list together for panel, hard copies if possible? *Gooderham*: I'll pare it down to manageable document and email it to you.

**Beach sign:** *Mintz*: Showed sample, revised artwork based on panel member input. Make 3-4 signs for key access points to beach. *Jensen*: Like the one that doesn't say keep our beach tidy, less words. *Lapi*: Agree with that. *Brady*: Agree. *Mintz*: Gooderham should contact CEPD to see if they can fund this, call Sabal Signs and get costs, see if it makes a difference. *Lapi*: With Turner Park construction, will Hagerup Park get busier? *Lanigan*: Will be done before island gets busy, Hagerup is not filling up now.

**Bylaws amendment:** *Mintz*: Background on purpose of amendment. Notice made in September and October, so we can vote in November. Read language. Will require eight votes to pass.

**Wastewater:** *Brown*: Current focus is two additional engineering projects essential for MSTBU formation to fund construction. Kimley Horn study to confirm budget estimates and provide more detail. Identify key component location to allow evaluation of impact on properties. Get better understanding of potential community disruption. Look at alternative means to assess property owners over time. Also evaluate pros and cons of STEP system, explained how system works. Second study by Consor, firm that bought TKW, detailed evaluation of appropriateness of STEP technology for Captiva. Issue is who will pay for both projects, total about \$100,000. Virtual meeting with Pam Keyes to see if county would support and fund studies. Her response was needs to know that Sanibel wants to work with Captiva on developing collection system on Captiva before I'd consider spending county money on this. Reached out to Kevin Ruane, super committed to project as mayor and commissioner, very important for Captiva to be on central sewer system. City leadership behind 100%. He would contact Keyes' boss, Chris Brady, who concurred with need. Went back to Keyes with Sanibel support and Brady discussion. Keyes said whomever operates new system should pay for research. First time I had heard this, if Sanibel builds it, Sanibel should pay for studies. I responded that it's totally unreasonable to expect Sanibel to pay for this. Strong case to get this done, I think the county should be responsible, we need to figure out how to get Keyes to fund this. *Lapi*: Where does revenue from system go, split with Sanibel or completely to city? *Brown*: MSTBU funds would be for construction; for processing we would become Sanibel customers billed for daily treatment. *Mintz*: Explanation of MSTU process, policy decision makes MSTU a ministerial process. That's not a given in this instance since owners may or may not approve it, that impacts who pays for study. County will have to make a policy decision whether Captiva needs to move to a central wastewater processing system. If county commission sees this as a priority, that will change county support. No Keyes' decision but a policy decision by the commissioners. *Brown*: Seems to me Keyes should have the authority to fund these studies, a fundamental part of the calculation owners will have to go through to approve any unit. All we have is a broad estimate, and if STEP technology pans out the cost could come down dramatically. We need this study to make the decision. Clear that Mayor Ruane is a strong advocate for this. Discussion.

**Sea Level Rise:** *Linda Laird:* Presentation, update on committee actions. Finishing second phase, vulnerability assessment. You've seen the inundation maps, applied for grant for more detailed vulnerability analysis with Sanibel. Primary areas for adaptation. Have a community meeting Nov. 19, webinar to update community on status. Hope to apply for FDEP grant to support adaptation strategies work, third phase. Had hoped to partner with Sanibel, but they have another project planned to target grant funding. Need to get county to support grant application, we need to figure out how to get county on board with that. *Mintz:* Have to speak with Steve Boutelle anyway, can bring this up at that point. *Laird:* Work plan for 2020-2021 – communications plan, community meeting, more comprehensive approach. Get more active involved stakeholders such as LCEC and FGUA, their plans and the problems we see facing the island. Working on adaptation planning. Seawalls, living shorelines, get more knowledge in those. Groundwater impacts and mitigations. *Mintz:* Linda doing a great job, wrote grant to assess vulnerability, now writing grant for what we can do about that.

**Golf cart:** *Mintz:* Request for signage presented to DOT Director, under review. Site visit next week to review signage. *Baumgarten:* Did you check on amending golf cart ordinance? *Mintz:* We can, but I need to clarify what you want. *Baumgarten:* Discussion with LCSO about renting carts with homes. Liability issues with rental carts, all falls on property owner. Is this an issue on our island? *Mintz:* More homes are including carts, have not done any research on liability issues with that. Cart that alleged destroyed turtle nests was a rental cart from a house. *Brown:* Not covered by law, just pursuit of damages, they will go after deep pockets regardless of laws. You'll need to be prepared to defend yourself. *Baumgarten:* If carts come with property communication is simpler if everyone has to go to the rental agents to get a cart vs. having one come with the rental house. Should we pursue research into this liability? *Brown:* Could be infringing on someone's rights, suggesting we tell renters not to include carts in rentals. *Baumgarten:* More concerned about liability to owners, not to tell people what to do. Let them know about the North Captiva case that forced owner to sell rental property, so they can make an informed choice. Also ask them to put a sticker on cart so people know local rules. *Mintz:* Valid concern, with turnover you have to explain things over and over again. If you think stickers are the solution, good way to educate people. *Baumgarten:* Try to identify those properties that might include carts, so they understand potential liability. Get Lt. Sawicki to get more details on North Captiva incident. Also see if LCSO could create brochure to distribute on this issue.

**Development:** *Brady:* Can do donations on PayPal. Have some design work on website done to include subscription feature. Just need to decide if we want to proceed. I can develop structure for membership. Letter or email to encourage donations and subscriptions. Monthly payment or one-time gift. Usually have a benefit to go with membership. Maybe free ticket to Welcome Back boat trip once we can hold those again. Many orgs have both, donations and membership. *Brown:* What would membership entail? *Brady:* Commitment of ongoing support for the panel. We tend to offer most things free, so don't have much to give away. *Brown:* Recognition? Include in monthly communications. Show of public support. *Brady:* Can ask, not everyone will want to list their name in public. *Brown:* Define their support of community. *Brady:* Different levels of membership, not everyone will give the higher amount. *Brown:* Sponsors of the panel. *Mintz:* Formal presentation to get panel support. *Brady:* Will draft something and work with KG to present at next meeting. Looking for input and ideas.

**Captiva Drive:** *Mintz:* Waiting on County Lands to approve ROW handout to go to property owners. *Gooderham:* County has approved descriptions, sent to you Monday. *Mintz:* Status update. Will receive docs from county to sign ROW and temp easement. All that remains is funding for the project. Had a commitment from Commissioner Manning to find funding for project, approx. \$380,000.

**Future issues:** *Mintz:* Background. Will draft community planning recommendation for panel review.

**Financial:** *Baumgarten:* Realistic to plan events for next year? *Brown:* Can we hold a boat cruise in this environment? *Baumgarten:* Or do we hold something on the beach to allow for more social distancing. *Mintz:* Can't plan that for now. *Lapi:* Get to November and see how people are reacting. Will do a scaled-down Christmas lighting event, invitation only. Push cruise to next year and see how public opinion is about gathering. *Mintz:* Will know more once the schools open, either we'll see a change or we'll have a completely new problem. *Baumgarten:* Look at golf clubs, open for members and everyone is spread out. *Brady:* People won't come to anything right now. Masks don't promote a festive atmosphere. We want to raise funds now, but if people won't come. See what things are like after the fall and make plans then. Residency isn't opening until October 2021, so we're being very cautious. *Baumgarten:* By winter people will be ready to gather on the beach. *Brady:* Agreed. Discussion. Letter at end of year if we can't hold an event.

Meeting adjourned at 11:15 a.m.

-- *Ken Gooderham*

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