

## Captiva Community Panel

# MINUTES

*June 12, 2018*

**Attending:** Mike Mullins, Tom Rathbone, Rene Miville, Mike Lanigan, Dave Jensen, Bob Walter. David Mintz & Mike Boris attended via phone.

**Audience:** 10

Meeting convened at 9 a.m. chaired by Mullins. Introductions and roll. Approval of the May 8 minutes as presented (Walter/Rathbone) was unanimous.

**Captiva Fire District:** *Chief Jeff Pawul:* Hurricane seminar June 13 3 p.m. EOC and weather station.

*Lanigan:* PIO discussion? *Pawul:* Talked with MM that some departments have Public Information Officer for emergencies. Warning people what to do. Not all the time and all encompassing. for big depts. who need someone every day. We can put things on our website, not big enough for a full-time person. Beth Oden and SSIR does that as well, can help with that. We can put important info out there, did not know about Sanibel opening the causeway last year. City did not check with us at all, not ready for traffic. Hope it works better the next time. Pass holders OK, but to open to all was a surprise. *Sawicki:* Whether bridge is structurally sound for traffic (DOT) and whether access should be permitted, on the ground decision. *Mullins:* Who's jurisdiction is causeway? *Sawicki:* Will revisit this with city this summer. *Walter:* Described situation after Irma. *Sawicki:* That's why we enforced curfew, no one allowed to drive around the island. *Walter:* Captiva was fine, good police presence. *Pawul:* We were not informed about opening. Hopefully will go in another direction, otherwise pass is a waste of time. *Mullins:* Discussion of conditions in Charley. *Mullins:* PIO discussion, several people approached me about it. Don't need a dedicated person, as much as you need a function, who has the responsibility? *Pawul:* Department not a set position. Tried to work with volunteers in years past. *Walter:* SSIR uses an 800 number leave messages for team to call in and get updates. *Pawul:* We can look at something like that. Sit down and discuss it. We think from an emergency standpoint, not necessarily what residents are looking for.

**Lee County Sheriff's Office:** *Lt. Mike Sawicki:* Increase in marine thefts, boat equip and motors. Captiva not immune to this kind of crime. Suggestions: Remove keys from boat, turn off breaker to lift to disable it, motion sensor lights to alert you, install surveillance cameras where you can see faces. Connected in to cloud to get alerts if you're up north. Call us in real time to respond. Make boat visible to roads and deputies. If stored, take steering wheel off. Install GPS tracking device, technology has gotten a lot cheaper. Boat alarm can be useful. Disconnect battery, disable trim and tilt function, put motor down if on trailer. Chain rims together, hitch lock, boom wheels, make it harder to move. Boat locks on engine. Make it harder to steal, may encourage them to bypass Captiva altogether. Put trailer close to house, engrave license number on engine. Keep record of serial number, take picture of hull ID number. Helps us return stolen goods to owners. Leaving fishing or dive gear out in view a mistake, quick thing to grab off boat. *Mullins:* Prior owners said they used to steal props. *Sawicki:* Not so much now. Crime rings that work around the state with spotters and organized efforts. *Walter:* Camera with flood light incredible, works off wireless signal. Ring camera. Discussion. *Mullins:* Dock issues, concerned about internal reliability with Ring. Is Dark Skies a contradiction with security, motion detectors? *Sawicki:* Shielding can keep you in compliance,

still illuminate the area of concern. Discussion of benefits in remote areas. *Lanigan*: Noise ordinance? *Sawicki*: Can provide actual language if needed. 24 hours a day, levels change by day time. 66dB threshold 7 am to 10 pm Some exemptions for landscaping and construction. Measure from a receiving property, not edge of property line in question. Have to meet legal threshold, not just annoying. Drops to 55 dB at 10 p.m. Discussion. *Lanigan*: Last five years? *Sawicki*: Not much used to have a few people who were very sensitive to noise, not a whole lot of them. Discussion.

**CEPD**: *Damon Grant*: Fiscal year ends in Sept. Closing out this year's activities planning for next year. Referendum planned for March 5, 2019, for 2021 project. Received 80% support for 2013 project, hopefully to be as good the next time. Open position, assistant to administrator, ASAP. Monthly meeting tomorrow here at 1 p.m. Wednesday. Consultants and economist presentations, usage survey and rental study findings. Red tide calls, no dead fish but some respiratory issues. Mostly gone for now. *Lanigan*: Fish kills, CEPD responsibility to clean up? *Grant*: TDC meeting, Parks and Rec issue. CEPD can access county funds and hire contractor to come out and clean up smaller areas of kills. We contact county person, give her cost, get reimbursed after done. Bring to beach access, have it haul to approved site. CEPD can be gatekeeper of that as appropriate. Have TDC request to fund a vehicle and monitor position. *Miville*: Survey from Stronge, did not see a copy. *Grant*: Beach use survey conducted on the beach, where from time of day, etc. Mailed survey to SF residents homesteaded. You can block LCPA info, could impact receipt. Discussion of value of data. How often to SF owners get out and enjoy the beach, usually very low. Basis of apportionment numbers for projects. *Nathalie Pyle*: Hard to answer, not clear for some uses. Discussion. *Mullins*: One of the most meaningful meetings CEPD will hold, engineers and economists presenting. Rental study change in percentage. Sept. 13 and 27 5:01 pm at South Seas budget hearings. *Mullins*: Referendum allows us to borrow money, usually tied to other elections. Moved it to March rather than November.

**Captiva Library**: *Coleen Barany*: Statistics, how you interact with the library. Summer reading programs have begun, bingo cards online or in person. Explanation of prizes. Kids get free book, we'll let you know the dates of all the programs.

**New retail presentation**: No one showed.

**Research**: *Gooderham*: Copy of memo in packet about summer research for code and survey. Self explanatory, restated survey results. Include input from workshops. Section 3, identified issues we could delete from consideration this summer for other reasons – enforcement or existing laws. Low interest items or already have rules on the books. Not much more we can do from a code or ordinance perspective, get the list down to a more manageable level. Section 5: Outside code that panel should look at but outside summer research because we can't simply write code to address these problems. Wanted to capture these issues to be considered down the road. Summary of MDA plans as contracts, make plan and code more bulletproof plus have input on fall discussions. Section 7: Issues that warrant further research by Max and Ken with Morris-Depew Associates input. *Mullins*: CEPD input may be valuable on some of these issues, coordinate with Damon on plans. *Gooderham*: Also what can we do on the private property side that CEPD will be addressing on public beach side via the county code. Example given – plantings and walkovers. Also to get information together to present to you, not solutions... what existing regulations are, what other communities have done that we could consider. Not to present solutions, but to provide information that will allow community and panel to discuss solutions options. Also know what the baseline is now.

*Miville:* Some issues here that should be deleted because we already have laws. How did that make it back into the list? *Gooderham:* To see if anyone else has come up with a better idea we could consider. *Miville:* Also architectural guidelines, how will that be addressed? Such a range. *Lanigan:* I agree. No such thing as a Captiva architectural style, every individual owner has a right to build their own home, it's an advantage of the island. Also no landscape style for Captiva. Some people have very unkempt areas, others are groomed, others are in between. If someone can find such a style exists, then we can discuss. *Gooderham:* Landscape was included because we put something in the plan so we need to determine whether there's any follow up in the code: *Mintz:* Hard to hear, but these are issues that the community survey comments brought in. This is a discussion the panel needs to have with some information about these issues. It's not what we're going to do, but what other communities did if they addressed them at all. Can have a debate, can dismiss them outright. Could not ignore what survey results and pretend that community did not say the things they said. Look at what's out there, can accept it or reject it outright.

*Walter:* Difference between acting as a panel vs. as an HOA for Captiva. Agree we need to discuss.

*Gooderham:* Goal is to provide you all with the information to have that discussion, why some of this is occurring. The list you all want us to look at to develop facts over the summer for discussion in October.

*Lanigan:* Should have had workshops first, then send the survey out. This gives survey more weight just because someone wrote something in. How was weighting as a barrier vs. what was pulled back? What was the process to decide this? Committee should have been formed to look at this. *Miville:* Something not mentioned that is a law but would be a big issue if undone. Parking on the road itself, if someone changed that would be a major decimation of lifestyle. Discussion. Focus on that rather than some of the others.

*Mullins:* Larger context? *Gooderham:* First try to get the facts, bring this information back to you and the community. Not to cull list, but what you need to know to deliberate, including existing laws. In October, you can go through this list with these facts and discuss how to proceed to make things stronger vs. leaving it as is. Parking and nutrient runoff examples given. Brief and coherent report to present to you in late September to discuss at the October meeting as how to proceed. So you all have time to digest it. Coherent format, issue by issue, run it by MDA staffers, bring it all to the panel to discuss in October. Now what do we do – set workshops, cull the list further, what to do.

*Max Forgey:* My approach is to find out what terms of art are going to be used by Lee County and others. Identify Lee existing regulations if they exist. Take about 12 coastal local governments to research in MuniCode. Find how these communities define and regulate these issues. Example of dog feces vs. architectural regulations in terms of complexity. Coastal beach-related regulations, mostly cut and paste.

*Jensen:* Anything panel can do? *Gooderham:* We'll bring it all back to you to discuss. *Mullins:* Action is to approve this list. Motion to approve the list for summer research (Jensen/Miville). *Lanigan:* A number of things in Section 7 we should move immediately. Elevating concerns that are not legitimate, things that are a nuisance, but do not rise to the level of a regulatory issue. Examples given. Single-family home rentals, we have rental guidelines on the books, what's wrong with renting home to people who work for the same company. *Mintz:* Not us elevating it, going through survey and comments, and culling them so research reflects concerns raised in workshops and surveys. Issues listed reflected as important issues in survey and/or comments. Those eliminated were done because we don't need to do research. Not elevating, trying to respond to community concerns raised to us. Some things I agree we should not touch, others we may address, but our job is not to ignore what community said. Difference in community, we as panel will have to take responsibility for our decisions based on research and facts. The issue and what other communities have done, hopefully in a chart. Then we can discuss if it's good the way it is, like how someone else did it,

or whatever we decide.

*Mullins:* Issue on list important to me but not community... Blind Pass, low rating but still on the list. What was criteria? *Gooderham:* Level of interest, whether we could we take any substantial action. *Mintz:* Everything struck out has a reason listed, doesn't mean we can't revisit it but it limited the research Max and Ken will do over the summer. If rationale is incorrect and panel wants to revisit it in the fall, that's perfectly appropriate *Walter:* Trying to have fall discussion now. This is just to get us more information. It's like we've never been to the meetings that led up to this. Discussion. *Gooderham:* You and the community will need more information to have a substantive discussion... mangroves, what are state federal and local rules? Without those, you don't have enough information to act. Not assuming action in any of these. In some of these once you see the facts you'll may see there is no action possible. *Miville:* Let minutes reflect that some of these items may not go very far, but being looked for the sake of community information and consensus. We want everyone to be heard. Virtual flat gable roofs... *Mullins:* Sure we'll talk about this in the fall. Want to move on. Restate the motion. Vote was 7-1, Lanigan opposed. *Mullins:* For those in public and who represent commercial interests, there are things on the list, we need your input in the fall to help us solve these issues, winnow out ones that we can act on. Discussion. Straws, huge issue up north, damage to sealife and other things, not just litter on the beach.

**Iguanas:** *Gooderham:* Recap, followed up with Damon Grant as panel requested to see who in the county to contact and if they would take any action. His suggestion was to contact the MSTBU, Manning's office gave the same response. So there's no one at county who takes this on for direct action. If you want to tackle them, form a taxing unit and move forward. I would do that as a final resort, a lot more complicated. If it's a small issue, try to deal with it on the smaller level first. Taxing units take a year to do and will have costs that will make it more expensive. We know about trappers. Decide how big is the problem and what is the appropriate community response. *Jensen:* How to pay for it? *Gooderham:* Have people come together to decide how to pay for it, Individual action is not effective. If this is a widespread problem, we need to pursue a taxing unit (process is described). *Jensen:* Ask Sanibel about its program. *Gooderham:* They do it through the city. *Mullins:* Add to research list to bring back more information. Look at dune vegetation impacts. *Jensen:* Will talk with trapper to see if he has a plan. *Pyle:* How does Boca Grande handle it? *Gooderham:* Taxing unit. Effective but takes more time to do it. *Pyle:* Would like it if you could do something sooner. *Mullins:* Damon a resource for us on this issue as well.

**Funding:** *Gooderham:* Outline of request in packet, tried to get it caught up with the county FY budgeting process, have followed up with Commissioner Manning's staff but nothing on staff review (probably Community Development) of request yet. If included in budget, summer work would be a starting point, grant would cover workshops and code development starting Oct. 1. *Mullins:* When will you know? *Gooderham:* Early August at the latest if we're going to be in the budget. Discussion n how to proceed. *Mullins:* recap of his research on tax revenue generated by Captiva, \$1.4 billion in taxable property. Will take that number, apply millage to see what we generate for county – particularly Unincorporated MSTU, my guesstimate is \$1.5 million in the next budget. *Walter:* TDC, if it's enough of a problem to affect tourism. *Gooderham:* TDC is worried about precedent, that's how we lost water quality funding. We need to create an access point that only Captiva can meet. *Miville:* We can create a criteria and a metric that keeps it something that only Captiva can achieve.

**Development:** *Lanigan:* Solicitation letter, \$17,000 brought in so far. Lower than last year, but we have a

lot of events this season, \$55,000 raised this year overall.

**Communications:** *Lanigan:* Edits back to web developer, should be done hopefully by end of next week. Then ready to go live, will continue to make edits as we get feedback from community and panel members. *Gooderham:* Will TJ maintain the site? *Lanigan:* Hopefully can find someone in the community or you to keep it up. *Mullins:* Newsletter next? Social media? Looking for skills to volunteer.

**Wastewater:** *Gooderham:* Email update read as requested by Brown. Study has been delayed by staff review and fine-tuning, asked TKW to look at adding South Seas to study. Should be done by end of May, then reviewed by staff and commissioners, and then it will come back to Wastewater Committee for its review. *Mullins:* Not clear to him. *Gooderham:* This will push workshops into the fall. *Walter:* Let this play out a little longer before we push them to deliver a product.

**Captiva Drive:** *Mintz:* Trying to reach project manager from county, he must be on vacation. Once I hear back, can provide an update on next steps. *Mullins:* End of fiscal year may inundate staff in prep for budget.

*Lanigan:* Community workshops successful, disappointed that panel members were not allowed to speak on issues. Saw a strong anti-rental/renter bias at the last workshop. If rentals are as high as people have said, then a majority of owners were not represented at that workshop. I found Captiva due to a rental ad, strong rental community on island is important, strong rental agencies also important. Not fan of negative comments made about rental industry at workshops. Missing silent majority who'd say renting is a good thing, bad behavior is a bad thing and should be acted on. *Miville:* Renting has brought many families to Captiva. Two issues: Village issues as to rentals are not the same as on Gold Coast. Issues being brought up are more prevalent in Village, not island-wide issues; must address it that way. Discussion of behaviors, people come to Captiva to enjoy the tranquility. Issues representing a vocal minority. This is not new behavior overall, bad renter activity is not a new activity. Find a common ground. *Pyle:* Identified an issue that needs more fleshing out. Lot of rental issues on list, we need to know how to proceed. *Gooderham:* Help the panel top its options, given state law and other restrictions put on rental regulations. Look at issues raised to see if there is any action possible. Can't restrict rental terms, but there is a lot of other information we could bring to the panel and community for awareness and discussion. Many laws put in place 10 years now you could not pass. Also identifying the problem... not rentals are bad but what can be done about the interaction between renters and neighbors, can you ask for better behavior.

*Mullins:* Recap. Issues that need to be kicked around further. Panel is based on working toward a community discussion on these issues rather than a few people making policy downtown. Great to have a public forum, have discussion and do research supported by the community. We will work this out, it may not be perfect but the community has a chance to participate and be engaged. Good to see new faces at meetings. *Rathbone:* Vehicles we used did not reach absentee owners or renters, not communicating to them effectively, need them inside the tent. *Miville:* Have access to those who manage the rentals, pick up the phone and call the agents who control the rentals. It's to the agents' benefit to know what's happening. *Mullins:* How do we get more people to participate, whatever we can do to improve that outreach and inform the discussion to get things right, it's a challenge and everyone needs to participate.

**Financials:** *Rathbone:* Good funding, \$119,000 in the bank with no plans for uses. Should look at an interest-bearing account. *Mullins:* Credit to development team for work they've done.

**Comments:** *Sandy Stilwell:* Sunshine Seafood Cafe is now open. *Miville:* Dune vegetation protection is No. 1. *George Kohlbrenner:* Need mikes and speakers for meeting, very hard to hear in this room. Look at better system to dial in.

The meeting adjourned at 11 a.m.

-- ***Ken Gooderham. administrator***

DRAFT