

Captiva Community Panel
MINUTES
May 12, 2020

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

Audience: 32

Meeting convened via Zoom at 9:00 am. Introductions and explanation of process to speak. Emergency meeting requirements met, quorum as well. April 14 minutes. *Mintz:* Make clear it was a Zoom meeting, Approval (Mullins/Lapi) unanimous

Covid update: *Mintz:* Governor's order 20-114, extended existing phase 1 exec order to amendment or modification. Still no current vacation rentals for less than 30 days or if property is advertised as renting to guests, Restaurants and stores at 25% capacity, other requirements intact. Barber shops open with restrictions. Beach parking lots open on Captiva, closed on Sanibel. Had a larger number of cars last Saturday and day-trippers. County Commission meeting today, could see changes. Sanibel meeting today, could see change there as well. *Brown:* Is SSIR taking guests? *Mintz:* Only prior reservations not new reservations until after May 31. *Brown:* How about Tween Waters? *Lapi:* High on weekends, cut off at 50%-55% occupancy to maintain distancing. Mid-week 25%. Will limit ourselves on holiday weekend, 75% likely. Our beach will be spread out due to our access points. *Mintz:* Still 11 cases on Sanibel, only one on Captiva. New Florida and county deaths don't seem to be spiking, up and down within a similar trend. *Lapi:* Sanibel meeting Wednesday? *Mintz:* Today. *Lapi:* Will see if they change rules then. *Mintz:* Difficult decision to make, many constituencies making their pleas to act or not act.

LCSSO: *Mintz:* Team has done a fantastic job on islands. *Lt. Mike Sawicki:* New captain for district, Tim Layler. Last captain retired, will bring new captain out once things settle down. Weekends very busy, lot of park traffic. Deputies on beach trying to encourage social distancing, a lot of crowding at Hagerup Park. Discussion about rentals, Phase 1 vs. Phase 2. Differences in orders. Vacation rental ban could end tomorrow if governor wants. *Brown:* Not taking reservations. *Mintz:* Yes, but some confusion over that. *Sawicki:* Bans go up to the deadline, people take reservations assuming the ban will end, when extended it catches people in transit expecting to have a reservation. More an issue on VRBO or Airbnb, private rentals. Agents good about not taking reservations until ban is certain to end. Involved when people are checking in, neighbors call us. Consult order on responsibilities of DBPR, responsible to check third-party platforms.

CFD: Not present.

Nominating Committee: *Mintz:* Boris, Sonking, Libonate, Rosen appointed to committee at last meeting. Discussion of vacancies. *Miville:* Committee names again, where do they live. All Village people. Discussion. *Lapi:* Where am I on the term breakdown? *Miville:* Brown went from CPOA appointee to CCA appointee.

CEPD: *Joe Wagenti:* Quite busy this last weekend. Lot overwhelmed, attendant on site 10-6 on weekend to clean bathrooms and meters. Board voted to raise rates temporarily to \$40/day or \$25 for two hours. *Mullins:* Not trying to gouge people, just to control line that backs up outside the lot. *Lapi:* Sanibel sign says Captiva is open and Sanibel is closed. Before you get to causeway. *Mintz:* County sign or Sanibel? If Sanibel doesn't open this afternoon, sign should not stay there. Unfair to people on Captiva, numbers our

infrastructure cannot support. Check whose sign it is. *Mullins*: Another reason for rate raise is for attendant, atypical expense for district. *Jensen* Sanibel beaches closed, but don't mention Captiva is open.

Captiva Code: *Mintz*: Received email from Brandon Dunn coordinating staff comments. Working on it, hope to get comments back in next month or so.

Blind Pass bridge: *Mintz*: Explanation, brought up by residents nearby, panel members who have brought this to the panel in the past. Panel voted to close bridge to fishing in May 2019, communicated that to assistant county manager in June 2019. Spoke with Pete Winton and Randy Cerchie and LCSO regarding request. Email they were reviewing options. Aug. 6, 2019, memo to Manning summarizing history, Florida Statutes citations and summary of complaints. Aug. 7 reached out to Sanibel, said it was a DOT issue. DOT offered barriers in December 2019. Jan. 2020 met with Manning, would discuss with staff. Deputies sent to enforce social distancing. March 31, ask to close during Covid 19 crisis, lack of social distancing, no parking. *Miville*: Ask Randy who said no? *Mintz*: Did not get name, got sense that Winton and commissioners would not support closure. *Mullins*: Contacted Pendergrass, first he heard of it, suggested compromise. Elevate to make sure all commissioners are involved. Discussion. *Miville*: Ask decision makers again and get a straight answer. *Mintz*: Do formal resolution for commissioner, outline all problems enunciated over the past year, request one side of bridge be closed. Attach photos, make sure it get sent to every county commissioner. *Miville*: Add due to lack of foresight, bridge not designed to accommodate pedestrians and fishing, screwed up design. *Mintz*: Agreeable to all. MM Motion to put forth formal resolution (JB) *Mintz*: Recollection of concern about pedestrians have to cross to use one side. MS: Safety issue now, creating a new one with crossover, more of an engineering questions, has rise and grade and curve. Plus people look at water instead of the road. Are we fixing the safety problem, or creating one? Spend a lot of time removing people who have large carts and coolers, checking licenses, removing rods. Adding one more thing we have to tell people to do or not to do. Violations already of things that are not allowed. Not sure it will solve the problem, one more thing we have to be there to correct, will revert once we leave. Relay via proper signage? Try it but it may not be the miracle pill to solve bridge problems. *Mullins*: Not averse to closing it fully. Compromise to close one side. Puts pedestrians at risk, not a fishing pier. County has kept fishing piers closed in county but have left bridge open. Gone on too long, need to get this solved. *Brown*: Sawicki is telling us it will not solve the problem. *Sawicki*: Welcome to try it, an enforcement issue rather than solve by design. *Brown*: We tried to close and failed. *Mullins*: Not properly presented to commissioners. Winton may have blocked it. *Mintz*: Manning has heard about it in memos and personally. Cerchie has heard about it. Can't tell you that other commissioners have been informed, but Manning and top staff have heard of it. *Mullins*: Need to get action and signage. *Mintz*: If closing one side creates more animosity, maybe it makes more sense to close it altogether. *Brown*: Support it. Tremendous snook mortality likely. Limit to land adjacent to bridge. *Mullins*: In middle of discussion with motion. *Mintz*: Closing one side may create more controversy than closing it altogether. *Mullins*: Ask county to close fishing on Blind Pass bridge (*Mintz* second). Any objection? *Jensen* If closing is not possibility, what are real issues – trash, fish mortality – and try to enforce those issues more. Or just during the Covid crisis? *Lapi*: People will do what they want. Believe in going halfway, may create problems but with proper signage and getting people used to using one side, may get better. Is there fishing on other bridges Lee County owns? OK with partial effort. *Mullins*: Discussion of other issues for nearby residents. Docks an attractive nuisance, draws fishing at night. Why aren't pedestrians' rights equal to fishing? *Mintz*: Ask for closure based on issues and concerns. Considered closing bridge to one side, not opposed to that as possible compromise. Issues with enforcement and safety so we asked for full closure. If county thinks partial can be done safely, then consider it. *Brown*: Going to close bay side to fishing to allow people from parking lot did not have to close road. *Miville*: Odds politically of commissioners accepting full close far less successful than supporting the compromise. Discussion of how he fell on bridge. It's a political visual, what you're suggesting is sensible. *Mullins*: Call the vote. *Mintz*: Restate motion: Resolution to close entirely, mentioned we considered partial closure and can articulate safety concerns. *Mullins*: Stick with motion to

close only. *Miville*: Picking a fight with them if you go without options. *Mullins*: Been genteel, time to lobby commissioners to respect our wishes. *Mintz*: Restate... motion to close only package with whereas resolution, photos and reasons. **Yes**: Mullins, Lanigan, Miville, Baumgarten, Mintz. **No**: Brown, Boris, Brady, Jensen, Lapi, Kelly. Vote is 6-5, motion does not pass. *Mullins*: Motion to request closure with partial closure as compromise. (Mintz second). *Lanigan*: I requested panel members to visit bridge to research the issue. Only Boris did it. Discussion that Mintz, Lapi, Brown also visited bridge area as requested. Discussion of issues and understanding. *Mintz*: Tactical issue, which is more likely to get results, best way to get action from county. If we raise safety concerns in a good way, maybe the county will see we are being reasonable and opt to close bridge anyway. Unanimous approval. Gooderham to prepare package, send to panel members for review.

Panel fund-raising: *Mintz*: Two documents, a financial report and expense projections. *Boris*: Did raise almost \$18,000 from fund-raising letter. Discussion of scenarios, options. Can meet plans and stay liquid, but will dip into cash reserves. Happy with ask letter, shows a lot of support. *Baumgarten*: One or two letters per year? *Gooderham*: Two letters, spring and fall. Did not do MATM, about \$19K we did not raise. Cash a little behind last year, not as bad given that tourney did not occur. *Baumgarten*: Response to both letters? Please send me information. *Mintz*: Projections document review, explanation of figures. As is with no change and revenue, end up at \$39,000. Option 1 eliminates planning, AV charges, copies mileage tolls due to Zoom meetings, about \$350 a month without planning. End up with \$46,000 cash. Also includes slight reduction in SLR spending of \$500/month. Eliminate other options, not really needed. Stay as is, or Option 1. *Brown*: How will we reduce SLR expenses? *Mintz*: Not sure we need to. *Gooderham*: Just a projection, don't have a monthly retainer with them. Watch expenses, such as Hapke travel. Giving Linda what she needs to get work done, not spending \$1,500 a month as is. *Lanigan*: Expenses for next year? What is Johnson Engineering expense? *Gooderham*: Captiva Drive walkway for engineering and land descriptions. *Mullins*: Not covered by county? *Gooderham*: Panel always planned to cover, to deliver a shovel-ready project. As to next year, same as this year unless plans change. Expect about \$90,000. *Lanigan*: If we do nothing, we have half of what we need for next year. *Gooderham*: Yes, not sure what we can do in the fall... cruise, letter, not sure about tourney. Could also put off expenses for next year a little if new need to. *Mintz*: Difference is \$40,000 and \$46,000 by November, is that meaningful? *Miville*: Projections being what they are, time to stick with status quo but be ready to reduce expenses if donations don't come through. Be a little more frugal if necessary. *Mintz*: Watch expenses, continue with as-is approach? Keep budget expenditures as is (Boris/Mullins), unanimous. *Mintz*: Will we know about MATM? *Boris*: Not good timing to work with resort right now. *Baumgarten*: Inappropriate for the moment, wait to June or July. *Lanigan*: Might compete with cruise, may be worth bagging it for the year. *Baumgarten*: May be easier to have tourney rather than cruise due to social distancing. *Mullins*: Look at entire year fund-raising and circumstances. *Boris*: MATM driven by South Seas, ask their vendors for help in near future seems remote.

Rae Ann Wessel retirement. *Mullins*: Seeing increased attendance at CEPD meeting due to Zoom option. *Mintz*: Audience? *Gooderham*: 33 at peak. *Miville*: Let me weigh in on engineering contracts, I can get you a better price. *Mullins*: Talk to Joe Wagenti, price for Hagerup restrooms seemed very high. *Rae Ann Wessel*: My last meeting, appreciated the work of panel over the years. Will be engaging with panel, important community building work together. Policy split between Ryan, Leah Reidenbach (water) and Holly Schwartz (legislative). *Brown*: Retirement not acceptable, you need to rethink it. *Mintz*: Absolutely pleasure to work with you, fount of information for panel on local, county and state issues. *Mullins*: Evangelist for environment. *Brown*: Irreplaceable, appreciated what you've done. Leah introduced.

Wastewater: *Brown*: Recap of past actions and polls. Not much accomplished since last meeting due to Covid crisis. Next step is detailed engineering study to firm up costs of partnership with Sanibel. Also see where key elements of system could be located, lift stations, etc. as well as impact on island and

individual properties. Amount of community disruption. Discussed it broadly with TKW, guesstimate it's a \$200,000 project. Panel can't raise that, logical entity is Lee County. Do we start advocating with county now to move forward with engineering study? Circulated draft email to Pam Keyes to support and fund study. Any comments? Should South Sea be included in this project? Discussion. *Miville*: Well written and logical. Would request funding, but before that get control of engineering vetting. Suggest engineering firms who are interested in the work. Send out RFP to major companies, look at returns, take the best option to county. *Brown*: In no position to interview engineers, no expertise. County process isn't set up that way. Discussion. *Mintz*: Tell county we're willing to work with them on engineering options in email to Keyes. TKW squeezed as much work as they could for the county funding, and willing to work with us after the contract ended to help move things along. *Mintz*: New technologies, new approach, need best and brightest to put together a plan for our island. As little disruption and as much efficiency for the system our island needs. Consensus to move forward with email as proposed and discussed. *Lapi*: If county does not fund, are we dead in the water? *Brown*: May not be responsive now, but when Kevin Ruane becomes commissioner he'll push this project. Reached out to SCCF for ideas to determine current impact of septic on water quality, they have a research proposal but not included costs. Will prepare cost estimate, may not make sense to do any additional research on septic impact right now but possibly down the road.

Sea Level Rise: *Linda Laird*: Discussed update. *Mintz*: Recap, vulnerability analysis at next panel meeting. *Laird*: Vulnerabilities next months, not up to solutions yet. Prioritize then work on adaptation strategies. Community to community and get input. How can mangroves keep up with SLR. What is impact of SLR on groundwater levels. Working on proposal with Sanibel on developing an integrated adaptation plan for both islands. Proposal approved, invited to submit full proposal in June, awarded in November, funds in February-March. Figure out problem, develop a plan, get it funded. *Mintz*: Hapke working on comprehensive plan for bayside of island, much more complicated to prevent inundation. Very important to this island.

Wastewater: *Brown*: *Miville* suggested we not let the bureaucratic course run on this project, I responded with expertise. I think his suggestion was a good idea.

Golf Cart safety: *Baumgarten*: Three meeting via Zoom, went very well. Thanks to Marcel and Jimi, working together to improve agreements, rental rules, educate users. Come up with several standards they will implement, will share once the committee has reviewed. Standards for locals and renters. Implement in next four weeks. Look at sign on Tween Waters stretch so that car and cart drivers know where to drive and how to behave. Wightman and Laika Lanes, both rental companies will forbid renters from using those two as they are private roads, plus owners may look at putting up signs as well. *Mintz*: Went to Tween Waters in golf cart, most southward entrance was closed. *Lapi*: Always closed. *Lapi*: Space in that gate to block cars and trucks, will be wide enough for golf cart.

Iguana MSTU Committee: *Baumgarten*: Have not started work yet. *Mintz*: Had conversation with Gooderham, opinion that we will need to hire someone to do that. Gooderham to develop proposal for committee and panel to define what that would be and how to approach it. *Baumgarten*: Also how willing will people be to go to the notary due to virus. *Mintz*: County allow certification. Ask if notary is absolute requirement. *Jensen*: 252 iguanas since Jan. 1, most along Captiva Drive and in South Seas. *Baumgarten*: Impact of Sanibel pausing iguana control for Captiva. Are they all walking over the bridge? *Mullins*: Certain time of year when eggs are hatched. *Brown*: Question on taxing authority. A lot of work for a very simple process, cheaper to just do it. *Mullins*: Go to county commissioners and ask them to step up to fund it. *Baumgarten*: Include we are highly concerned about how county is handling situation with lack of trapping on Sanibel, county take it over everywhere. Tourism, public health, environmental health.

Captiva Drive: *Mintz:* Engineering doing land descriptions for easements and rights of way county needs for property owners.

Taxation: *Mullins:* Struggling to better understand our bed tax contribution, county argues we are not allowed to know what collections are. Asked CEPD attorney to look into it, Dept. of Revenue said Captiva paid \$3.3 million. Helps support our requests for county funding, a small return on our taxation. Sense of the growth rentals on Captiva, based on older database of bed tax collections vs. current revenue.

Possible future issues: *Mintz:* On hold, issues community has raised over time. Review of issues briefly.

New business: LCEC pole at Blind Pass? *Mullins:* Sanibel has done great job on protecting road, Undermining of road included an existing pole. LCEC relocated and installed a very large pole dubbed the Sanibel obelisk. Requested they underground, no luck, Sanibel had to accept plans to move road protection project forward. *Mintz:* Should we lean on LCEC to do something different? Change pole or put lines underground? *Mullins:* Should deal with item but past the point of construction, had been better had we know what it was going to look like before it was installed. Discussion of project. Gooderham reach out to LCEC contact, concern about pole and who can we talk to to discuss modification. Tricia Dorn. Permanent or plans to modify it? Discussion of pole placement and size.

Public comment: Jimi's comment on bunnies. *Mintz:* Ask Alfredo if he also does bunnies, could be covered under MSTU parameters. *Baumgarten:* Who was predators for bunnies, what changed in that balance? *Miville:* Paul Tritak at refuge, he will tell you why there are so many. Expecting disease to kill off bunnies. *Mullins:* Distemper killed off raccoons, a predator. Deterrents you can use to keep bunnies away from vegetation. Gooderham draft letter to Paul Tritak? *Mullins:* Still here? *Mintz:* Jensen to speak to Alfredo? *Jensen* Owls, osprey coyotes are predators. Are protected, they could be removed but not killed. *Brown:* Ask Sanibel, been a big issue there for years. Next fund-raising event should be the Captiva Community Panel rabbit hunt and barbecue.

The meeting adjourned at 11:50 a.m.

Ken Gooderham, administrator