



Captiva Erosion Prevention District

Regular Board Meeting

Monday, April 12, 2021

Location: 'Tween Waters Inn, Ding Darling Room

15951 Captiva Drive, Captiva, Florida 33924

Public Attendance via Zoom webinar

1. Call to Order
  - A. Chairman René Miville called to order the regular monthly meeting of the Captiva Erosion Prevention District (CEPD) at approximately 1:00 pm on April 12, 2021.
  
2. Roll Call
  - A. Chairman Miville asked if there were any Commissioners requesting to appear remotely. Commissioner Michael Mullins requested to appear remotely. Vice Chairman Silvia motioned to allow Commissioners to appear remotely. Secretary Kaiser seconded the motion. A vote was not held. CEPD Attorney Ralf Brookes stated that a Commissioner may appear remotely if approved by the local governing body in certain circumstances. Three Commissioners are required to be physically present for a quorum to be met. Discussion was held.
  - B. Chairman Miville asked if there were any changes to the agenda. Commissioner Mullins stated that he would like to address previous meeting minutes during the meeting. Vice Chairman Silvia motioned to add the topic to the meeting agenda. Commissioner Mullins seconded the motion. A vote was held and the motion passed unanimously.
    - The following persons were in attendance:
      - CEPD Commissioners:
        - Seat 1, Harry Kaiser, Secretary
        - Seat 2, René Miville, Chairman
        - Seat 3, Michael Mullins, Commissioner (appearing remotely)
        - Seat 4, John Silvia, Vice Chairman
        - Seat 5, Richard Pyle, Treasurer

- CEPD Staff:
  - John Riegert, Administrative Director
  - Jennifer Nelson, Executive Director
- CEPD Attorney: Ralf Brookes (appearing remotely)

### 3. Approval of Minutes

- Secretary Kaiser moved to approve the minutes of the February 19<sup>th</sup> Special Meeting and the March 8<sup>th</sup> meeting minutes. Vice Chairman Silvia seconded the motion
- Discussion was held regarding the February meeting minutes.
  - Ms. Nelson stated that Commissioner Mullins sent an email the previous evening regarding the minutes from February, which reflected a commitment to decide on the apportionment model at the March meeting. Ms. Nelson's recollection and notes indicate that the CEPD has a reasonable amount of time after project completion to decide on the apportionment model. Ms. Nelson clarified that the reason the Board did not vote on the model in the March meeting is because on February 26<sup>th</sup> Commissioner Mullins and CEPD Contractor Robert (Bob) Gray met and that following this meeting Mr. Gray requested from the CEPD Administration a third apportionment model. As a result of the request, the vote was not held in March 2021.
  - Discussion was held regarding the expressed intent to host a public Town Hall to show members of the public the plan for the project. The goal was to do so when the bids were received. Ms. Nelson stated it was her understanding based on notes from a different meeting with Commissioner Mullins that there would be a combined Town Hall to present the plan for the project in addition to the three potential Apportionment Models.
  - It was stated that the meeting minutes from February may need to be revised. Chairman Miville stated that this would be addressed at a later point. Commissioner Mullins objected, stating that action items are not being identified consistently in the meeting minutes and that there was no mention of the topic in the March meeting.

#### A. February 19<sup>th</sup>, 2021 Special Board Meeting

- A vote was held and the motion passed.
  - In Favor: Commissioner Mullins, Treasurer Pyle, Chairman Miville, Vice Chairman Silvia, Secretary Kaiser
  - Opposed: Commissioner Mullins

#### B. March 8<sup>th</sup>, 2021 Board Meeting

- Vice Chairman Silvia motioned to dispense of the reading of the March 8<sup>th</sup> 2021 meeting minutes and approve them as written. Secretary Kaiser seconded the motion. Discussion was invited. A vote was held and the motion passed.
  - In Favor: Treasurer Pyle, Chairman Miville, Vice Chairman Silvia, Secretary Kaiser
  - Opposed: Commissioner Mullins

### 4. Public Comments – Limit 3 minutes per person

- Public comment was invited.
- No members of the public provided comment.

## 5. Financial Reports

### A. Budget Performance

- Treasurer Pyle led discussion regarding the budget performance as of March 31<sup>st</sup>. Finances appear to be in very good shape. The General Fund shows \$550,000 income, including money from transfers and parking lot revenue. Treasurer Pyle stated that the March revenues were nearly \$100,000. The Capital Fund Year to Date shows an income of approximately \$500,000. The balance sheet shows General Fund total assets of \$824,000 and Capital Fund total assets of \$4.4M.
- Commissioner Mullins referred to a question from the public regarding the finances of the CEPD. They will be referred to the upcoming workshop regarding this topic.

### B. Parking Lot

- Monthly Sales Revenue
  - 2020 total parking meter revenue was \$558,261.35. Year to Date 2021 revenue is \$202,156.00

## 6. Old Business

### A. Captiva Community Panel Sea Level Rise Committee Proposal

- Chairman Miville led discussion regarding the importance of the work that has been done so far by the community panel and through conversations with SCCF there was a consensus that the work would be useful to all parties involved.
- Treasurer Pyle motioned to approve \$10,000 in funding to the Captiva Community Panel for the work of Dr. Cheryl Hapke. Commissioner Mullins seconded the motion. Discussion was invited. A vote was held and the motion passed unanimously.
  - In Favor: Commissioner Mullins, Treasurer Pyle, Secretary Kaiser, Vice Chairman Silvia, Chairman Miville

## 7. New Business

### A. Portable Bathroom Maintenance

- Executive Director Nelson led discussion regarding recent service provided to the Alison Hagerup Beach Park portable bathrooms. The need for daily sanitation service was established by consistent customer complaints of the condition of restrooms. Three service bids were reviewed. United Site Solutions quoted \$2,022.12 for monthly service and Blu Site Solutions quoted \$3,335.87 for monthly service. Though these two bids came back low, they were provided with the caveat that they would not guarantee daily service due to lack of man power. The current provider, Premier Portables, has guaranteed that they will have the staff to perform the duties as required and provided a dedicated driver for a route to Captiva and the cost is \$7,299.99 per month.
- Vice Chairman Silvia motioned to ratify the selection of Premier Portables as the Portable Bathroom service for the Alison Hagerup Beach Park and that service will

be cut back on slow months. Secretary Kaiser seconded the motion. Discussion was invited. A vote was held and the motion passed unanimously

- In Favor: Vice Chairman Silvia, Secretary Kaiser, Treasurer Pyle, Commissioner Mullins, Chairman Miville

#### B. Proposed Changes to Rules of Procedure

- Rule 4.05 – Commissioners Interaction with Staff
  - Executive Director Nelson led discussion regarding interaction with staff. The intent is to create a procedure where the Executive Director will be included on all requests of the office to maintain accountability.
  - Treasurer Pyle motioned to approve Resolution 2021-08. Vice Chairman Seconded the motion. Discussion was invited. A vote was held and the motion passed unanimously
    - In Favor: Vice Chairman Sivilia, Secretary Kaiser, Treasurer Pyle, Commissioner Mullins, Chairman Miville
- Change from 1967 to the most updated version of Robert’s Rules of Order
  - Vice Chairman Silvia motioned to accept Resolution 2021-09 with the change that the 2020 government edition of Robert’s Rules of Order will be used. Commissioner Mullins seconded the motion. Discussion was invited. A vote was held and the motion passed unanimously
    - In Favor: Vice Chairman Silvia, Secretary Kaiser, Treasurer Pyle, Commissioner Mullins, Chairman Miville

#### 8. Administrative Report

- Executive Director Nelson led the Administrative Report. Chairman Miville raised a discussion about the banking options that CEPD uses. Executive Director Nelson agreed that the district should investigate more technologically capable banks for ease of use during digital transactions.
- Commissioner Mullins inquired about the ability of the district to cycle unspent funds from a capital project into reserve for future projects. Administrative Director Riegert read Rule 2.04 from CEPD Rules of Procedure related to a Project Reserve Fund.

#### B. Parking Lot Upgrade Issues

- Technical Policy Director Munt led discussion on the Parking Lot issues
- Easement Insufficiency
  - The insufficiency regarding the easement is related to who owns the property. Without an Affidavit of Authorization, CEPD will not be able to perform development of any kind on the lot. The current easement only outlines ingress/egress and the collection of revenue from the lot. Commissioner Mullins made a motion to appoint Chairman Miville to head up all efforts on the Alison Hagerup Beach Park Parking Lot Improvements. Chairman Miville seconded the motion. Discussion was invited. A vote was held and the motion passed unanimously.
    - In Favor: Vice Chairman Silvia, Secretary Kaiser, Treasurer Pyle, Commissioner Mullins, Chairman Silvia

- Gate Installation
  - The installation of a gate at the parking lot would require the same sort of Affidavit of Authorization as any other development in the lot would require. Stacking and a location for vehicles to turn around would also need to be provided as requirements for an installation of a gate.

#### C. Project Update

- Technical Policy Director Munt led a presentation on the apportionment and status of the project. The apportionment and special assessments processes were presented to the board as found in the Enabling Legislation. The pre-bid conference has been held and the CEPD office is currently waiting for the bids to be delivered by qualified contractors.
- Commissioner Mullins inquired about when a timeline for the community will be set to figure out a tentative apportionment model. Discussion was held. Commissioner Mullins made a motion to hold the Tentative Apportionment Hearing in November 2021. Chairman Miville seconded the motion. Discussion was invited. A vote was held, and the motion passed unanimously.
  - In Favor: Vice Chairman Silvia, Secretary Kaiser, Treasurer Pyle, Commissioner Mullins, Chairman Miville

#### D. Strategic Planning

- Executive Director Nelson addressed the need for the board and administration to begin designing a strategic plan and vision for the district to be acted upon after the current beach project is completed.

#### E. Storage Unit

- Administrative Director Riegert updated the board that many assets for the district were held in former Commissioners names. Efforts are being made by the office to fix instances where the district is not named as the owner of an asset.

#### F. AV Equipment

- Executive Director Nelson has investigated purchasing Audio/Visual equipment for the board to improve its audio quality issues with the virtual meetings. Treasurer Pyle's concern with the purchase was that pre-covid, the district had no need for this type of equipment. With the addition of virtual access for the public, this need has grown. Treasurer Pyle made a motion to approve the purchase of the AV Equipment. Commissioner Mullins seconded the motion. Discussion was invited. The motion was approved unanimously.
  - In Favor: Vice Chairman Silvia, Secretary Kaiser, Treasurer Pyle, Commissioner Mullins, Chairman Miville

#### 9. Commissioners' Comments

- Commissioner Mullins reiterated the need for Action Items to be added on to the minutes, to be followed up on at the next month's board meeting.

#### 10. Adjournment

- Vice Chairman Silvia made a motion to adjourn the meeting. Secretary Kaiser seconded the motion. The meeting was adjourned.

Action Items:

Silvia – Baseline Data for Sea Level Rise on Captiva

Mullins – Contracts to be compiled

Miville – Banking for the district to be researched

Mullins – Hold Apportionment workshop on 4/29

Mullins – Review Comprehensive Beach Plan and Emergency Plan