

Minutes

Briefing Meeting of the Captiva Erosion Prevention District

11513 Andy Rosse Lane, Unit 4, Captiva, Florida 33924

February 21, 2013 @ 1:00 PM

Commissioners Present: Jim Boyle (Chair); Doris Holzheimer (Vice Chair); Dave Jensen (Treasurer)

Absent: Mike Mullins (Commissioner); Harry Kaiser (Secretary)

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

1. Call to Order

Chairman Boyle called the meeting to order at 1:00 P. M.

2. Roll Call

The roll was called and the results are outlined above.

3. Renourishment Project

Chairman Boyle first presented information on the "Sequencing" scenario. He said last Friday afternoon in Jacksonville there was a meeting among Ms. Rooker and himself, the head of the Florida Department of Environmental Protection (who began the meeting to emphasize the importance of joint cooperation), representatives of CP&E, Longboat Key, Collier County, and dredging firms. He reported there was standing room only, it was a good meeting, and there were lots of questions from the dredgers. One of the issues that came up from the dredgers was that one community, Collier County, did not provide plans and specifications to the dredgers. The representative from Collier County, Mr. Boyle reported, said his Board of County Commissioners had not yet approved the project but he expected a green light at their next meeting on February 26. The dredgers said given these circumstances, the opening of bids should be delayed from March 20 to April 3 and this was agreed to. Mr. Boyle also said the dredgers confirmed that even with this two weeks' delay, they could do Longboat Key in June, followed by CEPD's project in July and August, and Collier County starting after November 1.

Regarding Army Corps funding, Mr. Boyle reported that last Friday morning in Jacksonville, Ms. Rooker and he had met with Jackie Keiser and Laurel Reichold of the Corps. He said the PIR had been approved at all Corps levels from a technical perspective and funding approval now rests in Washington. Preliminary work by the Corps outlined two alternatives. #1 consists of placement of sand volume only of approximately 165,000 cubic yards under the Flood Control Coastal Emergency (FCCE) provisions and was strictly for sand lost from Hurricane Debby. The cost is approximately \$5.3 million, all of which would be paid by the federal government. He said funds are available from \$197 million still remaining from federal legislation passed in December 2011.

Mr. Boyle said he thought there was a 90% probability of CEPD receiving this money. He explained that there are 3 priority categories for this funding: #1 is for extremely critical emergencies and there are no situations in this category; #2 is for threats to safety and life, in which CEPD is placed because Captiva Drive is the only egress off the island and the only road for emergency vehicle access; and #3 is everything else. He said CEPD is the only project in Category #2 in the southern Atlantic region and is first in line.

Alternative #2 consists of placement of the FCCE sand volume together with a full construction project for the entire Island of Captiva not including Sanibel. In this alternative, the federal share of the project would be approximately \$7.8 million. It would use approximately \$2.5 million of supplemental funding in addition to the \$5.3 million from Alternative #1. Mr. Boyle estimated the probability of this alternative happening at 60%.

Mr. Boyle continued by saying that at the meeting he asked Ms. Keiser what was standing in the way of moving forward with the project. She said there were three things; 1) funding; 2) their NEPA requirements are requiring a more current survey of CEPD's sand borrow areas; and 3) the legal department in Jacksonville is questioning whether CEPD has all the necessary easements. CEPD has put the ACOE Jacksonville's legal department in touch with Nancy Stroud, who has dug out the old files of all the easements established in 1988 and 1989, and will answer whatever the easement questions are.

Mr. Boyle said he then asked Ms. Keiser when she was expecting to hear on the final funding decision. She responded she thought sometime in March. Mr. Boyle asked, assuming March 15, how would this flow from her point of view. Ms. Keiser said if she got word on March 15, she would send out the bid announcement on March 16 and has to wait 30 days. She would open the bids April 16, and since it is emergency funding, she does not have to wait more than two weeks to award the contract, which would be about May 1. Mr. Boyle said if this were to happen, the project could start as early as mid-July.

There was discussion of how CEPD would fund the project if the above scenario were to take place since the Army Corps requires the money up front if they manage the project. Mr. Jensen asked some questions related to the Corps' role in the sequencing scenario. It was explained that the Corps has no role if this scenario were to take place. Indeed, Mr. Boyle explained, the Corps was offered the opportunity to participate, in effect taking CEPD's role in the sequence, and Mr. Boyle reported that Ms. Keiser said absolutely not.

Mr. Boyle went on to say that there was another possibility, which would be to contract with the Corps for the remainder of the total project after they completed the emergency project as outlined in Alternative #1. Various costs were estimated and discussed, including what the ultimate costs to Captiva taxpayers might be. Mr. Boyle said with so many alternatives and possibilities, the range for the local share is still difficult to calculate, especially since the total project costs are still just estimates.

Mr. Boyle concluded this part of the agenda by explaining CEPD is still working on all of this and he and Ms. Rooker will be traveling to Washington next week to meet with the Corps, CEPD's congressional people, along with CEPD's lobbyist.

4. Borrow Area Survey

Chairman Boyle began the discussion of this Agenda Item by saying Board action is required today to authorize a survey of the sand borrow area as required by the ACOE in order to keep things moving. This is needed, he explained, before the ACOE can go out for bids. CP&E has verbally estimated this work will cost between \$25,000 and \$30,000. Ms. Holzheimer brought up the issue that Board action is not allowed at Briefing Meetings. Mr. Boyle explained that he had consulted Nancy Stroud and she said that action can be taken at these meetings as long as a quorum is present. He showed the email from Ms. Stroud that explained this.

Mr. Jensen asked what the consequences were if action were delayed until the next regular Board meeting. Mr. Boyle responded that everything would be delayed by the amount of the delay. Mr. Jensen asked staff to determine whether there was a more recent survey of the borrow areas and Mr. Boyle said this would be done. He then asked Ms. Rooker to read Resolution 2013-1 approving the expenditure of up to \$30,000 for the survey of the Captiva Island sand borrow area. Ms. Rooker read the Resolution in full. Mr. Jensen moved its adoption and the motion was seconded by Ms. Holzheimer. All three Commissioners present voted for the motion and it passed.

Adjourn

There being no other business, Chairman Boyle adjourned the meeting at 1:38 P. M.