

Minutes

Regular Meeting of the Captiva Erosion Prevention District

Tween Waters Inn, Ding Darling Room, 15951 Captiva Drive, Captiva, Florida 33924
Thursday, September 8, 2011 @ 3:00 p.m.

Commissioners Present: Mike Mullins (Chair); Dave Jensen (Treasurer); Harry Kaiser (Secretary); Jim Boyle (Commissioner)

Absent (excused): Doris Holzheimer (Vice Chair)

Staff Present: Kathleen Rooker, CEPD Administrative; John Bralove, CEPD Assistant to the Administrator

1. Call to Order

The meeting was called to order by Chairman Mullins at 3:01 p.m.

2. Roll Call

The roll was called and the results are outlined above

3. Approval of August Minutes

Mr. Kaiser moved and Mr. Boyle seconded a motion to dispense with the reading of the minutes from the August 10, 2011 Regular Meeting and approve them. The motion passed without dissent.

4. Public to be Heard

Chairman Mullins invited Sandy Stillwell of Stillwell Management to speak to the Commissioners. She spoke to the matter of renewing the CEPD office lease. She said that she would love to see CEPD continue to stay. Mr. Mullins said that Ms. Stillwell and Ms. Rooker should talk. Ms. Rooker invited the Commissioners to contact Ms. Rooker if they had any specific concerns about a new office lease. She will then sit down with Ms. Stillwell and come up with some ideas to bring back to the Commissioners.

Discussion ensued regarding the pros, cons and options. Mr. Boyle said that CEPD needed to keep a presence on Captiva; Mr. Kaiser agreed.

5. Financial Report

Mr. Jensen presented financial information. He reported that there was one more month left in the fiscal year. Regarding the General Fund, he projected that expenses would finish well under budget. He said that income was projected to be on target with taxes collected and estoppel fee payments slightly exceeding budgeted income.

Mr. Mullins asked questions about the Capital Fund. Commissioners determined that approximately \$174,000 will be added this year from the General Fund, which will result in almost \$500,000 being added to reserves since \$1 million was taken out to partially finance the last project.

6. Report of the Administrator

a) Final Budget Hearing September 22 @ 5:01PM

Ms. Rooker reminded the Commissioners of the importance of this Hearing.

b) October 13 Briefing Meeting and Parking Workshop

Ms. Rooker reminded the Commissioners of this Briefing Meeting, which will be held at the CEPD office. The purpose of this meeting is to talk about parking and to brainstorm about finding more parking to increase the revenue share from DEP. Mr. Mullins asked that buying a piece of land or a building be included in the discussion. Ms. Rooker asked that Commissioners think about this issue in advance, bring ideas, and share them at the meeting. The results would be the development of an action plan

c) Coastal Advisory Council – CEPD Representative

Ms. Rooker reported that Mr. Boyle is now officially CEPD's representative to this group. The next meeting is Monday, September 26.

d) Sanibel-Captiva Chamber of Commerce

Ms. Rooker reported that CEPD is now a member of the Chamber and referred to Page 16 that contained what the benefits of membership are. Mr. Jensen suggested that CEPD sponsor an "After Hours" session for the Chamber, a suggestion that was supported by all the Commissioners. Ms. Rooker mentioned that CEPD needs to prepare materials for the Chamber to display as well as take advantage of other features of membership.

7. Old Business

a) Name Change

As background, Mr. Mullins mentioned that he had suggested that CEPD's name be changed to the "Captiva Beach Preservation District." He reported that he talked to Senator Bennett, who told him that there was little risk in changing the name. However, it might cost between \$25,000 and \$40,000 to accomplish this, Mr. Mullins reported. In light of the cost, Mr. Mullins suggested that a "Doing Business As" (DBA) name might be a better solution.

b) Proforma Budget - General

Ms. Rooker said that this item allows the Board to look at the Budget one more time before the 5:01 p.m. Tentative Budget Hearing. They reviewed it and there were no changes.

c) Proforma Budget – Projects

A spreadsheet of the Capital Fund Budget was examined that compared the fiscal year 10/11 budget to the proposed fiscal year 11/12 budget. Ms. Rooker mentioned that some funds

budgeted last year were not spent. Commissioners asked additional questions to make sure that FY 13-14 project costs incurred in FY 11-12 were in the budget. Mention was made that paying off the current loan (see Agenda Item 8.a.) would have some impact on the budget that will have to be reflected in the Final Budget Hearing. Commissioners were reminded that the Capital Budget is not part of the TRIM filing.

Mr. Mullins commented as part of this agenda item that CEPD needs to “qualify” CP&E and other engineers and professional services contractors as required by Florida statute. He inquired as to what work had been done on developing qualifying procedures and was told that CEPD had modified Polk County’s procedures for CEPD use. He asked that it be reviewed and brought to a future Board meeting.

d) Lee County Response to CEPD Records Request and Project Closeout

Mr. Mullins provided some background on this agenda item. He stated that CEPD had satisfactorily reconciled accounts with the DEP, FEMA, and the Army Corps of Engineers. He explained that, Lee County was not counting the 2nd phase of the ACOE nourishment as part of the total project costs and that they were owed some money. He stated the CEPD has provided the County with additional documentation and has asked them to state their objections completely. Commissioners agreed that CEPD has met and exceeded the interlocal agreement terms and will stand firm in their position that it does not owe Lee County any money.

Ms. Rooker reported she is going to pick up the material on Friday that the County has prepared in response to the Public Records Request. She is taking a check to reimburse the County for their time and materials but will not give it to them if the materials are not what were requested.

e) Concessions

Ms. Rooker reported that this issue has come up again because of concerns raised by the Lee County Parks and Recreation that commercial businesses have once again spilled over beyond private property. Mr. Mullins suggested that a public workshop might be scheduled to consider this issue further. He also reminded the Commissioners that the County has offered CEPD the ability to establish concessions. He then appointed Mr. Boyle as point man for CEPD on this issue to work with Ms. Rooker

8. New Business

a) 5/3 Loan Payoff

The Commissioners agreed to pay off the current loan and authorized Ms. Rooker to do so.

b) Project Timeline

The discussion of this item was deferred until the next meeting. There may be a Briefing Meeting next Thursday for those Commissioners who are in town and not at the FSBPA meeting. Mr. Mullins requested that a decision point be added to the timeline for qualifying engineers and other professional services providers. He added that this project timeline is subordinate to the overall CEPD plan.

c) Project Design Width and Height

This item was put on the agenda at the request of Mr. Boyle. As background, Mr. Boyle explained that design for beach nourishment, which is on file in Tallahassee, specifies the width and height when nourishment is done. With the area in 30-year cycle of rising sea levels and corresponding erosion, he suggested that CEPD consider increasing the width and height of the FY 13-14 project. This might extend the time between nourishments, thus saving money since future projects might not need to be done as frequently. He said that doing so might require a design modification. Ms. Rooker suggested that Mr. Keehn of CP&E be consulted and that new modeling might be necessary. Mr. Mullins concurred about getting CP&E's professional opinion and that if increasing the width and height could not be done for this upcoming project, it be done for the next one.

Additional discussion involved Mr. Boyle's suggestion that permission be sought to take sand that is accumulating in Blind Pass and place it to the north, if additional work is done. This was something that was only briefly considered and rejected in the original Blind Pass project.

Mr. Jensen suggested that when Mr. Mullins and Ms. Rooker attend the FSBPA meeting next week, they look into and encourage regional projects as a way of saving money.

d) CP&E Hourly Services Contract

Ms. Rooker stated that the money that the Board had previously authorized, \$10,000, for CP&E to perform work outside of Scope of Work and other previously authorized contracts and expenditures had been used up. This purpose of this agenda item was to approve an additional \$10,000. She referred to Page 33 of the Agenda Materials which listed CP&E's hourly rates. Mr. Mullins requested that discussion of this item be deferred until the October meeting because of time constraints.

e) Travel Reimbursement

Mr. Mullins asked that a travel policy be created to address issues related to reimbursing commissioners for unanticipated travel expenses in emergency situations or when there are scheduling conflicts, especially in situations where a lack of a quorum may be the result. Mr. Boyle raised concern about the perception on the Island that paying Commissioners' expenses in certain situations might raise. Ms. Rooker was asked to talk to CEPD's attorney and state officials about this matter.

9. Commissioner Comments

Mr. Boyle asked what could be done to eliminate that large number of emails that had been archived under his current email address that were for someone else. Mr. Bralove will assist in removing them from the email address while making sure that they still remain as part of the public record.

Mr. Boyle asked what is done with the data that is captured from the credit card transactions at the parking lot. Does CEPD mine it, sell it, or compile data from it? Mr. Mullins said that CEPD should at least use it to determine where visitors come from and also use it to support Dr. Stronge's survey findings.

Adjourn – The meeting was adjourned at 5:09 p.m.