

Captiva Community Panel

MINUTES

March 8, 2022

Attending: David Mintz, Ken Gill, Michael Lanigan, Tony Lapi, John Jensen, Ann Brady, Jay Brown, Bob Walter, Sandy Stilwell-Youngquist, Bruce McDonald, Linda Laird

Audience: 22

Meeting convened at 9 a.m./ Following a roll call , the Feb. 8 minutes were unanimously approved (Gill?/Lanigan??).

LCSO: *Lt. Mike Sawicki:* Island has been busy, a lot of people and traffic. Located housing for deputy, may not be long-term solution but will get us someone else out here. *McDonald:* What happened to speed sign at Tween Waters Inn? *MS:* History of sign, not owned by DOT, but by LCSO. Some parts no longer made, working with traffic division to repair or replace. *Lapi:* Replacements out there, but have to look at quality. *Sawicki:* Speed element needs to be repaired. Surprisingly complicated to get this addressed.

CFD: *Chief Jeff Pawul:* Defer to Mintz on county issues. *Mintz:* Spoke with Christine Brady on two issues: Helicopter pad, and having ambulance on island. Background. CFD able to buy ambulance, would need transport OK from county. South Seas has agreed to continue to provide helicopter site for CFD use, by four-way stop by marina. Sometimes used for events, making it unavailable for landing. If so, SSIR will provide another site to use. Develop long-term relationships with county to ensure landing site. County also evaluating more permanent non-SSIR site, old Mosquito Control site by FGUA plant. Would have to rehab road and site to make it workable. County confident will always have a site in that area for helicopter access. *Brown:* Right now, able to land at SSIR site? *Mintz:* Yes, with backup. *Pawul:* Right at four-way stop, if event is not using it. Recreation Island site more of a challenge, not as maintained, have to access by foot. *Mintz:* Problem with a solution occurring. Will continue to follow up. *Lanigan:* When does SSIR site make no sense? Drive to SSIR or Bowmans, works for Village but good for Gold Coast? *Pawul:* The line is resort entrance to use resort landing area. South of that we use Osprey or Bowmans Beach sites. Discussion. *Lanigan:* Does area south of SSIR still have an issue? *Mintz:* SSIR and Bowman OK with ambulance? *Pawul:* Covers us better than we are now, Bowmans a bit of a hike to get to but better than transport into town. *Mintz:* Provide evaluation once we have solutions in place, see if there are still resources that you need. *Pawul:* A lot to be done with FGUA site. *Mintz:* Segue to ambulance. CFD makes it clear they need access to ambulance, can't transport in fire truck and it's too long to transport to site with off-island ambulance. Decision by public safety, has to be presented and reviewed by county manager. Not public information yet. Guaranteed that recommendation will be made public by April panel meeting. Tied to CFD application for emergency transport application to purchase ambulance. Wait until April to make recommendation, see what county says, Had strong sense that review is favorable to Captiva. Cautiously optimistic. *Pawul:* Limited transport. Discussion. Not authorized now to have this kind of transport in the past, doesn't fit county ordinance. Submit application vs. waiting 30 days, with a 90 day review period. *Mintz:* Decision based on data, not your app. However, waiting might be prudent. Optics not great. *Jeff Brown:* Thanks David for the help. District will wait until April. Audience question about golf course expansion and impact on current site. *Walter:* No golf course expansion in the works.

CEPD: *Executive Director Jennifer Nelson:* Spirited meeting yesterday. Apportionment timeline, need to finish payments to dredgers and dune protection vendors. We will ask for county funding, once that's in we will have all costs and can determine apportionment total. Plan to hold workshops over the summer. Decide whether to use approved model. SLR plan, meeting with APTIM today to work on one-page

summary of next steps. Beach celebration yesterday. Kudos to former Commissioner Mike Mullins who was honored yesterday. Discussion. *Brady*: Timeline for when bills will be due? *Nelson*: Billed in 2023 by county, pay in full or over time... 10-year period. 4.21% interest rate on payments. *Brady*: When in 2023? *Nelson*: Will check and get info to Brown. *Lapi*: In November on tax assessment? What is the plan for Blind Pass, starting to close off again. *Nelson*: Mike Campbell from county spoke to that, will manage dredging project this year. Will need to confirm start date. Talks with Sanibel affected timing. *Brown*: County made commitment to keep pass open? *Mintz*: Trying to follow SLR plans. Good position with panel handoff. Two issues: Vulnerability study, almost complete by Integral. Doesn't quite meet Florida DEP requirements for implementation funding. Still needs storminess and rainy-day flooding elements. How to complete to meet FDEP funding requirements. CEPD requested APTIM resiliency proposal, three-month timeline. Should be vetted by SCCF to ensure it's consistent with guidelines, and vetted by panel to make suggestions. Perhaps include the community at that point to respond. *Nelson*: Chairman passionate to get SLR done. Discussion and reiteration. *Nelson*: Work SLR Committee has done won't be dismissed, will work in tandem on this.

Projects & priorities: *Brown*: Introduction of rationale. *Gooderham*: Summary, 32 responses total from series of emails sent to panel list of ~850. Brown asked for summary of responses after panel received the verbatim responses, show here in handout with some quotes highlights for context and new ideas. *Brown*: No. 1 issue is the island's current governance structure. Pay huge tax dollars to county, get very small return. Takes a long time to get things done, rely heavily on Commissioner Kevin Ruane. For example, on the sewer project I've worked on this five years and finally getting progress, shouldn't be this way. Appreciate county support, but for all the taxes we pay it's a lot of work. *Jensen*: Good example is iguana eradication. Agree that wastewater and bike/ped are top priorities. Vacation rental difficult, home sales based on rentals. People act differently on vacation, but Captiva is not Fort Myers Beach or Daytona however. Keeping our infrastructure keeping it the way it is. *Brown*: Vacation rentals are changing the face of Captiva, moving away from our vision for the island. Without infringing on property rights we need to return Captiva to vision. Concerned Residents of Captiva project a good idea, hope they succeed. What can we ask panel do to encourage better behavior? *Gill*: Wonder what you're trying to say in terms of governance. Consider something similar to Sanibel? *Brown*: Don't know if that the right answer, at least investigate it. Gain more control over our future. *Gill*: County view is that we pay high taxes because we've chosen to live here. Boca has done a good job of managing their environment. Discussion. *Brown*: Need a better way to get funding and projects done, preserve density. *McDonald*: May be option to align ourselves with Sanibel. A lot of infrastructure comes with being a city. *Brown*: Open discussion of ideas. *Stilwell*: Works to approach county in a reasonable way to get their attention, trying to come up with solutions rather than people yelling at them. *Laird*: When we asked about SLR, county staff said we did not have infrastructure the county was concerned about. I believe we speak to them nicely. Hard work to get projects funded and moving forward. Different cultures on two islands. More rules on vacation rentals could help, such as open carry of alcohol. Small things we should be doing. Mostly ignoring climate change in our lives. Will electric golf carts really change anything? Probably not. More resources devoted to Captiva, stay true to vision, improve climate change response. *Mintz*: Doing things that community wants, because we chose what the community wanted us to do. Not much traction in the term "donor community." Higher tax base because of more wealth, they expect us to be a donor community. Problems not cost-related. Iguanas, not issue of money, but precedence due to "one size fits all" mentality of county. Change in county in past few years from the days when panel was formed, stopped supporting panels and local control over time. Used to respect communities having control over their rules and code. Cannot rely on individual personality on commission to protect Captiva. We need to institutionalize our ability to meet our own needs. If that doesn't work, then look at options. Discussion. Not full recognition

of role local control makes in communities. Issue statewide, hear many complaints on legislative action. *Brown:* Make county more respectful without going to more nuclear options. *Mintz:* Effective on an issue-by-issue basis. Return to support for panel work and efforts. *Brown:* Go to county with model of how we want to operate, instead of project-specific requests but with a relationship model. Room to move back to our former relationship. *Lapi:* As to rentals, genie is already out of the bottle, Sanibel had timeframe to establish rules when it formed in 1974, can't have that flexibility today. Panel work has been remarkable, should have moved faster. *McDonald:* Lot of concern about SSIR redevelopment plans, putting more units into the mix. Adds demand on insufficient infrastructure. We need to understand what they are doing, have some input. Consider islander access to facilities as a matter of equity. *Brown:* Had one meeting with Timbers after announcement, hope they would be responsive to request from panel. *Walter:* No additional density, employee housing units being used for new redevelopment. Right now there's a lot of innuendo and rumor, reality is we have not finalized any master plan internally. Absolutely will bring plans to panel. Absolutely in line with what the community wants to do. 100% transparency. *Brady:* Great to hear from community, working on the projects people want to see. County: Relying on personalities, too much uncertainty. Commissioner Ruane has been great but next person may not have as much interest. Rely on Mintz for county interaction, he was working just as hard when he was not on the panel. Government liaison as part of panel. Panel passionate and committed, more of a structure. Looking for certain competencies, perhaps a paid position for what Mintz is doing. *Mintz:* Reliance on volunteers rather than staff, thinking about how to staff in a more professional way, and how to finance it. *Brady:* People who commented and people who donate, I think community would step up to fund a proposal. *Brown:* We need to digest comments, figure out some next steps to create an action plan.

Break

Verizon: No news. *Mintz:* Did not do press release. Called Troy Dunning again, astounded they have not responded at all. Need to do something publicly.

Wastewater: *Brown:* Recap of status. Sanibel Mayor Holly Smith will let me know timing on feedback from study, investment on their side to give us a complete project cost. Convened apportionment committee. Hope for support from government agencies/grants. Have come up with methodology... \$25 million total project costs. Looked at combining Sanibel costs and collection system costs, which benefit everyone, and apply them equally to all properties. Then broke service area into five different cost centers, tied to specific system costs – Village, Tween Waters/Gold Coast, and the three package plants (Tween Waters Inn, Sunset Captiva and Captiva Shores). Common costs allocated based on wastewater usage, then include area specific costs, allocated based on expected amount of usage of system. Have county methodology to estimate usage... per bedroom by homes, plus guidelines for types of commercial properties... per seat for restaurants, hotel rooms for resort, bathrooms for shops, square footage for offices. The more wastewater capacity each required, the higher the cost allocation. Larger homes will pay more than smaller homes. *Gill:* Rental vs. non-rental homes? *Brown:* No, gave consideration on how to charge more for rentals, could not figure reasonable way to structure that. *Mintz:* Considered homestead status for discount, like CEPD does. But many non-homestead homes don't rent. What happens if status changes? Assessment is a snapshot, ownership and use changes could occur after that apportionment was determined. Plenty of complications to achieve this in an accurate way. Based on potential use of wastewater, capacity of house. Sewer system has to reflect potential demand, not actual demand. *Gill:* Does county get revenue from rentals? They can tell us who is or is not renting. *Mintz:* County has that information, whether they will tell us is another issue. That has not been the case in the past with other entities such as CEPD. Do you distinguish length or amount of rentals? *Brown:* Couldn't figure out how to do it. *McDonald:* Or a reasonable way to do it. *Laird:* Assessment based on capital

costs, vs. usage charges – which is where higher users will pay more. *Jensen:* Allocations to get project built. Can't go back if use changes, don't know another way to do it other than what you proposed.

Brown: Thanks for input.

Stormwater: *Laird:* One more thing on SLR, March 24 community meeting at 7 p.m. at Community Center on design alternative for bayside, also shown on Zoom. Will include Cheryl Hapke on plan, and Carrie Schumann on guiding principles. Stormwater: Working on proposal with Kimley-Horn, not resolved yet. Not certain they can put much of a stormwater management system since Village streets are so close to sea level. *Brown:* Asked them how to install drainage system at the same time we're installing a wastewater collection system. A lot of modeling work included. K-H said they'd go to county to seek funding, county did not see way to get involved. Will review collection system plans and get back to us. *Stilwell:* Easement discussion from last meeting, correspondence with Lee DOT staff. Proposed easement to access bay for drainage very close to Green Flash wastewater infrastructure. Wanted to preserve property rights to redevelopment, put language in easement that's under review by county now. Sunset Captiva also considering access. Will put a backflow preventer to avoid high tide flooding. *Laird:* Could we do this elsewhere? *Stilwell:* Look at where flooding happens now. *Mintz:* Surprised that is an option, move flooding from roads to bay due to pollution. FDEP approved Andy Rosse system designed before Pine Island Sound declared impaired bod of water. Surprised if they don't get some pushback from state on that. *Stilwell:* Maybe it will need some kinds of filtration.

Code: *Mintz:* Commissioner Ruane setting up meeting with County Manager Roger Desjarlais to finalize process to move forward on ordinances. Will be able to report on timeline after that meeting. Will also include iguana issue.

Bike shoulders: *Gill:* Doug Busbee with Lee DOT, met with him and paving manager for DOT Monday. Wanted to determine what county was allowed or not allowed to do, and amount if right of way. County has the authority and has the space to add 4-6 feet of shoulder. Not really the issue, instead it is buy-in from property owners, particularly Gold Coast. Need more response than what came from email list. *Mintz:* Existing roadway is 23 feet first with 2.6 feet each side, 28 feet total. Right of way is 50 feet except Village and S curves. 22 feet to work with, with owner buy-in. Some areas where ROW is 40 feet, still plenty of room. Would need easements in S curves to make it the same as rest of roadways, as right of way there is much narrower. Doing project at same time of sewer project would be beneficial cost-wise. Talk to Kimley-Horn to develop plan for shoulders, determine exactly where ROW is when they survey properties. Significant encroachment on public ROW by private vegetation. Comment from audience about impact on existing infrastructure. *Mintz:* What about funding? *Gill:* DOT will need to talk about that. *Mintz:* Suggested include in Sewer MSTBU. Could see contribution from DOT budget, but not entire project funding. They have to remove vegetation, lay foundation to build path. Suggested trenching for sewer pipe rather than directional drilling. Significant cost savings if possible, if we're looking at shoulders anyway. *Laird:* Should we be raising the road at all? Parts that are low. Discussion. *Brown:* Getting complicated. Combining projects could cause issues with approval. *Mintz:* Sent letter to every owner affected by parking proposal. Can address this issue almost property by property. *Brown:* Undergrounding an issue as well. *McDonald:* How we go to the community on these three issues needs to be thought through. Get input from different constituents.

Undergrounding: *McDonald:* Still in information gathering phase. Background. LCEC, Comcast, CenturyLink/Lumen, Crown Castle (fiber optic). Crown prefers lines undergrounding including connections. Still on a few poles on south end. \$21 foot for directional drilling. CenturyLink has buried main feed, still up on a few side streets in Village. Number of poles, ask LCEC since they pay rent. Comcast, still waiting to hear back from them. Need to talk to LCEC on process, issues, etc. Not 100%

coverage of easements currently, some lines may be on properties without easements. Easements we've found includes undergrounding, makes project easier. LCEC won't use county easement due to forced relocation costs. Discussion. *Mintz*: Separate easement over same property. Ownership vs. right to use, have to look at the deeds. *McDonald*: Right of way easement, six feet from either side of line running north to south, hard to read. Discussion about relocation issues. *McDonald*: Issues about MSTBU population. Whether to include South Seas. Look at support by area, that may decide final scope of project. Request a ballpark estimate from LCEC, then detailed engineering study (which requires 5% deposit) credited to project if we proceed. *Brown*: Next step to request broad-cost estimate to underground lines outside South Seas in three separate areas. *McDonald*: Have to consider how to ask these questions, how and when. *Brown*: Need a sub-panel meeting to discuss how to coordinate these projects, overall game plan. *McDonald*: Would also need to consider individual connections as well, which was left out of the underground estimate from 2005. Build cost into project rather than leaving it to individual owners. Can do more than one provider in directional drilling.

Walkway: *Mintz*: Walter negotiating with a property owner, waiting to hear. Need to coordinate with sewer project as well. Part of Kimley-Horn discussion. March 17 hearing on Fredrickson variance, pool in the front yard in Jensen's former home. Put together outline of issues raised at panel meeting to let Hearing Examiner know what was discussed, need to decide who submits it. *Brown*: Do it on behalf of panel, position paper on panel's position. *Mintz*: Would need panel to approve in time. Motion? *Laird*: Motion to request *Mintz* to create position paper regarding variances for pools in front yard within the Village in violation of existing code. (*Laird/Walter*), unanimous approval. *Mintz*: County has drafted ordinance for DEP approval to make Roosevelt Channel all year manatee slow-speed zone, entire bayside of island. Still needs BoCC approval after DEP review. Will send ordinance with maps to entire panel.

Development: Donor list attached to handout.

Next meeting: Discussion. Zoom this year? Consensus was to stay on Zoom through October, then meet in person November and winter season.

The meeting adjourned at 12:06 p.m.

-- *Ken Gooderham*