



Captiva Community Panel

MINUTES

May 12, 2026

Attending: David Mintz, Jay Brown, Jon Rosen, Sandy Stilwell Youngquist, Ken Suarez, Michael Bennett, Margarethe Thye-Miville, Bob Rando, Michael Bennett, John Wade

Absent: Bruce McDonald, Linda Laird

Audience: 28 at peak

Summary: The panel convened at 9 a.m. for its regular monthly meeting to review public-safety reports, fire-district property and landing-zone options, CEPD coastal projects and apportionment work, wildlife conservation concerns, and an extended legal and infrastructure update centered on South Seas development and island utilities.

Law enforcement reported April activity totals of 303 calls for service, one arrest (domestic-violence involving visitors), five traffic crashes (two golf-cart related), and 39 citations/warnings—about one-third parking and two-thirds moving violations. Deputies emphasized roadway safety among vehicles, bicycles, e-bikes, and pedestrians; clarified that e-bikes are regulated like bicycles with a statutory 28 mph maximum and helmet rules for riders under 60; reviewed cyclist and motorist operational obligations including three-foot passing clearance and allowed crossing of double yellow lines to pass safely; and noted deputies will enforce open-container laws on beaches during increased visitor periods. Deputies also flagged increased calls about mangrove cutting, explained enforcement is handled mainly by Code Enforcement/DEP with the Sheriff's Office documenting and forwarding complaints, and urged residents to verify permits before cutting.

The Captiva Fire District reviewed golf-cart accidents and urged occupant restraint; announced a hurricane-preparation web update and a life-jacket loaner program; and proposed distributing a one-page summary of property-search options to solicit community input. The district confirmed the South Seas/Rauschenberg landing zone remains usable only temporarily, reported South Seas is not offering to sell that parcel long-term, and identified two potential south-end parcels (one just under three acres, one around five acres) as possible helicopter landing zones, staging areas, and possible ambulance relocation sites. The district noted geographic tradeoffs — south zone would serve roughly half the island south of the S-curve while Village/resort areas lack viable public property — and reiterated that permanent public-safety facilities would require zoning approvals.

CEPD and related coastal items: CEPD reported a May board meeting and a May 7 Coastal Vista design workshop; staff changes include Doug Mann as district engineer with the departure of Nicole Sharp; the district is seeking a replacement economist to finalize apportionment after Dr. Bill Stronge's retirement, and expects updated homeowner cost estimates in about a month using the prior apportionment model with current sand volumes and property values. The board approved ropes and bollards at Beach Villas and is coordinating a sand-drift maintenance

proposal for the Jensen Curve to Tween Waters (pending eventual county action); Australian pine removals continue through next month with limited funded removals available. Coastal Vista designs remain preliminary; final designs, bidding, and plantings are unlikely before after summer.

Wildlife and conservation: SCCF reported the sea turtle season has begun, noted severe nest depredation from Coyotes last season exceeding 41% despite caging, and described experiments with decoy nests and deterrents. SCCF is discussing targeted coyote removal with FWC but decision-makers seek additional data (population studies/tagging); SCCF will consult Sanibel's coyote working group and report recommendations and implementation pathways involving county and FWC authorities.

Legal, land-use, and infrastructure matters centered on South Seas. The panel received an extended legal update: Judge Schenko held an April 30 on the appeal of the CCA-Lee County settlement agreement, reiterating that notice to the CCA is still required if South Seas permit applications for dwelling units or hotels are applied for or issued; none have been filed to date. Multiple South Seas-related lawsuits and appeals are active, including a dispute over whether the settlement's section 912-unit limits include hotel units, a certiorari petition oral argument scheduled for Sept. 3, a separate resident hearing by Judge Cohen concerning location and buffering for the Beach House restaurant, an appeal of the DOAH decision, and a public-records lawsuit against the Community Panel with mediation set for Sept. 22. The Rauschenberg Foundation property sale to South Seas was reported at \$45 million, while earlier minutes corrections noted a South Seas purchase price read \$47.9 million in two places; county staff have said plats filed by South Seas for the Gulf-adjacent acreage (claiming 47 condo units using substandard lots) reflect ownership structure rather than zoning or building rights, and South Seas is conducting due diligence on Gulf-side development and rezoning options.

Utilities and infrastructure updates: Wastewater planning remains paused pending clarity on South Seas' eventual density and needed capacity; prior estimates indicated routing Captiva wastewater to Sanibel's Donax plant would require costly parallel piping and a new injection well, roughly doubling project costs, while Kimley-Horn has proposed FGUA upgrade options that could be economical if tied to South Seas cost participation. The stormwater study timeline was updated with a first draft due in August and a final public presentation planned for October. County-contracted engineering design for a mitigation project near the Jensens Curve is under way with design ~12 months and procurement another 6-8 months, making early 2028 the earliest likely start for construction.

Other items: Development Committee announced a Feb. 11, 2027, event titled "Mirth and Narratives" and will pursue sponsorships; the group discussed reviving the Welcome Back cruise with recommendations to be brought to a future meeting. The meeting concluded with no substantive audience questions and plans to reconvene in June. Video link for the meeting is <https://youtu.be/ZuVLIMzzS-Q>.

Chapters & Topics:

Roll Call and Minutes

The chair conducted roll call, named attendees present, noted absent members, and identified remote participants including committee chairs and a scheduled reporter. The chair stated that a quorum was present. The chair asked whether members had reviewed last month's minutes, a motion and second (Brown/Wade) were made to approve them, and the chair recorded several specific corrections: the month should read April, the South Seas purchase price should be

\$47.9 million, a sentence should reference “a separate lawsuit,” and Binder Lane should read Binder Drive.

LCSO update

Sergeant Winton was introduced as the resident deputy for Captiva; he thanked the community for its welcome, offered to be contacted by residents, and described the planned outline for his report (monthly stats, enforcement issues, legal update). The sergeant reported that deputies responded to 303 calls for service in April and made one arrest related to a domestic-violence incident involving visitors. He described five traffic-crash investigations (including single- and multi-vehicle golf-cart crashes) and noted that deputies issued 39 citations and warnings, with parking and moving violations comprising the primary categories and roadway safety a top enforcement priority.

The sergeant explained that e-bikes in Captiva are treated like bicycles under current statutes, cited the statutory maximum e-bike speed of 28 mph, and reviewed rider requirements (helmets for under-60s, helmet provision by rental operators, right-side riding, two-abreast limit, lighting and reflectors, hand signals). He summarized motorists’ duties including maintaining three feet of clearance when passing and the allowance to cross double-yellow lines to pass bicyclists safely, and he noted the statutory exemption allowing groups of ten or more bicyclists to proceed through stop signs together.

Sergeant Winton summarized enforcement issues, highlighting frequent mangrove-cutting calls and advising residents to confirm permits and regulations before cutting mangroves. He explained responsibility falls primarily to Code Enforcement and Florida DEP, while the Sheriff's Office documents and forwards complaints. He closed by warning of increased visitor traffic for Memorial Day and urging vehicle and home security and enforcement of open-container and vehicle regulations.

The panel asked whether e-bikes must be parked in bike racks. Sergeant Whitten replied there is no specific statute requiring bike racks and noted bicycles are treated as vehicles when they obstruct traffic, while private property owners may remove bikes from their property. The panel thanked the sergeant and transitioned to the next agenda item.

Captiva Fire District updates

Chief Jeff Pawul provided the department update, reporting golf-cart accidents including one that required air evacuation and urging safer operation and seat-belt use. He announced a hurricane-preparation web update to be posted by month-end and described a publicly available life-jacket loaner program at the station. He asked about plans to address elevated street drains; Mintz said Lee County will defer work until the stormwater project advances and timing has slipped, so action is unlikely for at least a year. Pawul and Commissioner Jeff Brown explained the district’s work to secure a long-term helicopter landing site (plus possible staging and preparation area. Options were discussed, with a pledge to inform the community as plans moved forward. The district proposed creating a one-page property-search summary for the website and distribution lists to solicit input instead of holding more community meetings, and the panel approved using the existing panel communications channel.

The Fire District reported South Seas indicated the current landing zone on the Rauschenberg property can be used temporarily but will not be sold to the district as South Seas develops the newly acquired property. The district identified two potential south-end parcels—one just under three acres and one around five acres—that could accommodate helicopter landings,

equipment storage, storm supplies, and potentially an ambulance relocation to improve response distribution.

Commissioner Brown explained the need for a landing zone and encouraged community feedback on the proposed parcels; they emphasized geographic trade-offs with south-end landing zones serving roughly half the island while the village and resort concentrations create a separate need for a north or mid-resort landing zone. He noted existing landing sites have become unreliable due to storage and rentals, and that long-term landing-zone planning must consider South Seas' development approvals.

The group discussed zoning implications, stating emergency helicopter landings and EMS housing on residential property are permissible for infrequent emergency use, while establishing a permanent public safety station would require county zoning approvals and a different process. The chief confirmed emergency landing locations have historically included residential parcels and reiterated limited commercial property availability on Captiva. The chair closed the segment with thanks to Jeff Brown and Jeff Pawaull and indicated their discussion will continue on a monthly basis and people may contact them directly with private comments.

CEPD Updates

General Manager Brighton Heard reported on CEPD activities including the May 11 board meeting, a May 7 Coastal Vista design workshop, the departure of district engineer Nicole Sharp and elevation of Doug Mann, and the search for a new economist following Dr. Stronge's retirement. He also noted continued work by staff on rope/bollard installations and other maintenance tasks.

Heard said a workshop to review economist proposals will occur within weeks and explained the apportionment model must be updated with new sand volume and property valuation data; he expects homeowner cost estimates in about a month. He described board approval for ropes and bollards at Beach Villas (north of the Hagerup Park), committed to a maintenance proposal with Bob Johnson for sand accumulation between Tween Waters and Jensens Curve, and reminded the group that the Australian Pine Removal Program continues through next month with some funded removals available.

Coastal Vista Designs and Implementation Timing

The chair asked about timelines for Coastal Vista's preliminary designs for four public accesses and Brighton clarified that Coastal Vista must finalize designs before the district issues bids and procures a contractor, making implementation unlikely until after summer.

SCCF Update

Matt DePaolis gave a concise update: sea turtle nesting season has started and SCCF patrols and markers are active. He also summarized the state budget session's relevance to conservation funding and said SCCF is monitoring legislation that affects conservation land spending.

DePaolis reported severe nest depredation with over 41% loss last season despite caging, described trials with decoy nests and other deterrents, and noted discussions about targeted removal via FWC; he said decision-makers want additional data such as population studies or tagging to inform removal decisions and agreed to consult the Sanibel coyote working group and report back for Captiva-specific recommendations and implementation steps.

Legal Update — South Seas Redevelopment Appeals

The chair summarized the April 30 appellate oral argument on the South Seas redevelopment appeal, reporting that one judge questioned the enforceability of the settlement agreement limiting units to 912 while the other two judges' views were unclear, leaving the appeal's outcome uncertain.

Mintz reviewed timelines and legal posture for multiple South Seas-related cases, noting the historically variable delay in judicial decisions and constitutional issues about impairing contracts. The court has ordered notice to the CCA for any building permits relating to South Seas dwelling units or hotels, and no permit applications have been received to date. Mintz described South Seas' lawsuit denying that hotels are included in the settlement and reported moving for attorneys' fees, and Judge Schenko denied a disqualification motion by South Seas.

Oral argument on a certiorari petition challenging the county rezoning is set for Sept. 3, and a separate Suraya homeowner challenge to the buffering and location of the Beach House restaurant is scheduled before Judge Cohen via Zoom at 1 p.m. Mintz discussed awaiting assignment of judges for the DOAH decision appeal and noted a public-records lawsuit against the panel slated for mediation to be scheduled by Sept. 22, with Mintz predicting dismissal before mediation.

Rauschenberg property, plats, and county due diligence

Mintz reported that South Seas purchased the Rauschenberg Foundation property for \$45 million, that a 47-plat condo association was recorded for roughly 11 Gulf-side acres, and that these plats conflict with the county's zoning verification showing three units per acre and minimum lot sizes, while the county clarified plats reflect ownership not build rights as South Seas conducts due diligence on rezoning and development options.

Stormwater and wastewater program updates

Jay Brown reported that the consultant's earlier computer issue is resolved and the stormwater study first draft will be delivered in August with a final public presentation in October. He also updated that wastewater planning is on hold pending South Seas density decisions, that routing wastewater to Sanibel's Donax plant would require parallel piping and a new injection well which roughly doubles costs, and that Kimley-Horn proposes FGUA WWTP upgrades that could be economical if cost-sharing includes South Seas.

Infrastructure mitigation timeline

Michael Bennett said the county has contracted an engineering firm to design a mitigation project near Jensen's curve; design will take about 12 months and procurement an additional six to eight months, making early 2028 the earliest likely construction start, and a related fortification project near the bridge is planned.

Final updates and adjournment

Linda Laird accepted an assignment to develop a Bayside Resilience work plan over the summer for a fall rollout with volunteers. The Development Committee plans "Mirth and Narratives" for Feb. 11, 2027, and discussed when to schedule the next Welcome Back cruise; Margarethe Thye-Miville will consult and recommend at the next meeting and Bob Rando will check calendar conflicts. The meeting adjourned at 10:15 a.m. with a planned reconvene in June.

Action Items:

- Captiva Fire District will create a one-page summary of the property-search options and post it on the district website and contact lists. It will also be distributed to the panel's email list.
- Captiva Fire District will continue active discussions with the property owners of the two identified south-end parcels.
- CEPD will convene a workshop to review economist proposals within the next couple weeks. It will develop a maintenance proposal with Bob Johnson to address sand accumulation on the road between Tween Waters and Jensens Curve and bring it to the CEPD board for approval.
- Matt DePaolis will contact the Sanibel coyote working group and report back with its recommendations for Captiva and guidance on implementation through county and FWC channels
- Linda Laird will develop a Bayside Resilience work plan over the summer for presentation in the fall season.
- Margarethe Thye-Miville will consult with Bob Rando and Tony Lapi and recommend whether to run a welcome-back cruise at the next meeting. Bob will review the calendar for early November cruise conflicts and report back.