

## Captiva Community Panel

# MINUTES

July 7, 2009

**ATTENDING:** Jim Boyle, Rick Hayduk, Gordon Hullar, Dave Jensen, Rene Miville, Harry Silverglide, Sandy Stilwell

**AUDIENCE:** 10

The meeting convened at 9:05 a.m. Hullar called for approval of the June 9, 2009, minutes, which was unanimous by acclamation.

**CEPD UPDATE:** Kathy Rooker was introduced and noted that coastal concerns would be the district's focus in the next year. She hoped the panel and islanders would support CEPD as it works to fight for beaches and the issue of oil & gas exploration. She noted that Sen. Gaylord Nelson was inspired to launch Earth Day 40 years ago after he visited Santa Barbara beaches, he was so struck by those images; she also shared photos she had recently taken off oil rigs from the shoreline. State Rep. Cannon's House bill on drilling filed during the last legislative session was defeated, but many believe it will be back next session. The California coastline experience is what Florida is going to face, and not just oil rigs but storage areas will be allowed onshore. We want you to get passionate about this, want to see these beaches stay beautiful.

She also mentioned the Florida erosion control line case received accepted for review by the U.S. Supreme Court, a Fort Walton Beach battle over renourishment. Background on the case was offered, and Rooker said a decision against the state could stop renourishment of critically eroded beaches. She also discussed that the Lee County TDC has turned down the district's request for a "Welcome to Captiva" sign, and she wondered if the issue was now up to the Chamber. She would approach them for direction and funding...so tourists know they've entered Captiva.

On the Blind Pass re-opening project, Rooker discussed the production schedule vs. plans for completion and the disconnect between the two. The problem was that the dredges were not large enough to handle the Gulf dredging. Miville added that the 10-inch dredge was not big enough to operate in any waves. There was 25,000 CY of material left to go, which would take 21 pristine days in a row -- and that's not going to happen. He said Lee County is trying to see if they can bring in the dredge now working in Matanzas Pass. There is no way to say when the pass opening will be done until this is resolved, and bureaucratic issues are complicating the issue. In perfect world, Miville said, this dredging company should be working with the Matanzas Pass dredge to bring them here. Legal issues are complicating negotiations; there is a problem, and it will be fixed. Silverglide asked about a performance bond tied to project completion. Miville said it started July 8 at a \$2,000 penalty per day, but the company could

cite other issues such as weather, etc. In 30 days, they'll face a \$60M bill...but this may not be a problem in 24 hours. Silverglide asked if there was any impact in what has been dredged by not continuing to dredge. Miville said it can have an impact, but that depends on hydrology. Behind the wall it's in good shape so far. The district will look for ways things can be done to expedite process. Bob Brace asked if there would be any financial implications by having to make these proposed changes. Miville said there really were none, based on budget per CY. Brace asked about contractor liability. Miville said nothing was done officially. Hullar asked if the district needed to go after the county. Miville said the county will get it done, was halfway there, and they needed to act business-like when dealing with the dredger.

**PLANNERS:** Hullar said he had received the proposals from the interested planning firms July 6, and assumed others did as well. He felt they were nowhere near to being able to make a decision. Miville said the plan was to take some time to evaluate the proposals and make a decision at the next meeting. Spent a lot of time with each planning firm, Jerry Murphy and Carrie Call were both attending this meeting and submitted proposals. Miville said he tried to give each of the interested planners some background and understanding as to island concerns and issues. He tried to explain to all of them that the panel had a plan, that we were not looking for someone to re-evaluate everything but deal with the four issues the panel has identified as needing to be resolved -- don't reinvent the wheel. Any of them would be an excellent choice.

Doris Holzheimer asked that since people took time to come out here, why not allow them the chance to speak for themselves and discuss their strengths and approaches. Silverglide asked whether there was a selection criteria; all five planners who provided proposals were highly qualified, but the pricing was a little difficult. Each identified scope and price very well, we need a selection criteria. How we want to make a decision and a timeframe to make a decision. Stilwell suggested the panel have everyone come in and make their presentation. Miville said that in talking to everyone, he saw strengths in other issues going forward. Hullar said he felt there were two steps here... make proposals consistent first, make decisions after that. He suggested Miville and Mike Kelly have more preliminary conversation with the planners first. Silverglide said each price was supported by a scope of work based on amount of effort would be put in. Hayduk said more costs seemed to be based on more community involvement. Silverglide asked if Kelly and Miville were planning to form a selection committee and bring a proposal back to the panel. Hullar asked if Silverglide would also serve on that committee, and he agreed.

Jerry Murphy spoke, saying it was not fair to make a full proposal without the other planners there. He said Lee County will zero-fund community planning next year, so the time to get the money is now. County commissioners will make decisions in August on budget issues. He noted his experience with Captiva in the past, including work on the South Seas administrative interpretation. Carrie

Call spoke next, saying her firm just opened after she had spent five years with PBS&J and worked with Lee County in environmental planning. She said her proposed fees were negotiable based on public input efforts. She had planned to partner with FGCU's public participation center and Margaret Banyan, a new effort on their part. Miville said the FGCU center could also write grants, work with governments, private sector, etc. Silverglide said he and Miville should contact Kelly and get a schedule to meet with planners. Hullar asked that they try to have candidates present at August meeting. There was a brief discussion of funding options. Holzheimer asked if the committee was coming back to the panel with selection criteria. Silverglide said his plan was to identify our criteria, put it together and make a selection -- and explaining how we made our decision. He hoped to include future funding as a part of discussions, look at what can be done within the funding in place. Hullar said he expected the committee to set clear criteria for a decision, analyze proposals against those criteria, work within budget, and make a recommendation to the panel by the next meeting.

**HURRICANE PREPARATION:** Holzheimer said there was nothing new to report, which was actually good news this time of year.

**GOLF CART ORDINANCE:** Gooderham provided a brief update, that the ordinance had been approved by the county commission at a June 23 public hearing. Since the ordinance needed to be certified and renters and islanders needed to be notified, DOT officials felt there would be no impact until mid-August at the earliest. He also said that DOT was not planning on moving forward with either night-time use or expanding the cart zone until the panel indicated the desire to see either of those pursued. Miville said since the panel said there would be no action on further changes until the community is polled, should we consider an electronic survey on night-time use?

Silverglide asked that, after hearing the DOT traffic survey discussed in June, has the CCA position on carts changed. Paul Garvey said he felt the panel should hold public meetings and do a poll first. However, since the panel previously acted without consulting the community, why not just make the same decision about expansion? Silverglide said there was a commitment by the panel to assess opinion about expansion. Garvey said more public information should be provided before the use is expanded. He suggested the panel mail an islandwide survey to all islanders. Silverglide said the issues has been discussed for three years. Word of mouth works well here, if people were violently against we would hear something about it. Stilwell said we told people cart use would only be in the evening. Hullar said the panel had approved adding night-time use in the Village, and asked Gooderham to go back to Harry Campbell and have DOT move forward with night-time use in the existing zone. Miville said we have electronic access to 70% of the island's property owners. Why not do an e-mail survey? Hayduk said he could communicate with South Seas owners electronically as well. A Web site and e-mail management combo will be as good as posting a public hearing, and we could then take that data to the county to so

island opinion. Stilwell said the DOT survey brought to light new information that the public needed to comment on before further action. Hullar said the panel should ask DOT to move forward on night-time use, then do an e-mail poll on expansion of the zone. Miville said that poll should allow people to offer an opposing view.

**TDC FUNDING:** Gooderham offered a brief update on the TDC funding of the second year of the Captiva water quality monitoring project. The TDC had not funded any water quality requests, and had asked the county to instead find funding for them. County commissioners met June 23 in a budget workshop, but funding sources were not discussed and would not be addressed at least until an Aug. 11 budget workshop as the commission did not meet in July. However, the TDC was meeting July 10 and planning to make a decision on the Beach & Shoreline funding budget, and it was not clear whether they would include any water quality funding options at that point. Gooderham planned to attend the July 10 meeting, and would report on the outcome that day. He also noted that Lee DOT had scheduled a public meeting on the proposed tool changes for the Sanibel Causeway to be held on Sanibel July 14, and urged islanders interested in this issue to attend and comment.

**FINANCES:** Stilwell offered an update on the panel's financial status, noting the third reimbursement request from Lee County for the water quality monitoring project was submitted to the county last month.

**WATER QUALITY:** Jensen asked whether the SCCF Marine Lab would be able to offer an update on its testing findings soon. Gooderham said he hoped to have Dr. Loren Coen update the community in August or September, depending on his availability.

**LDC:** No report.

**FUND-RAISING:** No report.

**OTHER BUSINESS:** None was brought forward.

The meeting adjourned at 10:25 a.m.

**-- Ken Gooderham, administrator**