



Captiva Erosion Prevention District

Board Meeting - Minutes

Monday, December 7, 2020

Location: Zoom

Prior to the Call to Order, discussion was held regarding the validity of virtual meetings. The CEPD has followed the advice of Attorney Ralf Brookes and will adjust as needed, including the possibility of holding a public quorum.

1. Call to Order

- Chairman Michael Mullins called to order the regular monthly meeting of the Captiva Erosion Prevention District (CEPD) at approximately 1:00 pm on December 7, 2020 in a virtual meeting via Zoom.

2. Roll Call

- The following persons were in attendance:
 - Commissioners:
 - Seat 1, Harry Kaiser, Secretary
 - Seat 2, René Miville, Commissioner
 - Seat 3, Michael Mullins, Chairman
 - Seat 4, Bob Walter, Vice Chairman
 - Seat 5, Richard Pyle, Treasurer
 - CEPD Staff:
 - John Riegert, Administrative Director
 - Daniel Munt, Technical Policy Director
 - CEPD Contractors:
 - Evan Cutler
 - CEPD Attorney: Ralf Brookes
 - Members of the Public:
 - Timothy Reiter, representing Fifth Third Bank
 - John Silvia, Commissioner Elect

- Treasurer Pyle motioned to state for the record that due to the current COVID-19 emergency and the positivity rate being currently over 5%, this meeting is being held via Zoom rather than gathering in-person in the small office confines of the CEPD. The motion was seconded by Commissioner Miville. Discussion was welcomed. A vote was held and the motion passed unanimously.
 - In Favor: Secretary Kaiser, Commissioner Miville, Treasurer Pyle, Chairman Mullins, Vice Chairman Walter
3. Approval of Minutes
- A. November 9, 2020 Board Meeting
- Secretary Kaiser motioned to accept the November 9, 2020 meeting minutes as presented. Chairman Mullins seconded the motion. A vote was held and the motion passed unanimously.
 - In Favor: Secretary Kaiser, Commissioner Miville, Treasurer Pyle, Chairman Mullins, Vice Chairman Walter
- B. November 17, 2020 Proposed ILA Meeting with Lee County
- Secretary Kaiser motioned to accept the November 17, 2020 Proposed ILA Meeting with Lee County minutes as presented. Chairman Mullins seconded the motion. A vote was held and the motion passed unanimously.
 - In Favor: Secretary Kaiser, Commissioner Miville, Treasurer Pyle, Chairman Mullins, Vice Chairman Walter
- C. November 19, 2020 Flow of Funds Workshop
- Secretary Kaiser motioned to accept the November 19, 2020 Flow of Funds Workshop minutes as presented. Chairman Mullins seconded the motion. A vote was held and the motion passed unanimously.
 - In Favor: Secretary Kaiser, Commissioner Miville, Treasurer Pyle, Chairman Mullins, Vice Chairman Walter
4. Commissioner Appointments
- A. Seat #2: René Miville
- Discussion was held. No other responses were received regarding the public announcement of the seat opening. Commissioner Miville confirmed that he is interested in being appointed for CEPD Board Seat 2.
 - Board Vote
 - Vice Chairman Walter motioned to appoint Rene Miville to CEPD Board Seat 2. Chairman Mullins seconded the motion. A vote was held and the motion passed unanimously.
 - In Favor: Secretary Kaiser, Treasurer Pyle, Chairman Mullins, Vice Chairman Walter.
 - The term of the appointment is four (4) years.
- B. Seat #5: Richard Pyle
- Discussion: Treasurer Pyle confirmed that he is interested in being appointed for CEPD Board Seat 5.

- Board Vote
 - Vice Chairman Walter motioned to appoint Richard Pyle to CEPD Board Seat 5. Commissioner Mullins seconded the motion. A vote was held and the motion passed unanimously.
 - In Favor: Secretary Kaiser, Chairman Miville, Treasurer Pyle, Commissioner Mullins, Vice Chairman Walter
 - The term of the appointment will be a four (4) year term.
5. Financial Reports
- A. Budget Performance
- Treasurer Pyle stated that he received the November financial statements from accountant Jason Smith and both revenues and expenses are on budget. The balance sheet shows \$4M of net assets. The financial report was not available at this meeting.
 - Accountant Update
- B. Fifth Third Bank
- Mr. Timothy Reiter reviewed the processes required for drawing down funds. He will be meeting with Mr. Riegert soon. The timing of the project will need to be discussed. Chairman Mullins gave a brief summary of the timeline and suggested holding a separate meeting to discuss the details of the timeline and options available.
- C. Audit Update
- The fieldwork was completed on 11/20/2020.
 - The draft report will be ready for Board review in the upcoming week.
- D. Florida Prime Accounts Closed
6. Old Business
- A. 2021 Board Meeting Dates
- The September meeting dates are TBA pending information regarding the meeting schedules for the Board of County Commissioners and Board of Education meetings.
 - Final dates will be advertised with the local press and on the CEPD website.
 - Any necessary changes can be done by voting at a regularly scheduled CEPD Board meeting.
 - Secretary Kaiser motioned to confirm that October 11, 2021 is the updated date for the October 2021 CEPD Board meeting. Chairman Mullins seconded the motion and invited discussion. A vote was held and the motion passed unanimously.
 - In Favor: Secretary Kaiser, Commissioner Miville, Treasurer Pyle, Chairman Mullins, Vice Chairman Walter
7. New Business
- A. Extension of 19LE3 State Funding Contract
- Chairman Mullins will sign the document needed. If it is determined that a resolution is required it will be handled in the January meeting.

- Commissioner Miville motioned to accept the Change Order No. 1 of the DEP Agreement No. 19LE3. Chairman Mullins seconded the motion and invited discussion. A vote was held and the motion passed unanimously.
 - In Favor: Secretary Kaiser, Commissioner Miville, Treasurer Pyle, Chairman Mullins, Vice Chairman Walter.
- B. 21LE1 State Funding Contract
- Secretary Kaiser motioned to accept the 21LE1 State Funding Contract authorizing the Chairman to sign it. Commissioner Miville seconded the motion and invited discussion. A vote was held and the motion passed unanimously.
 - In Favor: Secretary Kaiser, Treasurer Pyle, Commissioner Miville, Vice Chairman Walter, Chairman Mullins.
- C. SWFL Regional Resiliency Compact Memorandum of Understanding
- Chairman Mullins explained the context of and purpose for the MOU. Attorney Ralf Brookes has reviewed it and has approved it for legal accuracy.
 - Vote to Join Compact
 - Commissioner Miville motioned to accept SWFL Regional Resiliency Compact Memorandum of Understanding. Secretary Kaiser seconded the motion. Chairman Mullins invited discussion. A vote was held and the motion passed unanimously.
 - In Favor: Secretary Kaiser, Treasurer Pyle, Commissioner Miville, Vice Chairman Walter, Chairman Mullins.
 - Vote for Compact Member
 - Commissioner Miville motioned for Chairman Mullins to be the Compact Member. Secretary Kaiser seconded the motion. Chairman Mullins invited discussion. A vote was held and the motion passed unanimously.
 - In Favor: Secretary Kaiser, Treasurer Pyle, Commissioner Miville, Vice Chairman Walter, Chairman Mullins.
- D. Organization of the Board
- Chairman Mullins led discussion regarding his intent to step down from his position as Chairman of the Board while remaining involved in the CEPD as a Commissioner. Secretary Kaiser asserted that he intends to continue in his continue role. Vice Chairman Walter intends to leave the CEPD. Treasurer Pyle confirmed his intent to remain in the role of Treasurer. Commissioner Miville expressed his interest in the role of Chairman.
 - Secretary Kaiser motioned to nominate Commissioner Miville as Chairperson of the CEPD Board. Chairman Mullins seconded the motion and invited discussion. A vote was held and the motion passed unanimously.
 - In Favor: Secretary Kaiser, Treasurer Pyle, Commissioner Miville, Vice Chairman Walter, Chairman Mullins.
 - This change is effective immediately.
 - The position of Vice Chairman will need to be filled. This will be resolved in the January Board meeting.

- Commissioner Mullins motioned to retain Treasurer Pyle and Secretary Kaiser in their current Officer positions. Chairman Miville seconded the motion and invited discussion. A vote was held and the motion passed unanimously.
 - In Favor: Secretary Kaiser, Treasurer Pyle, Chairman Miville, Vice Chairman Walter, Commissioner Mullins.
8. Administrative Reports
- A. Parking Lot
- Monthly Sales Revenue for November 2020 was \$53,336.50.
 - A sign was installed at the meters to inform consumers that proceeds go to beach projects.
 - Pothole repair and parking block installation will be done by Soon Come. Options for drainage were discussed.
- B. Public Depositors Report
- Annual disclosure to Florida CFO of all bank accounts used to deposit public funds
 - Completed and Accepted 11/17
 - Updated Process: former administrator did not properly report all public depository accounts.
- C. TDC Funding
- Secured FY 19-20 Q1 and Q2 funding that was not collected by the former administration in the amount of approximately \$115,000.
- D. Hurricane Eta
- Mr. Riegert stated that the storm damage to Captiva’s beach and dunes were significant. This is especially notable regarding the height of the sand and the erosion of the dune system.
 - Lee County does not meet overall funding threshold for damages
 - Some pictures and videos were received to document damages.
- E. Turner Beach Project Staging
- Commissioner Mullins described the history and purpose of this project. Discussion regarding the timeline was held.
 - An ILA is being drafted with the assistance of Attorney Ralf Brookes for presentation to Sanibel City Council and Lee County.
 - Due 1/8 to be placed on Sanibel City Council agenda
 - The CEPD is seeking a perpetual as-needed basis.
- F. Projected Cash Flow
- There are currently many unknowns. More details will be determined when bids are received and timelines are further developed.
 - Chairman Miville requested clarification regarding the line item “Sand Search and Borrow Area Design”. Commissioner Mullins confirmed that it would more fittingly be labeled “Redfish Pass Inlet Management”.
- G. Apportionment
- Chairman Miville requested clarification regarding the cost differences between “Upper Gold Coast Beach Zone” and “Lower Gold Coast Zone”. Discussion was held.

- A focused meeting will be scheduled in January to address and discuss many pending unknowns and concerns regarding the apportionment process and will ideally include the economists who will be able to address unresolved questions and to explain the reasons that specific suggestions have been made.
- An in-depth meeting will be held in order to discuss the flow of funds.
- Discussion was held regarding the banking options and the potential of requirements for competitive bidding in selecting a loan provider. Mr. Riegert will obtain clarification from Attorney Ralf Brookes regarding the requirements.
- Commissioner Mullins discussed the importance of the community being well-informed, having the opportunity to ask questions, and to provide feedback at the public hearing.

H. Captiva Tax Contributions

- Mr. Riegert led an in-depth PowerPoint presentation regarding Captiva's significant tax contributions, sources of contributions, allocations, and the impacts of COVID-19. Discussion was held.

9. Public Comments – Limit 3 minutes per person

- Susie Henry was thanked for her involvement in the discussion on Captiva tax contributions.
- No other members of the public provided comment at this time.

10. Commissioners' Comments

- Treasurer Pyle thanked the CEPD staff for the detailed information provided today.
- Chairman Miville expressed his appreciation for Commissioner Mullins.
- Commissioner Mullins noted that this is the final meeting for Vice Chairman Walter and thanked him for his help over the years.
- Vice Chairman Walter commented on his experiences over the years with the CEPD and expressed his appreciation for the work performed by Commissioner Mullins.

11. Adjournment

- The meeting was adjourned. See Action Items, next page.

Action Items Discussed
December 7, 2020

- Is a physical quorum meeting needed?
 - What: Determine if physical quorum meeting is needed for votes held
 - Who: Mr. Riegert, in collaboration with Attorney Ralf Brookes
 - Date: Not defined.

- Follow up with Commissioner Miville, Treasurer Pyle, and John Silvia for paperwork
 - What: Paperwork and research with Attorney Ralf Brooke
 - Who: Mr. Riegert, in collaboration with Attorney Ralf Brookes
 - Date: Not defined.

- Is a competitive bidding process needed for lender selection?
 - What: Determine if a competitive bidding process is required.
 - Who: Mr. Riegert, in collaboration with Attorney Ralf Brookes
 - Date: Not defined