

Minutes

Regular Meeting of the Captiva Erosion Prevention District

Tween Waters Inn, 15951 Captiva Drive, Captiva, Florida 33924

December 11, 2013 @1:00 PM

Commissioners Present: Jim Boyle, Chairman; Doris Holzheimer, Vice Chair; Harry Kaiser, Secretary; Dave Jensen, Treasurer; Mike Mullins, Commissioner.

Staff Present: Kathleen Rooker, CEPD Administrator; John Bralove, CEPD Assistant to the Administrator; Hans Wilson, Hans Wilson and Associates

Stroemer & Co. Staff Present: Jack Alexander

CP&E Staff Present: Nicole Sharp, Julien Devisse

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. Approval of Meeting Minutes

Commissioner Kaiser moved and Commissioner Holzheimer seconded a motion to dispense with the reading and approve the minutes as written from the November 13, 2013 Regular Board Meeting. Commissioner Jensen asked what the amount of money was that was referenced in the minutes under the Acceptance of the Tourist Development Council Grant for Hagerup Beach. Ms. Rooker said it was between \$21,000 and \$22,000. Commissioner Mullins said the minutes should have reflected his response to Nathalie Pyle's compliments in the Public to be Heard section of the minutes on the speed and efficiency of the project. He said he followed Ms. Pyle's comments that "the jury was still out" since the project was just half way done. Commissioner Mullins added he did not care whether the minutes were changed, but wanted to go on record that "it was not smart to declare victory before we're done." Chairman Boyle called for a vote and the motions to approve the minutes as written passed.

4. Public to be Heard

There were no comments from the public.

5. Financial Report

Treasurer Jensen presented the financial report. Referring to Page 7 of the Agenda Materials, he said the Ad Valorem tax collection was behind budget. Commissioner Mullins asked whether running behind budget at this point in time is typical. Ms. Rooker responded that the amount collected so far really represents just one month and Mr. Alexander said CEPD has just received a large payment in November that was not reflected in these statements. Treasurer Jensen said

people typically pay in November. Chairman Boyle said some pay in December to get it in this year's tax return.

Commissioner Mullins commented he thought it was confusing how the statements show operating reserves budgeted: they are not adjusted month by month. Chairman Boyle said CEPD is budgeting reserves. Ms. Rooker said operating reserves are usually transferred at the end of the year and asked Mr. Alexander to comment. Mr. Alexander confirmed they are usually transferred at the end of the year. The consensus of the Board was that they should be adjusted each month.

6. Old Business

a) Renourishment Project Update -Nicole Sharp, Coastal Planning & Engineering

Ms. Sharp updated Commissioners on the project. She said delays were due to the booster pump repairs which had put it out of operation from November 21 to December 1. Fill should be completed on Captiva by Sunday. 684,000 cubic yards had been put down representing 93% of the specified volume. About 1,300 linear feet remained to be done. After completion of Captiva, dismantling will start at the elbow and go south; demobilization will take place at Turner Beach. Dismantling should take about 5 days and then a week to remobilize on Sanibel. About 40 to 45 trucks would be used to remove the pipe. Fill should start on Sanibel on December 22 or 23 and be completed on December 30.

Commissioner Mullins recommended that in future projects it should be a requirement to do the nourishment in 1,000 feet increments. Chairman Boyle commented this was the first time where a single sub line was used on a Captiva project. Ms. Sharp said CEPD's project is not the only one Great Lakes is doing like this. She said it appears to be a strategic move by GLDD to have sub line spread over many projects rather than having one project having multiple sub lines. She said sub line is very expensive and in short supply due to Hurricane Sandy work. She agreed that multiple submerged pipelines would mean less time spent in front of any given area, the pump out times would be faster because of the shore pipe would not be as long, and the project might be completed more quickly. But it also may explain why bids received by other adjacent jurisdictions were so high. She added in light of the other bids, the Great Lakes bid was the best opportunity for CEPD for the money.

Chairman Boyle said beach tilling will start early next week. Commissioner Kaiser said he thought Sanibel is losing sand because they had no jetty on their side of Blind Pass. Commissioner Mullins commented that the Sanibel Plan does not allow hard structures on the beach. Commissioner Boyle said a jetty on the Sanibel side was up to Sanibel. James Evans of the City of Sanibel, who was in the audience, commented that with the Lee County/Sanibel/CEPD ILA's soon to expire, all parties should sit down to discuss this and other issues before 2015.

b) State and Federal Permit Development Update-Nicole Sharp, Coastal Planning & Engineering

Ms. Sharp reported CP&E was coordinating with DEP about new conditions. DEP has provided some guidance on which policies are in effect now and what may be in effect in the future. There will be a pre-application meeting in Tallahassee in mid-January. CP&E is pursuing designs, preparing schedules, checking sea turtle monitoring requirements, compiling data, etc. Among other things, Ms. Sharp said the permit application proposes an

upland (land based) source of sand for small emergency patch projects. Commissioner Kaiser asked about the use of the same borrow area for a new project and was told there would be about 4 million cubic yards remaining after this project. Commissioner Mullins asked about other jurisdictions using CEPD's sand source. Ms. Sharp said she was not aware of anyone else using the same sand source.

Chairman Boyle asked Commissioner Mullins if he had anything else to add to the permit discussion since he had started to say something earlier regarding sea turtles. Commissioner Mullins referred to the possible violation of posts constructed at his neighbor's house which might interfere with sea turtle nesting. Ms. Rooker said there were permits for the pool, gazebo, and spa but was unable to find a permit for the boardwalk. She said she reported this to Lee County Code Enforcement and they were supposed to be at the site yesterday. She also said she found there was a DEP field permit for the boardwalk. After taking pictures showing that the construction might violate the ECL, she sent the pictures to Jennie Cowart at DEP. Ms. Cowart was scheduled to visit the site.

Commissioner Kaiser returned the discussion to the permit. He asked about stockpiling sand for the next project. Ms. Sharp said there was a sand retention area currently permitted. Putting sand in it would allow a smaller and cheaper dredge to come in, thus providing CEPD some flexibility. Commissioner Mullins asked whether sea level rise was being accounted for and was told that it is part of the new design. Ms. Sharp also said a continuous project for Sanibel and Captiva without the gap at R-115/R-116 (in and around Clam Bayou) was also in the design. Commissioner Mullins asked about whether the ACOE's non-involvement meant the current project might have less than an 8-year life. Ms. Sharp responded that when the ACOE dropped out, adjustments were able to be made for an 8-year design life. Commissioner Jensen asked about hot spots other than at the Village and was told there were ones at Sunset Beach, Hagerup Beach, and Blind Pass.

Ms. Sharp reported planting of the dunes would start in January. Commissioner Mullins asked whether early planting would affect the survival of the plants. He was told that the contractor would be irrigating the plants and there was a survival guarantee.

7. New Business

There was no New Business.

8. Administrator Report

a) FEMA Update

Ms. Rooker reported she had just heard from the state that FEMA wanted to reduce the eligible volume for Sanibel because of a new interpretation that reduces the amount of sand lost by the amount of sand accreted. She said the logic of the interpretation is flawed since one cannot move sand back to where it was lost. The cost of renourishment that FEMA had calculated is also being disputed since it was much less than the current bid CEPD has received. She said there had been a telephone conference and FEMA is reviewing CEPD's objections. If CEPD's objections are denied, CEPD will go through the appeal process. CEPD may enlist the aid of Congressional delegations in Lee and other counties to resolve this since everyone in Florida will be hurt by this interpretation.

b) Fence at Hagerup Parking Lot

Ms. Rooker reported the new fence at Hagerup Beach had been installed by Parks and Recreation. She commented the style was so much better than what had been there and also was sturdier.

Ms. Rooker called attention to the story of the project that had appeared in the FSBPA magazine. Commissioner Kaiser said there was a story on the project in this morning's News-Press. Ms. Rooker reported the 2014 Commemorative Calendars would be available Monday and asked Commissioners to let her know how many they wanted.

9. Public to be Heard

There were no comments from the public.

10. Commissioner Comments

Commissioner Mullins asked that he get copies of the construction easements for him.

Commissioner Kaiser said the entire Board deserved a big round of applause for its work on the project. Commissioner Jensen said he was glad to hear Mr. Evans talk about Lee County, Sanibel, and CEPD getting together.

Adjourn

There being no other business, Chairman Boyle adjourned the meeting at 2:18 P.M.