

Minutes

Regular Meeting of the Captiva Erosion Prevention District

Tween Waters Inn, 15951 Captiva Drive, Captiva, Florida 33924
April 13, 2016 @ 1:00 PM

Commissioners Present: Dave Jensen, Chair; Mike Mullins, Vice Chair; Harry Kaiser, Secretary; Bob Walter, Treasurer.

Commissioners Absent: Rich Stegmann.

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

1. Call to Order

Chairman Jensen called the meeting to order at 1:02 P.M.

2. Roll Call

The Chair called the roll and the results are outlined above.

3. Approval of March 9, 2016 Meeting Minutes

Commissioner Kaiser moved and Commissioner Walter seconded a motion to dispense with the reading of the minutes from the March 9, 2016 meeting and approve them as presented. The motion passed unanimously.

4. Public to be Heard

There were no comments from the public.

5. Financial Report

a) Budget Performance Ending March 31, 2016

Treasurer Walter commented that parking lot revenue continues to do extremely well, exceeding expectations. The Chair asked for questions about the financials. There were none.

6. Old Business

a) Follow Up to Dr. Stronge's Beach Nourishment Project Benefit Analysis and Apportionment Presentation

Ms. Rooker went over her report on a follow-up phone conversation she had with Dr. Stronge after his presentation at the March 9, 2016 Board meeting. Chairman Jensen thought that the Board's job is to come up with a Scope of Work for the benefit survey. Commissioner Mullins said CEPD needed a plan working backwards from the estimated project date so critical items and dates were not missed. Ms. Rooker said she had a draft of such a plan and would present it to the Commissioners at the next meeting. Commissioner Mullins thought CEPD should look through the whole process to see if CEPD is still relevant in the way that the survey is being done and look at ways to get better information from the survey.

Chairman Jensen asked whether CEPD was required to put out a RFP for this work. The consensus was that it would be prudent to do so. Chairman Jensen suggested that in an RFP,

CEPD should ask the responders to state what questions they thought should be asked in addition to what CEPD wanted. Commissioner Walter said that CEPD should do whatever is necessary to make the assessment fair. Commissioner Mullins thought that CEPD should lobby the County Commissioners for a study of the economic impact of the coast area on the County. Chairman Jensen said that since this is an election year, this is a good time to ask for a study.

7. New Business

a) Response to FEMA Determination

Ms. Rooker presented background information on FEMA's rationale for reducing CEPD's claim and where FEMA may be confused. She outlined three possible alternatives for the Board to consider: 1) accept their determination which would result in FEMA paying up to \$475,000; 2) appeal the determination by outlining in a letter where CEPD thinks FEMA is confused; or 3) appeal the determination using high-cost attorneys. There were questions and discussion about the risk/reward of the various alternatives. The amount of money involved if CEPD's appeal wins in full is up to \$1.5 million according to Ms. Rooker. Commissioner Mullins moved and Commissioner Walter seconded a motion to accept alternative two, and after discussion, clarification, and questions, the motion passed unanimously.

b) Assistant to the Administrator Position

Ms. Rooker provided background information on this agenda item and turned the discussion over to Mr. Wilson. Mr. Wilson raised the issues of whether a full time AA was needed and whether there was a way to modify the agreement with Hans Wilson and Associates to save CEPD money by billing only for the actual time worked. He added that given the circumstances, he did not think it was reasonable to find an AA who could eventually take over the administrator role when Ms. Rooker retired. Commissioner Mullins thought CEPD should start a search now or cultivate someone who could be groomed and be available when Ms. Rooker retired.

Commissioner Kaiser asked whether one person can do the administrator job alone. Ms. Rooker responded that CEPD has a back-up with Hans Wilson and Associates. Also the load is too much for one person currently and part time help would provide CEPD with the level of service that the commissioners are accustomed to. Mr. Wilson said his firm provides back-up and his staff is prepared to step in to provide whatever service is necessary, including stepping in if Ms. Rooker were to leave until such time as a new administrator could be hired. Commissioners Kaiser and Walter expressed satisfaction with the plan where Hans Wilson and Associates acts as back-up if a new administrator is needed until such time as one is hired.

Commissioner Mullins asked to know what Ms. Rooker's, Mr. Bralove's, and Ms. Colon's salaries are so that he can see if CEPD is getting a proper compensatory reduction based on reducing the time the AA works. Commissioner Walter stated that what he is hearing is that there is the potential not to fill this position full time, save a little money, and when the time comes re-evaluate what that position is. Commissioners Jensen and Kaiser agreed with this assessment. Ms. Rooker asked for direction from the Board since she needed to tell potential AA's whether the position is full time or part time. Commissioner Walter said he would vote to defer to what Hans Wilson and Ms. Rooker wish to do since they know better than the Commissioners what is needed. Regarding Commissioner Mullins request for salary information, it was agreed that Mr. Wilson would provide the Commissioners with the information that CEPD's attorney had previously advised could be provided.

8. Administrator Report

a) Blind Pass Update

Ms. Rooker reported that the meeting held on March 31 went very well. It was the first of three meetings. She said that the members of the committee received a lot of data that was especially useful because it was a stormy period. However, not all the models had been run yet. She noted that Blind Pass is tending to return to its original configuration. She added that she was very impressed by how everyone is working together. It was very collegial and all are looking for solutions.

b) Redfish Pass Update

Ms. Rooker went over the report from Michelle Pfeiffer of CB&I. Ms. Rooker said that this study is more complicated than the Blind Pass study because CEPD is looking at issues related to the sediment.

c) Scheduling for Army Corps of Engineers Presentation

Ms. Rooker reported that she is still trying to nail down a date for the presentation. She mentioned that she had talked to Broward County and they recommended that if the District were to take on getting easements, a local real estate attorney should be used as well as engineers. Broward County said it took 3 to 4 years to do all the work. She added that one of the reasons to have this meeting is to establish how much the Corps would contribute if CEPD were to receive the easements to determine whether it is worth the effort.

d) Beach Status Report

Ms. Rooker went over the photographs at six locations, including an escarpment in the SSIR area which she will keep an eye on.

e) Renourishment Project Development

Ms. Rooker went through the items on the critical path for April and early May. Commissioner Mullins thanked her for this since it enables him to plan his activities better.

9. Public to be Heard

There were no comments from the public.

10. Commissioner Comments

Commissioner Mullins referred to the "CEPD Meeting Guide" contained in the Commissioner's packets. He thought there was a disparity between two guidelines regarding ending a debate. He requested that the guideline requiring a second to end a debate be eliminated. The Commissioners agreed to eliminate the requirement for a second.

Commissioner Mullins requested that he receive the agenda materials the Friday before the Board meeting instead of Monday. Ms. Rooker said that materials submitted at the last minute, such as the financial statements, might not be included. Commissioner Mullins said that would be okay with him.

Commissioner Kaiser thanked his fellow Commissioners for their support for being named to the Skiing Hall of Fame.

Adjourn

There being no further business, Chairman Jensen adjourned the meeting at 2:49 P.M.