

Captiva Community Panel

MINUTES

April 12, 2022

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

Audience: 14

The meeting convened at 9 a.m. Following introductions, the March 8, 2022, minutes were unanimously approved (Jensen/Gill).

CEPD: *Executive Director Jennifer Nelson:* Updates from yesterday's meeting, setting APTIM proposal for SLR, workshop Thursday. Will share with others. Dividing island into four parts, each commissioner will take a segment to reach out to stakeholders on bollards and posts. Bob Walters for South Seas Island Resort, Linda Laird for the Village, Rene Miville for the Gold Coast, and John Silvia for the Tween Waters stretch. Apportionment: Working with tax collector on timeline to comply with tax roll release in the fall, workshop in July, final meeting in August. Parking mobile app now being used for Hagerup Park parking. Easier for users, staff has been trained. *Brown:* Attended meeting yesterday, impressed by allowing public comment after each agenda item. Good change. CEPD listened to complaints by property owners. *Lanigan:* Does app warn if parking is available? *Nelson:* No, none of the apps we looked at had that feature. *Jensen:* Attendant a year-round position, what hours? *Nelson:* Before we had one attendant. Mullins adamant about having more help for users, normally 9-4 for hours. *Brown:* Final apportionment to owners? *Nelson:* With October property tax mailing. *Lanigan:* Apportionment method different from before? *Nelson:* Commissioners approved a tentative apportionment plan, based on what we did in the past. That could change after workshops, still time to finalize that.

LCISO: *Lt. Mike Sawicki:* Very busy, a lot of people on island. Still short-handed out here, will address that later. Low-speed vehicles vs. golf carts: Underage and unlicensed drivers operating low-speed vehicle. Need driver's license according to state law, so that not just an ordinance violation. Banish the term "street legal golf cart" from usage... there is golf cart and low-speed vehicle. Key things are for a golf cart the maximum speed is 20 MPH, while low-speed vehicles cannot exceed 25 MPH. Faster is not just illegal but also dangerous, as carts are prone to tipping over. Increase in overall traffic – cars, bike, pedestrians, etc. More a cultural shift than anything, to convey information correctly. Discussion. *Laird:* On private property, no restrictions on cart drivers? *Sawicki:* The county ordinance is specific to publicly maintained roads. *Laird:* Low-speed vehicles, typically open on the sides and four people sit inside. *Sawicki:* Some registered as cars, depending on certificate of origin. Has to comply with federal standards. Next, on the speed control sign, had DOT technician out to fix it, determined sign can't be repaired. Looking for funding to replace sign. Next item: Some friction between residents and renters over noise, parking, use, etc. Look at what the rules are and who can enforce. You may have to take things up with owner or rental management agency. Renters have no property rights, so if owners want them gone we can serve notice and remove them. Happy to advise people on directions they can go. Contact us by cell phone. If you need immediate response, call 911 for emergencies, 477-100 for non-emergency situations. New deputy starting soon, Christine Zumbur, SRO at Harns Marsh, officer In Pennsylvania before that. *Laird:* Chairs in dunes, misunderstanding purpose of ropes and bollards. *Sawicki:* Ordinance protecting dunes does not specifically say that they can't be there, we look at it as a trespassing issue. *Laird:* Thought we had Captiva ordinances? *Sawicki:* Not aware of anything specific to Captiva. *Laird:* If someone wants to take it on themselves to move things left in the dunes? *Sawicki:* If unattended, OK, but be careful about dealing with property of others.

CFD: Introductions, Assistant County Manager Christine Brady and Public Safety Director Benjamin Abes attending. *Chief Jeff Pawul:* Let them start. *CBrady:* Thanks for opportunity to speak. County is finalizing its analysis of putting an ambulance and staff on Captiva. Working with CFD, finalizing case to present to county management and BoCC. *Brown:* Looks like we will get ambulance if you can come to financial agreement. *CBrady:* Don't want to get ahead of manager and board. *Mintz:* Analysis supported getting ambulance, agreement between CFD and County to house vehicle. Brady needs final number for recommendation. Negotiation under way. That's my interpretation of where we are. *Pawul:* Given them prelim estimate for budget, set for recommendation. *CBrady:* You and Abes need to connect. Need square footage and CAM fees. *Stilwell:* Spending time on Useppa, would helicopter landing area on Captiva assist Useppa on mutual needs we could share? Discussion. *Pawul:* There is coordination between fire districts. Not usually coordinate with landing from there, other sites closer to hospital. *CBrady:* Coordinate with all districts, have landing zones for all islands. *Mintz:* Captiva site discussion resolved for short-term solution. *Pawul:* Don't know state of long-term South Seas site. *Mintz:* Have site now, looking at old Mosquito Control site by FGUA plant. Still have Osprey Way site, and site at Bowmans Beach. *Pawul:* South Seas is not a permanent dedicated site, accessible as long as the resort is not using it. Discussion. *Mintz:* Still assessing it? *Abes:* Osprey Way and beaches. Have event lawn, working with owners on another location... would have close proximity to event lawn, but not impacted by event use. *Brown:* With event lawn site and looking at future, seems we're in good shape now and discussions under way for a permanent solution. CFD raised need, it's being met. *Pawul:* Viable sites we can use today, county still working with resort on permanent solution. *Brown:* Grateful for county support. *Pawul:* Property access letters have gone out, have gotten quite a few phone calls. Call me if you need clarification on access needs. *Mintz:* Negotiations have been done in an expedited fashion, incredible fruitful process. Testament to them we have come so far this quickly. *CBrady:* Thanks to Chief Pawul for patience during this process.

Beach access: *Brown:* Andy Rosse beach access issue. Received request to visit site, not well maintained, vegetation looks bad, walkway covered in sand, not a good image for Captiva. Reminded me of previous project. *Mintz:* Got plans to improve access appearance, hit permit questions. Vending machines were removed as requested. Yolo agreed to clean up after they haul equipment. Intermittent garbage pickup an issue. *Gooderham:* Problem was we would need county and state permits to make any improvements as proposed. Also SCCF raised concerns over design proposal because site was forward of the Coastal Construction Control Line. *Brown:* Anyone interested in taking this on, at least to remind Yolo to clean up after themselves. *Stilwell:* Part of original proposal, Larry Northrup proposed landscaping and improvements. One individual (Lee Childers) interested in helping to pay for it. Could request county to pay more attention or get permission to do it without all the legal concerns. *Brown:* Someone who has relationship with Yolo to ask them to be good citizens they always are? *Jensen:* Could give Marcel a call. Audience comment on more sand recently, all the way out onto paved area.

Priorities: *Brown:* Recap, multifaceted discussion of overlapping projects. Had meeting with leaders of various projects – Laird, McDonald, Gill, Walter, Mintz and me. Decided there is a lot of overlap, also interrelated in many ways. Determine if there is any future for bike lanes, whether we want to pursue. Help us plan appropriately for other projects. Survey of affected property owners to see if there was sufficient public support to pursue project, implications for undergrounding utilities and sewer project, Will discuss later in agenda. Decided not to push forward on undergrounding until we get LCEC estimate. Did not address issues with governance. Panel does not have good funding capacity, reliant on County Commissioner Kevin Ruane for financial support. Look at options for governance for Captiva, not issue to discuss today. Some changes to bylaws to allow panel to work more effectively. *Mintz:* At next meeting, we can present series of bylaws changes, Need two public meetings to amend bylaws. Panel has

no staff to speak of, others have staff to do a lot of the work of things such as fact-finding and make recommendation to board. Don't have staff to research options to present to us. State law has exception for Sunshine Law for fact-finding committees. Change bylaws to allow fact-finding committees, more consistent with what we do now. Easier for us to function lawfully. Review draft with Gooderham and Brown, then provide to panel before May meeting. *Laird*: Getting better at raising money, should we consider hiring part-time staff? *Brown*: Would need to consider what we need, write job descriptions, enhance panel ability. *Ann Brady*: Dedicated funding, could county provide some commitment? *Brown*: Looked at meeting with Ruane on more formalized agreement with the county. *Mintz*: Tough row to hoe, county funded community panels at the beginning but has changed its view on role of panels. Can request county input on future funding, but not likely. Long-term plans on a number of levels, can't rely on panel members to do this all the time. *Brown*: Will try to pull together specific ideas on how to improve governance, funding, operations, county support.

County update: *Mintz*: Two issues... garbage pickup brought to my attention. Recycling on Wednesday, garbage on Thursday and Saturday. Pickup on Saturday used to be after the cleaners went through homes on turnover day. Switched to Saturday morning, not effective. Ask county to change pickup to afternoons. Ask Gooderham to contact solid waste to check on hauler. Other issue: Frederickson variance for pool in front yard. Recap of prior presentation to panel last August. Property had exceptional circumstances: restaurant as neighbor and corner property on arterial road. We pointed out that opened door for precedent if a variance were granted to avoid setting a precedent that would allow similar front-yard pools in the Village. Drafted position paper for HEX hearing, urged examined not to issue a variance but if they did to do so based any on these exceptions. Had hearing and HEX granted variance, took the position that owners had a right for a pool. Noted roadway issues and restaurant neighbor in finding, hopefully will not provide precedence. *Brown*: Does this mean a lot of Village rental houses will request pools in front yards? *Mintz*: HEX feels this does not provide that precedence. But any property wanting a pool has right to request variance, so it's a case-by-case situation. Less concerned about this property than about the precedent for the future. If does happen, the panel will have to take a stronger stand than we did on this one. *Stilwell*: Building a wall to protect it from view? Some Andy Rosse pools enclosed for screening. *Mintz*: Applicant made a big deal about vegetation that blocked the view in their presentation, then they cut it all down. Staff supposed variance for reasons I thought were very faulty. Unusual circumstance. If it comes up again, we may have to take a stronger stand.

Verizon: *Brown*: Unusual circumstance which came to light in past few days. *Mintz*: Planned to do press release on Verizon's service disruptions, had it drafted and ready to go out. Got email yesterday from Verizon, with their plans to improve service. (Read email to panel.) We responded we would like to schedule a meeting, for Wednesday afternoon. Clarify plans to improve service, ask if it will meaningfully improve, timeline and other obstacles. Will they need any easements? Is there anything the panel can do help move project along? Any interim short-term fix while permitting continues? *Brown*: Delighted to hear they are moving forward. Five locations for small-cell towers, approx. 50 feet high to spread signal more evenly. Where are exact locations and how much will they impact enjoyment of properties? Seems they have no flexibility on moving towers. Hopefully they will show us locations and will not have impact on where they are located. Discussion. *Mintz*: Get a better sense of what they are proposing. Not our decision where they are located, seek permit from county. See what they have to say before we come to any conclusions. *McDonald*: Adding 4G towers? Ask about 5G plans.

South Seas: *Brown*: Introduction, undertaking resiliency consulting project may extend outside South Seas. *Mintz*: South Seas made presentation to CEPD yesterday, same information panel will receive. New owners have retained Brightwater Strategies Group. Noah Valenstein, former DEP chief, lobbying for

funds with legislature. Retained Brizaga coastal engineering firm, similar to Integral and Aptim. To develop plan for resiliency for resort, SLR and storminess. Realization they need to consider the rest of Captiva to improve resort resilience. Come to stakeholders – CCP, SCCF, CEPD – about vulnerability analysis for resort, will include Village and rest of Captiva. Will amend Vulnerability Assessment we already did. Update with storminess to pursue future funding. Speak with us on resort future plans. Be fully transparent, lots of concerns about resort plans. Basically public-private partnership between SSIR, CCP, CEPD and SCCF. Private funding for resort could be used as match for public funding in the future. Resilience options have to include stormwater management for Village. Need to coordinate and better understand what resort plans to do and how we can coordinate with that. *Brown:* Want to form a committee to work with SSIR, comprising the leaders of major infrastructure projects now and in future – Brown, Mintz, Laird, Gill and McDonald. Meet with resort, brief when and hear their thoughts. *Lanigan:* Someone from Gold Coast should be on it. Me until we can find a suitable replacement. *Mintz:* Walter will be part of that as well. *Laird:* Valenstein well connected in many ways, he and his team would lobby for state funding for our projects. First-class lobbying team for our projects that are not resort projects. *Mintz:* Resort talked about wastewater, plant is an issue for resilience. Hearing from county that South Seas is moving closer to being part of sewer plans, then hearing the opposite. Need clarity for Sanibel on future wastewater needs.

Break

Wastewater: *Brown:* No progress since last meeting, still waiting on Sanibel's cost estimates, expected mid- to late April. Some change in personnel in city, Keith Williams has left city, dividing departments he was in charge of to be more functional. Better sense shortly who we will be working with going forward. *Brown:* Next steps: What we need for MSTBU, work directly with Commissioner Ruane on that at his request. Work seriously on public funding, also with Ruane. *Lanigan:* Last month, described apportionment process. What percentage of \$25 million cost is for main (Captiva Drive) infrastructure vs. neighborhood costs? *Brown:* \$4 million for Captiva Drive, balance broken out by areas. *Laird:* Potential for public funding? *Brown:* Absolutely.

Stormwater: *Laird:* Next steps, see if SSIR is interesting in participating in any project, Kimley-Horn proposal for \$190,000 with no plans for funding. See if Brizaga interested in doing a proposal? Johnson gave basic proposal, see if they want to develop it further. Said they'd put in a pumping station. *Brown:* Be clear with them to coordinate proposal with possible sewer work. Possible to improve stormwater drainage in conjunction with sewer. Everyone wants to do an H&H (Hydrologic & Hydraulic) study for that area. See where SSIR is first, then regroup and push it forward. *McDonald:* Hook up stormwater with sewer system in Village. *Lanigan:* Different volume. *Laird:* Asked if that was possible, the answer was no. Discussion. *Laird:* Pipe size and volume of water to be processed. Carrie Schuman raised the point at last meeting that infrastructure projects, can be handled at various scales – individual vs. community. Florida-Friendly landscaping to reduce pollution and runoff. Could present to panel, to committee, or drop it. Need to get community engagement on all these projects. Asking for direction – pursue this at smaller scale, or focus just on infrastructure projects. SLR: Meeting Thursday to see what is being proposed by Aptim. PR going out on storm gauge, see what CEPD is doing. *Brown:* Publish Aptim proposal beforehand? *Mintz:* Nelson will forward proposal to Brown, Laird and Mintz, meeting will be opportunity for Aptim to present and get input. Discussion. *Lanigan:* Digging up streets, excavation vs. boring cost differential. *Brown:* Boring to install Captiva line, more economical to do trenches in Village. *Mintz:* Boring to homes in Gold Coast and Tween Waters. *Lanigan:* Impact on other projects? *Mintz:* Lee DOT said shoulder work would allow trenching with less disruption. Boring is less invasive but more expensive.

Code: *Mintz:* Received email from Commissioner Ruane's office, setting up meeting with manager attorney to review ordinances. Five ordinances and iguana interlocal agreement to be discussed. *Lanigan:* What's going on with less-than-7 days rentals being offered by Tween Waters? *Mintz:* Ruane and county attorney tell me county language limits rental to 7-day minimum. I advised Tween Waters of that interpretation, no rentals for less than 7 days could be offered. Said they go back to their attorney to confirm, no further response. *Lanigan:* They have been promoting that on website for a while. *Jensen:* Can only rent once a week, regardless of number of days? *Mintz:* No, county says any lease has to be for no less than 7 days. Sanibel-Captiva Beach Rentals got interpretation to said that, but county says rental term has to be no less than 7 days. They advertise that, but don't know if contract reflects that. *Brown:* All of my rentals with them are for a week. *Stilwell:* Mine as well. May just be using that to steer customers to the website, then switch them to another property. Discussion.

Underground: *McDonald:* Nothing to report, waiting for LCEC cost estimates, hopefully next month.

Shoulders: *Brown:* Panel got letter from Captiva Drive owner adamantly opposed to proposal. Don't know if they represent a majority of property owners to be impacted. Conduct survey to gauge level of support for this. *Gill:* Drafted possible survey, sent to Mintz to review. Tom Brouster's letter appropriate on timing and conveying his opinions. Discussion. *Gill:* Move on survey, needed from public safety standpoint. Will be disruptive to landscaping, safety vs. property rights. *Lanigan:* Fresh eyes for both projects. Outstanding work from Brouster. Property rights vs. safety mentioned numerous times. Ambulance, Verizon, this is same issue. Is it just for safety, or lifestyle improvement for island? *Brown:* Need high response rate for survey to be meaningful. Must do an adequate job of describing impact on their properties personally. Concerned about hitting cyclists, worried about head-on collision when cars cross centerline to avoid cyclists. County wants show of support to move forward. Discussion of county concerns. *Stilwell:* History of past projects. *Jensen:* Points against: Do we have record of accidents involving cyclists? Will it bring more cyclists to the island? Are we doing this for the residents or the visitors, or both? *Gooderham:* We need better plans to show exactly what's being proposed, because bike lane or bike shoulder or bike path mean different things to different people. What's specifically being proposed how much land will it use, what's the impact on adjacent properties, and what about the areas where there isn't enough right of way to expand the roadway? Then we need more community engagement so owners are clear as to what they are being surveyed about. You'll want to time any survey properly to ensure a good response... if you sent surveys up north, people simply won't fill them out. DOT will want a significant show of community support to move forward. Discussion. *Gill:* Drafted first take, follow Gooderham's suggestion on community engagement. Present visually to make it understandable. Work on this over the next several months. Look at a survey next season.

Development: No report

Captiva Drive: No report.

Government Affairs: No report

YouTube: *Gooderham:* When I went to post the SLR workshop video, looked at YouTube as option due to file size. Discovered I had set up a panel YouTube channel back in 2014 tied to the Monday After The Masters hole-in-one winner. With that, we could consider posting meeting videos, maybe post most recent meeting only. *Lanigan:* Would prefer audio on website, posted more of those since the files are smaller. *Gooderham:* Possible if we have enough storage, but audio can be harder for people to follow unless they know who the different voices are. Discussion. *Mintz:* Could cut down live participation, people would just watch the video later. *Stilwell:* Would it inhibit free discussion? Consensus not to post videos and to look at audio options for future.

Other: *Laird:* Issues to develop... renewable energy, carbon reduction on Captiva. Sanibel Captiva Renewable Energy committee has formed. Presentation on May 9, anyone interested in participating? Possible efforts include eliminating gas motors on golf carts and leaf blowers, solar energy enhancement on public buildings. *Brown:* Make this a panel objective? *Laird:* Take on as subcommittee. *Brown:* My opinion is to stay closer to panel mission. *Lapi:* Enough on our plate as it is, let people join committee to engage. *Jensen:* Agreed. *Mintz:* Talking in abstracts isn't helpful, Laird can participate and present their findings to panel and community. Walsh may address blowers on his own, South Seas may address golf carts. Separate committee may not be necessary. Bring those issues relevant to Captiva to panel to address on an issue-by-issue basis. *Brown:* Much more effective to bring projects to panel's attention and let us decide which ones to support.

The meeting adjourned at noon.

-- *Ken Gooderham*

DRAFT