

Minutes of the Briefing Meeting of the Captiva Erosion Prevention District

11513 Andy Rosse Lane, Unit 4, Captiva, Florida

January 26, 2012 @ 1PM

Commissioners Present: Jim Boyle (Chairman), Dave Jensen (Treasurer), Harry Kaiser (Secretary)

Consultants Present: Kathleen Rooker

1. Call to Order

Chairman Boyle called the meeting to order at 1:05PM.

2. Roll Call

The roll was called and the results are detailed above.

3. Interlocal Agreement for Captiva Beach Nourishment

Chairman Boyle reported on his recent meeting with Steve Boutelle of Lee County Division of Natural Resources. Kathy Rooker also attended the meeting held at the Natural Resources offices in Fort Myers. The meeting's purpose was to discuss and clarify items that Lee County had added and deleted from the draft interlocal agreement that CEPD had submitted to Lee County for the next beach nourishment project.

Chairman Boyle explained items contained in the Lee County proposal that may be unacceptable to CEPD.

- Lee County has included a 30 day cancelation provision. Chairman Boyle explained that CEPD cannot commit to a \$20 million project if the County could cancel their cost share with 30 days notice.
- The Lee County proposal includes a reimbursement clause. In the past, Lee County provided their share of project funds up front. The new proposal would require CEPD to submit invoices for work that is complete, including documentation, and wait up to 30 days for the reimbursement. The Chairman explained that since CEPD does not have large cash flow reserves like the County to pay for large projects, it is dependent on receiving the Lee County share when the project begins.
- Lee County has removed the CEPD reference to receiving a minimum of \$8 million from Lee County for the project. The County will refer only to a formula that they have included in their draft of the ILA. This formula only directed 1.6% storm benefits for Lee County and provided no benefit to Lee County for protecting the County road. Chairman Boyle said that the formulas have not been updated since the 1980's and are out of date. The Chairman would like to see Lee County increase their responsibility for the storm protection the project provides for the road.

Commissioner Jensen pointed out that letting the beach erode back to the County road would cause an emergency as it once did in the 1980's. Commissioners agreed with Chairman Boyle's points of concern with the proposal Lee County presented.

Chairman Boyle shared with Commissioners that he told Steve Boutelle that these items were not acceptable. Steve Boutelle stated that they are policy issues and he did not have the authority to change them, only the Lee County Board of Commissioners could do so. He suggested that CEPD ask to be placed on the February agenda for the Lee County

Commissioners' Management and Planning meeting. Although the Lee County Commissioners cannot vote at this meeting, CEPD could explain to the Board why they objected to the terms of the ILA and request that the policy be changed. Chairman Boyle directed Steve Boutelle to put CEPD on the agenda. Subsequently, a few days later, CEPD was informed that Commissioner Manning would like to delay a presentation at the Management and Planning meeting. Commissioner Manning is scheduled to attend the March CEPD meeting and would like any CEPD presentation to the Lee County Board of Commissioners to occur after that date. Concerned with this development, Chairman Boyle shared that he had contacted Commissioner Manning's office and requested a meeting with the Commissioner. No date has yet to be set.

The Chairman shared that CEPD has not received a response from the City of Sanibel concerning the draft ILA sent to them in late December. He suggested that the change order for Blind Pass maintenance may be a factor in this delay and that perhaps Lee County and the City do not want sand placed on North Sanibel. This could change the dynamics and responsibilities under the terms of the existing interlocal agreement. Commissioner Kaiser and Commissioner Jensen agreed that Chairman Boyle should explore with Lee County the possibility of this concern and ILA options.

4. February Meeting Date

Kathy Rooker shared with Commissioners a request from Commissioner Holzheimer to change the February meeting date from February 8 to February 15 in order to allow her to attend the meeting. Commissioners were unable to do this per the Rules of Procedure. A change to the regular meeting date would need to be approved by the Board. Since the meeting date to do this had already passed on January 11th, the request could not receive consideration.

5. Commissioner Kaiser and Kathy Rooker updated Commissioners on progress of the Welcome to Captiva sign. Kathy met with Lee County DOT and also Parks and Recreation. The sign design will be sent to Barbara Manzo of Parks and Recreation for approval. It was suggested that Walsh Landscaping be contacted to develop a landscaping plan that would complement the sign.

Meeting adjourned at 1:57PM.