

Captiva Community Panel

MINUTES

Nov. 10, 2020

Attending: David Mintz, Mike Kelly, Jay Brown, Tony Lapi, Antje Baumgarten, John Jensen, Michael Lanigan, Ann Brady, Mike Boris, Rene Miville, Mike Mullins

Audience: 18

Meeting convened 9 a.m. Introductions and citation of governor order on Nov. 3. Minutes from Oct. 13. Fix names of people attending. Motion to accept (Boris/Kelly), unanimous approval.

Covid update: *Mintz:* Phase 3 still in effect, very few restrictions. Cited number of cases. Cases and deaths 86 Sunday, 339 deaths for the week. Off the high of 1266 death in August. Positivity rate getting closer, DOH 6.23%, Hopkins, 7.9%, Clarify statistics from October meeting. 1 out of 120,000 death rates. High test numbers and low death numbers in Florida. Lee ICU beds: 105 occupied, 35 available. Keep in mind CDC guidelines still in effect. *Miville:* Question about math, 1:30 people caught died or show antibodies. 1:42 of those people who died. Discussion of statistics.

LCSO: *Lt. Mike Sawicki:* Deputy Nick Garber out for a few months, may see a new deputy A.J. Thierer. A new more cases of vehicles on beach from and of Andy Rosse. Got stuck, called Facebook group, drew more vehicles out on beach to tow this one off. No sign presently saying “no vehicles on beach,” when we caught up with them we had them rake the sand back in to place. Another vehicle came on from a beach access on 15900 block, he was picking up signs out on the beach. Also some issues at private accesses, work vehicles and carts out on the beach. County code enforcement and DEP came out and identified problem areas, will work on those going forward. *Mintz:* Email, contact with SCCF about joint statement from panel, CEPD and SCCF to notify our community this is not acceptable behavior. Wanted to hear if problems continued. Will talk to Ryan Orgera to see if there’s something we can do. *Sawicki:* Can give you relevant statutes if needed. Also see more fixed items, furniture, fences, gates – code enforcement issues but not LCSO issue. More activity in violation of some of our ordinances. Get information out to new homeowners and rental companies. *Baumgarten:* Update on golf cart and signage impact. *Sawicki:* Hard to tell if there’s an impact. Too many outside factors to identify what’s influencing it. *Laird:* What kind of signs were they picking up from the beach? *Sawicki:* Wedding signs to let passersby know. Needed a truck to pick up signs that weighed maybe 3 oz. *Mullins:* Did this happen this month? *Sawicki:* Have to check, recently. *Mullins:* When Ryan first mentioned doing something, turtle patrol were still working on beach and putting down some tire tracks. Wait until SCCF staff was done to begin monitoring. *Sawicki:* Description of incident. Discussion. *Sawicki:* Timer gates at county park access being discussed, might help to control nighttime issues. *Mullins:* Recent tropical storm impacts, was that discussed? *Sawicki:* Windy and rainy. *Laird:* Do we need additional barriers that can be removed at Andy Rosse? *Sawicki:* Worth considering.

CEPD: *Miville:* Did a two month search, 40 possibilities. Decided to do something unique. Two strong individuals: Councilperson from Cape Coral with strong convictions, highly liked, very animated. Other person was more of a scientist. Decided yesterday to hire both. Within budget, very excited about possibilities, chances to save money. Discussion. *Mullins:* New staff members: Jennifer Nelson, making an offer as executive director. Reporting to her would be John Riegert as administrative director, Daniel Munt as technical director working on the project and eventually sea level rise.

Captiva Code: *Mintz:* Cited legal opinion from Ralf Brookes, sent package to county. Spoke with Dave Loveland, Mikki Rozdolsky, Glenn Sayler, and Michael Jacob. Agreed that we were now at stage to engage Commissioner Ruane to request staff to review and process our code amendments. Two committees (LDCAC and EROC), county staff and attorneys, they will likely make some additional recommendations. Not just ministerial changes, but policy changes which have to go before commissioners for direction. *Miville:* Max Forgey on LDCAC. *Mintz:* Discussion of rest of process. Now more in the political realm.

Roosevelt Channel: *Mintz:* Called Steve Boutelle with county Natural Resources, county reviewing data for slow speed zone for all of Roosevelt Channel. Working with state. Believe data on manatees in channel year-round is sufficient. Looking at countywide issues, may do changes en masse. *Brown:* Does BoCC has authority to restore slow zones or does that need state approval? *Mintz:* State approval necessary. Explanation of process state would have to go through with manatees, they believe county has data to do this on their own. Explanation.

MSTU: *Gooderham:* Update on status. Petition out to the owners list right before the election, included SLR notification. A number of calls and emails, have not checked P.O. box yet, have had to remind people county needs signed petitions. Sent list to panel members again, identified about 25% of the list. Not what you need to do but what we could pursue if necessary. *Mintz* has asked CCA to circulate to their list, need to figure out how to reach out to HOAs in South Seas. Need to figure out next steps. *Brown:* Send list again? *Gooderham:* Did over the weekend. *Mullins:* Anonymity? *Gooderham:* Need to put your name on it to prove your approval. Question from Mike Sawicki about trappers, that will be handle through the county so they need to contact procurement if and when the unit is formed to submit a bid. *Mintz:* Put together response before December meeting.

Nominations: *Mintz:* Explanation of process – Jensen and Laird nominations from panel, CPOA put forward Baumgarten and Bob Walter. Request for nominations from community, two responses. John Silvia and Suzy Abare, CVs attached. Discussion, encourage them to participate even if not on panel. *Mullins:* Silvia running for open CEPD seat, won through acclamation, starting on board in January.

Bylaws amendment: *Mintz:* background. Proposed language changes noticed at prior two meetings, now able to vote at this meeting. Re-read language. Motion to vote to approve bylaws change as proposed (Lapi/Boris), unanimous approval.

Wastewater: *Brown:* Recap next step is funding for engineering study on collection system and STEP system option. Brady letter, committee response, have not received a response to that. Will discuss funding with Commissioner Ruane once he is in office. *Miville:* Will study affect decision? Ruane might ask that: Is another study needed? *Brown:* People need to know where elements of system will be to vote on. Where things would go. Also confirm cost over the TKW ballpark estimate. Also recommend an apportionment process to fairly distribute cost among property owners. Kimley Horn study \$60,000-\$90,000, plus evaluation of STEP study from Consor for approx. \$25,000. KH study will look at STEP broadly, Consor will investigate STEP more intently. *Miville:* Would it be possible to entice construction company to invest in our study and recoup costs with the project on completion vs. an engineering company just looking for a fee. Discussion. *Brown:* Cannot commit to a construction company hat project would be awarded to them since it goes through a procurement process. *Mintz:* That was county's initial approach, whomever builds it should take on the study and its cost. Should Sanibel pay for study in hopes that it goes to Donax? Capitalize cost of study with project as a whole. Not feasible. Ruane fully aware of discussion, think he will be very supportive. *Lapi:* Two studies, STEP and conventional. STEP doesn't provide anything for package plants on island. Do we fund studies if plants won't be able to eliminate

infrastructure. Maybe plans and businesses would consider funding STEP study. *Brown*: KH study will give us sense of whether Consor study is necessary. *Mullins*: STEP, 25 cents on the dollar cost, need to know that for sure. Building system for entire island, not just package plants and businesses. Evaluate STEP first to see if it's feasible, then go to comprehensive study if STEP is not viable. Difficult to get approved if it's four times more expensive. *Brown*: Getting ahead of ourselves on hypotheticals. STEP could be lower cost solution, KH study will identify that. Discussion premature until first study is done. *Jensen*: What are costs of two studies? *Brown*: KH includes STEP analysis, \$60K-\$90K. *Jensen*: Need to find that out, saving money but have to do this again in 30 years. *Brown*: Know virtually nothing about STEP, been done in communities but costs not confirmed. *Mullins*: Do cheaper study first, decide if STEP is a viable alternative. *Mintz*: Consor will have equal bias to KH, based on their experiences, etc. KH understands we want fair evaluation, unbiased analysis. STEP also required owners keep tanks and maintenance. If we go with KH, let them know we want a fair study. *Brown*: Can do both studies at same time. *Miville*: Need two unbiased studies. Discussion of underground analyses. Is there way to evaluate both with a firm without bias? *Lanigan*: Will results from any study include the cost to get connections to structures? *Brown*: Cost of system, not individual connections. Have not gotten specifics on a study, need to get funding first. KH study may include system cost and general cost for connection. *Lanigan*: Distance from road varies widely, need to get sense of estimated cost. *Lapi*: Sanibel, charged to connect, hire plumber to actually do work. *Brown*: Correct, fixed cost to access system, variable cost to connect your home to system. ML Ultimately a vote, the more information we get to people will help. *Mullins*: Possible to have pipe able to handle a separate system for package plants and residences on STEP. *Brown*: I think it's a totally different specifications for separate system. *Mullins*: If we can get a hybrid, worth asking about options. *Jensen*: STEP eliminates drainfield, still have holding tank? *Brown*: Yes. *Mintz*: KH believes grants are available to fund study, up to \$40K. *Mullins*: What is residual cost then? *Brown*: \$30K-\$40K. *Mullins*: Ask panel or businesses to fund. *Brown*: Panel may not have status to access grants. *Mullins*: Partnership, if county applies for grant, we could work on balance of funding. *Miville*: Discussion of need to fair analysis.

SLR: *Laird*: Excited about additional staffing at CEPD, will help support committee's efforts. Nov 19 SLR Community Forum, review vulnerability assessment. Grants: Waiting to hear on NFWF grant, mid-November. Lee County has put in proposal to Florida DEO. Risk assessment of coastal public infrastructure. *Mintz*: Figure out how what we've done meshes with county efforts. *Laird*: Work plan fir next six months. April June timeframe to make recommendation on appropriate adaptation strategies working with Integral and what other communities have done. Looking for additional funding sources.

Golf cart: *Baumgarten*: New signs at Tween Waters. Need to see if they have any impact. Asked for signage in S curves, no response from DOT when on island. Make introduction between DOT and me to engage them m have member of committee present. D<: Want to come out again on S curve to review. *Baumgarten*: One of the committee members will be present. Stickers on carts mandatory, need to wait on Ruane being in office. *Mintz*: Would require amendment to golf cart ordinance, which takes BoCC action. Will draft amendment language for you to review, take that to Ruane.

Development: *Baumgarten*: Need to have discussion, need budget for next year. *Mintz*: Who is committee? Boris leaving but can still be on committee, Mullins. Antje should be on committee, need to formalize members. Will work on that for December. *Mullins*: Remove me from committee. *Brady*: will be on. Membership going up on website, thought it would be up by now. Once it's up will coordinate to send letter to property owners before year end. *Baumgarten*: Tony and Lanigan? *Lapi*: Thinking about it. *Lanigan*: No, did my time already.

Communications: *Mintz:* Doing a lot as whole, anything to add? *Baumgarten:* Meet with Ann and set some goals. Emails crucial, set some goals. Look at events to let people know what panel is doing, held back by pandemic. *Brown:* Long history of not allowing other events to pursue their members.

Captiva Drive: *Mintz:* County still preparing documents for easements and rights-of-way, spoke to five of six properties, waiting for documents. Follow up with Johnson Engineering on County Lands needs to proceed.

Taxation: *John Riegert:* Hagerup Park meter revenue charts. Chart of property taxes paid. *Mullins:* Recap of pursuit of bed tax data. Can Tony Lapi pursue data through the TDC to enable Clerk of Courts to release data in a more timely manner? All this shows how significant a contributor Captiva is to county coffers. Figures show how much we give to county and that they should step up to support beach project. How much of this is home rentals vs. hotel/motel. Push to recognize home rentals as public access benefit. Discussion of bed tax. *Mintz:* Limitation on what it can be spent on? *Lapi:* 26% beach, 20% baseball, balance on advertising. *Mullins:* Discussion of accumulation and economic impact. *Mintz:* TDC votes or makes request? *Mullins:* Request for grant. *Lapi:* TDC reviews requests, makes recommendations to BoCC. *Mintz:* Can panel request funding for infrastructure improvements? *Mintz:* Discussion of sidewalk funding. *Lapi:* Has to meet certain criteria. Don't know detail of what is needed or what kicks it out. Discussion of property taxes and impact on property values of funding. *M:* Underestimated the golden goose, squeezing it a little too much. Should to economic impact of beaches to the county, probably \$250 million from Captiva alone. Working with other coastal communities to support coastal funding. Need everyone to have an elevator speech to support county funding for our coastal needs. *Mintz:* Send to panel. *Mullins:* John to present at December on economic impact. Discussion of TCD data and access. *Lapi:* Be transparent and take information to TDC. *Riegert:* Will have a better package in December. *Mintz:* Ask them to confirm data. *Mullins:* Linda Doggett should see it as well. *Mullins:* Need to meet with county with this as well. *Baumgarten:* Funding goal clear for next year, will we set goals for 2021 to present budget in December? More effective if we have priorities to focus efforts. *Mintz:* A number of projects panel is working on, we need to set some financial goals. *Ab:* Goals to pursue public funding. *DM:* We have individual projects for which we seek funding – wastewater, sidewalk, etc. Then there's general funding for community panels, which we address with our new commissioner. *Baumgarten:* DOT and S curve issues. Need to support us on safety. *Mintz:* Role of community panels in community and with county. *Baumgarten:* Need to make our goals clear and define our role in the community. *Mintz:* Issues briefing report. *Mullins:* County funding needs to reflect revenues. We're an effective body and these are our needs.

Future issues: *Mintz:* Communications from community about stormwater flooding, drainage issues in Village. Need to formalize way to address that issue, fits under wastewater and SLR committee mandates. *Brown:* Needs to be a panel project. Probably our biggest source of nearshore water pollution, as well as flooding concerns. How will we fund it? Will take some money to procure technical expertise? *Mintz:* Look at DOT to review drainage issues. Cleaning out drains won't help if there's no place for the water to drain to. See what information DOT can generate first.

RSC-2 issues: *Mintz:* Introduction. Miville asked about language to prevent aggregated and rezoned to increase density. Plan has elements to address that. Policy 13.2.2 talks about subdivision of RSC-2 lots, could not aggregate without amending the Captiva Plan. Historical development pattern language. Reduction of minimum lot size permitted under current zoning also impacts RSC-2 lots. *Brown:* Didn't we ask Depew to review plan on further options? We had gone to the limits of what was possible? *Mintz:* Yes, pretty much. Three units per acre on the entire island, cannot reduce minimum lot sizes and can't build outside setback restrictions. Problem can be intensity rather than density, how big the units are

matters. Discussion. More bedrooms, more users, more impact. Sewers could increase intensity further, removes natural constraints of septic. Illegal development, fact of life, should it be addressed. *Lanigan:* Identify rules that are RSC-2 only, are they relevant, do they need to be updated, should they be expanded to the entire island? *Mintz:* Happy to review, some things that were done in the past that the state has preempted since, some things that should be cleaned up. *Lanigan:* Things we think that are self-evident, we should review and elevate. *Mintz:* Once code is done, create a Captiva book that has all the rules regardless of where they are located in the county ordinances and codes.

Financial: *Baumgarten:* Not much to discuss, have kept costs low this year. Do we plan to keep having Zoom meetings, efficient and engaging with the community? Have to find new sources of revenue.

Other business: Zoom: License for SLR meeting, keep doing Zoom meetings as long as possible. *Mintz:* Bylaws issue. Extending exec orders, interpret bylaws to include Zoom as in-person.

Meeting adjourned 11:38 a.m. (Miville/Lanigan).

-- *Ken Gooderham*