

## Minutes

### Regular Meeting of the Captiva Erosion Prevention District

Tween Waters Inn, 15951 Captiva Drive, Captiva, Florida 33924  
June 10, 2015 @ 1:00 P.M.

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

**Commissioners Absent (excused):** Mike Mullins.

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

#### 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 May Meeting Minutes

Commissioner Holzheimer moved and Commissioner Kaiser seconded a motion to dispense with the reading of the minutes from the April 15, 2015 Regular Board Meeting and approve them as presented. The motion passed unanimously.

#### 4. Public to be Heard

James Evans from the City of Sanibel thanked the Commissioners for the letter sent June 8 regarding the Sanibel Permit Authorization. He said the City will prepare a response and that he had briefed the Sanibel Council at their last meeting on the progress of this matter.

Deputy Mike Sawicki of the Lee County Sheriff's Department reported that they had increased their patrols on Captiva for turtle nesting violations.

#### 5. Financial Report

##### a) Budget Performance Ending May 31, 2015

Treasurer Jensen reported that there was nothing out of the ordinary to note in the General Fund. Regarding the Capital Fund, he said that everything looked good. He added that parking lot revenue is already at the budget level for the year with four months remaining.

#### 6. Old Business

##### a) Blind Pass Study

Ms. Rooker reported that she briefed the Captiva Community Panel on this subject yesterday. She reported to the Commissioners that the Subcommittee narrowed down the list of potential contractors to three. Those three made presentations to, and were interviewed by, the members of the Subcommittee on June 1 and the members then ranked the presenters. The final rankings were: 1) CB&I; 2) Humiston & Moore; 3) Coastal Tech. She commented that this effort was a model of

inter-jurisdiction cooperation. She said the rankings will be presented to the Lee County Board of Commissioners. Steve Boutelle, Director of Lee County Natural Resources, said the BofCC will meet the first Tuesday in August to instruct that negotiations start with the number one ranked firm, and once a contract is negotiated, it will come back to the BofCC for final approval. Chairman Boyle estimated the final report will be issued in January. Mr. Boutelle said his desire is to integrate with CEPD's study of Redfish Pass.

Commissioner Jensen asked about the timing of another maintenance dredging of Blind Pass. Mr. Boutelle responded the County would like to have the Blind Pass study completed before dredging to have the benefit of any new data. However, he said permits are in place so if dredging were necessary before the completion of the study, it could be done.

**b) Sanibel Permit Authorization**

Chairman Boyle reviewed the history of this agenda item and said CEPD had been in discussion with the DEP and CB&I. They thought what is being proposed could be done. CEPD sent a letter to the Sanibel City Manager on June 8 looking "forward to working with you and the City representatives as we continue our dialogue." A copy of the complete letter is contained in the Agenda Materials.

The Chair said the next step is to begin work at the legal level to put together an Interlocal Agreement with terms and restrictions to be stated in it. Among those terms is that Sanibel would agree to reimburse CEPD for some of the costs since CEPD is prohibited from spending funds on projects not related to Captiva. However, he said the CEPD would not seek reimbursement for administrative services since they are fixed by contract for the year. He added that the Interlocal Agreement would first be approved by Sanibel and then by the CEPD Commissioners. The Agreement will include a procedure that when Sanibel determines that a section needs to be renourished between R110 and R118 (the section on Sanibel that CEPD is authorized to renourish), it writes a letter to CEPD requesting authorization and a copy goes to the DEP. The CEPD Board approves the authorization and sends it on to the DEP. Sanibel does their own bidding, selects their own contractor, selects their own engineer, etc.

**7. New Business**

**a) Resolution 2015-4 Supporting Acquisition of Everglades Agricultural Area Lands**

Commissioner Jensen offered and Commissioner Kaiser seconded Resolution 2015-4 supporting the acquisition of lands south of Lake Okeechobee to help restore freshwater flows to the Caloosahatchee and St. Lucie estuaries. Commissioner Holzheimer said this was a conflict of interest for CEPD. Chairman Boyle said he did not know whether it was a conflict of interest, but it is a conflict since beach renourishment grants come from the same fund – the Amendment 1 fund. Mr. Boutelle said there will be a lot of competition for money from the fund. Commissioner Jensen said water quality was a big and important issue and called for the vote. Commissioners Jensen, Kaiser, and Boyle voted for the Resolution; Commissioner Holzheimer voted against it. Resolution 2015-4 passed 3 to 1.

**b) Proposed Millage Rate**

Chairman Boyle reported that the Lee County Tax Appraiser reported an estimated total assessed value of non-exempt property on Captiva for budget estimating purposes as \$1,288,130,000. He stated this was approximately a 4% increase over last year. He said he sensed from last month's meeting that the Commissioners wanted to go with the rolled back rate for this coming year. He called for a motion to direct Ms. Rooker to utilize a rolled back rate that will support the draft

budget approved last month based on the final property appraiser's number. The motion passed unanimously.

**c) Summer Meeting Schedule**

Chairman Boyle went over the schedule in the Agenda Materials. Commissioner Kaiser moved and Commissioner Jensen seconded a motion to cancel the July 15, 2015 Regular Board Meeting. The motion passed unanimously. The Chair said the Briefing Meetings scheduled for July would remain for the time being.

**8. Administrator Report**

**a) 1 Year Post Construction Monitoring**

Ms. Rooker reported that favorable weather had allowed the survey part of the work to be completed in one week. CB&I is currently working on the modeling and report and will present the report to the Board at the August meeting. The Chair said it will include information showing conditions before and immediately following the renourishment as compared to current conditions.

**b) Resolution 2015-5 DEP Local Government Funding Requests**

Ms. Rooker explained that this request involved getting assistance for the funding of the Redfish Pass Study. She added that this comes out of the same pool of money talked about earlier - Amendment 1 funding. She said that competition for this kind of funding is tough but if CEPD does not get it this year, the District can submit the same request next year. This Resolution will be part of the application process for inlet funding from the DEP. Commissioner Jensen offered and Commissioner Holzheimer seconded Resolution 2015-5 requesting that the Florida Department of Environmental Protection approve the Long Range Beach Erosion Control Budget Plans for the Captiva Erosion Prevention District and its identified project for the purpose of instituting state-supported beach erosion control projects within the Captiva Erosion Prevention District. The Chair commented that inlet management projects are currently popular with the DEP because of the difficulty of finding sand sources on the East Coast of Florida. So CEPD's timing is right. The motion passed unanimously

**c) Sign at Redfish Pass**

Ms. Rooker reported that the permit CEPD secured for the groin at Redfish Pass requires that the "Danger" sign erected in the water at the base of the groin be maintained by CEPD in perpetuity. The sign had faded so CEPD replaced it this past month.

**9. Public to be Heard**

Mr. Boutelle asked about whether there was any news about the FEMA claim. Ms. Rooker said she had not heard back from anyone by the time the agenda was prepared, but she heard from the new acting director for recovery yesterday. He reported that it was still with FEMA's Environmental and Historical Services but will be released by them by the end of June. This does not mean the claim will be approved or not approved; it simply means that it will go to the next step in the process.

**10. Commissioner Comments**

There were none.

**Adjourn**

There being no other business, the Chairman adjourned the meeting at 1:58 P.M.