

Minutes of the Emergency Meeting of the Captiva Erosion Prevention District

Lee County Public Works Building
1500 Monroe Street
Fort Myers, Florida

Friday, July 10, 2009 @ 3 P.M.

Commissioners Present: Mike Mullins (Chairman), Rene Miville (Commissioner)

Others Present: Jim Lavender (Director of Public Works), Kathy Rooker (CEPD Senior Administrative Consultant)

I. Call to Order

Commissioner Miville and Chairman Mullins introduced Kathy Rooker to Jim Lavender. The meeting followed introductions. Those present are detailed above.

II. Purpose of the Emergency Meeting

Commissioner Miville explained the purpose of the emergency meeting. Lack of progress on the restoration of Blind Pass has become a significant issue for CEPD and the Captiva community. The Lee County project manager, Robert Neal, and the contractor have not been able to solve construction problems on their own. The meeting purpose is to advise Jim Lavender of the project issues and to find a solution that will bring the project to fruition.

III. Meeting Discussion and Comments

Commissioner Miville discussed the issues leading up to the most recent stoppage of work on Blind Pass including the lack of dredging equipment capable of functioning in the gulf. He expressed a willingness to intervene on behalf of Lee County on any project modifications that would facilitate a successful project. He stressed the need for a meeting of all stakeholders including contractors, engineers, DEP, CEPD, Lee County Government, and Sanibel for the purpose of finding a solution.

Chairman Mullins explained to Jim Lavender CEPD concerns for the potential of the dredged area filling once again with sand due to the inability of inlet currents to flow through the channel to the gulf since the sheet pile wall remains in place. The Chairman stressed that while CEPD has not been given sufficient information to accurately evaluate the situation, they have prepared a document explaining some recommendations for an evaluation of the current project. The document was given to Jim Lavender and is attached.

Commissioners raised a concern about potential project damages and the lack of contractor and project management accountability for the project.

Public Works Director Jim Lavender commented that the contractors were “not off the hook” for the performance bond. The contractor will be advised of the bond.

Kathy Rooker commented on the disconnect between the reality of the information reported in the status reports. The rate of productivity and the schedule do not agree. She suggested to Jim Lavender that it was time to “take the bull by the horns” and find a new approach/ solution to open the pass.

Mr. Lavender explained that on Monday, July 13th, he would hold a meeting with the contractor and project consultants and managers to determine how the contractor will meet project obligations. Jim has visited the site and noted there was no activity. Lee County attorneys will examine contractual obligations. Lee County management will make recommendations of what to do to solve the project problems. Jim will advise the CEPD and other stakeholders of the meeting outcomes in writing.

Meeting Adjourned at 4:15 P.M.