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Agenda

**Regular Meeting of the
Captive Erosion Prevention District**
Tween Waters Inn, Ding Darling Room
15951 Captiva Drive, Captiva, Florida 33924
December 9, 2009

- I. Call to Order
- II. Roll Call
- III. Approval of CEPD Meeting Minutes
- IV. Public to Be Heard
- V. Financial Report
- VI. Report of the Senior Administrative Consultant
 - a) Parking Lot Revenue
 - b) Interlocal Agreement Fill Quantities
 - c) Blind Pass Interlocal Meeting
- VII. Old Business
 - a) Community Relations and Delegation Presentation
 - b) Newsletters
 - c) Blind Pass Ribbon Cutting and Blind Pass Celebration
 - d) Emergency and Comprehensive Plan
- VIII. New Business
 - a) Three Year Monitoring Report
 - b) Execution of Extension DEP Project Agreement Grant 02LE2
 - c) 2010 Regular Board Meeting Schedule
 - d) Annual Board Reorganization
 - e) Internet Security
- IX. Commissioner Comments

Adjourn

Minutes of the Regular Meeting of the Captiva Erosion Prevention District

Tween Waters Inn, Wakefield Room
15951 Captiva Dr., Captiva Island, FL 33924
Wednesday, November 11th, 2009 @ 12:00PM

Commissioners Present: Michael Mullins (Chairman), Harry Kaiser (Secretary), Rene Miville (Commissioner), Dave Jensen (Treasurer)

Administrative Consultants Present: Kathleen Rooker (Senior Administrative Consultant), Bob Gray, Jr. (Strategic Planning Consultant)

I. Call to Order

Chairman Mullins called the meeting to order at 12:05PM.

II. Roll Call

Roll call was performed and the results are detailed above.

A moment of silence was held in observance of Veteran's Day

III. Approval of CEPD Minutes

Treasurer Jensen made a correction from the last meeting minutes. An amount of \$87,000 was not collected in September assessments; rather, this amount included previous distributions that were transferred from the general budget to the projects budget.

Chairman Mullins issued motion to dispense with reading of the minutes. Motion was seconded, carrying 4-0.

IV. Public to Be Heard

There were no public comments at this time.

V. Financial Report

Treasurer Jensen presented the financial report. He has already signed an affidavit complying with audit report for the Florida Department of Treasury.

He also reported that CEPD has CD that is about to expire. An amount of \$250,000 was initially put into the CD. Treasurer Jensen and Consultant Kathy Rooker are researching how to obtain the best rate.

Chairman Mullins mentioned that there are some large expenses coming up soon, and recommended placing the renewal on CD on a lower priority in order to retain those funds.

Treasurer Jensen solicited questions regarding financial reports for the 2008-2009 fiscal year. None were given.

Consultant Rooker suggested moving the Selection of Auditor topic out of new business to the top of the agenda as this is an especially important issue.

Consultant Rooker presented proposals for three auditors: Ashley & Brown, Bowman & Bowman, and Stroemer and Co. Consultant Rooker and CEPD's accountant Joanne Paul have already met with the three auditors. Both were impressed with Bowman & Bowman and Stroemer and Co., citing their interest in the specific needs of the district.

Both companies were required to propose services with a cost not to exceed clause in light of the situation with previous auditor Jeff Tuscan, who tripled his originally proposed fee mid-project.

Both auditors offered to appear in person, working along with CEPD resources to obtain necessary documents, rather than receive documents exclusively via fax and email.

One factor cited in deciding which auditing company to hire was the benefits of a small firm versus a large firm.

Chairman Mullins noted that the experience on government accounts be a criterion for deciding. A decision will be made after professional references and government audit experience is validated.

VI. Report of the Senior Administrative Consultant

a) Parking Lot Revenue

Kathleen Rooker presented a report on gains and losses for the past five years the parking meters have been in service. A 2006 drop in net receipts was noted. This was attributable to a malfunctioning machine that had not been repaired, replaced, or properly maintained. A redundant machine was put in place along with the addition of an independent party responsible for cash collection. These collections were turned into the bank and counted there. Beach parking revenues increased substantially with further additions such as a credit card reader in one of the machines.

Also cited was an issue where a local business was taking up as many 7-10 parking spaces with a Lee County parking pass. The validity of this pass was renegotiated with the county, creating more access for beach patrons. Chairman Mullins mentioned an incident where the City of Sanibel had inadvertently removed a sign near Turner Beach notifying beach patrons of additional parking at Alison Hagerup Beach Park. The sign was replaced.

Chairman Mullin discussed possibilities for enhancing the lot, i.e. making it more navigable for the public, eliminating potholes, and maximizing the amount of parking spaces in the lot.

After hours parking was considered as a possibility for increased revenue.

b) Blind Pass Sand Fill Volume and Maintenance

In the 2000 interlocal agreement, CEPD agreed to supply Sanibel with 25,000 cubic yards of sand per year. Kathleen Rooker presented a chart detailing sand deposits to Sanibel – there is enough sand given to cover 28.5 years, covering the obligation until 2021.

Chairman Mullins noted Sanibel's lack of interest in extending the Sanibel-side jetty adjacent to Blind Pass along with past attempts to resolve this issue.

Chairman Mullins also mentioned he has been corresponding with the Lee County Tourist Development Council regarding the funds committed to CEPD. Citing the high revenue from bed taxes that Captiva contributes to the county, he claimed there are insufficient funds invested back into the island for beach renourishment and similar projects. He stated that to reduce expenses on future projects, sand should no longer be provided to Sanibel without payment. Furthermore, a list should be created of expenses such as beach monitoring, etc., that should be reimbursed or covered by Lee County.

Consultant Rooker has been exploring opportunities to work with the state to develop an inlet management plan for maintaining Blind Pass. An area Navigation District has also demonstrated interest in working with CEPD on this issue.

Secretary Kaiser and Chairman Mullins further discussed a jetty or other hard structure on the Sanibel side of Blind Pass that would mitigate or delay another pass closing. Chairman Mullins noted that this is a recurring issue, and until Sanibel expresses a willingness to alter their comprehensive plan, CEPD should focus on an inlet management plan for Blind Pass.

The board briefly evaluated oral reports of sand accretion and erosion, depth levels, and current flow in and around Blind Pass since the re-opening. Continued maintenance is necessary to ensure public enjoyment of the pass.

A member of public commented that is easy for the community to forget the importance of beach and inlet maintenance when things are going well. It should not take a disaster for the public to recognize the importance of these efforts.

c) DEP Public Workshop

Kathleen Rooker attended a DEP Public Workshop in Sarasota. Also in attendance from Lee County were Robert Neal and Steve Butelle. The DEP is considering a point system for projects. Also, the organization is separating beach projects from inlet projects, with a primary focus on inlet projects.

Any responses regarding the point system must be sent in to DEP by December 15th. It was noted that the point system will benefit CEPD, as additional points are awarded for projects with a dedicated erosion prevention district. Also noted was that more funds are going to east coast beaches due to erosion from Atlantic waves.

Secretary Kaiser stated that compared to other areas, CEPD has historically taken a proactive stance of erosion prevention and should use their voice in this area to receive a bigger share of funds.

Chairman Mullins replied stating that CEPD, in addition to having a voice on these issues, also has one of the larger cost shares for districts conducting beach re-nourishment projects.

Chairman Mullins stated that one disadvantage Captiva has when faced with competing areas is volume and distribution of parking access. Increased access to Captiva's beaches would increase parking revenues and funding from state and federal governments, potentially saving the district millions of dollars.

d) Memberships Renewals – Beach Watch, ASBPA

Consultant Rooker proposed renewing memberships for Beach Watch, a lobbying group (\$5,000/year), and the American Shore and Beach Preservation Association (\$500/year). Chairman Mullins suggested postponing Beach Watch membership renewal until a future meeting; it was decided the ASBPA membership should be renewed. It was argued that there is opportunity for the interests the CEPD to be represented more fully in these organizations, and that this should be discussed prior to renewal.

It was noted that these organizations assist members with lobbying; however this influence does not apply to local lobbying in Lee County. This should be highlighted during discussions of renewal.

e) D & O Insurance Renewal

Chairman Mullins proposed a motion a pay D & O insurance renewal. Motion was seconded and carried 4-0.

f) Sanibel Captiva Community Bank

Issue with CD discussed earlier in the proceeding.

g) Public Depositor Annual Report

This topic was addressed during the Financial Report.

h) ASBPA Trip Report

Before Consultant Rooker's report, Chairman Mullins noted that commissioners in the past have typically not attended these conferences. He thanked Consultant Rooker for her thorough, daily reports of the conference.

Consultant Rooker noted attending a special workshop on NEPA, which was very informative in regard to studies that should be conducted on successful projects. Since re-nourishment projects are conducted in various ways, it is critical to evaluate similar beach projects to determine what will and will not work for the district. Consultant Rooker also iterated the importance of re-nourished beaches for storm safety and flood mitigation.

Chairman Mullins concurred, likening beaches to an electric surge protector that sacrifices itself to protect the devices plugged into it. Similarly, beaches stand as buffer for serious storms, protecting property and potentially saving lives. He stated that many opponents of beach re-nourishment spin spending on beach re-nourishment as a waste of financial resources; however, the protection against storm damage is just one more example of cost-effectiveness of these projects.

VII. Old Business

a) Community Relations Plan

Chairman Mullins began this topic by calling for everyone to recognize the importance of publicizing issues surrounding beach re-nourishment. If the public is not informed about matters of beach re-nourishment, there could be a climate reminiscent of the 1970's where the benefits of beach re-nourishment projects were considered dubious and work on Captiva's beach received attacks from a number of opposition forces.

Consultant Bob Gray, Jr. presented a fourteen step draft plan created during the most recent Community Relations Meeting. He called for this meeting to reconvene in the near future in order to finalize the plan.

Initial work as part of the community relations plan has taken the form of research. One researching consultant was willing to renegotiate her billing rate to assist CEPD in this area. CEPD already has some research information to contribute to this consultant and guide her research efforts. Much of this information pertains to the "Golden Goose" theory of beach re-nourishment – that

by stifling funds to re-nourishment efforts, governments are destroying revenue sources driven by beach and travel industries.

Consultant Gray and members of the board discussed additional candidates for research in case some areas are unable to be covered by existing resources.

b) Parking Lot Improvements

Topic covered during Report of the Senior Administrative Consultant.

c) SOP Contract

Consultant Rooker noted that the attorney mentioned that the terms of the contract did not set a period of time for services to be rendered. This was initially set for six months, and then extended to twelve months. Chairman Mullins issued a motion to approve standard operating procedures. Motion was seconded and carried 4-0.

d) Newsletter

Chairman Mullins noted that the fall newsletter has been behind schedule. Consultant Rooker noted that the primary resource finalizing the project had recently been hospitalized, pushing the issue back further. Delivery of the newsletter was slated for approximately one week after the November regular meeting.

Chairman Mullins stressed the need to begin assembling content for the next newsletter prior to completion of the fall issue in order to prevent these sorts of delays in the future. There are many issues that require coverage in between quarterly newsletters, and these items need to be listed and prioritized according to their relevance and urgency.

Treasurer Jensen discussed the recent conference at Florida State University regarding oil and gas drilling, as well as the subsequent coverage of that event in the Fort Myers News-Press.

Chairman Mullins answered a question from the public regarding oil and gas drilling asking what the CEPD's contentions were with arguments in favor of oil drilling. Among those cited were recent critical failures with state-of-the-art technology, the dubious argument by the oil lobby that coastal oil production would result in considerable jobs and revenue for the state, and the omission of the devastating effects an oil spill would have on the Florida and local economies, particularly travel and tourism.

e) Referendum

Consultant Rooker presented a schedule for referendum that has been verified since the last regular meeting in October. It was noted that the CEPD is currently behind schedule on the referendum.

Chairman Mullins cited financing as a significant issue. CEPD will have to work harder to find funding. The community relations plan was cited as a means of raising awareness regarding the value of re-nourishment and funding the district.

Chairman Mullins noted that in the event of a hurricane or other disaster, CEPD currently does not have the funds to conduct an emergency project. Clarifying an issue raised by Commissioner Miville, Chairman Mullins explained that a referendum is not required to begin work on projects; however, it is necessary to borrow funds for a project, making it impossible to work on emergency project without passing a referendum.

Chairman Mullins noted that CEPD has the ability to raise ad valorem taxes by 10 mills – a higher amount requires a referendum.

In discussing items on the referendum, the first four (including three-year monitoring) were determined to be necessary on their own. The remaining three items, which carry an estimate cost of around \$80,000, can be decided on before April.

Treasurer Jensen supported the decision to move forward with the referendum, explaining that, in many cases, expenses are reduced when they are tackled earlier rather than later.

Chairman Mullins issued a motion to approve the referendum schedule. Motion was seconded, carrying 4-0.

f) Emergency and Comprehensive Plan

This item was tabled until a future meeting.

VIII. New Business

Selection of Auditor for Annual Audit of Financial Statements

Moved to top of agenda.

IX. Commissioner Comments

There were no comments at this time.

Meeting adjourned at 2:16PM

Minutes of the Briefing Meeting of the Captiva Erosion Prevention District

Celebration Center

11513 Andy Rosse Lane, Unit 4

Captiva, Florida 33924

Thursday, November 12, 2009 @ 9 A.M.

Commissioners Present: Mike Mullins (Chairman)

Administration Present: Kathleen Rooker (Senior Administrative Consultant P.I.P.)

I. Call to Order

Chairman Mullins called the briefing meeting to order at 9:00 A.M.

II. Roll Call

Chairman Mullins performed the roll call. The results are detailed above.

III. Briefing Discussion

The experience, references and size of the firms that submitted proposals to audit the statement of financial position of CEPD were discussed. The importance of experience in conducting government audits was stressed.

Meeting adjourned at 11 A.M.

Minutes of the Briefing Meeting of the Captiva Erosion Prevention District

Celebration Center
11513 Andy Rosse Lane, Unit 4
Captiva, Florida 33924
Thursday, November 19, 2009

Commissioners Present: Mike Mullins (Chairman), Doris Holzheimer (Vice Chairman)

Consultants Present: Kathleen Rooker (Senior Administrative Consultant P.I.P.),
Robert Gray Jr. (Senior Management Consultant P.I.P.) by conference phone.

I. Call to Order

Chairman Mullins called the briefing meeting to order at 9:05 A.M.

II. Roll Call

Chairman Mullins performed the roll call. The results are detailed above.

III. Briefing Discussion

Commissioners Mullins stated that there is no quorum for the briefing meeting. The Commissioners were provided with a draft copy of the Strategic Plan Objectives for the period November 15, 2009 through February 15, 2010 that Bob Gray and Kathy Rooker had prepared for the discussion. Objectives that should receive priority were discussed at length including the DEP reconciliation, management of the next beach nourishment project, project funding, lobbying, and updating the emergency and comprehensive plans. It was agreed that a project plan for the next beach nourishment project as well as CEPD objectives should be developed. Additionally, CP&E will be asked to provide a written proposal and SOW to update the emergency and comprehensive plan.

The meeting adjourned at 11:00 A.M. to resume on Nov. 20th at 12:30 P.M.

Minutes of the Community Relations Meeting of the Captiva Erosion Prevention District

Celebration Center
11513 Andy Rosse Lane, Unit 4
Captiva, Florida 33924
Friday, December 4, 2009 @ 10AM

Commissioners Present: Mike Mullins (Chairman), Doris Holzheimer (Vice Chairman)

Consultants Present: Kathleen Rooker (Senior Administrative Consultant P.I.P.),
Robert Gray Jr. (Senior Management Consultant P.I.P.)

I. Call to Order

Chairman Mullins called the meeting to order at 10:00AM.

II. Roll Call

Chairman Mullins performed the roll call. The results are detailed above.

III. Board Discussion

Chairman Mullins discussed the importance to be project ready for a renourishment in the case of an emergency. He explained that if we start work on the next beach renourishment now, CEPD would not have the funds to do a project. Alternatives for raising funds exist such as raising the rate of the ad valorm tax. This goes against apportionment and Chairman Mullins recommended against this. Discussion continued on the importance of articulating to the community why CEPD may want to do a referendum early.

Commissioners Holzheimer and Mullins discussed the enabling legislation and the Supreme Court case "Stop the Beach Renourishment".

A lengthy discussion of community relations goals, objectives and strategies was conducted. Chairman Mullins suggested that outcomes need to be discussed. Outcomes include setting the referendum, obtaining the necessary votes to pass the referendum, and obtaining the "right sized" fund share for projects from Lee County, Sanibel, state, and federal government bodies. Commissioner Holzheimer commented that objectives need to be consistent with CEPD enabling legislation. The commissioners and P.I.P. Consultant developed a draft of an action plan for community relations. Further discussion was held concerning a schedule for actions and the drafting of a CEPD mission statement.

Robert Gray will present the Board with the action plan as a separate attachment.

Meeting Adjourned at 2 P.M.

CEPD - GENERAL FUND
 Budget Performance - Summary
 For the One Month Ended October 31, 2009

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	Acutal Oct 09	Budget - Oct 09	Variance - Oct 09	Acutal YTD	YTD Budget	YTD Variance	Annual Budget	Residual Budget
Ordinary Income/Expense								
Income								
Ad Valorem Tax	473.92	0.00	473.92	473.92	0.00	473.92	308,741.00	308,738.17
Interest income - Other	56.31	0.00	56.31	56.31	0.00	56.31	0.00	0.00
Other Income	3,332.52	100.00	3,232.52	3,332.52	100.00	3,232.52	900.00	0.00
Total Income	<u>3,862.75</u>	<u>100.00</u>	<u>3,762.75</u>	<u>3,862.75</u>	<u>100.00</u>	<u>3,762.75</u>	<u>309,641.00</u>	<u>308,738.17</u>
Gross Profit	3,862.75	100.00	3,762.75	3,862.75	100.00	3,762.75	309,641.00	308,738.17
Expense								
Administrative expenses	8,108.46	6,088.00	2,020.46	8,108.46	6,088.00	2,020.46	54,000.00	45,891.54
Capital outlay	0.00	0.00	0.00	0.00	0.00	0.00	3,000.00	3,000.00
Reserves	0.00	0.00	0.00	0.00	0.00	0.00	103,290.00	103,290.00
Cost of collecting Ad Valorem	1,873.87	1,800.00	73.87	1,873.87	1,800.00	73.87	4,800.00	3,000.00
Legal and professional fees	9,586.22	12,046.00	(2,459.78)	9,586.22	12,046.00	(2,459.78)	144,551.00	134,964.78
Total Expense	<u>19,568.55</u>	<u>19,934.00</u>	<u>(365.45)</u>	<u>19,568.55</u>	<u>19,934.00</u>	<u>(365.45)</u>	<u>309,641.00</u>	<u>290,146.32</u>
Net Ordinary Income	<u>(15,705.80)</u>	<u>(19,834.00)</u>	<u>4,128.20</u>	<u>(15,705.80)</u>	<u>(19,834.00)</u>	<u>4,128.20</u>	<u>0.00</u>	<u>18,591.85</u>
Net Income	<u>(15,705.80)</u>	<u>(19,834.00)</u>	<u>4,128.20</u>	<u>(15,705.80)</u>	<u>(19,834.00)</u>	<u>4,128.20</u>	<u>0.00</u>	<u>18,591.85</u>

NOTE: Residual Budget figures ONLY represent Budgeted Revenue uncollected and Budgeted Expenditures not incurred

CAPTIVA EROSION PREVENTION DISTRICT
 CAPITAL PROJECTS
 BUDGET PERFORMANCE - SUMMARY
 FOR THE ONE MONTHS ENDED OCTOBER 31, 2009

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	Actual Oct 09	Budget - Oct 09	Variance - Oct 09	YTD Actual	YTD Budget	YTD Variance	Annual Budget	Residual Budget
Ordinary Income/Expense								
Income								
Interest Income	599.31	1,250.00	(650.69)	599.31	1,250.00	(650.69)	15,000.00	14,400.69
Other miscellaneous revenue	368.95	0.00	368.95	368.95	0.00	368.95	0.00	0.00
Parking lot revenue	12,973.39	5,484.00	7,489.39	12,973.39	5,484.00	7,489.39	100,000.00	87,026.61
Refund unused project costs	0.00	0.00	0.00	0.00	0.00	0.00	75,000.00	75,000.00
Reserves - General	0.00	0.00	0.00	0.00	0.00	0.00	103,290.00	103,290.00
Total Special Assessments	8,759.00	13,859.00	(5,100.00)	8,759.00	13,859.00	(5,100.00)	534,330.00	525,571.00
Total Income	22,700.65	20,593.00	2,107.65	22,700.65	20,593.00	2,107.65	827,620.00	805,288.30
Expense								
Advertising	0.00	2,050.00	(2,050.00)	0.00	2,050.00	(2,050.00)	2,050.00	2,050.00
Annual memberships & fees	0.00	91.00	(91.00)	0.00	91.00	(91.00)	6,000.00	6,000.00
Bank service charges	1.00	8.00	(7.00)	1.00	8.00	(7.00)	100.00	99.00
Beach maintenance	39,978.31	60,000.00	(20,021.69)	39,978.31	60,000.00	(20,021.69)	123,000.00	83,021.69
Blind Pass project	0.00	0.00	0.00	0.00	0.00	0.00	686,965.00	686,965.00
Cost of Assessment Collections	0.00	30.00	(30.00)	0.00	30.00	(30.00)	1,200.00	1,200.00
Engineering (CP)	1,701.50	0.00	1,701.50	1,701.50	0.00	1,701.50	35,000.00	33,298.50
Grant Reimbursement	0.00	0.00	0.00	0.00	0.00	0.00	374,000.00	374,000.00
Insurance	0.00	0.00	0.00	0.00	0.00	0.00	6,100.00	6,100.00
Parking lot expenses	2,144.12	748.00	1,396.12	2,144.12	748.00	1,396.12	26,500.00	24,355.88
Project Management Support	8,518.75	24,394.00	(15,875.25)	8,518.75	24,394.00	(15,875.25)	248,800.00	240,281.25
Renourishment 2013/14 Design Phase	0.00	0.00	0.00	0.00	0.00	0.00	585,000.00	585,000.00
Rent	973.59	584.00	389.59	973.59	584.00	389.59	7,000.00	6,026.41
Storage of records	159.00	159.00	0.00	159.00	159.00	0.00	1,910.00	1,751.00
Website Development	0.00	0.00	0.00	0.00	0.00	0.00	3,000.00	3,000.00
Total Expense	53,476.27	88,064.00	(34,587.73)	53,476.27	88,064.00	(34,587.73)	2,106,625.00	2,053,148.73
Net Ordinary Income (Loss)	(30,775.62)	(67,471.00)	36,695.38	(30,775.62)	(67,471.00)	36,695.38	(1,279,005.00)	(1,247,860.43)
Total Other Expense	0.00	0.00	0.00	0.00	0.00	0.00	491,915.00	491,915.00
Net Income	(30,775.62)	(67,471.00)	36,695.38	(30,775.62)	(67,471.00)	36,695.38	(1,770,920.00)	(1,739,775.43)

****NOTE Residual Budget figures ONLY reflect Budgeted Assessments to be collected and Budgeted Costs not yet incurred.

	GENERAL FUND	CAPTIAL FUNDS	TOTAL FUNDS
CASH and CASH EQUIVILANTS OCTOBER 31, 2009			
Checking	\$137,991	\$1,836,735	\$1,974,726
S.B.A.	114	213,617	213,731
Certificates of Deposit	-	250,000	250,000
TOTAL CASH and CASH EQUIVILANTS OCTOBER 31, 2009	138,105	2,300,352	2,438,457

PROJECTED ACTIVITY - NOVEMBER

Plus:

Parking Lot Receipts		12,116	12,116
Operating Reserves - transferred			-
Other Income	5,408		5,408
Due From General Fund			-
Special Assessments collected		74,643	
Tax Collector Distribution	59,296		59,296
Total Additions	64,704	86,759	76,820

Less:

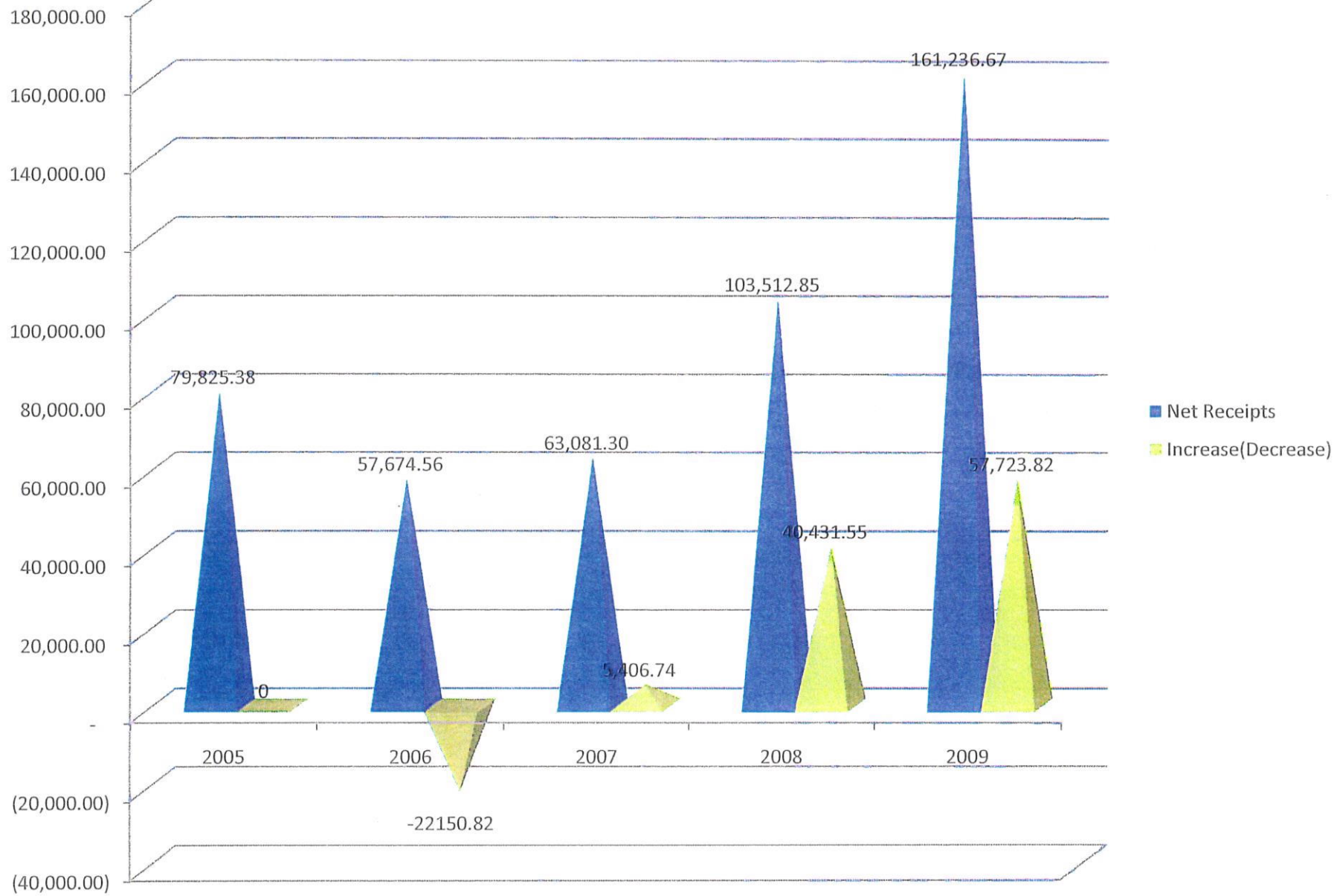
Projected Expenditures -NOVEMBER

Blind Pass Project		119,827	119,827
Partners in Progress	7,270	12,103	19,373
Engineering		6,296	6,296
Adminstrative costs	3,365	159	3,524
Parking lot		2,171	2,171
Property Appraiser Fees	1,186	817	2,003
Due to Projects			-
Rent			-
Debt Service Payment			-
Professional Fees		1,554	1,554
Total Reductions	11,821	142,927	154,748

Net Projected Increase(Decrease)

	52,883	(56,168)	(77,928)
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ANNUAL PARKING LOT REVENUE



Interlocal Agreement Fill Quantities
25,000 C.Y. per year

<u>Date</u>	<u>C.Y. Quantity</u>
1996	244,000
2001	20,400
2006	244,630
2008	136,950
Total	645,980
Credit Years	25.8
Credit Date	2021

**SCOPE OF ENGINEERING SERVICES
CAPTIVA EROSION PREVENTION DISTRICT COMPREHENSIVE PLAN
December 7, 2009**

This scope of work will provide engineering and planning services to update the CEPD Comprehensive Plan to Maintain Captive's Beaches (1990) and integrate the Emergency Maintenance Plan (Dec 1998) into this plan. Coastal Planning & Engineering Inc (CPE) will provide an interim and final draft for the Captiva Erosion Prevention Board's discussion and mark-up sessions.

CPE will prepare the interim draft to combine both plans, since they are linked and integral to a successful island wide nourishment program. The plan will summarize the steps towards and describe the goals and standards for the program. Since the 1988-9 project, many milestones have been achieved in the development and maturity of the CEPD nourishment program, and new milestones and objectives are appropriate. CPE will update the plan to eliminate those objectives that have been achieved or superseded, and replace them with the objectives needed to sustain and improve the program in the future.

The plan will also include objectives needed to meet and benefit from existing and new Federal and State programs, and the latest methods for getting the most from existing programs learned thru experience. Appropriate references will be integrated into the plan, especially those documents that make up the foundation of the CEPD program. Tom Campbell has been involved with the Captiva Program since the mid-1980s, and his experience will be used in the review of the interim and final plan, and attending a CEPD meeting.

The new plan will include a summary of the programs history and accomplishment, and include appropriate illustrations and figures to support the text. The plan will be prepared as living document for use by the Board in their deliberation. The scope of work will include a draft plan in word format with figures, two attendances at CEPD meetings by CPE engineers and a final document in word and acrobat (pdf) format.

Title	Hours	Rate	Total
Chief Engineer	28	\$215	\$6,020
Senior Coastal Engineer	62	\$145	\$8,990
Jr Coastal Engineer	19	\$ 95	\$1,805
Drafting CAD	8	\$85	\$ 680
Clerical	13	\$68	\$ 884
Misc. Expenses	1	\$515	\$ 515
Total			\$18,894

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

November 23, 2009

VIA: FEDEX

Kathleen Rooker
Captiva Erosion Prevention District
11550 Chaplin Lane
Captiva Island, FL. 33924

RE: Execution of Amendment Project Agreement
Captiva Island Beach Nourishment
DEP Contract 02LE2 / Amendment No. 7

Dear Ms. Kathleen Rooker:

Enclosed please find a set of three (3) originals to amend the referenced project agreement, which are signed and dated on behalf of the Department by Bureau Chief, Michael Barnett. If you find the Amendment to be in order, it is requested that you execute each original by having them signed and dated, as appropriate. **It is further requested that you retain one (1) of the fully executed originals for your records, and return the two (2) remaining fully executed originals to me at the letterhead address, Mail Station #300, within five (5) working days following completion of your internal review and signature process.** Failure to execute and return the originals to the Department in a timely manner may result in future payment delays, rejected billings or the possible reversion of funds intended for this project. In the event that this Amendment provides additional funding for this Agreement, be advised that work conducted on any eligible project item prior to written authorization by the Department may not be eligible for reimbursement.

Should you have any questions, please contact me at 850/922-7711 or Vince George the project manager at 850/413-7783.

Sincerely,

A handwritten signature in cursive script that reads "Dena VanLandingham".

Dena VanLandingham
Grants Program Administrator
Bureau of Beaches and Coastal Systems

Enclosure

xc: Vince George, file

AMENDMENT No: 7
DEP AGREEMENT No: 02LE2
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF BEACHES AND COASTAL SYSTEMS
BEACH MANAGEMENT FUNDING ASSISTANCE PROGRAM
STATE OF FLORIDA
AMENDMENT TO GRANT AGREEMENT FOR
CAPTIVA ISLAND BEACH NOURISHMENT PROJECT

THIS AGREEMENT entered into on the 28th day of December, 2002, on the 27th day of June, 2003, on the 16th day of December, 2003, on the 7th day of April, 2005, on the 1st day of August, 2006, and on the 18th day of June, 2007, and on the 11th day of June, 2008 between the FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (hereinafter referred to as the "DEPARTMENT") and the CAPTIVA EROSION PREVENTION DISTRICT, a local government, (hereinafter referred to as the "LOCAL SPONSOR"), is hereby amended as follows:

WHEREAS, the LOCAL SPONSOR has requested and the DEPARTMENT has agreed to add funds to this Agreement; and,

WHEREAS, the LOCAL SPONSOR has requested and the DEPARTMENT has agreed to extend this Agreement; and,

WHEREAS, other changes to the Agreement are necessary.

NOW, THEREFORE, the parties hereto agree as follows:

- Paragraph 2 is hereby deleted in its entirety and replaced with the following:

This Agreement shall begin on the last date executed and end on December 15, 2011. Pursuant to Section 161.101 (18), Florida Statutes, work conducted on this project by the LOCAL SPONSOR or its subcontractor beginning on or after July 1, 2002, may be eligible for cost sharing by the DEPARTMENT. If work identified in the approved Project Work Plan is completed prior to the date shown in the first sentence of this paragraph, the modification will be reduced to writing in an amendment to this Project Agreement.

- Paragraph 6 Table 1 is hereby revised as follows and the following language is hereby added to the Agreement:

TABLE 1

Task #	Eligible Project Tasks	Estimated Project Costs			
		Federal	DEP	Local	Total
1.0	Design and Permitting	\$108,053	\$104,558	\$337,126	\$549,737
2.0	Construction	\$2,461,559	\$4,733,433	\$10,511,117	\$17,706,109
3.0	Post Hurricane Monitoring	\$0	\$72,288	\$0	\$72,288
3.1	Post Construction Monitoring	\$0	\$169,107	\$375,521	\$544,628
	TOTAL PROJECT COSTS	\$2,569,612	\$5,079,386	\$11,223,764	\$18,872,762

Prior written approval from the DEPARTMENT's Grant Program Administrator shall be required for changes between approved Project Tasks costs. Informal changes by the DEPARTMENT's Grant Program Administrator may not exceed 10% of the total budget amount and may not change the Total Project Costs. The DEPARTMENT's Grant Program Administrator will transmit a copy of the written

approval and revised budget to the DEP Contracts Disbursements Office for inclusion in the Agreement file. Changes to Project Task costs greater than 10% will require a formal amendment to the Agreement. Any change to the Total Project Costs require formal amendment.

- Paragraph 7 is hereby revised to change the total amount of funding from the DEPARTMENT under this Agreement from \$5,031,374 to \$5,079,386.
- Paragraph 12 is hereby revised to replace the fourth sentence as follows:

The cumulative amount retained for each eligible Task Scope of Work shall be disbursed to the LOCAL SPONSOR upon notification to the DEPARTMENT with an executed notice of completion (Attachment G-3) and after the DEPARTMENT has certified that the LOCAL SPONSOR has complied with all the terms and conditions of the Agreement, all applicable DEPARTMENT permits and the applicable scope of work for said item.

- Paragraph 17 is hereby revised to change the LOCAL SPONSOR’s Project Manager to Kathleen Rooker, Phone: 239/472-2472.
- Paragraph 24 is hereby deleted in its entirety and replaced with the following:

<u>LOCAL SPONSOR</u>	<u>DEPARTMENT</u>
Kathleen Rooker Captiva Erosion Prevention District 11550 Chapin Lane Captiva, Florida 33924 (239) 472-2472	Dena VanLandingham, Grants Program Administrator Department of Environmental Protection Bureau of Beaches and Coastal Systems 3900 Commonwealth Blvd., MS 300 Tallahassee, Florida 32399-3000 (850) 922-7711 Dena.vanlandingham@dep.state.fl.us

Any changes to the contact information shown above must be reduced to writing in the form of a Change Order to this Agreement.

- Paragraph 23 is hereby revised to add the following as subparagraph C:
- C. In addition, the Grantee agrees to complete and submit the **Certification of Applicability to Single Audit Act Reporting, Attachment I**, attached hereto and made a part hereof, within four (4) months following the end of the Grantee’s fiscal year. Attachment I should be submitted to the DEPARTMENT’s Grants Development and Review Manager at 3900 Commonwealth Boulevard, Mail Station 93, Tallahassee, Florida 32399-3000. The Grants Development and Review Manager is available to answer any questions at (850) 245-2361.
- Paragraph 32 is hereby deleted in its entirety and replaced with the following:

The LOCAL SPONSOR shall also provide the bid form for the successful bidder. The LOCAL SPONSOR shall select eligible consultants licensed to offer services in the State of Florida for studies, design and permitting and monitoring tasks in accordance with Chapter 287, F. S. Upon the DEPARTMENT’s request, the LOCAL SPONSOR shall furnish copies of the respective solicitation documents. Solicitation documents include, but are not limited to, the solicitation and responses thereto, the bid tabulations, and the resulting contract(s), including a detailed scope of work.

- Paragraph 35 is hereby deleted in its entirety and replaced with the following:

The DEPARTMENT may at any time, by written order designated to be a change order, make any change in the Grant Manager information or task timelines within the current authorized Agreement period. All change orders are subject to the mutual agreement of both parties as evidenced in writing. Any change, which causes an increase or decrease in the Grantee's cost or time, shall require formal amendment to this Agreement. Minor modifications which will be handled with a change order include notification of a change in Contract/Project Manager, modification of deliverable due dates when such change does not involve a contract extension, and modifying the scope of services when such modification would not involve a decrease/increase in price or an extension of the contract performance period.

- In accordance with Paragraph No. 23, a revised copy of Exhibit 1 to Attachment H-3 is herein provided to identify the additional funds under this Agreement.
- Exhibit 1 to Attachment H-3 is hereby deleted in its entirety and replaced with Exhibit 1A, attached hereto and made a part hereof.
- Attachment I as attached hereto is hereby added to the Agreement.

In all other respects, the Agreement of which this is an Amendment, and attachments relative thereto, shall remain in full force and effect.

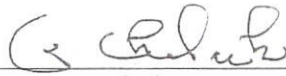
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IN WITNESS WHEREOF, the parties have caused these presents to be duly executed, the day and year last written below.

CAPTIVA EROSION PREVENTION DISTRICT

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

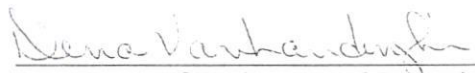
By: _____
Title: *Chairman

By: 
Secretary or designee

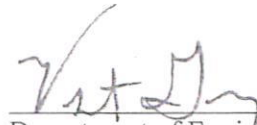
Date: _____

Date: Nov. 23, 2009

FEID No. 59-2349452


Department of Environmental Protection
Grant Program Administrator

APPROVED as to form and legality:


Department of Environmental Protection
Attorney

*If someone other than the Chairman signs this Agreement, a resolution, statement or other documentation authorizing that person to sign the Agreement on behalf of the County/City must accompany the agreement.

List of Attachments/Exhibits included as part of this Agreement:

Specify Type	Letter/ Number	Description (include number of pages)
Attachment	H -3	Exhibit 1A (page 5 of 5)
Attachment	I	Certification of Applicability to Single Audit Act Reporting (1 Page)

EXHIBIT – 1A

FUNDS AWARDED TO THE RECIPIENT PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

Federal Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following:					
Federal Program Number	Federal Agency	CFDA Number	CFDA Title	Funding Amount	State Appropriation Category

State Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following Matching Resources for Federal Programs:					
Federal Program Number	Federal Agency	CFDA	CFDA Title	Funding Amount	State Appropriation Category

State Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following Resources Subject to Section 215.97, F.S.:						
State Program Number	Funding Source	State Fiscal Year	CSFA Number	CSFA Title or Funding Source Description	Funding Amount	State Appropriation Category
Original Agreement	Ecosystem Mgmt Trust Fund GAA/Line Item 1724	01/02	37.003	Beach Erosion Control Program	\$63,336	140126
Amendment No. 1	Ecosystem Mgmt Trust Fund GAA/Line Item 1573A	00/01	37.003	Beach Erosion Control Program	\$112,086	140126
Amendment No. 2	Ecosystem Mgmt Trust Fund GAA/Line Item 1742	02/03	37.003	Beach Erosion Control Program	\$3,646,183	140126
Amendment No. 3	Ecosystem Mgmt Trust Fund GAA/Line Item 1676	04/05	37.003	Beach Erosion Control Program	\$1,209,769	140126
Amendment No. 7	Ecosystem Mgmt Trust Fund GAA/Line Item 1748	08/09	37.003	Beach Erosion Control Program	\$48,012	140126

Total Award					\$5,079,386	
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For each program identified above, the recipient shall comply with the program requirements described in the Catalog of Federal Domestic Assistance (CFDA) [<http://12.46.245.173/cfda/cfda.html>] and/or the Florida Catalog of State Financial Assistance (CSFA) [<https://apps.fldfs.com/fsaa/searchCatalog.aspx>]. The services/purposes for which the funds are to be used are included in the Contract scope of services/work. Any match required by the recipient is clearly indicated in the Contract.

CAPTIVA EROSION PREVENTION DISTRICT

2010 SCHEDULE OF REGULAR BOARD MEETINGS

Regular meetings are held on the second Wednesday of each month in the **Ding Darling Room at Tween Waters Inn, 15951 Captiva Drive, Captiva, Fl.**

January 13, 2010

February 10, 2010

March 10, 2010

April 7, 2010

May 12, 2010

June 9, 2010

July 14, 2010

August 11, 2010

September 8, 2010

October 13, 2010

November 10, 2010

December 8, 2010

DRAFT

Calendar for year 2010 (United States)

<p>January</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2</p> <p>3 4 5 6 7 8 9</p> <p>10 11 12 13 14 15 16</p> <p>17 18 19 20 21 22 23</p> <p>24 25 26 27 28 29 30</p> <p>31</p> <p>7: 15: 23: 30:</p>	<p>February</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4 5 6</p> <p>7 8 9 10 11 12 13</p> <p>14 15 16 17 18 19 20</p> <p>21 22 23 24 25 26 27</p> <p>28</p> <p>5: 13: 21: 28:</p>	<p>March</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4 5 6</p> <p>7 8 9 10 11 12 13</p> <p>14 15 16 17 18 19 20</p> <p>21 22 23 24 25 26 27</p> <p>28 29 30 31</p> <p>7: 15: 23: 29:</p>
<p>April</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3</p> <p>4 5 6 7 8 9 10</p> <p>11 12 13 14 15 16 17</p> <p>18 19 20 21 22 23 24</p> <p>25 26 27 28 29 30</p> <p>6: 14: 21: 28:</p>	<p>May</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1</p> <p>2 3 4 5 6 7 8</p> <p>9 10 11 12 13 14 15</p> <p>16 17 18 19 20 21 22</p> <p>23 24 25 26 27 28 29</p> <p>30 31</p> <p>6: 13: 20: 27:</p>	<p>June</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4 5</p> <p>6 7 8 9 10 11 12</p> <p>13 14 15 16 17 18 19</p> <p>20 21 22 23 24 25 26</p> <p>27 28 29 30</p> <p>4: 12: 19: 26:</p>
<p>July</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3</p> <p>4 5 6 7 8 9 10</p> <p>11 12 13 14 15 16 17</p> <p>18 19 20 21 22 23 24</p> <p>25 26 27 28 29 30 31</p> <p>4: 11: 18: 25:</p>	<p>August</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4 5 6 7</p> <p>8 9 10 11 12 13 14</p> <p>15 16 17 18 19 20 21</p> <p>22 23 24 25 26 27 28</p> <p>29 30 31</p> <p>3: 9: 16: 24:</p>	<p>September</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4</p> <p>5 6 7 8 9 10 11</p> <p>12 13 14 15 16 17 18</p> <p>19 20 21 22 23 24 25</p> <p>26 27 28 29 30</p> <p>1: 8: 15: 23: 30:</p>
<p>October</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2</p> <p>3 4 5 6 7 8 9</p> <p>10 11 12 13 14 15 16</p> <p>17 18 19 20 21 22 23</p> <p>24 25 26 27 28 29 30</p> <p>31</p> <p>7: 14: 22: 30:</p>	<p>November</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4 5 6</p> <p>7 8 9 10 11 12 13</p> <p>14 15 16 17 18 19 20</p> <p>21 22 23 24 25 26 27</p> <p>28 29 30</p> <p>6: 13: 21: 28:</p>	<p>December</p> <p>Su Mo Tu We Th Fr Sa</p> <p>1 2 3 4</p> <p>5 6 7 8 9 10 11</p> <p>12 13 14 15 16 17 18</p> <p>19 20 21 22 23 24 25</p> <p>26 27 28 29 30 31</p> <p>5: 13: 21: 27:</p>

Holidays and Observances:

Jan 1 New Year's Day
 Jan 13 Stephen Foster Memorial Day
 Jan 18 Martin Luther King Day
 Feb 1 National Freedom Day
 Feb 14 Valentine's Day
 Feb 15 Presidents' Day
 Feb 16 Shrove Tuesday/Mardi Gras
 Mar 30 First day of Passover

Sep 6 Labor Day
 Sep 9 Rosh Hashana
 Sep 11 Carl Garner Federal Lands Cleanup Day
 Sep 11 Patriot Day
 Sep 12 National Grandparents Day
 Sep 17 Constitution Day and Citizenship Day
 Sep 17 National POW/MIA Recognition Day
 Sep 18 Yom Kippur

Apr 2	Good Friday (CT, HI, TN)	Sep 26	Gold Star Mother's Day
Apr 4	Easter Sunday	Sep 29	Last day of Sukkot
Apr 5	Easter Monday	Oct 4	Child Health Day
Apr 6	Last day of Passover	Oct 11	Columbus Day (Most regions)
Apr 15	Tax Day	Oct 15	White Cane Safety Day
May 1	Law Day	Oct 31	Halloween
May 1	Loyalty Day	Nov 2	Election Day
May 6	National Day of Prayer	Nov 11	Veterans Day
May 9	Mother's Day	Nov 25	Thanksgiving Day
May 15	Armed Forces Day	Dec 2	First Day of Chanukah
May 15	Peace Officers Memorial Day	Dec 7	Pearl Harbor Remembrance Day
May 21	National Defense Transportation Day	Dec 9	Last day of Chanukah
May 22	National Maritime Day	Dec 17	Pan American Aviation Day
May 31	Memorial Day	Dec 17	Wright Brothers Day
Jun 14	Flag Day	Dec 23	Presidents' Day (IN)
Jun 20	Father's Day	Dec 24	Christmas Eve
Jul 4	Independence Day	Dec 24	'Christmas Day' observed
Jul 5	'Independence Day' observed	Dec 25	Christmas Day
Jul 25	Parents' Day	Dec 31	'New Year's Day' observed
Aug 19	National Aviation Day		

Calendar generated on www.timeanddate.com/calendar

SECTION IV: ORGANIZATION AND REORGANIZATION OF THE BOARD OF COMMISSIONERS

Rule 4.01 -- Powers

Chapter 81-413, Laws of Florida, creating the Captiva Erosion Prevention District, provides that the legislation and governing body of the Captiva Erosion Prevention District shall have the power to carry out its duties to the extent not inconsistent with general or special law. This power shall include, but shall not be limited to, the power to adopt its own rules and procedures, select its officers and set the time and place of its official meetings.

Rule 4.02 -- Annual Organization

The Board of Commissioners of the Captiva Erosion Prevention District shall, at the first regular meeting in December of each year, or thereafter, organize or re-organize the officers of the District Board as to designating or redesignating a Chairman, Vice-Chairman, Secretary and Treasurer. The Chairman, Vice Chairman, Secretary and Treasurer shall serve for a one-year term unless the District Board shall re-organize as set forth in the procedures below. An individual Commissioner may hold the office of Secretary and Treasurer concurrently.

Any Commissioner who incurs more than three unexcused absences within one year shall be asked to resign his or her seat upon the Board.

The incumbent Chairman, Vice-Chairman or Secretary of the District Board shall be present and conduct the meeting until a new Chairman has been selected. The organization of the District Board will be the first item on the agenda for that meeting.

Rule 4.03 -- Procedure for Annual Organization

The Board shall take the time to discuss the positions available, giving a commissioner the chance to decline a post if unable to perform its duties.

The incumbent Chairman shall call for nominations for the new Chairman, taking nominations until a vote is called to close the nominations. The election of the Chairman will be upon roll call. After a new Chairman is elected the other posts will be elected in the same manner.