



**Captiva Community Panel**

**MINUTES**

**March 10, 2026**

**Attending:** David Mintz, Jon Rosen, Margarethe Thye-Miville, Jay Brown, Bob Rando, Bruce McDonald, Linda Laird, Sandy Stilwell Youngquist, Ken Suarez

**Absent:** Michael Bennett, John Wade

**Audience:** 33 at peak

**Summary:** The Captiva Community Panel met to review public-safety, coastal management, legal, and infrastructure matters for the island. After confirming a quorum and approving prior minutes, law-enforcement and emergency-services reports noted no serious crimes, increased seasonal congestion and bicycle traffic, two recent medical air/ambulance activations, and a successful referendum passage with roughly 77% approval; Fire Chief Jeff Pawul advised awaiting final Rauschenberg property-closure details before advancing project alternatives.

Significant discussion addressed coastal erosion, beach renourishment impacts, and dune protection. Panelists attributed unexpected near-term erosion to strong northwest storms and first-year post-renourishment loss, requested hydrologic and engineering analysis, and heard that modeling for Blind Pass would be costly and long term. CEPD described installed ropes and bollards, mapping homeowner dune paths with county GIS, a free Australian pine removal program, cost tabulation for renourishment project assessments, and board approval to purchase sand fencing pending Florida DEP permits. SCCF reported low lake releases, salinity-driven ecological stress, and low current red tide risk. The county reaffirmed policy to keep Blind Pass open and plans procurement and construction to maintain it through at least 2026.

On the Bayside Resiliency Project, CEPD has deferred work; the panel agreed to form a small committee to review existing studies and identify low-cost measures, with Linda Laird coordinating. Legal updates covered South Seas litigation timelines (appellate oral argument on the 912-cap ruling April 30; status conference on the CCA suit April 6; protective-order hearing for panel members on the public records suit March 23), the 912-unit contract limit dispute, delayed stormwater consultant deliverables (first draft moved to end of March, further options by end of April), wastewater group activity, a county roadway hardening consultant selection, a successful fundraiser netting roughly \$6,400, and announced Island Water Association rate increases approved by City of Sanibel.

The meeting adjourned at 10:30 a.m. Video link for the meeting is <https://youtu.be/EpuW8DPkCpl>

**Action Items:**

- Ken Gooderham will update and repost the Feb. 10 minutes to correct the date and name errors.

- Brighton Heard will coordinate installation of ropes and bollards along the Tween Waters stretch after CEPD board approval. The district will finalize tabulation of renourishment project costs and grant contributions and provide those updates to the community when available. Heard will map all dune-crossing paths with an engineering team and provide GIS data to the county, targeted for next Friday; he will seek DEP guidance and permits required to install sand fencing at Jensen's and Andy Rossi and proceed with procurement. Heard will contact DOT to discuss feasibility and permitting issues for sand-fencing or other measures near Jensen's Curve and road shoulders, and follow up with county contacts about sand removal on the Tween Waters stretch and coordination with community member Greg Fergus. Heard will reach out to DEP and Lee County to confirm permitting requirements and restrictions regarding chairs on dunes and enforcement during turtle season.
- Homeowners can contact the CEPD office to report incorrectly placed or missing dune paths so the district can advise corrective steps
- Bruce McDonald will work with the infrastructure committee to contact county decision-makers and review inlet-management plans regarding Blind Pass and potential jetty/structural options
- The Bayside Resilience working committee will obtain and review the Aptim report and earlier modeling and report recommended next steps to the panel. Linda Laird will contact panel members and community participants to recruit members for the working committee
- Meeting participants will be notified if deposition dates for panel members are scheduled so they can arrange to be in town or attend virtually.
- Phil Gilligy (county stormwater liaison) will provide communication about stormwater options by the end of April.
- David Mintz will confirm whether the April 30 court hearing will be available on Zoom and notify participants.
- The Captiva-Sanibel wastewater working group will meet that afternoon to identify cost reductions for the Donax plan treatment option and explore FGUA partnership possibilities.
- Mike Bennett will continue coordinating with Lee County DOT and staff to develop a plan to keep the Captiva Drive shoulder clear and address sand removal.
- Marguerite Thye-Miville will form a fundraising committee and solicit volunteers to support future events and on-site donation processing.

### **Chapters & Topics:**

The panel moved to approve the Feb. 10 minutes (McDonald/Brown), identified typographical and naming errors (incorrect date, misspelled locations, and an extra initial), and Ken Goodaham agreed to implement the corrections. The chair recorded additional attendees joining after roll call.

### **Law Enforcement Report: Safety and Seasonal Concerns**

LCSO Sergeant Rich Zeltman reported no serious crimes for the period and highlighted season-driven issues: increased visitor and delivery traffic, bicycle groups creating long roadway clusters, violations and safety risks, dune protection and vegetation laws, and anticipated deputy presence for spring-break enforcement and traffic control.

The sergeant provided local examples of unsafe behavior around construction areas and closed businesses, reiterated requests to avoid disturbing dunes and vegetation, and emphasized patience amid congestion; the panel acknowledged and thanked the sergeant.

### **Fire Department and Referendum Update**

Fire Chief Jeff Pawul reiterated safety cautions for spring break traffic, reported two recent medical-air activations—a cardiac event and a stroke-related call—and announced that the community referendum passed by about 77%, while noting the Rauschenberg parcel has not yet closed and remains central to project progression.

### **CEPD Operations: Dune Protection, Mapping, and Vegetation Removal**

CEPD General Manager Brighton Heard described installation of ropes, bollards, and signage to protect dunes and indicated board approval to extend protections along Tween Waters. Heard said the district will map dune-crossing paths with an engineering team for county GIS enforcement, continue tabulating renourishment costs and grant contributions to determine resident assessments, and run an ongoing free Australian pine removal program.

Linda Laird raised concerns that erosion since the last renourishment is worse than expected and asked whether the engineering firm explained why. Heard noted strong northwest storms and that first-year losses are commonly the largest, but acknowledged no specific explanation has been provided yet and that further understanding is needed. Heard stated the CEPD is not actively pursuing additional erosion solutions beyond renourishment but recognizes the need and flagged modeling as necessary and expensive. The district is committed to discussing alternative designs and resilience measures with its engineering firm and the county as a long-term effort.

The panel clarified that ropes and bollards installed are in front of Tween Waters due to heavy foot traffic and that similar installations in the village area were placed by private property owners. Questions arose about legality and enforcement, especially during sea turtle season, and CEPD said it will check with Florida DEP and the county contact for enforcement clarification.

Heard declined to provide a definitive cost allocation yet but expected preliminary numbers within one to two months and will pursue grants to reduce resident costs. Questions about Adirondack chairs on dunes elicited that landowners may place chairs on their property outside turtle season but DEP enforcement applies during turtle season. The CEPD board approved purchasing sand fencing for problem corners and will seek Florida DEP permits for installation at Jensen's Curve and Andy Rosse Lane locations.

### **Roadway sand accumulation and DOT coordination**

The panel discussed sand drifting onto road shoulders, safety concerns for bicyclists, and DOT feedback that anchoring fences may be infeasible where large rocks were deposited. CEPD will follow up with Lee DOT and county contacts and investigate whether the county will perform or permit regular shoulder sand maintenance or allow CEPD involvement.

### **SCCF update on lake releases, legislation, and ecosystem impacts**

SCCF's Matt DePaolis reported lake levels and releases remain low (target 750 cfs vs current ~419 cfs), with no significant releases occurring despite recent rains. Legislative session status is unresolved with budget disagreement. SCCF noted current monitoring shows little red tide risk but warned that altered salinity is stressing estuarine organisms and will likely reduce fisheries and invertebrate populations over the next one to two years.

### **Blind Pass policy and inlet-management options**

David Mintz noted that the county's policy is to keep Blind Pass open, and county procurement and construction to maintain the inlet are expected with a contract award by the end of 2026. The panel suggested exploring longer-term structural options such as jetty extensions and agreed to pursue county coordination and use existing inlet-management plans as a basis for further discussion.

### **Bayside resilience**

David Mintz summarized the Bayside Resiliency Project's origin with the Captiva Community Panel and its transfer to CEPD for funding and further study. He reported that CEPD retained Aptim for resiliency studies and that CEPD later voted to postpone the project indefinitely. Mintz described sending CEPD a letter offering that the panel could take the project back and work with CEPD, and reported that CEPD declined the offer and chose to keep but not advance the project. He noted CEPD's current workload constraints, including litigation and beach renourishment, as reasons for their decision.

Panelists asked whether the panel could take the project back without CEPD permission and were told the panel could proceed independently but lacks taxing authority for funding. Linda Laird and others proposed a small, low-budget working group to review published work and identify community-applicable actions. Speakers clarified misconceptions about eminent domain and emphasized assessing available studies to identify actionable, non-property-rights actions on the bayside. Panelists referenced the Aptim work and earlier modeling as the primary materials for review.

### **Committee formation and coordination plan**

Mintz agreed to coordinate with Laird to form the committee, invited panel members and community participants, and committed to keeping CEPD informed while acknowledging CEPD's funding role if implementation is needed. Multiple panel members expressed support for the committee approach.

### **South Seas legal update**

David Mintz introduced the South Seas Redevelopment legal update and explained that an appeal of the district court decision on the 912-unit limit was set for oral argument on April 30 before a three-judge panel. He summarized the county's challenge to the 2002-2003 contract and stated the panel's position that the contract clearly limits dwelling units (including hotel units) to 912 total. Attendees asked about time and location for the April 30 hearing, and David provided the courthouse, courtroom, and 9:00 a.m. start time details for the Lee County Justice Center in Fort Myers. Discussion addressed why the case may have been scheduled on Law Day and whether the selected panel is favorable.

Mintz reviewed additional pending matters: the DOAH land-use appeal remains unscheduled, Judge Schenko's prior ruling on hotel units was discussed, and South Seas' false-advertising suit against the CCA produced a status conference on April 6.

A protective-order hearing for panel members regarding the suit on public records filed by South Seas against the panel was set for March 23. The panel reported producing more than 1,000 pages of documents and described South Seas' request to depose every panel member; counsel considers those depositions unnecessary as the panel is not subject to the state Public Records law, and plans to seek a protective order before Judge Cohen.

The certiorari petition filed by the 20 South Seas homeowners associations, RLR Properties, and the CCA seeks an order to show cause and has a status conference on April 6; the judge may issue an order to show cause and set response timing if he proceeds.

Attendees asked administrative questions about hearing logistics and South Seas construction permits; David Mintz agreed to confirm Zoom availability for the April 30 hearing and notify the group. The panel clarified that no county building permits for South Seas have been requested and that county review precedes DEP review.

### **Rauschenberg property status**

The panel reported no new developments after initial reports that a contract had been signed; there have been no subsequent communications.

### **Stormwater committee update and schedule**

Jay Brown reported the project liaison said the firm had difficulty developing viable alternatives given Captiva's limited land area; the first-draft completion shifted from end of February to at least end of March, and the team expects options and further communication by the end of April.

### **Wastewater working group update**

Jay Brown reported that a committee including panel members and city officials is evaluating Donax WWTP partnership costs and the need for a parallel pipeline and a deep injection well, which have substantially raised project cost estimates. The group will meet that afternoon to pursue cost-reduction measures, public grants, and a possible FGUA partnership given recent FGUA findings on the need for plant upgrades.

### **Infrastructure committee report**

Mike Bennett (absent) provided updates via David Mintz: Lee County selected a consultant to mitigate and harden the 800-foot segment south to Jensen's Curve. The county will be more vigilant about clearing shoulder vegetation to improve pedestrian and bicyclist access, while the sand-removal solution (property-owner responsibility versus a maintenance plan) remains under discussion.

### **Development committee and fundraiser results**

Margarethe Thye-Miville reported a successful Feb. 13 fundraiser that raised approximately \$6,400 pending one sponsor payment and that the CAA provided venue space. She requested volunteers to form a fundraising committee to improve logistics and on-site donation options for future events. Multiple panelists praised Margarethe for organizing and catering the event, noting strong community turnout and outreach to attendees unfamiliar with the panel. Suggestions included improving donation processing at events and broadening participation next year.

### **Panel announcements and adjournment**

Jon Rosen announced the Island Water Association rate increases approved by Sanibel City Council and advised residents to expect higher bills beginning in July; the increases were noted as 18% per year. The meeting adjourned following a motion and unanimous approval.