## Captiva Community Panel MINUTES July 14, 2020

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

## Audience: 22 at peak.

Meeting convened at 9 a.m. via Zoom. Mintz confirmed quorum and justification for use of Zoom. Following a roll call, approval of the June 9 minutes as presented (Brown/Boris) was unanimous *Mintz:* Three Covid cases on Captiva, 25 on Sanibel. Only cases of residents. Positivity rate statewide on increase.10.3 at state, 19.3% last week. ICU Capacity stats *Brown:* What's normal capacity for ICU beds? Normally try to run close to capacity generally. *Mintz:* Don't have that figure. Covid trend line is increasing. Past 90 days, average of 200 hospitalizations per day. Last week, 327 per day. Infection rate is 1.24, meaning the number of people infected by someone with Covid. Death rates by state, Florida lower than NY and other Northeast states, no explanation as to rationale. 1:730 chance to be hospitalized, 1:5,000 of dying. Florida still in Phase 2 of recovery plan. Rules for bars and reasoning for reclosure. Pressure on DeSantis to do something is likely, but we don't know what.

**LCSO**: *Mintz:* Lt. Sawicki is on vacation, nothing to report. Did mention to me more people driving carts past Tween Waters, more than two a day going past the end of the cart zone. Deputies now will not permit drivers to drive them back, which will require rental agents to tow carts back. Will also issue tickets. Puts undue costs on rental agents, may have to charge renters a higher deposit or find some way to cover towing costs for agents. They tale security deposits, so have card son file. Looking at ways to self-police issue, but if this continues there may be a time when we have to revisit where the golf cart zone is. *Lanigan:* I disagree, that's not undue cost, just part of doing business they can choose to pass on or not. Don't use this as an excuse to move cart zone to where it was. *Mintz*: If it works to disincentivize renters from leaving the car zone, that's terrific. I'm not advocating we go back to the old one. It's just an issue that has come up. *Mullins:* Cross that bridge when we come to it, let agents work it out. *Lanigan*: A backdoor way to rewrite what we agreed to. If the rental agents choose not to take on that burden I'm sure others will come in to tack that over. *Mintz:* Maybe I'm overly sympathetic to our two golf carts companies. Discussion.

CFD: No report.

**CEPD**: *Mintz*: Received email from Joe Wagenti that he would not be giving a report today due to circumstances at CEPD.

**Correspondence**: *Mintz:* Sent to panel letters authorized by last meeting. Sea Level Rise NFWF resiliency grant support letter, Roosevelt Channel speed zone (explanation) sent to county staff but need commission approval. County commissioners on vacation through July, so we may not hear anything before August meeting. Letter to Mayor Ruane supporting parking fees increase. Santiva beach project. MSTBU notary waiver request. Will go to county commissioners in September. Blind Pass Bridge report sent to county commissioners. Walked bridge yesterday, fishing people took up both sides of the bridge including in walkway shoulder. *Jensen:* Who is responsible to clean bridge? *Mintz:* Nobody assigned to clean it. *Lanigan:* Someone from Sanibel Parks & Rec sweeps bridge at least twice a week.

**Captiva Code**: *Mintz*: Contacted county staff, review is under way, they will get comments to us in the next couple weeks, and be ready to discuss with whomever needs to participate.

**Iguana**: *Jensen:* Alfredo said the county told him that \$25,000 contract ends Sept. 30, spent \$19,500 so far, will have to cut back to three weeks a month until end of September. *Mullins:* What is his harvest at this point? *Jensen:* Targeting little ones, just hatched, had a bag of about 100 little iguanas. Has about 100 properties he can visit, gets about 30-40 a day, tries to hit the other ones the next week. may visit same property a couple of time in one day if he see a lot of them. *Mullins:* Report would help us make case for MSTU when the times comes. *Lanigan:* Include where on the island he's doing his work. *Brown:* How is his effort impacting the iguana population? *Jensen:* Don't know how you could tell, could is be a lot worse? It definitely helps. Discussion. *Lanigan:* What did Boca Grande do to document the success rate? *Jensen:* I don't know, Marco Island quit using iguana control a few years ago, they were maintaining. After that, it skyrocketed, could really tell the difference. Can reach out to Boca on effectiveness of iguana control. Discussion. *Mintz:* Positive that county reduced it only one week facing a budget crunch. Sanibel eliminated it altogether. *Baumgarten:* Don't agree, they want the money back from us so they should have asked us about. Cutting our budget without asking us. *Jensen:* Still spending the same amount, just cutting back so they have enough funding to complete the budgeted amount. Discussion. *Mintz:* Boca had an epidemic of iguanas, now they are controlled and it's not as much of a problem.

Beach trash: Mintz: Since last meeting, inundated with picture from walkers on beach upset by level of trash left on the beach. Same issue has arisen on Sanibel. Two kinds of trash - diapers, plastic bags and cups, bottles. Also a lot of abandoned furniture, umbrellas, lounges etc. Particularly upsetting as it's during turtle season. Governor also permitted fireworks on July 4th, used to be illegal. Current law not to allow beach furniture on beach during turtle season, law against littering on books now as well. Not sure if it's a long-term or short-term problem, other areas have closed beaches and may be pushing people to Captiva's beaches. Some items in code amendment that will further address this, get information out to renters and agents and do n education campaign, work on some signage at accesses to encourage people to remove their trash. Remind people that this is an environmental issue, increase fines for littering if we have to. AB Question about number of trash cans near accesses, can we include more trash cans. Mintz: Discussed for years, people believe it would be counter-productive. What you bring in you can leave by the trash can, changes how you see the beach. Mullins: Solar driven compacting trash cans elsewhere try them out here. Worth pursuing, worked in other communities. Ann: County would be responsible for emptying cans? Mintz: At their county beaches, end of Andy Rosse Lane and with CEPD at Hagerup and Turner. Baumgarten: Q&A comment says trash at Andy Rosse is full by noon, positive that people are willing to take their trash to the can. Mullins: Compaction makes it last longer, communicate with trash co. DM Once code is passed, we can work to educate community and get some signage to encourage responsible behavior and eco nature of beach. Brown: People should be expected to take out what they brought in. Commonly accepted in parks to take out what you brought in. Baumgarten: Education will it really work? May need better products, videos to educate. Jensen: Cans may attract trash from other places. Mullins: John Riegert trying to organize volunteers to do cleanups, do on 25th for a single day, would be nice if it works and we could expand. Used to have a beach clean up day organized by Hagerup Park. CEPD Looking at tagging furniture for disposal. Make people more aware and responsible. Mintz: Community is concerned, so we have to address it. Thanks to those who are picking things up.

**Terms**: *Mintz:* Recap of issue. Two three-year terms is clear, but issue of filling vacancies is not addressed in bylaws. If you serve to complete a vacant term, does that count against your six-year total? Not an oversight by bylaws committee, terms separate from vacancies. Two consecutive there year terms starting in January, if appointed to fill vacancy is totally separate. Can go either way, if we come up with something different will need to amend the bylaws. A lot of things in bylaws that need to be amended at some point. *Brown:* If we limit time served to six years, regardless of if it occurs at the end of a normal term cycle. Composition of panel is important, people joining in mid-term will affect functioning and who

you select to serve. All or nothing is necessary. Lanigan: Disagree, as long as we can count to three, it's not complicated. Brown: Does not allow you to factor in the panel composition when you nominate people to serve on panel. Strengths and weaknesses. Discussion, *Lanigan*: If someone assumes seat six months into term, people could serve 8.5 years, Rater have shorter terms than longer. A lot of talented people on island. Ann: Agree, intention was to limit terms, max of six years then you have to take a break. Bring in new voices, showing people we want them to serve. *Mintz:* Need to make decision, not a common problem, can decide without amending bylaws, just interpreting bylaws. Discussion. Lanigan: Interpretation of framers we could not do what we suggested last month. DM Could do it but would require bylaws amendment. If that was intended, it should have been written into bylaws. Lapi: If we made this change, how many would be affected right now? Brown: Two, John and Jay. John finishes a term this year with another term possible. Jay terms out at the end of 2021 without renewal. Discussion. Lapi: Can still be head of a committee if not on panel? Connectivity going forward is important. Mintz: Yes, they can chair committees. Choice is all or nothing for partial service, or 18-month limit to determine if it counts for an entire term. Discussion. Lapi: Halfway point satisfies both sides. 18-month threshold. Mintz: Willing to draft bylaws amendment to decide if we want to agree, or wait until a more full-scale review of bylaws. Discussion of fairness and Nominating Committee. Baumgarten: People on Captiva are discussing this. Want to know reason behind these nomination appointments. *Mintz:* Never occurred to me who was from Village and who was not. Ann: Head count of what people think before we work on amendment. Brown: If asked to complete term, should not count as a complete term. Acceptable to do the 18 months. Lanigan: Any part of a term counts as a term. Could go with 18-month compromise. Mullins: Subject was overlooked by original bylaws committee. Compromise of half a term is a sound option. Lapi: Ok with 18 months. Boris: Me too. Miville: Don't think it makes a difference. If vice president takes over president's term, is he allowed to have another term after that? ML Exactly what we're talking about, halfway point. Jensen: Ok with 18 months lean toward any part of term is term. Ann: Same as John. Brown: Will of panel seems to be if you served any time it counts as a term. Mullins: Good compromise and my preferred position. *Mintz:* No position, just need clarity on it. *Lapi:* Amend bylaws to serve 18 --months or less does not county, 18 months or more counts as term. (JB second). Mintz: 18 months or more counts as a term. Unanimous approval. Mintz: 11 panel members, 4 from Gold Coast, 1 South Seas, 4 in Village, 2 from Tween Waters. Never counted that before. When we do appointments and elections, try to get a balance to fairly represent all areas of Captiva. Discussion.

Wastewater: Brown: Recap. Straw poll a few months back, two-thirds of those responding in favor of moving forward to look into a central sewer taxing district. Contacted Pam Keyes at Lee County encouraged her to move project along, develop cost estimates and design. Response was county is overwhelmed by Covid issues and budget shortfall. Best alternative was to look at options to get independent design and estimate done. Spoke with two firms, Kimley Horn, Eckmann joined them after leaving TKW. Other was Consor, company that acquired TKW. Excellent proposal from Eckmann, estimates \$50,000-\$70,000 for report. Described aspects of proposal. Community meeting, design, package plants, meet with Sanibel. He thinks there's \$40,000 in grants available to help fund this study. Sponsoring organization would have to be Lee County or Sanibel. Public presentation of engineering plan. Additional \$10,000-\$20,000 would oversee developing a rate plan to decide how people would be assessed – use, property value, flat fee. Excellent proposal would provide community with all the information it might need to help decide whether to pursue a central sewer conversion. Consor did not create a proposal as asked, believe our plan should be based on step technology. Continue to have septic tanks, adapt them to capture liquid for central processing, solids remain in tank and are pumped out every 5-10 years. Smaller, less costly central system to install. Some other communities have begun to adopt it, would cut costs dramatically. Would like to create a proposal to evaluate feasibility of step processing for Captiva. Ball park \$25,000 to develop. Proposal to me by Aug. 6 in advance of Aug. 11 panel meeting. Take KH proposal and see if county would consider funding that study. Get proposal from Consor and evaluate at next panel meeting to see if it's worth considering changing direction to a step system. Recap. Mullins: By removing liquid effluent, avoids issue of insufficient vertical separation to groundwater. Removes SLR issue with septic systems. Brown: Issue of drainfield separation disappears, solid waste is being disposed of and not leaching in to surrounding ground. Lapi: Package plants would still be operational. Brown: Not certain about that yet. Probably right, still have to maintain plant, liquids would go to central processing rather than drainfield. Mullins: Much cheaper to move liquid to central plant than to move solids as well. Brown: Ramifications throughout the system. Consor thinks it might cost 25% of what a conventional collection would cost. Jensen: Would it still be pumped to Sanibel? Brown: Far less capacity implications for FGUA than if they have address solids as well. Chance FGUA would want to pay for our step collection to capture that business. FGUA would need to make some changes at plant to address SLR, could also expand to process liquids from Captiva as well. Jensen: Is \$50,000-\$70,000 price the one we thought would cost \$200,000? Lanigan: If we add the extra rate study, would we be getting the same information we wanted from the \$200,000 study. Would we be able to tell any property owner what the cost would be? Would it cover costs from street to home? Brown: Not sure about the latter, suspect it's not going to look at each individual home. Engineering design for collection system, not looking at each individual property's needs to hook up to collection system. Might get an average cost, but not exactly the costs for each individual properties. Mintz: Assessment methodology, looking at each property for costs? Brown: SF would be basis for assessment, not costs to hookup. Could not include connection fee. Mullins: Step process would also mean it would cheaper to move liquids off your property than to move the solids. Would FGUA consider paying for the step study since they would get the benefit if we go that way? Brown: Interested in seeing study like that, but not willing to pay for it. Jensen: Does Eckmann have opinion of step system? Brown: Not as high on it as Consor, still have to maintain septic tank at each individual property. Not centralized, still have to maintain tanks over time. Modification to the existing septic system. *Mintz:* Vero Beach put this in for about 1,500 systems as a way to retrofit existing tank by diverting from drainfield to pipes off the property. Valve that allows either-or to central system or to drainfield. Brown: Theoretically possible, would have to think about impacts, part of feasibility study to use drainfields as a backstop to central system. Mullins: Eliminating drainfield frees up some land, so some might want to maintain as a hurricane backup plan. Brown: Encouraged them to provide proposal so we'll know more by August meeting. Unlikely to see necessary support from county right now. Do we want to raise funds to pay for studies or put things on hold to see if county budget outlook improves?

**SLR**: *Mintz*: No report today, sent out grant proposal created by committee we will get update in August. Lays out a game plan for what we need to do even if we don't get the funding. Cheryl, Linda, Kate, Ann and Ryan worked hard to pull this together.

**Golf cart safety**: *Mintz:* Had not seen report until it was sent out. Typo at end. *Baumgarten:* Thanks to all committee members. Important signal to address carts that exceed zone limits, redirect to committee to consider. Broader analysis and consideration rather than jump to changing cart zone. Signage needs to be improved, meet with DOT to make changes and problem may be alleviated. Contact DOT for better signage, electric vs. gas power carts encourage agents to convert to electric, drop mandatory conversion and hope they would do it voluntarily; have stickers on all rental carts to show where cart zone ends. *Brown:* Do we have historical data about cart accidents on Captiva? Knowledge of injuries? Is this dangerous and we are acting because of that? *Baumgarten:* LCSO said biggest issue is irresponsible parents who allow minor child to drive carts through Village. Concern is safety, not spate of accidents. With expansion of zone, we need to improve education and signage. Inform renters about local rules.

Lapi: Sign at Tween Waters to show speed limit has not been functional for 6-8 months, does anyone know its status? *Baumgarten:* Don't know, would address with DOT to fix that problem. *Mintz:* Don't need motion, will work with you to draft something to DOT to implement committee's recommendations. *Baumgarten:* Drop electric vs. gas from possible future issues? *Mintz:* Wait until we get to that item. *Brown:* Why is electric a problem for rental agents? *Baumgarten:* Safety issues explained in report. *Mintz:* Companies can put stickers on their arts to reflect your concern. We can create stickers and distribute to private owners, but county won't mandate they go on private carts. Use them as an educational campaign. Need to work with DOT to make signage better. *Baumgarten:* We can make suggestions and let DOT decide how best to implement.

**Iguana MSTU**: *Gooderham*: Sent request to MSTU coordinator to waive notary requirement for proposed petition. Had to go to commissioners, won't hear it until September. Not much to do until that is clarified. *Mintz*: Still need a comprehensive plan to get this passed, will not just happen. May require hiring some organizing people, maybe put that on the agenda next month. Also need to draft letter to commissioners, to explain why we need the waiver. Will put one together and discuss it next month. Baumgarten: Zoom committee meetings are getting cut off, do we have a pro account we can use? *Gooderham*: Right now, no, you're using someone else's. Consider buying one after Labor Day, when owner of license needs it for a conference. Discussion of Zoom options, consensus to buy full package now for committees and panel to use.

**Development**: *Boris:* Big unknown, trends in Florida give me concerns about being able to do anything in the near future except a solicitation letter. *Mullins:* More people attend on Zoom, more contributions are likely from that. *Brown:* Give people the option of attending by Zoom even when we go back to inperson meetings.

**Communications**: *Baumgarten*: Still trying to gather emails. Still need a strategy to develop communications plan. Lots of room for improvement. Need a budget to hire someone for educational videos. Presentation at yacht club about work of panel and the most important issues on the island. Our work is still not widely known enough. In person or Zoom reach out to people. *Brown*: Agree completely, have a once-a-year town hall? *Baumgarten*: Have to go to the organizations and members themselves. *Brown*: Private groups uncomfortable with allow others to use their email lists. *Baumgarten*: Have panel members reach out to groups they are part of to make presentations. Discussion. *Brown*: Have me request yacht club sponsor a presentation by the panel. Ask Cindy to pursue the same thing at the Sanctuary. *Baumgarten*: Find topics that would be of interest to members – iguanas, trash, carts, etc. *Brown*: Do the same thing with CCA? *Lanigan*: Use as a fund-raiser? *Brown*: Way to communicate to the community what the panel is doing. Informational briefing for their members. Discussion. *Baumgarten*: Inform them about our work, get them to join our email list. *Baumgarten*: SLR of interest to clubs, they are all on the bayside. Voluntarily join email list once they know who they are. *Mintz*: Annual update would be great, but deals only with property owners. Still have to address those who come here for a week or two once a year. *Baumgarten*: Work with rental agents get their opinion on how to include the renters.

**Captiva Drive**: *Mintz:* About to approach owners about ROW needs, awaiting on County Lands that engineering description is OK with them. Then give owners a head's up that county will be contacting them about the rights of way and construction easements. Then go back to county to get them to live up to their commitment to fund this project.

**Taxation**: *Mullins:* Should be getting TRIM notices from county this month, run them and calculate taxes being provided. Good progress with Ralf Brookes getting information from the state. Sense of what the bed tax information is. Get the county to give us a better idea how they're using these taxes to benefit

Captiva. Things get lost in the density of language in minutes. Carve out a monthly status report on new issues and progress. Major entities we work with, identify issues briefly so they can see what we've been discussing. Good status report can be helpful to track performance *Mintz*: Send MM and panel copy of updated report for Manning.

**Future issues**: *Mintz:* Background, at least address them whether we want to pursue them, Summary of issues as I understand them. Decide if we want to pursue and how to proceed if we do. **Leaf blowers**: Come out of workshops, Village dealing with on an ad hoc basis. HOA have asked no blowers or transition to electric. *Brown:* Something in code to do it only certain days of the week? *Mintz:* No. Hard for landscapers to do. Discussion. *Mintz:* Would like to explore options with some of the landscapers.

**Gas to electric carts**: *Mintz:* Background. Bigger issue at South Seas, can plug in at private homes. Walter said resort could install charging stations. Not sure if they can do that. Rental agents concerned panel might try to impose transition to electric, worked to make clear to them any transition would take place only with cooperation of golf cart renters. Put on hold, have golf cart committee consider this is again in the future. Positive aspect to conversion, but difficult for agents to do so at this point. Put it on hold. *Baumgarten:* Think we should take it off list. If tech changes, put it back on list. Focus on issues we can make progress on, look at other ones later. Sense of panel to delete it from list.

**Impervious surface ratios**: *Brown:* Fit in terms of sewer issue, need to pursue stormwater runoff for Captiva. *Lanigan:* Issue on island now? *Brown:* SCCF thinks it's a huge issue of importance, runoff. Not interested in setting impervious standards at this point, although two are related. *Lanigan:* If runoff is issue, focus on that. Don't know what we do in terms of budget to pursue these things. *Mintz:* Runoff is causing more pollution to nearshore waters than septics. *Brown:* SCCF and Tomasko have both spotlighted this as an issue. *Mintz:* Recommend we remand this to wastewater committee not to take it up but to think about the best way to address it. Not delete it or put on hold. *Brown:* Belongs with wastewater, but don't know how to begin to address it right now. *Mintz:* Don't even have an idea how to do a wastewater runoff study and who could do it. *Brown:* Tomasko said he could do it. *Mullins:* Drainage systems to collect and dispose of runoff. *Mintz:* Some level of treatment before it is released to the nearshore. Look at how runoff is or is not managed now, how is it maintained and what filtration options are possible. Leave with committee to review. Impervious surface ratio as a subset of that in case it becomes a component of stormwater. *Mullins:* Remove it for now. *Mintz:* OK.

Attorney retainer: Mintz: No need to revisit at this point.

**Community planning**: *Mintz*: Attempt by county to remove planning from admin code. We objected and sent letters, and it was withdrawn. Institutionalized role for planning to occur, make proposal once new commissioners are in place, how to amend AC 13-3 and put some funding back in the budget. *Brown:* Amend it to include some of the other work we're doing? We're doing work that the county should be doing. *Mintz:* Walking a fine line as an unelected body, try to create panel that reflects needs and interests of community. Balancing act between panel and right to make recommendations to county on planning issues facing Captiva. *Brown:* Sewers is not part of community planning? *Mintz:* Yes, but still a balancing act. Administrative Code not specific on mission, but gives us a way to bring issues. Willing to work on this and bring something back to the panel to discuss.

**Scooters**: *Mintz*: Background. Address before they become prevalent. Reach out to the person who brought this to us and see if they want a more specific action. Discussion. *Baumgarten*: Devices popular for a few years then they fall out of fashion. Probably not worth looking since it will be going out of style. *Mullins*: A fad that has not caught on there, get it off our plate until it becomes an issue here. Ann: Mostly in cities, where they can be rented for short periods of time, not sure it's going to happen out here.

*Baumgarten:* Have to be adult to use. *Mintz:* Could they use one of these to go to Tween Waters? *Baumgarten:* How airlines handle boards such as this? *Boris:* A lot of them out here in California, on hold due to virus, will come up again. *Mullins:* Hold until it's a problem.

Hurricane contact protocol: Mintz: CFD is focusing on pre-storm safety. Background, Lanigan: Met with LCSO and CFD, both islands have pre-season meetings, people who have bene here there's a lot of information around. First responders priority to prepare island for safe re-entry. Owners want more granular information, which takes reliable volunteers. People who come back here want to focus on their own properties first, a sticking point in getting more information. After Irma, we saw slow response in debris pickup and utility restoration... at the end of the road. *Mintz:* When I spoke to Manning about this, he said we should work through his office on this, never materialized. Maybe if Kevin Ruane is elected there will be more responsiveness on post-storm information. Lapi: Having been through a few of them, may have some people who are looking after other properties reach out to them to check out on your property. Mintz: Sanibel can do that, we can't as an unincorporated area. Can county recreate something similar to what Sanibel offers for our island? A clearinghouse of information for Captiva residents? Discussion. Mullins: How do we interact with the various entities and utilities, get them to deal with our issues? Miville: Ask CFD and LCSO to fly drones over properties. Lanigan: Privacy issues with that, they're not going to do that. Miville: Run drones along road to see what's down. After storm hits, staff is there to see what the damage is. First responders stay on the island, run drone along road to see what's blocked. Lapi: First responders have to leave the island with the threat of a big hurricane, new fire station might change that. Miville: Once storm passes, they're first to return. Brown: I had no communication or help after Charley. Mintz: Create a clearinghouse after the storm for the community at large. Sit down with commissioners post-election and explain our concerns to see what can be created. Communication and assignments, a recovery protocol.

**Enforcement and education**: *Mintz*: We have regulations that aren't being enforced because we have no one here to do that, asking LCSO to be code enforcement not a good approach.

**Overcrowding**: *Mintz:* Came to a head when other beaches were closed during pandemic, cars lined up to go to the beach with no place to park. Provide information to people who want to come here when there's no reason to come here as in peak season. Maintaining balance between owners, renters, full-timers and part-timers and day-trippers. *Mullins:* If someone comes here and can't park, how does that affect us? *Baumgarten:* Crowding and pollution from roving cars. Put sign before causeway. Discussion of plans to post signs tied to beach parking. If that conflicts with needs of businesses who want day-trippers coming out here. *Baumgarten:* Bring up at meeting with DOT. *Miville:* Make sure people never find a way to park on the side of the road. Seen it happens in other places. *Mintz:* Issue on Sanibel when they closed beach parking, drivers willing to pay fines since they were low. Engendered Sanibel raising parking violation fees, Boca too. Discussion. Hagerup parking fees workarounds.

## **Financials**:

Next meeting Aug. 11, via Zoom.

Meeting adjourned at 1 p.m.

-- Ken Gooderham