

Captiva Community Panel

MINUTES

Aug. 10, 2021

Attending: Jay Brown, Tony Lapi, Bob Walter, Bruce McDonald, John Jensen, Ann Brady, Linda Laird, Michael Lanigan, Rene Miville

Audience: 11

Meeting convened at 9 a.m. *Brown:* Antje Baumgarten resignation explanation, introduction of Bruce McDonald. Background. *McDonald:* Background explained, CPA originally, run a few companies, retired three years ago and spend 7-8 months on Captiva, balance of time in Canada. Motion to approve July 13 meeting minutes (Lapi/Jensen), unanimous.

LCSO: *Lt. Mike Sawicki:* Report on capturing theft ring targeting boats. Urge you to take pictures of valuable and mark them to ID them as yours. Best way to connect stolen goods to actual owner, helps convict thieves as well. Keep an eye on the approaching storm system.

CFD: Not present.

CEPD: *Dan Munt:* Aug. 9 board meeting cancelled due to lack of quorum, items will be discussed at Sept. 13 meeting. Beach project timetable. Parking lot closures, full closure, then half closure, then full closure again. Letters sent to owners from vendors on surveying and vibration from project work. Town hall Aug. 12, 1 p.m., posted on website. *Brown:* Comment or presentation? *Munt:* Mostly for questions, some overall presentation. *Jensen:* Survey of buildings, have to sign up for it? *Munt:* Vendor picks strategic points. Accept or decline service from letter solicitation. *Lanigan:* Another apportionment, will it include other funds? *Munt:* Model without FEMA funds. Other funding will be included once project is complete, cost is likely to come down. *Brown:* Cost projections affirmed? *Munt:* Funds from FEMA and parking lot will reduce projections, do not have figures right now. *Miville:* Tentative apportionment based on revised economist numbers thanks to Munt, county is changing interlocal to add \$1 million. Economist did survey during 2018 red tide crisis. Antje pointed out issues with model. Once project is done board can decide how much of CEPD reserves will be applied to project. Additional \$1 million from Ruane to strengthen TW stretch to protect road. Overall, could be as low as \$7 million and change. *Lanigan:* County percentage with and without road funds? *Miville:* Was around 23%, with revisions around 30.25% with \$1 million for road. (Miville left).

Frederickson setback: *Ahmad Kareh:* Introductions and background. Client brought property end of last year. Wanted to add pool, discovered issue that required a variance, pool had to have same setback as principal building or 100 feet from road, they cannot meet either setback. (Showed site plan.) Property depth in 97.5 feet average, so cannot meet 100-foot setback. Based on house site, pool cannot have an equal setback. Min 43.33 feet from right-of-way. Similar circumstances have been approved in the past, see narrative in packet. *Brown:* Try to get variance by administrative action? *Kareh:* Has to go through public hearing. *Mintz:* Comments on narrative. Similar sites you cited are not accurate, those pools in the back of the lot. LDC 34.147 you cited is hearing examiner review criteria; the Captiva criteria in is 33.1615 in LDC. No mention made of Captiva criteria. *Kareh:* Same criteria by my reading. Used old criteria from Lee Plan, even though deleted. *Mintz:* Not the criteria in the LDC for Captiva, which was approve a few years ago. The county will want you to use that. You said this was consistent with the Lee plan and other variance requests have been granted. Have other variances been approved for pools in the front yard with less than 100-foot setback? Any for TFC-zoned properties permitting pool in front yard?

Kareh: Good question, aerial showed some but not certain about zoning of those lost. *Mintz:* Explanation of possible precedent. Don't open door to other properties to get pools in their front yards. No question that our criteria is governed by Chapter 33. This site is unique from other TFC-2 property due to having Captiva Drive on two sides. *Laird:* Any regulations on lot coverage? *Mintz:* Not aware of any in the Village. *Laird:* More concerned about impervious coverage due to flooding. *Kareh:* No impervious coverage requirement, will meet open space requirements. *Lanigan:* Difference between 25- and 100-foot setback? *Kareh:* Principal structure requires 25-foot setback, accessory structure has to be 100 feet or same as principal structure. Close to impossible to meet on this property, even with lap pool. *Audience question:* Does house currently have a pool? *Kareh:* No. *Audience question:* Cage planned? *Kareh:* Fence as required by code, not enclosure. Site heavily vegetated now. *Audience question:* Cage in the future? *Lanigan:* Addition to structure possible? *Kareh:* In front, yes, to the east it is possible.

Kimley-Horn update: *Brown:* In July Doug Eckmann presented plan for wastewater collection system serving every property outside South Seas, recap. No issues with existing package plants, just upgrading to lift station. Now working with Sanibel to review plans, interface between two systems. Keith Williams will manage project, meeting set with him and KH staff. Met with Sanibel Mayor Holly Smith last week, has strong support for project and encouraged cooperation. Met with Dan DeLisi, lobbyist for Lee County and Sanibel, said we'd need county and city support to get state funding. We will meet with BoCC Chairman Kevin Ruane and discuss options. At September panel meeting, we will focus on nutrient impact of current septic systems. SCCF and David Tomasko had different conclusions on impacts on coastal waters. SCCF and KH to discuss their views on impacts. Design project on track to finish in February, written report and public presentation. *Lapi:* Next step to bid? *Brown:* Form unit first, then to final detailed engineering phase. Sanibel or county will take lead on construction.

Verizon: *Brown:* Recap on July presentation. Send team to Captiva to test signal strength. Consistently bad signal, regardless of location. Discussion possible improve to boost signal at cell tower. Likely to want to put up small cells. Cell service on barrier islands subject to state regulations, limits options they can undertake. Don't really want community involvement in this process. Guided by regulations, and it's proprietary information, they don't want community input. They recognize there's a problem, but it's up to them to solve as best they can. Said problem is dense vegetation and metal roofs. Will let us know plans once developed. *Lapi:* They know 5G is coming don't want to invest any money. *Laird:* We got them to agree there's a problem.

LDC: *Brown:* Mintz made three separate trips from NY to meet with agencies/committees. Remarkable effort. Panel should pay those expenses. *Mintz:* Recap of hearings: 7/9 LDCAC, 7/14 EROC, 7/26 LPA. All advisory committees. Direct public hearing 8/17, final hearing in September before BoCC. All three committee unanimously supported amendments with minor changes. Explained changes... furniture, moved phrase. Lighting, clarified "shining directly" looked at other code language to review more clearly. Trees, Florida friendly, lockoff unit clarification. Once done with LDC amendments, then we tackle ordinance. *Brown:* Put together travel bills and ask for reimbursement. *Mintz:* Will do once all the travel is done. *Brown:* Appreciate your dedication to this. *Mintz:* LOSOM update... Corps announced yesterday about how much Lake Okeechobee water is sent, when, where and how much. Alternative CC supported by Corps, public comment and adjustments expected. Final decision in November 2022. Not great for Caloosahatchee or watershed, may violate NEPA requirements. Alternative CC protects east coast at expense of west coast. No releases going east, east coast coalition convinced USACE about this. Commissioner Ruane raised funds to raise issue, SCCF has worked tirelessly why this is not a fair model and detrimental to west coast. Corps agreed to optimize protection to Caloosahatchee whenever possible, holding water in lake and sending more south before sending it west, leaving east release last resort.

SCCF's position is there's no way to reduce harmful flows to the west if you don't send some water east. Stay vigilant and demand changes from Corps on preferred model. Environmental groups will be complacent on CC since east coast is protected, divided constituencies. Up to us to put pressure on Corps. *Brown:* Ruane dedicated to better balance in model. Sought funds to raise awareness on issue. Tremendous response to funding request. Very important issues to community. *Mintz:* Complicated issue, litigation could open door to other changes that could be damaging. Rely on SCCF, doing a great job. *Laird:* Something we can do, send letters? *Mintz:* Public comment period may be opportunity. Will check with SCCF and Ruane on actions during this period. *Lapi:* Tomorrow there's a luncheon at Pink Shell, USACE colonel will be there. Discussion. *Lapi:* Need to have some flexibility, ten years is a long time to plan. *Brown:* Take guidance from SCCF and Ruane on public response. *Laird:* Send to our constituents as well, not everyone on SCCF list. *Brown:* Regular agenda item? *Laird:* Yes, such a threat to islands. *Brown:* Put LOSOM as a placeholder for monthly agenda.

10:30 – break

Wastewater: No further report.

Code: No further report.

SLR: *Laird:* Tide gauges, thanks to John and Jay for getting gauge installed, becoming operational. Description of grant, will issue release in gauges once grantors say OK, will give public access to data as well. No news on NFWF grant request, not until November. New funds: Resiliency Florida, significant amount of money, proposals due early September. Hoping to submit something similar to NFWF grant, better chance of approval. SCCF captain on board Aug. 16. Integral study: Got quick look at initial strategy last week, meeting in three week to review in depth. *Brown:* Encourage people to sit in on this meeting discuss options, good point for panel members to see work in progress. Captiva values natural shoreline, but we have obligation to protect uplands from inundation. See options and express concern about balance between preservation and protection of shoreline. *Laird:* Individual owner responsibility vs. over community responsibility. Working meeting, not presentation to community, encourage panel members to join. Stormwater: Two issues, flooding and pollution. What is acceptable flooding, what can we live with? Now and in the future. Will look at how other communities have addressed, zero flood is very expensive but letting it happen is not acceptable. Amount and duration of flooding. Asked county to speak to committee on existing stormwater infrastructure and what to expect from them in the future. Doug Busbee with DOT showed existing system. Filter in system is pumped out a few times a year. Could add more filtering to system. They are operations, not design. If we want plan, will fall to us to develop with support of Lee County. Stay tuned, keep learning more. Sent them specs on Sunset Captiva system, worked better than expected. Discussion. *Brown:* Reached out to KH on cost synergies on Village streets to include storm drains. Definitely would be cost efficiencies, but don't want to hold up one for the other. Discussion. *Mintz:* Another filter? A lot of pollution from outflow at Andy Rosse Lane output.

Golf cart: *Brown:* Antje leading effort, has resigned from panel. *Mintz:* Proposed ordinance to amend existing ordinance, waiting to hear from Ruane on how to proceed. *Brown:* Eliminate as agenda item unless it's needed again.

Iguanas: *Mintz:* Instructed to go back to Ruane on next steps. Do another taxing unit without SSIR, ask for county to fund? Ruane suggested we work with Sanibel since they use same trapper. Have Alfredo do work on Captiva and create interlocal agreement to pay for it through city. Eliminates extra bureaucracy, streamlines process. Raised with Mayor Smith, city manager asked us to submit proposal to Sanibel on interlocal agreement. *Jensen:* Not same company as Sanibel, but they work together. Work it out to make Alfredo subcontractor. Alfredo does Marco, Captiva and some private homes on Boca Grande. Don't

have to have Alfredo do Captiva. Sanibel increased budget for iguana control, may need to get someone else as current trapper is too busy. Might be a way to get Alfredo engaged. *Mintz*: Need to work out issues with Ruane before we present to Sanibel... who's responsible for Captiva if there is a problem, and not same person doing both islands. See lots of problems, not sure Ruane anticipated it. If someone gets shot instead of an iguana, who will get sued? Easiest route is for county to hire someone for Captiva, will go back to county and discuss issues. *Brown*: Sign up for annual fee to be part of eradication program. *Jensen*: Limited number of accounts that Alfredo can handle. *Mintz*: Give him list of 200 properties to access, but pay with one check. County will fund, we will get permission for Alfredo to enter properties. Discussion of options. *Jensen*: Alfredo still coming out Tuesday, has extra time due to time missed from accident.

Development: *Brady*: Nothing to report. Will make up donations at year end. No decision on cruise due to Delta variant. Small committee on fund-raising? *Brown*: Create one to give you some help. *Brady*: Revisit as we move into fall. Discussion. McDonald left. Back, Brand, not something panel should focus on, tie to development as ways to support. *Laird*: Brand, commercial interests might want to be involved. Do we really want to be marketing Captiva? *Brady*: Funds support specific efforts, not marketing. *Mintz*: Consider Mike Boris for committee. *Brady*: Also new people who might be interested. Want to be on panel, great way to get people involved. *Brown*: Bruce has worked on this in the past. *Gooderham*: Projections presented last month were incorrect, due to error in formula. Will have closer to \$110,000 cash on hand at beginning of 2022, plus directed donations we are holding for annual assignment.

Captiva Drive: Waiting

Government Affairs: Nothing more to cover.

Blind Pass: *Gooderham*: Heard from Lt. Alan Canfield with LCSO that their volunteer patrols will begin cruising the Blind Pass Bridge regularly to check on conditions. Not sworn officers with guns, but at least they can see and document problems, means more of a law enforcement presence. Also a sign that bringing this up to Commissioner Ruane got some kind of response. *Brown*: What are options? *Mintz*: Ruane first step, follow up and see what they see. Continue to push for one side closure. *Lapi*: Impact of parking closure? Will they get a sense of issues?

Other business: *Laird*: More that we as island should be doing about climate change? IPCC report a wake-up call, are we doing our fair share? Don't know the answer, don't know how to address the question. Examples: Sponsor a solar initiative. Require any new building has to be zero carbon. Design homes to minimize A/C. What should we do? *Brown*: Panel as advocate for climate change awareness. *Laird*: What as an island are we trying to do? *Mintz*: Gas blowers, banned in Naples, and Sanibel is looking at that as well. Gas golf carts. *Audience comment*: The panel was not formed to deal with climate change or world peace, please stick to local issues. *Lanigan*: Agree with that. *McDonald*: Local issue is how we can coalesce around. Discussion. *Brown*: Focus on island-specific things rather becoming part of climate advocacy cause. *Brady*: SLR committee a sign of commitment. Think globally, act locally. Limited capacity, SLR committee is working in that regard. Don't ignore other issues, but look at them, as how they affect island issues. *Brown*: Combine gas blowers and gas carts, does someone want to take this on? *Mintz*: Can make progress on blowers, carts a much tougher issue. Not in position to transition to electric. Revisit it with rental agencies in the future to see if they are ready. Two island companies have been very good about this, engage them if we want to talk about this in the future. *McDonald*: Money in infrastructure bill on charging station, would it apply to carts as well as cars?

Meeting adjourned at 11:35 a.m.

-- Ken Gooderham

DRAFT