

Minutes

**Regular Meeting of the
Captiva Erosion Prevention District**
Tween Waters Inn, Wakefield Room
15951 Captiva Drive, Captiva, Florida 33924
January 12, 2011 @ Noon

Commissioners Present: Mike Mullins (Chairman); Dave Jensen (Treasurer); Harry Kaiser (Secretary); Doris Holzheimer (Vice Chair); Rene Miville (Commissioner).

Consultants Present: Kathleen Rooker (CEPD Senior Administrative Consultant); John Bralove (CEPD Administrative Consultant).

I. Call to Order

The meeting was called to order by Commissioner Mullins at 12:03 p.m.

II. Roll Call

The roll was called and the results are outlined above.

III. Approval of November Minutes

Mr. Kaiser moved and Mr. Jensen seconded a motion to dispense with the reading of the minutes from the November 12, 2010 meeting and approve them. The motion was passed without dissent.

IV. Public to be Heard

There were no comments.

Mr. Mullins moved to Agenda Item VI.b.

VII.b. Blind Pass Status and Blind Pass Management Strategy

Mr. Mullins reported on the television report on Blind Pass yesterday from Fox 4 News and upcoming coverage today from NBC. He then talked about the history of Blind Pass and shoaling there. Discussion ensued among all the commissioners and members of the public, who were invited to participate. Some of the comments:

- CEPD signed an interlocal agreement that makes Lee County the manager of the Blind Pass project. (Ms. Holzheimer)
- The County needs to agree there is a problem before anything can be done. (Mr. Mullins)
- CEPD needs to take a 2-prong approach: ratchet up the pressure and work on a plan. (Mr. Mullins)
- CEPD should work with the various agencies to shorten the process so that action to remedy the infilling of Blind Pass can move forward quickly. (Mr. Miville)

- CEPD needs to identify what success is. Beyond the plan, what do we want to happen? (Ms. Holzheimer)
- The Board should pick a monthly amount to pay CP & E and get them working on Blind Pass. (Mr. Mullins)
- Nothing we do will be embraced by the County and Sanibel unless there is a public outcry. (Mr. Mullins)

Ms. Holzheimer moved and Mr. Kaiser seconded a motion to engage Steve Keehn of CP & E, to include a briefing meeting, to create a plan by a particular date both for opening and maintaining Blind Pass. Mr. Mullins commented that CEPD is authorized to spend up to \$10,000 and at the briefing meeting with Mr. Keehn, the deadline for the creation of the plans could be determined. Ms. Rooker suggested that CEPD needs to get Scopes of Work from him, one for opening and one for maintaining, with some idea of cost. The motion passed 3-0.

Mr. Mullins said that CEPD needs to get more people and organizations involved in Blind Pass like Sanibel Bayous is involved. He asked Ms. Rooker to approach other organizations such as SCCF, the Fishing Club, CCA, CCP, the Captiva Yacht Club, for example, to “rattle some cages.” Members of the public made suggestions, including sending information to individuals so they can write letters. Ms. Holzheimer suggested that CEPD do this through Beach Briefs, the Newsletter, newspaper articles, and information on the CEPD website. The consensus was that this needs to be done within the month.

Mr. Mullins asked that because CEPD has a series of things it needs to do regarding getting more people involved, Ms. Rooker develop an action plan, set a Briefing Meeting no later than next week, that he and Ms. Rooker meet before then to go over some of the steps CEPD should take, and that the Commissioners approve the letter Ms. Rooker has drafted to Mr. Boutelle and Mr. Neal. The letter was approved and suggestions made as to whom copies should be sent

Ms Holzheimer remarked that the status report CEPD receives on Blind Pass was not acceptable. Ms. Rooker mentioned that there was a way to remedy that through Nan Gonzales and she would invoke that remedy.

V. Financial Report

Mr. Jensen presented his financial report including information on parking lot revenue, ad valorem taxes collected, cash and investment balances in both the general and capital accounts, and that the audit should be completed and the final report issued in early February.

Mr. Mullins mentioned plans to refurbish the parking lot including adding picnic tables (also discussed in Agenda Item VIII.e.), the possible purchase of the Boyle property (also discussed in Agenda Item VII.c.), and exploring ways to expand parking as part of adding value to the community by reducing the parking congestion on Andy Rosse Lane. Ms. Rooker pointed out the summary report on Uncollected Specials Assessment Balances that the Commissioners had asked for at the last Board meeting (also discussed in Agenda Item VI.d.).

Mr. Mullins then turned the Commissioners' attention to Agenda Item VIII.c. He asked the Board to consider paying down the current loan by \$750,000 since the interest rate being earned on the funds is considerably less than the interest rate to borrow the money (3.6%). He also talked about the need to establish a credit line.

After discussion of this issue, primarily involving the amount to pay down, Mr. Jensen moved and Ms. Holzheimer seconded a motion to pay down the current loan by up to \$750,000, the actual amount to be determined at a later date. The motion passed without dissent

VI. Report of the Senior Administrative Consultant

a) Congratulations to Commissioners Kaiser and Mullins

Ms. Rooker offered congratulations to Ms. Kaiser and Ms. Mullins on their new terms that officially began January 7, 2011.

b) Blind Pass Status – see earlier discussion above.

c) Karen Hawes Meeting

Ms. Rooker summarized her report contained in the agenda materials of this meeting. She emphasized that she will follow-up to make sure that agreements reached in this meeting are met.

d) Balance of Outstanding Assessments

Ms. Rooker went over the data with the Commissioners.

e) Audit Update

Ms. Rooker reported that CEPD had received a draft of the audit from Stroemer & Co. and listed the next steps. She estimated that the final report would be available in early February.

f) Strategic Planning Meeting Date

Ms. Rooker asked for feedback from Commissioners on whether January 31 was a good date for this meeting. Mr. Jensen suggested the Bob Gray draft such a plan and send to the Commissioners for their comments. Then those who are available to meet on the 31st can do so. Mr. Mullins amended the idea by suggesting that after Mr. Gray submits a draft, Mr. Gray, Mr. Mullins, Ms. Holzheimer, and Ms. Rooker prior to January 31 to winnow down the list. January 31 was set as a tentative date for this meeting.

g) Lee County Legislative Delegation

Ms. Rooker reported on her attendance at this meeting. She made a presentation to the group using the information she had previously shared with the Board. She mentioned that 3 representatives from CEPD's local area have key responsibilities in state legislature committees and CEPD should visit with them.

VII. Old Business

a) 2011 Newsletter Topics and Schedule

Commissioners suggested additional topics for the Newsletter. There was discussion regarding the number of Newsletters CEPD should publish and how much redundancy there was between the Newsletter Mailing List and the ConstantContact email list. Mr. Jensen moved and Mr. Kaiser seconded a motion to reduce the number of Newsletters to twice a year with the option of doing a third. Ms. Holzheimer expressed concern about giving up one newsletter before a consolidated contact database was developed that would eliminate duplication and overlap. The motion passed 3-1.

The schedule for the Winter Newsletter was discussed and agreed upon. Mr. Mullins asked that staff follow-up with the Commissioners to discuss their involvement in providing content. Additional suggestions included: A “Did You Know” or “Beach Clips” section, information on new government officials, and who to contact if constituents want to write their legislators.

b) Policy for Beach Activities

Mr. Mullins mentioned that he had not received from Barbara Manzo of Lee County Parks and Recreation some information he had requested. He asked Ms. Rooker about how other jurisdictions operate. Ms. Holzheimer asked why CEPD was involved in this since it was the jurisdiction of Lee County Parks and Recreation. No action was taken.

c) Boyle Analysis

Ms. Rooker went through the information she provided in the agenda materials and Commissioners asked questions. Mr. Boyle was in the audience and responded to questions. Mr. Jensen asked that staff develop a rough estimate of the number of additional parking spaces that could be reasonably accommodated on the property. No action was taken.

d) Commissioner Questionnaire Results

Mr. Holzheimer reviewed the results of the questionnaire she had compiled regarding Commissioners input into the referendum campaign plans and what worked. All Commissioners had responded. The public was also asked for their comments. One comment was that CEPD should provide information on when and how liens are levied against homeowners' property.

e) D & O Update

Mr. Kaiser provided information about the review of the D & O Policy that he had requested from an insurance expert he knew. His expert said that CEPD had a good policy from a reputable company at good rates that were less than what he could get in the north. Mr. Kaiser also said that the expert thought \$5 million in coverage was adequate and that if there were a suit, CEPD should use the insurance company provided attorneys since they were likely to be more expert than a firm that CEPD might employ. Mr. Kaiser said that if there were other questions, he would be glad to submit them to his expert. Mr. Mullins said that he and Ms. Rooker would formulate additional questions and give them to Mr. Kaiser.

VIII. New Business

a) CP&E Proposal and Scope of Work

Ms. Rooker went over the information presented by CP & E on pages 35 through 43b in the agenda materials. Mr. Mullins asked what would be the consequences if CEPD were to postpone approval of this item. Ms. Rooker responded that CEPD would be out of compliance with the DEP monitoring requirement, which is supposed to begin in February, 2011. Mr. Mullins reminded the Commissioners of his concern that CEPD be in compliance with the competitive bidding requirements of Florida statutes. Comments involved making this part of the strategic plan. Mr. Jensen moved and Ms. Holzheimer seconded a motion to negotiate a contract with CP & E for the services outlined in their proposal, up to \$92,000. The motion passed without dissent.

b) Dune Planting Day

Commissioners approved the plan.

c) 5/3 Loan Payoff – see Financial Report

d) Course of Action to Obtain Loan/Bond

This agenda item was not discussed.

e) Improvements to Alison Hagerup Beach Park

Commissioners approved the plan for improvements as outlined in the agenda materials and authorized Ms. Rooker to seek TDC grants for this purpose. Mr. Mullins requested that CEPD communicate this information to those who are seeking to set up memorials.

f) TDC Grant Requests for FY 2011/2012

Ms. Rooker presented the timeline for seeking Beach and Shoreline Project Funding from the Lee County Tourist Development Council.

g) Beach Clean Up Policy

Discussion of this item included who is responsible for the actual clean-up. Ms. Rooker mentioned that a SOP is being developed by Mr. Gray to address this issue.

IX. Commissioners Comments

Ms. Holzheimer asked whether Commissioners found the articles she forwards to them useful. Commissioners and staff said yes. Staff will look into an application called “Delicious” to expedite the ability of Commissioners to share articles with other Commissioners.

Adjourn – The meeting was adjourned at 4:03.