

## Captiva Community Panel

# MINUTES

FEB. 13, 2018

**Attending:** David Mintz, Mike Boris, Tom Rathbone, Mike Mullins, Mike Lanigan, Bob Walter, Rene Miville, Jay Brown, Mike Kelly, Antje Baumgarten

**Audience:** 15

Meeting convened at 9 a.m. Following introductions, the Jan. 10 minutes were unanimously approved (Mullins/Rathbone).

**CFD:** Not present.

**LCSO:** *Lt. Mike Sawicki:* Condolences on loss of father. Summary of activity for 2017. 5962 calls for service in zones. 408 traffic stops, 390 citations and 3 warnings. 25 crashes, most private property crashes. 19 custodial arrests, 2 felony drug cases intent to distribute. 83 alarms, most false alarms. Check your equipment, don't get fined for false alarms. Over 400 marine patrols, 23 miles of beach patrol. Here to make community safer and stronger. *Lanigan:* Has Bryan Miller been in contact? *Sawicki:* Yes, meeting tomorrow. *Miville:* Someone handing out LSD to kids? *Sawicki:* Sanibel case. *Tom Libonate:* Rental golf carts, heading into high season, more kids on carts over holidays. Good job posting carts, can we require it for all? *Sawicki:* Explanation of laws, public roads only, must have licenses even for adults. In resort, their issue. On public road, we can intervene. We pass that along to vendors, sometime they come and take the carts back from adults. *Walter:* We work with all our vendors on this. *Mike Frascati:* How many accidents so far? *Sawicki:* One at Tween Waters Inn. *Frascati:* Discussion of walking dangers on Captiva Drive. Discussion. *Chris:* Thanks for keeping us informed. *Walter:* They do the coast too, all day on the water. *Sawicki:* Calls on upper islands during cold weather, all night events. Stroke on Cayo Costa, had Coast Guard chopper come in to evacuate.

**Librarian:** *Coleen Barany:* January programming, coloring for grownup, checks, snowflakes, Southwest Florida Pen Women program. Nancy Hamilton, talked about new book. Love Your Library month, Black History Month, March 8 beach walk, need to register. Donna Griffin on the talking apes. Two authors coming in. Women History month, St. Patrick's Day. *Lisa Riordan:* New mascot, Cappy, will be out in the Village.

**CEPD:** Board meeting tomorrow 1 p.m. at Tween Waters. *Jensen:* Public welcome.

**Code:** *Mintz:* Captiva Plan approved Feb. 7, in place now. County view of plan: governs day to day activities on Captiva, source of authority for land development regulations and other discretionary actions. Represents community vision of what Captiva should like by end of planning horizon at 2030. Survey, background. *Brown:* Concern with current format focuses attention on possible issues we describe for them. Some tightly defined and easy to understand (feces), others very broad and harder to grasp (Coastal Construction Setback Line). May get response out of whack with how people actually feel if they really understood the issue. Two suggestions: Focus groups to define issues, use language that people understand. Then you do quantitative research to determine how much people care about the issues. Add a "No opinion" check box to questions. Try to format survey to put dialogue boxes first, then address specific issues. What

do you think first, then react to specific issues after that. *Miville*: Knowing Brown's background, need to do this right. *Mintz*: Add No Opinion column, put dialogue box before the specific ranking matrix. *Lanigan*: How successful in the past? *Mintz*: Good response, fewer rankings, a lot of comments included with rankings. *Brown*: Reiterate ideas. *Mullins*: Many organizations on Captiva, send it first to them and identify issues important to them, more feedback from them? *Mintz*: Make sure they get the surveys rather than starting from scratch. End of process, not beginning. Issues raised during past discussions. *Walter*: Too long? *Gooderham*: Each section is its own page, plus progress report at bottom to show people how much it left. *Mintz*: Fix more esoteric questions to explain concept, add "No opinion." Unanimous approval. *Miville*: Add photos to illustrate issues? *Mullins*: Volunteering to do that? *Jack Cunningham*: How sending it? *Gooderham*: Link to email list, postcards to property owners and registered voters. *Mullins*: Ask rental and real estate agents, need your cooperation to get to owners. Help us expand our outreach to the community.

- **ACTION**: *Revise survey, distribute to community as described.*

**Depew**: *Mintz*: Background of meeting. Summary of discussion handout to panel. Review new plan and code. Review deliverables to county. Present analysis of zoning and land use, possible density. Patchwork of zoning with different requirements and rules. Special meeting in April possible. Discussion of examples and possibilities. *Kelly*: Has looked at other communities, what happened there and what can we do about it. *Mintz*: Fourth bullet point, what we can do to strengthen our plan. Work with us to amend Land Development Code next season. Got proposal last night, far more comprehensive than we asked for, so we need to negotiate mission with him. Motion to approve us to go back to Depew to revise proposal based on five points. (Brown/Mullins) unanimous. *Mullins*: Very expensive to identify unique characteristics of every property. Moped property. May need to be able to retain an expert on some of these property development issues. *Boris*: Incredible inventory of prior island history from past work. Discussion. *Mintz*: Can work this down to something we need as a panel.

- **ACTION**: *Revise proposal, respond to Depew.*

**Control Line**: *Mintz*: Background on North Captiva amendment. Error with control line definition and ramifications. Description of two control lines and impact of county error. Staff developed new proposal, good response, created a Coastal Constriction Setback Line. Still requires a Florida DEP permit seaward of 1991 line. Construction prohibited seaward of the 1978 line. Limits septic to the one with an existing permit. Still allows a variance for seaward of 1978 line. Passed LDCAC, goes to EROC and LPA for review. *Mullins*: Cantilevered is out? *Mintz*: Yes. *Mullins*: Side lot setbacks also allow cantilevered? *Mintz*: Issue for code and setback, not related to coastal line. Depew getting into the level of detail. *Miville*: Thanks for commissioner response. Takes a team to accomplish this, *Mullins*: Many people have made efforts to empower this organization. *Mintz*: Panel worked together as a team, commissioners very responsive to our concerns, Manning especially, instrumental in making this change to protect barrier islands. Dealt with this as a community. *Mullins*: How long is Manning serving? *Mintz*: Two years. *Mullins*: Need to thank him.

**Captiva Drive**: *Lanigan*: Sawicki will meet with Lee DOT on speed study. More to come at future meeting.

**Financial forms**: *Mintz*: Current form was sent to all. Slightly invasive. Who must file, tied to contract with

county. Still getting county money, one more payment due. No matter how invasive, looking for conflicts over a certain amount. Recommend we continue to fill them out, ask Manning to budget funds for planning in next fiscal year. *Mullins*: Jensen, Walter and I are required by law, but think it's invasive for volunteers. Why put burden on people to join this group? Conflict is also covered in bylaws.

Discussion was suspended to start the 10 a.m. community workshop (see minutes at end). Panel meeting resumed at 11:25 a.m. Audience of 8, Walter left.

**Financial disclosure:** *Mintz*: Background. *Jensen*: Slight chance to get county funds issue if we don't file them out. *Mintz*: If we get funds we have to do it. Technically maybe we don't need to right now.

*Baumgarten*: Easiest solution to just do it. Find it a little disrespectful, that someone would come on this board for personal interest. People are willing to serve the community not only in their own personal interests. *Mintz*: Motion to fill out forms (Boris second). *Mullins*: Fill it out anyway, becomes part of public record and can be accessed by public. Tied vote, no action. *Mintz*: If they give us money we will need to fill out form. Money to do community planning. Discussion. Discontinue financial forms until future funding is secured. *Mintz*: Motion to revote. *Mullins*: Objection. *Miville*: Wait until next month. Withdraw motion and table to next month.

- **ACTION:** *Put on March agenda?*

**Communications:** *Lanigan*: Website group meet a couple of times., Got initial proposal from TJ Walker, comfortable working with him. Example between now and next meeting. *Mullins*: Authorize committee to spend up to \$10,000 to update website and communicate more broadly to community. *Jensen*: What do you mean by other issues? *Mullins*: Website and committee that related to website. *Lanigan*: Now Communications Committee, beyond website alone, expenses related to that. *Rathbone*: Identify specifics rather than an open-ended expense. *Mintz*: Committee mandate, not just update but keep it current. Update panel address and email list. Create message capability to list, message board for announcements. Other organizations to spread their news. Emergencies, Social media options, newsletter someday. *Boris*: Up to that much to get website up and running. 9-1 (Rathbone). Committee is Mullins, Lanigan, Boris, Walter, Libonate. *Miville*: Branding, reach out to colleges for interns. *Mullins*: Ask for databases from CEPD, agencies, etc. *Jensen*: Public service announcement reach out to CCA, CEPD, Historical Society, CFD, opportunities for volunteering, interest in coming on boards. Small community difficult to fill positions, people can't stay on all the times. *Mullins*: Volunteer coordinators could be helpful.

- **ACTION:** *Put on March agenda.*

**Wastewater:** *Brown*: Background of committee work to date. Met with TKW a few weeks ago for update on their work to date. Hope to get committee together to discuss status and information. Expect rough draft in 2-3 weeks, opportunity to provide additional input on their report. Briefing to all South Seas associations. this week, well received. Understand no preconceived plans. Not able to make public presentation until May, I have concerns about that timing. Committee needs to discuss, possibly defer meeting to the fall. Stress to develop other alternatives other than central sewer.

**Captiva Drive:** *Mintz*: Walked road with Comcast. Follow up with CenturyLink, IWA as well. Mark Cook, developing cost to move 5 pieces of equipment. Then meet with property owners and go from there. *Mullins*: We have to pay? *Mintz*: LCEC \$17,000, Comcast \$3,000-\$5,000, CenturyLink TBD. *Mullins*:

LCEC moved poles at first S curve, other utilities may have to follow their lead.

- **ACTION:** *Follow up with CenturyLink and IWA.*

**Overbooking and Invasive Species:** Wait until end of workshops.'

**Development:** *Lanigan:* Rathbone and Ann Brady worked well together, sold out with a waiting list of 13 people. *Brady:* OK for them to be added. *Lanigan:* F&B from South Seas. March 1, 4-6 pm. Monday After The Masters, handouts developed. Event is April 9, lead sponsor will be Matter Brothers. One hospitality sponsor, Pinnacle Agency. Four more hospitality sponsors. *Mullins:* Goal to raise? *Lanigan:* \$15,000. South Seas has provided so much help, will need volunteers.

**Financial:** *Boris:* Very good shape financially, very different year than before.

**New business:** *Mintz:* Drilling ban, administration request withdrawn for Florida. Proliferation of sandwich signs, not allowed under new code. Ask to send reminder that code does not allow.

- **ACTION:** *Develop sign guidelines and cover letter.*

**Public comment:** *Rae Ann Wessel:* Drilling ban, rumor is Florida is exempted but not in writing yet. Don't relax on this yet. Comment period for Bureau of Ocean Energy Management. Everglades Agricultural Area reservoir update: Plan put forward to water management district and legislature, 10,000-acre reservoir, 24 feet deep, 65,000-gallon storm water treatment area. 240,000 acre feet of storage. SCCF supports, reduce harmful discharges to Caloosahatchee by 40%, we think district is overestimating improvement to water quality due to depth. Either get plan to Corps by March 30 and pass by October, try to get on next Water Resources Development Act (WRDA) bill, or go back to three-year planning process and start over. Need to keep those moving forward, don't know what other dominoes will fall need to make the best deal we can with what we know now. Not going to wait for the perfect. Need more land but it's simply not available now. *Mullins:* Risk this collapses? *Wessel:* Not worried about that. Congress may not act if they see a fractured community. Trying to push for more options in the background, don't see them in the wings. *Brown:* Will this project take away any incentive to act in the future? *Wessel:* Can't control what people, one of many projects that make up the comprehensive Everglades plan. *Mullins:* First real project? *Wessel:* Picayune Strand the first, then Kissimmee River project. Many projects will come together to magnify the benefits. *Max Forgey:* First, holding March 23 symposium, 9 a.m. to 3:30 p.m., on land use decision making and how the law and planning interact, in Punta Gorda at Civic Center. Great speakers. Description of sessions. Some of the best legal, design and planning talent in our area. Second, I'm closing my office at the end of this month, I have accepted a position with a local government on the East Coast, looking forward to working with them. Next meeting here will be my last. First client, leave with tremendous gratitude and affection. *Mintz:* Congratulations.

*Lisa Riordan:* Good to hear that Matter Bros. was asked to sponsor. Get a lot of business from people here on Captiva. A lot of vendors like that who work on this island, approach them for sponsorships as well. Workshop is Feb. 28 10 a.m., next panel meeting is March 13. Meeting adjourned at 12:10 p.m.

-- **Ken Gooderham, administrator**

# Captiva Code Workshop – Beach Issues

Feb. 13. 2018

## Participants from community: 15

*Mintz:* Move forward to encourage a discussion. First workshop on beach issues, explanation on need to amend code as necessary to address concerns'. Read Goal 13 for an overview of what we're trying to do here. Want to protect the Captiva brand. Vision statement attached to documents submitted to the county. Get your input on beach issues, include all other issues, look at what actions we can try to take, bring it back to the community to tell us what is important. Same issues on the survey. *Brown:* Panel here as participants or just hear to listen? *Mintz:* Defer to community first if they are willing to speak. Not trying to win arguments, this is being taped and minutes taken. Want all the issues you think relate to the beach. Four distinct areas, different concerns priorities and solutions, one size does not fit all for Captiva, different approach for different places.

*Nathalie Pyle:* What do we do about it? What authority or measures? *Mintz:* We want to hear your concerns first, then we'll research options to bring back to community. Now it's what do you want to fix, then how we will fix it. *Mullins:* Not necessarily by this panel, county erosion district, others. *???:* Walk beach from Wightman to Tween Waters and pick up garbage, less than in the past, fewer straws than before. Problem with furniture and canopies left on beach overnight. Too close to surf, move back to dunes, some storing items in the dunes. Debris in beach, small and controllable. Leaving furniture on beach, too close to surf. *Libonate:* People setting up camp on the beach. Chairs, coolers and tents left out there overnight, Unsightly and an obstacle for animals. *???:* A lot of chairs left overnight, or stored in dune. Vegetation put in to build dunes, got signs to keep people off dunes helpful signs, but they've faded. Love to get new signs. *Mullins:* Bring up at CEPD meeting. *Walter:* Put it on agenda for tomorrow?

*Ann Brady:* Education issue, people don't understand vegetation is there to protect dunes. Should be a no-brainer, but it is not – how do you teach the population at large? *Mullins:* Not just tourists, I felt strongly about dunes but some owners opposed the dunes and said they were not natural. *Cunningham:* Vendors on beach... needs attention. South Seas has Sunset Beach system, Marcel has Yolo on beach, Tween Waters has weddings on beach. Code already in existence to define activities? *Walter:* Permit required to operate out there. *Riordan:* Not just beach chairs being left on the beach, expensive teak lounge chairs dragged out from homes. *Sawicki:* Definition of furniture is anything manmade or placed by humans. Requirement for removal in effect during turtle season, not during the rest of the year. *Walter:* Storing in dune is prohibited. *???:* A damaged swing set is on the beach by Tween Waters. Don't know who can get rid of it. *Mullins:* Portion of road seaward of road owned by property owners on the other side. May be on private property, might be an issue.

*Brown:* What is current code on structures? Who owns the beach? *Mintz:* Turtle season, can leave nothing on the beach overnight, nor seaward of Mean High Water Line. Do we want to have a rule not to leave beach paraphernalia on the beach any time? *Brown:* Should people be allowed to leave things overnight? Permanent seating in the beach? *Walter:* Cannot have that. *Mullins:* Areas that are public vs. areas that are private. *Mintz:* What do they mean by the beach? *Walter:* Very clear on what can be on beach. *Cunningham:* Pets on beach? Lights on the beach? Turtle regulations have standards. *Mintz:* Dark Skies in a future workshop. *Pyle:* Amplified music... would like not to have any.

*Libonate*: Easy to define permanent structure vs. household furniture or beach equipment, should be eliminated. Drones on the beach... looking for shells on the beach, low and slow drone flight. *Wendy Childers*: Holes in the sand, dangerous for walkers and turtles. *Sawicki*: Furniture described by ordinance. 9 p.m. to 8 a.m. off the beach, has to be landward of 1978 line. Not in the dunes. May 1 to Nov. 1 during turtle season. *Mintz*: Extend to rest of the year? *Mimi Schwartzel*: Needs to be year-round, not just turtle season. No one supervising what renters leave behind. Varies from week to week, without supervision things can get left out. Holes a big issue by water line, dangerous for walkers. Furniture gets tagged, but what action is taken. Need a fine? *Sawicki*: Define when item is abandoned, and how to remove is important. Don't want to be the custodian of a pile of beach left-behinds.

*Harry Kaiser*: In 1980 we did not have a beach, have not heard one bad thing about the beach which I'm happy about. These things annoy me too. Dunes are a great asset for island. Action through the rental agencies. Signs important, but worn out. LCSO patrol is great, ideas great, but need people to do it, enforcement. CEPD puts sand on the beach. *Mullins*: Invite everyone here to come to CEPD meeting tomorrow to speak on issues. *Miville*: Shark fishing is an issue. Describes process. Bringing in shark scares people away. Can't legally stop them but it has an impact on rentals and tourism. Would it be possible to have guidelines on shark fishing? *Riordan*: Straws... other communities have addressed issue, litter and impact on animals. Mucky Duck has stopped providing them to outside diners. Approach other restaurants on island to do the same thing *Walter*: South Seas is doing that. *Riordan*: If everyone else did would save them some money too. *Brady*: Captiva brand, it's strawless. Island cares about environment and is proactive.

*Baumgarten*: Make ourselves into a brand that attracts the right tourists and visitors, who appreciate nature and environment, they will know how to act. Without brand, will have to pay for someone to clean up or have signs everywhere to tell people what to do. Easy to build a strong brand, make a YouTube video of Captiva. Positive picture of island. ????: Straw free island. *Childers*: Entrance to beach at Andy Rosse, not aesthetically pleasing. Scrape dirt off road and make an entrance for stuff to go on the beach. Garbage can is disgusting and over-full. Clean them up regularly. Make entrance look more pleasing to public, main street people use to access beach. Landscape the area? *Mullins*: Belongs in CEPD discussion. *Jensen*: County park, maintained by county. *Mullins*: CEPD requests grant money to maintain park, we could pursue grants to look at solutions for these issues. *Walter*: Public is here to express issues to panel, should panel bring them to the CEPD board? *Mintz*: We will sort through issues and identify who can act, can include CEPD, county, LCSO etc. We are listening to you, we will go to the proper authority.

*Brown*: Andy Rosse, should be concerned with appearance of entrance. Expand to Hagerup and Turner as well, first thing you see is the portable toilets. Matters to the brand. *Hal Miller*: Who is responsible? CEPD? *Mullins*: CEPD collects money to maintain that lot, let your voice be heard. *Miville*: County operated, outsources action to create a job, something to move equipment. Bring to CEPD or Parks & Rec. *Mullins*: Vehicles, there are rules about those. *Mintz*: Yolo has permit to haul equipment, only at certain times. *Mullins*: Golf carts? *Kaiser*: Signs stopped that. Dogs don't belong on the beach, especially off leash. Beaches make Captiva a defining point, but a lot of work. *Mintz*: No one that cleans our beaches, only volunteers. Is that an issue? Fish kills, no one deals with those. *Wendy*: In NJ, vehicle comes through to clean beach every day. *Walter*: Can only do it 3-4 months of the year. Businesses should keep it clean, that's how they make their money. *Libonate*: Beach cleaners also deal with abandoned items on beach.

*Brady:* If parking money goes to county, why don't they clean beach. *Jensen:* Money goes to CEPD, we use funds to lower taxes for property owners. *Walter:* \$2.1 million over 7 years to save taxpayers. *Brady:* Someone's responsibility. *Jensen:* We would be that agency. *Mullins:* After Fort Myers Beach fish kill clean up by county years ago, we asked about Captiva. If we made request they had certain parameters to send someone out. We have to ask them to come out and fix that, role for CEPD. *Brown:* Imbalance of taxes paid versus services received. Collect issues, see what can be done, go to county to solve problems. Discussion. *Miville:* Make direct effort to reach out to Commissioner Kiker because he comes from Fort Myers Beach, has more of an understanding of island issues. Someone we need to get to know and he needs to get to know the island. He makes the decisions, so let's go to the decision-maker.

*Cunningham:* So much depends on the people who are staying here and the agents to manage them. Never been a realtor on this panel. *Mullins:* Not true. *Cunningham:* Need to get Realtors more actively involved, listening to subjects like this, if they buy in more they can do more. Come back to the Captiva brand business again. *Miville:* Elaine Smith was an original member of the panel. *Cunningham:* Get Realtors and rental agents more involved. *Schwartzel:* Discussion of rentals. Other agencies that don't educate tourists, a big issue. Make them come out every other day to check the beach for trash or large holes, bring it to the attention of the renters. *Elaine Smith:* We want to be good neighbors. *Pyle:* Increasing number of properties that don't have rental representatives – VRBO and Air BNB – trend is going to grow. Need to address through an ordinance. *Miville:* Noted issues from list that were not addressed. *Mintz:* Truck on the beach selling food. *Sawicki:* Work done with code enforcement on what was or not allowed. *Rene:* Protocol for private fires. *Sawicki:* Prohibited in all circumstances. On your own property may be OK. Much is discussion in beach and dune ordinance. Discussion. *Mullins:* What is an open fire? *Sawicki:* Not contained by cover or grate, language borrowed from the fire dept. *Mullins:* Turner Beach example. *Sawicki:* Difference between Sanibel and county regulations. Signs in county parks covers that park only. *Mullins:* What is county park? *Sawicki:* Very narrow, look at Lee County Property Appraiser maps.

*Brown:* Large tents and extended canopies, what does that mean? *Mintz:* Multiple canopies left over night. *Lanigan:* Many beaches prohibit them outright, an issue at any time. Beach spreading, banned in many towns. Lot of people and noise, different than an umbrella. *Pyle:* Hope we don't get no canopies at all, need them out there in the summer. Support prohibiting multiples, but not ban them outright. ???  
Eliminate them from being left overnight. Removal may self-police. *Lanigan:* Lots of tents not good at any time. *Boris:* More canopies in the summer, more day trippers. *Mintz:* Very valuable input to panel, hearing your concerns, picked up a few more and helped rank them. Vital to get input from community to take issues to the county, it empowers us. Next session is 10 a.m. on Feb. 28, water quality.