

Captiva Community Panel
MINUTES
Nov. 8, 2022

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

Audience: 88

The meeting convened at 9 am with a roll call and introductions.

Commissioner Kevin Ruane, Lee County: Board will be discussing 50% rule at 9:30 meeting today. Looking to see if we can adjust the appraised value of structures across the board to provide a little relief to owners imperiled by the 50% rule. Have been told by FEMA we cannot exceed a 15% increase without risking county's flood insurance ranking and program. Owners will still the option to pursue private appraisals, but the demand could be so high with all the damaged properties it may not be feasible to do that for many. Also looking at eliminating the "look back" period, where improvements done over the past five years are accounted in as part of the 50% threshold. County will also be seeking another extension on FEMA reimbursements for storm recovery; have received 60-day window, seeking another 30 days beyond that. Commissioners adopted a long-range recovery plan last Tuesday, for which I will serve as chair. Have at least 13 entities that will be part of that, and will include sub-branches under each recovery branch to enable public participation. Will approach this in a way that mimics Bay County's work after Hurricane Michael. Recovery will take a long time. I speak with David Mintz regularly, and will continue to work on Captiva's needs through my office and the Community Panel. Just hope everyone can have a little patience, we're getting help from all different avenues.

Chief Jeff Pawul, Captiva Fire District: Back to normal operations and staffing, all our out-of-town assistance has gone home. Before any commercial enterprise can re-open, they will need a life safety inspection by the district, something we usually do when someone opens. Debris removal will be an ongoing issues, we ask owners and crews to keep debris out of the road right-of-way so we can access properties if there's an emergency. Don't pile it near fire hydrants either. Islanders looking for supplies, we have not been named as a distribution point by the county so we don't have those things. We do have a wi-fi hot spot at the station, it's unlocked and available to all. People have been asking about donating to the district or its employees. We cannot accept donations for specific employees, but e can accept donations to the district. Discussion of donation options.

Lt. Mike Sawicki, Lee County Sheriff's Office: Very busy with burglary suppression, getting some help from other departments. As homes get powered by up, be sure to check that your home security systems are working. Video systems can be particularly valuable to us. And if you're suspicious of someone, give us a call and let us know while we can still do something about it. We have been patrolling the beach and turning in any complaints or concerns to Florida DEP. Discussion of permits to put sand back on the beach. Discussion of how curfew is being handled for property owners or renters back on the island.

Diana Wilson, Island Water Association: We resumed normal operations on Oct. 24, offices are open M-F 8 am to 4:30 pm. Till receiving requests to re-establish service connections via our website, islandwater.com. Have restored approximately 3,400 to date, and we were able to rescind the boil-water notice yesterday. System pressure is back to pre-storm levels.

Tricia Dorn, LCEC: As of this morning have re-energized 11,196 services; on Captiva we have 317 remaining without power. We have called those owners to let them know, as it usually means a problem

that needs to be repaired on their side. Bob Walter noted that some of the HOAs on the resort have not allowed individual units to be turned on until they are signed off on readiness. Question about lessons learned from the storm and whether underground lines would make the system more resilient. Response was that each storm is different, a windier event affected above-ground infrastructure while an inundation event is hard on underground infrastructure. Also, underground infrastructure can take longer to repair and re-energize, because breaks and problems are harder to locate.

Bob Walter, South Seas Island Resort: For wastewater, all systems are go, FGUA and US Water says it's fully operational. Comcast update... says islands will be up by mid-December, some areas could be sooner than that. On debris removal, if you hire someone make sure they know what to do and how to do it, not stacking it up on adjacent properties. Question on when resort amenities might re-open... Q1 of 2023 for marina and pool complex. As far as guests, that's up to Sanibel – which has a lot more recovery to deal with than Captiva. If you have regular household garbage to dispose of, it's OK to use the resort dumpsters at the south end if you don't have other options until regular pickups resume.

Daniel Munt, CEPD: County has confirmed it will remove sand from all roads on the island, not just the public ones. Discussion of sand being pushed back onto the beach along Tween Waters stretch of Captiva Drive. The letter explaining assessment for the recent beach project have been delayed, some of them are starting to arrive. Email him for apportionment letter if you did not receive one. Board has one opening for a commissioner, which will be addressed at the January meeting. Question about water quality and swimming. Florida DOH has not issued anything specific about Captiva, but would recommend an abundance of caution nonetheless. Discussion about apportionment letters.

Carrie Schuman, SCCF: *Update on how island environmental nonprofits fared in the storm.* CROW was about to move patients off-island and is working on repairing its building. Volunteers welcomed. Ding Darling Refuge staff assisted in emergency operations, will remain closed until further notice and plan to conduct a biological assessment on refuge to see storm's impact. No volunteers right now. But you can support the Friends of the Refuge. SCCF, we have been able to start monitoring and assessments. Impact on turtle nests was minimal as storm struck at the end of the nesting season. Have been collecting wildlife sightings from citizens to see how islands recover, storm was particularly hard on freshwater species due to inundation. A lot of our facilities were damaged, always looking for volunteers to help with repairs.

David Mintz: *Other updates...* Because the causeway re-opened far sooner than expected, the need for a ferry service was lessened. Worked out a deal with Captiva Cruises, which was put on hold by the governor's office; Commissioner Ruane may appeal that decision. Property taxes... governor's order has extended the deadline for tax payments and discounts for three months from typical timeframe due to storm. Sanibel is changing where re-entry passes are being distributed, that will be posted in the update we're sending out. Question about supporting the ferry service to bring people to Captiva while Sanibel is limited causeway access... that's why commissioner is looking to appeal.

Michael Fusco: *Overview of public adjuster role,* challenges of disaster recovery. Adjusters review your coverage and advise you on limits and process, moving from mitigation to claims to payment and recovery. Storm coverage usually has a high deductible, which means a lot of self-insurance before actual insurance kicks in. National mitigation companies typically have a higher markup but are able to respond when local companies are still trying to cope with their own damages after a disaster. The key is to get a defined estimate and tasks, and to be clear on assignment of benefits from insurance. Make sure you are listed as a joint payee on any checks, so you know what's been paid to the mitigation company, that you are happy with the work they did and that they completed the task as contracted. Explanation of insurance adjustment process, how people who will determine what you are paid may never actually come to your property. They will set the reserve that ultimately decides how much you might get paid, which is

something a public adjuster can help you with to get a higher figure based on the market and the actual damage rather than a guess and a set of guidelines. They also help with managing costs during a surge in demand driven by a disaster. Explanation of the difference between flood coverage and wind coverage, and how to ensure you get the claims you deserve when dealing with the two insurers. Discussion of how to vet adjusters, how they are paid, about loss of use claims.

David Mintz: *50% rule.* Federal regulation that prohibits repairs to a damaged home when the cost of repairs is more than 50% of the market (building) value of your home, unless the structure is brought into full compliance with current flood regulations – which includes elevating the structure to current base flood elevation levels. It's tied to the National Flood Insurance Act of 1968, which allowed the public access to federally backed flood insurance, with the goal of ensuring buildings were brought into compliance with flood regulations over time to reduce the number of buildings exposed to flood risk. Communities are required to meet the floodplain management regulations to enable homeowners access to the NFIP coverage. If repairs constitute substantial improvements or structures suffer substantial damage, they must be brought up to current code – not just in response to storm damage, but any improvements over a five-year period totaling more than 50% of the building value. Those costs don't include plans, permits, driveways, sidewalks, pools, screens, sheds, gazebos, fences, seawalls, appliances, or cleanup and trash removal. Cutting out drywall is construction-related and would apply, but removing furniture is not. Structures that designated for historic preservation may not need to be elevated. Lee County and other jurisdictions are considering removing the five-year lookback provision and handling requests on a permit-by-permit basis. As was discussed at the last panel meeting, the county was considering an across-the-board increase in assessments to account for the lag time between the last property appraiser assessment and the hurricane, as well as the lookback period removal, but the decision was deferred at that point due to concerns raised by the state. The property appraiser already adjusted assessments to account for the lag, the commission was just considering an additional increase. On the islands, any at-grade structure is hard pressed to stay under the 50% threshold if it suffered any storm damage because so much of the value is in the land rather than the building. There's also the issue of post-storm reconstruction costs soaring due to limited materials and construction crews able to charge a premium – which makes it even easier to exceed 50% for even more basic repairs. Description of process to certify reconstruction costs. County will try to work with owners, but if repair costs can't come in under 50% they won't even issue you a permit to proceed.

Nicole Sharp, APTIM: *Beach restoration update.* Visual assessment confirmed substantial dune losses, and our survey crews were out last week doing beach profile surveys to collect data so we can quantify the magnitude of damages resulting from Hurricane Ian. Once we have that data, we will coordinate with Daniel Munt and CEPD to figure out the next steps with our funding partners – either FEMA or the Corps of Engineers, and potentially the state Dept. of Environmental Protection. They are all cost-sharing partners post-storm, so we can work with them on funding agreement to design a rehabilitation project to repair the beach from losses due to Ian. We're talking to both FEMA and the Corps since they both could help with funding, but we can't use both of them so we'll see who can be the best partner for funding.

David Mintz: *Captiva recovery planning.* Recap of the proposed county recovery task force, will be modeled on Bay County and its plan to recover from Hurricane Michael. A comprehensive plan with a core task force and a number of branches targeting specific needs such as infrastructure, health and social services, housing, business, natural and cultural resources, planning and capacity development. This will be the way everything for recovery gets done in Lee County – including a number of issues we as a community have already been working on such as stormwater management, septic-to-sewer conversion, etc. It behooves us as a panel to make sure we're part of that. On debris removal, the county contracts with Crowder Gulf and is reimbursed by FEMA for those services. My understanding is they will pick up vegetation debris first, then construction debris and eventually some sand... on both the public and

private roads on the island. It will take more than one pass to get everything, so keep moving debris out to the road right-of-way and separate them to facilitate pickup. Discussion on cell service changes.

Linda Laird: *Nominating Committee.* Background on seats to be filled. CCA has one, and has reappointed Ann Brady for a second term. CPOA has two, and have reappointed Sandy Stilwell Youngquist and Margarethe Thye-Miville. The panel has two openings, and both of the current appointees (Tony Lapi and John Jensen) have expressed a desire to serve another term. We also solicited nominations from the community and received some excellent resumes from Sarah McClure, Bob Wiesemann and Chris Leedom. The committee met and recommended the panel approve Lapi and Jensen for new terms; we are very pleased with the quality of the volunteers who submitted and we encourage them to get more involved with the panel because they have a lot to offer our community and there will be opportunities to be more involved in the panel in the future.

David Mintz: *County ordinances.* Received word that the manatee protection zone ordinance, which makes Roosevelt Channel a slow-speed zone through the entire channel, will likely be approved on the commission's consent agenda. Were also advised that the farmers market ordinance to allow year-round operation will move forward, with the restrictions we encourage such as no more than 20% of vendors can be selling non-agricultural goods. Will be getting the final edits on the parking ordinance shortly. Finally the effluent study Sanibel need to do prior to considering whether it can handle Captiva's wastewater will be funded by the county for \$45,000, should be approved in the next month after being delayed by the hurricane.

Questions: *Is Mosquito Control spraying the island?* No one knew. *Can non-members access the Yacht Club when it reopens?* Think it's members only, but will correct if that is wrong. *Any expectations of when restaurants will reopen?* Youngquist working to open the Cantina first, but did order a food truck to park in front of it that's due in the next few weeks. A lot of remodeling at the other sites, Key Lime will probably be the last to open. *Bike lanes along Captiva Drive?* A lot of the vegetation is gone, may have a window of opportunity to move on this before people replant. Sidewalk in the Village was on hold due to uncertainty over whether the stormwater management proposal would move forward, which could impact construction. FEMA has an office on Sanibel, which is available to all people in the area, not just Sanibel resident. Looking at the Bay County recovery report, it lists all the projects FEMA funded. They don't initiate them, but they pay for them.

Meeting adjourned at 12:05 pm.

-- **Ken Gooderham**