

Captiva Community Panel

MINUTES

Dec. 8, 2020

Attending: Mintz, Miville, Lanigan, Jensen, Boris, Baumgarten, Brown, Mullins, Kelly, Brady, Lapi

Audience: 19

Meeting convened 9 a.m. with introductions and announcements. Approval of the Nov. 10 minutes (Boris/Lapi) was unanimous.

COVID: *Mintz:* Highest since the beginning at the crisis, hospitals at breaking point, Redfield rough times in January February, toughest in history of nation. If over 65, wear masks and don't go in anywhere where people are not wearing masks. Locally, 96? cases on Sanibel, 3 cases on Captiva, state only counts residents. More than a million cases in Florida, 7.9% positivity rate. 82 deaths a day, record to 276 a day. Other statistics cited. 22% ICU beds available. *Brown:* Death rate in Florida significantly below national average? *Mintz:* And below peak rates in past months. Discussion.

LCSO and CFD not present

President's report: *Mintz:* Kevin Ruane became commissioner Nov. 17, voted to chair commission same day. Very positive thing for Captiva. Met with him to review panel priorities right after that. Jay also met on wastewater, will report later. Getting his feet on the ground, there's a learning curve. I met to encourage him about the need for funding for wastewater studies, move LDC amendments forward, honor Commissioner Manning's commitment to fund Captiva Drive sidewalk, Blind Pass bridge issues, Roosevelt Channel, SLR, funds for community planning. Panel should invite Ruane to a panel meeting after first of the year if available. This is the last panel meeting for Mike Boris and myself; thanks for your service, Mike. Will remain on committees. Thanks to panel for camaraderie and friendship. *Brown:* You transformed the meaning of being president, far beyond meetings to be a CEO of panel. Identify objectives, organized panel to go after those objectives, seen you work tirelessly on panel pursuits. A new standard for what we should expect from president of the panel.

MSTU: *Gooderham:* As of weekend, received 150 petitions, targeting 600 total. Some petitions have some problems we need to resolve, working with county staff to see what we have to do to resolve issues. Quarter of the way to the total needed. Used snail mail and emails only so far, obviously need to push harder now that season is here. Following up with panel members first and businesses have not done it at all or have not send in for all the parcels they can sign for. Another snail mail after holidays, may try to take properties who have not submitted and send them a petition with all their information already filled in so all they have to do is sign and date it. May take more time to prepare, but could improve response and accuracy. Will continue to send emails and may ask some panel members who have indicated people they know to see if they can reach out to a few of those people to encourage a response. Still have information posted on the website, need to update FAQs to reflect somethings we've learned from the county, such as anyone would still need to give permission to allow a trapper on their property – not automatic access if the unit is formed. *Brown:* We need to make sure people are aware of that. You said you could have the petitions already filled out? *Gooderham:* We'd use the same database for mailing, but generate labels with the pertinent information to put on the petition. More effective, but a lot more work which is why I did not do that for the first mailing. *Brown:* I think that would improve our effectiveness in getting responses. Do we have a cutoff date? *Gooderham:* April 1. *Lanigan:* Do we have a log from Alfredo with what properties or what areas he has found nest? *Jensen:* A list of everyone who has reached

out to him. *Gooderham*: He's only going on properties who have given permission. *Lanigan*: Share with the neighbors as to where he's spending most of his time. *Jensen*: I can ask him for that. He doesn't hit every one of them every Tuesday. *Boris*: Helpful for community to know how to contact him. Discussion. *Lapi*: Get a map of Captiva with dots showing where he's been to show the concentration of nests. *Gooderham*: Also, there's a cold snap coming, so if you see a stiff iguana on the ground you might want to gather some up and put them in an appropriate container. When it gets to a certain temperature, the cold stuns them. *Mintz*: Most of the people we don't know are on South Seas. Should talk to the association presidents to see if they could help us reach out to those homeowners. *Gooderham*: Do you know when the HOAs are meeting next? I could request to be on their agenda.

Code: *Mintz*: Update, want to form code committee, willing to chair, asking Kelly, Boris, Walter and Lapi to work with me on this. Any changes we will bring back to the panel for review and approval. All approved participation. Need to make list of all committees.

Roosevelt Channel: *Mintz*: Background of issue. Worked with county to expedite process. Should be done by the beginning of the year. Sanibel went through same process, ordinance drafted and ready to be passed. Sent to county to show success, now they say not much progress because they are looking at a countywide ordinance which will slow them down. Asked them to try to expedite again, move one or two areas at a time, no response. Need to engage Ruane if we can't get staff moving. *Brown*: Who at county? *Mintz*: Steve Boutelle.

Panel election: *Mintz*: Background, CPOA appointments start in January, Antje Baumgarten and Bob Walter. Two panel positions: Jensen and me. Nominating Committee put forth Jensen for another term and Linda Laird for a first term. After that, we asked community to submit if interested to be included in the list of potential candidates, Suze Abare and John Silvia submitted. I hope they will continue to participate whatever happens today. Panel obligated to vote for two positions. Bylaws require this vote be in writing, so send your votes for the two positions via Chat to Gooderham who will compile results to be announced later in the meeting. Read biography information for Abare and Silvia again. Discussion. *Lanigan*: Suggest we solicit names from the community before the Nominating Committee recommends a slate. *Mintz*: Good idea. Bylaws lay out a process for elections but it makes sense for Nominating Committee to solicit earlier and then allow community to submit names later as well.

Panel 2021 budget: *Mintz*: Background. *Brown*: Going to raise an additional \$20,000 without a plan? *Brady*: Would not support confirming a deficit budget, other income is nebulous. Look at specific expenses to target for fund-raising in those areas. SLR, for example, take out \$10,000 and commit to raising that. Sidewalks too. Or do you count on cash on hand? Never created a budget that isn't neutral. *Brown*: Agree in spirit, but we have \$95,000 in bank right now. What is the minimum level of cash we need to maintain? Hate to see progress slow on projects while we try to raise money. *Baumgarten*: Raised similar question, Mintz said it was realistic to raise that, share thoughts? *Mintz*: Had more under events, you thought it was not realistic, suggested \$20,000 as aspirational. Grants, donors, county? No guarantees. We need to raise despite Covid. *Mullins*: Agreed with Ann, Antje. Easier to raise funds with targeted program. *Mintz*: How to reflect in budget? *Mullins*: Adjust accordingly and not fund until that money is in. *Brown*: How much of a minimum cash balance? *Lanigan*: Cash on hand has been much lower. Community gave us this money to use to advance causes they've entrusted us to pursue. Did not raise money just to sit on it, it was given it to use, to fund works. Uncomfortable with aspirational number, show the true deficit. *Brown*: Agreed, will spend cash if we can raise it. *Brady*: Increase funding from events. Also need funding for website redesign. *Mintz*: Remove other income, \$45,000 revenue with \$30,000 deficit. Or increase fund-raising event to \$25,000 and \$10,000 deficit. *Boris*: Is membership letter reflected? *Mintz*: Next year, as solicited donations. *Brown*: Events in 2021? *Lanigan*: Boat cruises

in December for sure. *Brady*: A few small events, rather than one large one. For example, an event where you show us your mask, most creative mask. *Brown*: Can raise \$60,000 this year. *Mintz*: \$60,000 in events? \$2,000K events, \$40,000 solicited, target items to raise again, \$15,000 deficit from cash reserves. *Lanigan*: \$5,000 for website. *Mintz*: Use of cash on hand to balance budget. \$20,000 from events, \$40,000 from solicited donations, \$18,800 from cash reserves, increase website to \$5,000, balanced budget. Motion to approve as revised (Brown/Lanigan), unanimous. 2021 schedule OK.

RSC-2 violations: *Mintz*: Asked to be on agenda because I was getting phone calls on properties. Intensity of use, rentals of less than seven days, details of complaints. Looked up properties mentions, advertising in ways that clearly violate RSC-2 zoning. As we contemplate possibility of sewers, issue on Captiva and Sanibel about controlling development. Worried that county will proposed increased development on Captiva if we have sewers. Description of council discussion and my response. Have it in writing, but will it be enforced or ignored. RSC handout explained. Clearly can rent, but only to a single family. *Miville*: Complaints regarding renting. People won't rent for less than seven days. Wanted more teeth on designation, to avoid condo development. Focus on rentals rather protecting density. *Mintz*: Minimum lot size would preclude condo development, require a variance you can't get on Captiva. *Brown*: Done everything possible. *Mintz*: Reiterated language. Discussion. *Mintz*: Issue is density and intensity of use. Rentals of 3-7 days or less, up to 75 people possible in advertising. *Miville*: Why call you, they should call the county. *Mullins*: Have we written to these owners to inform them of the rules and ask them to abide by the rules? *Mintz*: As we move to sewers, Sanibel will ask if our rules will control development. *Mullins*: Flagrant examples, Treeline and Gulf Coast Town Center instance, commission overruled their own rules and staff. Use sewers to limit size of potential development. *Mintz*: Plan language addresses that. Do we ask county to enforce RSC-2 zone to prohibit estates from functioning as hotels? If we created this language, we should ask the county to enforce it. *Mullins*: All of Captiva or just RSC-2 area? *Mintz*: Issue is violation of code. Discussion. *Mullins*: Entire island should abide by the same rules. *Brown*: Two properties in flagrant violation of the code, happen to be RSC-2. Should we be aggressive and demonstrate resolve to community to stop violations? *Mullins*: Motion to ask county to enforce rules with regard to properties in question (Lanigan second). *Miville*: Enforcement will be neighbors turning people in. Call the county, not you. *Mintz*: Advertising is sign of violation. Discussion. *Mintz*: If this is allowed, there's no barrier to further intensive development. *Miville*: Have the county call them and scare them into compliance. *Lanigan*: How would you respond if someone reached out to you on another violation? Sympathetic to contacting county on this, how do we respond to any complaint on code violation. *Mintz*: Story about sign dispute in the past, contacting the contractor worked in that instance. Would prefer voluntary compliance. Discussion. *Mintz*: Contact Commissioner Ruane for best approach. *Lanigan*: Not act on smaller offenses? *Mintz*: Zoning issue, density and intensity. *Brown*: Assure community they can count on the zoning that exists. *Mintz*: For smaller issues, people can call the county themselves. On zoning violations, we should take a position on it. Unanimous.

CEPD: *John Riegert*: Miville now chair, Mullins stepped down. 2021 dates posted at post office, except for budget hearings. Joined regional resiliency compact. Parking lot, half million dollar line crossed. Presentation on tax data. *Mullins*: Baseball never drove spring tourism, it augmented it. Captiva pays \$20 million in aggregate annually. Bed tax alone is \$3 million/year, \$30 million for life of next beach project. Return on investment on beaches comes from taxes and other revenues, behooves them to put more money into beaches. Have to educate people to contact elected officials that we're carrying too much of the load. Don't anticipate getting any funding from federal government, state and local funding is nowhere near what we contribute. *Mintz*: Create flow chart to show what we pay vs. what we get back, to show disparity? *Mullins*: Hard to get that information from them. Discussion of issues with data. Cannot get any accounting on what is done with the \$1.25 million in MSTU taxes we pay. We can see other taxes

as direct services, but county won't tell us what they do with the Unincorporated MSTU tax. *Mintz:* We're a donor community, but how much of a donor are we? Legitimate basis to request funding support. *Mullins:* Breakdown of bed tax would help us make case on access, etc., with other governments. Get formal recognition of income, rather than the circuitous methods we have to use. Meet with county CFO to get data for flow chart, source and use of funds. *Brown:* Tremendous work. Have to do all this work to get any services, need to get a better ROI. Not just 300 votes, but maintaining the tax revenue they are getting from us. *Mullins:* Need to be a louder voice, advocate to get a fair share. Recommend TDC do an economic impact of beaches, did the same for stadiums which was laughable.

Mintz: Winners of panel election were John Jensen and Linda Laird, Suzy Abare and John Silvia got a respectable number of votes, Abare expressed interest in fund-raising.

Blind Pass: *Baumgarten:* Just asking for an update. Is anything being done? *Mintz:* Started with Assistant County Manager Doug Meurer, passed to DOT Director Randy Cerchie, who felt it was too hot a political issue. Met with Assistant County Manager Pete Winton, whose first comment was about the size of the snook he caught. Commissioner Manning said staff would review it, nothing done. Sent summary to Commissioner Ruane, on his list of issues to work on to make it a one-side fishing bridge. *Brown:* Be careful how much we ask of Ruane. *Baumgarten:* Disaster in terms of safety. Will it take an accident or taking them to court? *Brown:* County more concerned about peoples' right to fish from bridge than the safety and garbage on bridge. *Lanigan:* A joke, if this was in the Village it would be taken care of. *Baumgarten:* Safety and Sanibel issues. *Mintz:* Limited request on financial issues, sewers and sidewalks. Everything else is easier to do. Ask Ruane and see what he can do.

LCEC and cell issues: *Brown:* Service has gone to hell, having blip power outages 1-2 times a week. Just me or communitywide? Discussion. *Lanigan:* What can we do about this? Discussion. *Brady:* Power goes out a couple times a day, comes right back on. *Mintz:* Ask Dorn to come to meeting, last time it seemed to improve. *Boris:* Inordinate amount of outages, newer and more urgent issues. *Mintz:* Ask Dorn. *Brown:* Is outage true, data and what can they do. *Mintz:* Verizon, have someone call them. I have a contact to find a person to address issues.

Driving on beach: *Mintz:* Mullins and I will talk to Ryan Orgera at SCCF, draft a letter for rental agencies on driving on the beach.

Wastewater: *Brown:* Recap of study status. Frustrating experience. Meeting with Ruane and Councilor Holly Smith of Sanibel. Requested council provide evidence of interest to help make request to BoCC. Also had a discussion with Councilor Richard Johnson, he's also in support. *Mintz:* At last council meeting passed motion unanimously to work with Captiva and county to have wastewater treated at Donax plant. Smith will draft letter to Commissioner Ruane to show that commitment. Discussion of council status. *Brown:* Ruane has budget of \$100,000 for studies, needs to be appropriated. On stormwater, panel has discussed should we get involved in evaluating stormwater issues. Potentially an issue for coastal water quality, plus experiencing some severe flooding issues in Village. Meeting with James Evans on what stormwater plan could look like, will meet with group to discuss options and bring them back to panel – whether it's a new committee, part of Wastewater Committee or part of SLR Committee. Hopefully have plan for discussion at next meeting.

SLR: *Linda Laird:* 60 attendees at Nov. 19 Zoom meeting, explained purpose of meeting. Felt it went well, any additional feedback welcomed. Materials on website, meeting later this week. *Mintz:* Did county receive DIO grant? *Laird:* Not heard yet.

Golf carts: *Baumgarten:* Summary. *Mintz:* Signage recommendation that have been implemented. Other DOT requests to come. Had recommendations to amend existing ordinance, I drafted options that have to go back to the committee. Set minimum age in ordinance, rental agents set 21 or 22 as age limit, ordinance says only 16 otherwise. Also no open containers on carts. All carts leased or rented have visible company ID and safety sticker. May want to survey community to assess support before it be proposed to county. *Baumgarten:* Age 21 limit for use on carts, to improve safety. Majority say safety won't improve with that, very few incidents with that age group. Will not put in ordinance with committee approval. Marcel Ventura suggested making video on cart rules on Captiva. He will also pay for it. Work on communications, work on more videos. *Brown:* Are vendors feeling good about work committee is doing, vs. creating barriers? *Baumgarten:* Pretty happy, improving long-term chance that people can continue enjoying golf carts on our island. Communicate to solve our problems on the island.

Development: *Boris:* Brady had great ideas for membership letter, final version. Make any announcement on this? Send email to group with a link to click here to donate. *Brady:* Will send out links and information in e-letter, send to whomever we can. *Brown:* Membership a pledge for annual renewal? *Brady:* Yes, you will get a renewal. Discussion. *Brady:* Ask people to increase level, whether they do so or not is up to them. Remind them of what they gave last year. Combine Communications and Development Committees, really linked. *Brown:* Volunteering to chair joint committee? Discussion. *Brady:* TJ Walker said \$1,200 to redesign, plus \$300/month, so \$4,800 a year. *Baumgarten:* What will he do monthly? *Brady:* Keep it fresh and more updated, needs to be discussed with committee. *Baumgarten:* Come up with new strategy, website will be part of it. How we reach the community the best, maybe Facebook rather than website.

Captiva Drive: *Mintz:* Still waiting on County Lands to pursue easements, spoke with Ruane and it's on his list. Add Ann Brady and Bob Walter to work on that committee with me.

Future issues: Not now

Financial update: Nothing more to discuss.

Other business: *Brady:* When do we elect officers? *Mintz:* At beginning of January meeting. Discussion of timing. No other business. Next meeting 9 a.m. on Jan. 12, probably via Zoom.

Meeting adjourned at noon.

-- *Ken Gooderham*