

Doris Holzheimer
Vice Chairman

**Regular Meeting of the
Captiva Erosion Prevention District**

Tween Waters Inn, Wakefield Room
15951 Captiva Drive, Captiva, Florida

August 11, 2010 @ Noon

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Agenda

**Regular Meeting of the
Captiva Erosion Prevention District**
Tween Waters Inn, Wakefield Room
15951 Captiva Drive, Captiva, Florida 33924
August 11, 2010

- I. Call to Order
- II. Roll Call
- III. Approval of July Minutes
- IV. Public to be Heard
- V. Financial Report
- VI. Report of the Senior Administrative Consultant
 - a) Florida League of Cities Liability Insurance
 - b) County Manager Meeting
 - c) TRIM Update
- VII. Old Business
 - a) Response to Lee County's derailment of penny tax concept
 - b) Resource/pamphlet for referendum and renourishment information
 - c) PIP Contract Rate
- VIII. New Business
 - a) Resolution 2010-05 Authorizing Construction of Erosion Prevention Project
 - b) Department of Transportation Plans for Turner Beach Parking Area
 - c) Beach Vehicle
 - d) Blind Pass Permit Modification
- IX. Commissioner Comments

Adjourn

Minutes of the Budget Workshop of the Captiva Erosion Prevention District
11513 Celebration Center, Unit 4, Captiva, Florida
July 13, 2010 @ 1PM

Commissioners Present: Mike Mullins (Chairman), Doris Holzheimer (Vice Chairman), Dave Jensen (Treasurer), Harry Kaiser (Secretary)

Consultant Present: Kathy Rooker (Senior Administrative Consultant), JoAnn Paul (Accountant)

I. Call to Order

Chairman Mullins called the workshop to order at 1:05PM

II. Roll Call

The roll was called and the results are detailed above.

III. Budget Discussion

a) Millage rate of 0.2474

- Maximum rate allowed with a majority vote
- Percent change of rolled back rate is -1.9%
- Total taxes it would levy is \$321,503
- Possible reserve of \$33,700

b) Millage rate of 0.2522

- This is the rolled back rate and requires a 2/3 vote
- Total taxes it would levy is \$327,741
- Possible reserve of \$40,526
- 0% change of rolled back rate

c) Millage rate of 0.2721

- Needs a 2/3 vote
- 7.9% change of rolled back rate
- Total taxes it would levy is \$352,172
- Possible reserve of \$62,835

d) Millage rate of 0.3010

- Unanimous vote needed
- 19.35% change of rolled back rate
- Total taxes it would levy is \$391,158
- Possible reserve of \$100,772

Chairman Mullins reminded commissioners that once a tentative millage rate is set, the rate can be lowered at the final budget hearing, but the rate cannot be increased. Commissioners were in favor of setting a tentative millage rate that is high enough to allow further discussion and budget options.

All commissioners present at the workshop agreed that they could attend the final budget hearing in September.

Workshop Adjourned at 3:15PM

Minutes of the Regular Meeting of the Captiva Erosion Prevention District

'Tween Waters Inn, Wakefield Room
15951 Captiva Drive, Captiva, Florida 33924
July 14, 2010 at 12:00 P. M.

Commissioners Present: Mike Mullins (Chairman), Doris Holzheimer (Vice Chair), Dave Jensen (Treasurer), Harry Kaiser (Secretary), Rene Miville (Commissioner).

Consultants Present: Kathleen Rooker (Senior Administrative Consultant); John Bralove (Administrative Consultant); Joanne Paul (CEPD Accountant); Steve Keehn (Coastal Planning and Engineering).

I. Call to Order

Chair Mullins called the meeting to order at 12:01 p.m.

II. Roll Call

The roll was called and the results are detailed above.

III. Approval of May Meeting Minutes

Mr. Kaiser moved and Mr. Jensen seconded a motion to dispense with the reading of the minutes from the May meeting. Ms. Holzheimer expressed concern that Robert Neal's comments regarding a response to a question Mr. Miville asked was unclear. Ms. Rooker agreed but stated that the minutes accurately reflected Mr. Neal's response. Ms. Holzheimer also commented on the detail of the minutes and that they should reflect more of a summary of the proceedings. The motion to dispense with reading the minutes was approved unanimously.

Mr. Kaiser moved and Mr. Jensen seconded a motion to re-order the agenda to allow the items with which Mr. Keehn is involved to be discussed first (VII – Old Business, Engineering Report, Emergency/Comprehensive Plan, and Deepwater Horizon and Protective Strategies). The motion passed without dissent.

IV. Public to be Heard

Ms. Rooker explained that she had talked to Jim Boyle about the installation of mobile toilets in the Hagerup Parking Lot that adjoins Mr. Boyle's property as part of the review of whether to use Lee County Department of Parks and Recreation funds to install this facility. Mr. Mullins called upon Mr. Boyle for his comments. Mr. Boyle passed on a letter to the commissioners expressing his objections. Both Mr. and Mrs. Boyle added comments. After additional discussion, Ms. Holzheimer moved and Mr. Jensen seconded to reject the proposal from the County. The motion passed unanimously.

V. Financial Report

Mr. Mullins led the discussion on whether to pay down the existing loan given that the borrowed money is earning less than 1% interest and the loan rate is 3.6%. After discussion, the Board agreed to bring this issue up again after the end of the budget year and after the November 2 referendum.

VI. Report of the Senior Administrative Consultant

a) Parking Lot

Ms. Rooker reported on the request for a refund of \$16 from a patron who had parked in the Hagerup Parking Lot and had put in a \$20 bill for a \$4 parking fee expecting the parking meter machine to give change. The Commissioners decided to refund the \$16 in this specific case without deciding whether this would be the policy in the future.

b) Important Meeting Dates

Ms. Rooker reminded the Commissioners of future meeting dates and called their attention to those dates listed on Page 17 of the agenda materials.

c) ASBPA Meeting

Ms. Rooker reported that this meeting is scheduled for October 13 through 15 and reminded the Commissioners that the regular Board meeting had been rescheduled to October 19 to allow attendance at that meeting. Ms. Rooker expressed interest in attending and the Commissioners approved subject to there being no scheduling or work conflicts.

d) Meeting with County Manager

Ms. Rooker reported on her meeting with the Lee County Manager, Karen Hawes, that they had on June 11. The three items discussed were:

1. The formula used to determine the TDC share of funding for beach renourishment projects has not been documented.
2. CEPD did not receive a fair share of the TCD funding for the 2005-06 beach nourishment project.
3. CEPD requested that TDC be responsible for the remaining local cost share associated with the 2005-06 project.

Ms. Hawes had to postpone her response to the three items discussed until July 15. Another meeting will be scheduled and Mr. Mullins will attend with Ms. Rooker.

e) Bed Tax

Mr. Mullins reviewed the history of this issue. The District now has received a letter from Florida Attorney General, Bill McCollum, who was asked to rule on two issues. On the first, he upheld CEPD's position that the District has "significant contiguity with the county..." This was contrary to the Lee County Attorney's finding.

On the issue of CEPD's ability to levy a 1 cent bed tax, the Attorney General stated that "It is the policy of this office not to comment on the authority of one governmental agency at the request of another agency. Lee County was contacted by this office to determine whether the county would join in your opinion request and the county declined to do so. Therefore, no comment is expressed on your second question."

Commissioners expressed concern and regret about the apparent lack of good faith from Lee County in dealing with this issue. CEPD will continue to pursue this matter by contacting members of the Board of County Commissioners.

f) OSHA Training

Ms. Rooker reported the number of people trained was 214. CEPD has the names of those trained sorted by areas in which they reside or group for which they work or volunteer in case they are needed.

VII. Old Business

a) Engineering Report

Mr. Keehn briefly reviewed what he had presented at the last meeting. He discussed changes he was proposing in the Benefit Analysis Zones after discussions with Kathy Rooker and Bill Stronge. The purpose of the changes was to make the zones more representative, characteristic and consistent. Mr. Mullins suggested that the charts show addresses and Mr. Keehn agreed to add them in the detailed charts. Mr. Mullins also called for placement of more monuments to help property owners identify where their properties are.

Mr. Keehn commented that the construction cost estimates include a 15% contingency and a 3% per year inflation factor. He then presented revised data on cost-sharing based on three alternatives: all three regions (Captiva and Northern Sanibel including Bowman's Beach), Captiva and Northern Sanibel excluding Bowman's Beach, and Captiva alone. He also reviewed possible Federal and County cost scenarios and included data on an "emergency" budget as another scenario. The Commissioners asked questions of Mr. Keehn and reviewed the various scenarios, their related costs, and the likelihood of cost-sharing with Lee County, the state, and the federal government. Ms. Rooker explained that CEPD is able to spend less on a project after a long-range plan is

submitted to the DEP but it cannot be increased. Mr. Miville moved and Ms. Holzheimer seconded to approve \$15,000,000 as the number to go in the resolution ordering the referendum (see the minutes below under Agenda Item VIII (a) New Business “Resolution Ordering a Referendum”). The motion passed unanimously.

Ms. Rooker mentioned that Mr. Keen must submit a plan to DEP at this time. Ms. Holzheimer asked that Ms. Rooker and Mr. Keehn pull together a one-page report and rationale for the \$15 million scenario. Mr. Mullins suggested that the submission to DEP contain caveats concerning the project scale if CEPD does not receive full funding. Mr. Keehn will share the costing alternatives with Steve Boutelle and Vince George for feedback that he would like to receive by the end of the month.

b) Emergency/Comprehensive Plan

Mr. Keehn commented on progress in redoing the Emergency/Comprehensive plan. He said that what is in the engineering report, what was done in the emergency project in 2005-06, and the long range plan are big pieces and can be integrated into a new plan. He reported on four goals for the future:

1. Continue to monitor hot spots and the groins to see if refinement to the design is necessary or it is simply a high erosion period.
2. Re-establish the intent of the 10-year permit. He recommended that CEPD work with Florida Shore and Beach to help get this going again.
3. Continue the plans and specs for the next project starting with the next survey and submit those as the plans for the next project to get the process going and get the permits. He also recommended studying the feasibility of the Redfish Pass sand borrow area.
4. Normalize Blind Pass management especially regarding periodic maintenance and inlet management based upon new conditions at the pass. Both need to be re-clarified. He also recommended that CEPD not be the lead in this. Among other reasons he stated that Lee County is in a better position to take on the risk.

Mr. Keehn also talked about dividing the Emergency Project into four different types:

- Major
- FEMA qualified (any size but FEMA will pay 90%)
- Small projects less than 300,000 cubic yards – assuming no outside money
- Washout (facilitating projects on people’s property) - would be valuable to the community

c) Summer Survey

The matter of whether Bill Stronge should conduct a summer survey was discussed. Ms. Rooker reported that, according to Dr. Stronge, if a summer survey were done, it would bring CEPD’s numbers up. He also said that a summer survey was necessary because the people who come to Captiva during the summer have a different profile than those who come in the winter, and a summer survey has not been done in quite some time. Ms. Rooker also reported that Mr. Stronge had reduced his price for a summer survey from

\$20,000 to \$14,000 but will reduce the number of visits from 9 to 6. Mr. Jensen moved and Ms. Holzheimer seconded to approve Dr. Stronge performing the summer survey provided that it would be completed by the end of July. The motion passed without dissent.

d) Deepwater Horizon and Protective Strategies

Mr. Keehn reported on the probability of the oil spill impacting the Lee County coast being less than 1%. He warned that there is still some risk, especially if there is a hurricane.

Mr. Keehn reviewed the plan as last presented and identified 5 components of the plan:

1. Community Response Program
2. Berm and Swale Plan
3. Boom Plan
4. Mechanical Cleanup
5. Final Cleanup

He suggested that CEPD forward its plan to EOC and ask them to approve it and send it up the line for approval. Doing so sets the stage for CEPD to be paid back for costs that may be incurred and puts BP on notice that there are certain measures they must implement. Mr. Keehn commented on a series of recommendations in his report. He cautioned that the Lee County booming plan is not precise enough and needs more refinement. There is not enough detail for a contractor to know precisely where booms should be placed. Mr. Mullins requested that Ms. Rooker follow-up with Joe Pappalardo based on Mr. Keehn's recommendations. Mr. Jensen moved and Ms. Holzheimer seconded to submit the plan to the County and follow up with these other matters. The motion passed without dissent.

VIII. New Business

a) Resolution Ordering a Referendum

Ms. Rooker read the proposed resolution in its entirety to be voted on November 2, 2010 regarding the issuance of bonds. Mr. Miville moved and Mr. Kaiser seconded a motion to approve the resolution. The motion passed unanimously.

b) Survey Proposals

Mr. Mullins reviewed the history of this item. Both Ms. Holzheimer and Mr. Jensen thought that there would be no benefit derived from doing this project at this time. Ken Godderham, one of the bidders, was called upon for his comments. He thought that it was too late to conduct a survey now, that perhaps one done after the referendum might be useful, and that CEPD should put some of its resources in an awareness campaign. After additional discussion, no action was taken.

c) DR-420 Tentative Millage Rate and Budget

The Commissioners discussed the merits of four alternative rates: 0.2474, 0.2522, 0.2721, and 0.3010. Mr. Jensen moved and Mr. Miville seconded a motion to establish the Tentative Captiva Erosion Prevention District Millage rate at 0.3010 for the Truth in Millage requirements. The motion passed with all five commissioners voting for the motion.

d) Town Hall Meeting and Apportionment Hearing

Dates and times for the aforementioned were discussed. The Town Hall Meeting was set for October 20, 2010, at 1:00 p.m. The Apportionment Hearing was set for October 20, 2010, at 4:00 p.m. The location of these meetings will be determined.

Other dates set during the discussion of this agenda item: August 25, 2010 - Bill Stronge's report received by the Commissioners for review prior to the September 8 Board meeting.

Mr. Jensen moved and Mr. Kaiser seconded that the December Board of Commissioners meeting be cancelled. The motion passed without dissent.

IX. Commissioner Comments

Mr. Miville requested that the Board allow him to take a lesser role. He suggested that the Board consider creating an advisory board of one to work on matters related to Blind Pass. Mr. Mullins asked the Commissioners to think about Mr. Miville's request and be prepared to discuss it at the start of the next meeting.

X. Adjournment - The meeting adjourned at 4:48 pm.

CEPD - GENERAL FUND
 Budget Performance - Summary
 For the One and Nine Months Ended June 30, 2010

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	Actual -June '10	Budget - June '10	Variance - June '10	Acutal YTD	YTD Budget	YTD Variance	Annual Budget	Residual Budget
Ordinary Income/Expense								
Income								
Ad Valorem Tax	6,564.63	9,285.00	(2,720.37)	313,869.77	308,717.00	5,152.77	308,741.00	0.00
Interest income - Other	66.88	0.00	66.88	1,161.90	0.00	1,161.90	0.00	0.00
Other Income	300.00	0.00	300.00	12,842.76	800.00	12,042.76	900.00	0.00
Total Income	<u>6,931.51</u>	<u>9,285.00</u>	<u>(2,353.49)</u>	<u>327,874.43</u>	<u>309,517.00</u>	<u>18,357.43</u>	<u>309,641.00</u>	<u>0.00</u>
Gross Profit	6,931.51	9,285.00	(2,353.49)	327,874.43	309,517.00	18,357.43	309,641.00	0.00
Expense								
Administrative expenses	5,463.59	7,387.00	(1,923.41)	38,641.87	39,861.00	(1,219.13)	54,000.00	15,358.13
Capital outlay	0.00	750.00	(750.00)	683.64	2,250.00	(1,566.36)	3,000.00	2,316.36
Reserves	0.00	0.00	0.00	0.00	0.00	0.00	103,290.00	103,290.00
Cost of collecting Ad Valorem	131.30	90.00	41.30	8,141.78	4,800.00	3,341.78	4,800.00	0.00
Legal and professional fees	16,762.15	12,046.00	4,716.15	117,747.35	108,414.00	9,333.35	144,551.00	26,803.65
Total Expense	<u>22,357.04</u>	<u>20,273.00</u>	<u>2,084.04</u>	<u>165,214.64</u>	<u>155,325.00</u>	<u>9,889.64</u>	<u>309,641.00</u>	<u>144,426.36</u>
Net Ordinary Income	<u>(15,425.53)</u>	<u>(10,988.00)</u>	<u>(4,437.53)</u>	<u>162,659.79</u>	<u>154,192.00</u>	<u>8,467.79</u>	<u>0.00</u>	<u>(144,426.36)</u>
Net Income	<u>(15,425.53)</u>	<u>(10,988.00)</u>	<u>(4,437.53)</u>	<u>162,659.79</u>	<u>154,192.00</u>	<u>8,467.79</u>	<u>0.00</u>	<u>(144,426.36)</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 and Nine Months Ended June 30, 2010

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)
	Actual - June '10	Budget - June '10	Variance - June '10	YTD Actual	YTD Budget	YTD Variance	Annual Budget	Residual Budget
Ordinary Income/Expense								
Income								
Interest Income	358.01	1,250.00	(891.99)	4,921.02	11,250.00	(6,328.98)	15,000.00	10,078.98
Other miscellaneous revenue	0.00	0.00	0.00	368.95	0.00	368.95	0.00	0.00
Parking lot revenue	14,655.35	10,145.00	4,510.35	120,552.73	76,776.00	43,776.73	100,000.00	0.00
Refund unused project costs	60,627.52	0.00	60,627.52	60,627.52	75,000.00	(14,372.48)	75,000.00	14,372.48
Reserves - General	0.00	0.00	0.00	0.00	0.00	0.00	103,290.00	103,290.00
Total Special Assessments	12,439.74	16,744.00	(4,304.26)	576,373.14	498,225.00	78,148.14	534,330.00	0.00
Total Income	88,080.62	28,139.00	59,941.62	762,843.36	661,251.00	101,592.36	827,620.00	127,741.46
Expense		0.00	0.00	0.00	0.00	0.00	0.00	0.00
Advertising	0.00	0.00	0.00	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	5,728.00	(5,728.00)	6,000.00	6,000.00
Bank service charges	0.00	9.00	(9.00)	3.00	75.00	(72.00)	100.00	97.00
Beach maintenance	0.00	0.00	0.00	62,568.12	110,000.00	(47,431.88)	123,000.00	60,431.88
Blind Pass project	0.00	0.00	0.00	142,875.42	686,965.00	(544,089.58)	686,965.00	544,089.58
Cost of Assessment Collections	0.00	38.00	(38.00)	1,163.37	1,119.00	44.37	1,200.00	36.63
Engineering (CP)	1,091.75	2,318.00	(1,226.25)	12,411.90	23,833.00	(11,421.10)	35,000.00	22,588.10
Grant Reimbursement	0.00	0.00	0.00	0.00	374,000.00	(374,000.00)	374,000.00	374,000.00
Insurance	0.00	0.00	0.00	10,644.00	6,100.00	4,544.00	6,100.00	0.00
Parking lot expenses	2,225.35	896.00	1,329.35	20,344.65	20,527.00	(182.35)	26,500.00	6,749.09
Project Management Support	5,760.49	8,638.00	(2,877.51)	106,824.99	145,206.00	(38,381.01)	248,800.00	141,975.01
Renourishment 2013/14 Design Phase	42,705.00	97,499.00	(54,794.00)	63,555.00	292,500.00	(228,945.00)	585,000.00	522,060.00
Rent	527.37	583.00	(55.63)	4,495.25	5,250.00	(754.75)	7,000.00	2,504.75
Storage of records	159.00	159.00	0.00	1,431.00	1,432.00	(1.00)	1,910.00	479.00
Website Development	0.00	0.00	0.00	0.00	3,000.00	(3,000.00)	3,000.00	3,000.00
Total Expense	52,468.96	110,231.00	(57,762.04)	426,316.70	1,677,785.00	(1,251,468.30)	2,106,625.00	1,686,061.04
Net Ordinary Income (Loss)	35,611.66	(82,092.00)	117,703.66	336,526.66	(1,016,534.00)	1,353,060.66	(1,279,005.00)	(1,558,319.58)
Total Other Expense	0.00	0.00	0.00	491,874.96	491,915.00	(40.04)	491,915.00	40.29
Net Income	35,611.66	(82,092.00)	117,703.66	(155,348.30)	(1,508,449.00)	1,353,100.70	(1,770,920.00)	(1,558,359.87)

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

CEPD - GENERAL FUND

Balance Sheet
As of June 30, 2010

	<u>June '10</u>
ASSETS	
Current Assets	
Checking/Savings	
S.B.A. Account	112.31
Wachovia - checking	361,777.62
Total Checking/Savings	<u>361,889.93</u>
Total Current Assets	<u>361,889.93</u>
TOTAL ASSETS	<u><u>361,889.93</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Due to Capital Projects Fund	39,386.36
Total Other Current Liabilities	<u>39,386.36</u>
Total Current Liabilities	<u>39,386.36</u>
Total Liabilities	39,386.36
Equity	
Fund Balance	159,843.78
Net Income	162,659.79
Total Equity	<u>322,503.57</u>
TOTAL LIABILITIES & EQUITY	<u><u>361,889.93</u></u>

CEPD - CAPITAL PROJECTS FUND

Balance Sheet
As of June 30, 2010

	<u>June '10</u>
ASSETS	
Current Assets	
Checking/Savings	
Checking Wachovia Capital	1,666,542.85
Sanibel Captiva Bank - CD	250,000.00
SBA	<u>213,818.00</u>
Total Checking/Savings	<u>2,130,360.85</u>
Other Current Assets	
Due From General Fund	<u>39,386.36</u>
Total Other Current Assets	<u>39,386.36</u>
Total Current Assets	<u>2,169,747.21</u>
TOTAL ASSETS	<u><u>2,169,747.21</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Due to other governments	<u>487,597.00</u>
Total Other Current Liabilities	<u>487,597.00</u>
Total Current Liabilities	<u>487,597.00</u>
Total Liabilities	487,597.00
Equity	
Fund Balance	1,837,498.51
Net Income	<u>(155,348.30)</u>
Total Equity	<u>1,682,150.21</u>
TOTAL LIABILITIES & EQUITY	<u><u>2,169,747.21</u></u>

**CEPD - CASH POSITIONS
 AS OF JUNE 30, 2010**

	GENERAL FUND	CAPTIAL FUNDS	TOTAL FUNDS
CASH and CASH EQUIVILANTS June 30, 2010			
Checking	\$361,778	\$1,666,543	\$2,028,320
S.B.A.	112	213,818	213,930
Certificates of Deposit		250,000	250,000
TOTAL CASH and CASH EQUIVILANTS June 30 , 2010	361,890	2,130,361	2,492,251

PROJECTED ACTIVITY - JULY

Plus:

Parking Lot Receipts		16,053	16,053
Refund Unused Project Costs			-
Other Income	251	311	562
Due From General Fund			-
Special Assessments collected		3,754	
Tax Collector Distribution	2		2
Total Additions	253	20,118	16,617

Less:

Projected Expenditures - July

Blind Pass Project			-
Partners in Progress	8,500	4,000	12,500
Engineering		1,480	1,480
2013/2014 Renourishment			-
Administrative costs	2,382	159	2,541
Parking lot		2,139	2,139
Property Appraise/Tax Collector Fees			-
Due to Projects			-
Rent	1,386	418	1,804
Debt Service Payment			-
Professional Fees	715	785	1,500
Total Reductions	12,983	8,981	21,964

Net Projected Increase(Decrease)

(12,730)	11,137	(5,348)
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Communication Plan
Pre-Referendum

Doris Holzheimer

1. Set clear objectives by segmented voters.
2. Identify list of possible resources (places/venues to communicate)
3. Identify key messages
4. Decide which messages to include in which venues.
5. Define a communication timeline and adjust as needed.
6. Gain agreement to plan from commissioners.

We need to understand and pay attention to all laws governing our actions.
We can use the schedule Kathy developed for the referendum.

RESOLUTION 2010-05
BY THE BOARD OF COMMISSIONERS OF THE
CAPTIVA EROSION PREVENTION DISTRICT
LEE COUNTY, FLORIDA

WHEREAS, the Captiva Erosion Prevention District (“District”) is authorized by Chapter 2000-399, Laws of Florida as a beach and shore preservation district; and

WHEREAS, the District has developed and adopted a comprehensive beach and shore preservation program and a beach maintenance program for the area within its jurisdiction; and

WHEREAS, the District has implemented the Captiva Beach Restoration Project, which was authorized pursuant to Resolution 87-5 and the vote of the Captiva electors in 1987, and intends that the Restoration Project be maintained; and

WHEREAS, the District has maintained the Captiva Beach Restoration Project with successive renourishment projects in 1988, 1996, 2005 and 2008; and

WHEREAS, the District is authorized under Section 10, Chapter 2000-399, Laws of Florida, to provide for the construction, reconstruction or maintenance of an Erosion Prevention Project or Projects and for the levying of special assessments upon benefited property, upon obtaining the approval from a majority of the qualified electors residing in the District voting in a referendum election to be called by the District Board.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CAPTIVA EROSION PREVENTION DISTRICT OF LEE COUNTY, FLORIDA that:

Section 1. The Board of Commissioners of the Captiva Erosion Prevention District does hereby authorize and order the construction of the following erosion prevention project (“Project”), under and subject to the provisions of Section 10, Chapter 2000-399, Laws of Florida, which Project shall consist of maintenance renourishment of the Captiva Beach Restoration Project by the placement of fill thereon from the northern end beginning at Redfish Pass extending south to the southern end at Blind Pass.

Section 2. The erosion prevention project shall be given the designation “The Captiva Island 2013-2014 Beach Maintenance Renourishment Project”, and may be referred to as such in all proceedings and assessments, with the exception of certain Notices by Publication, according to the provisions of Chapter 2000-399, Laws of Florida.

Section 3. The Captiva Island 2013-2014 Beach Maintenance Renourishment Project is more fully described as placement of fill thereon from the northern end beginning at Redfish Pass extending south to Blind Pass, between FDEP survey

monuments R-84 and R-109, with a fill volume of approximately 926,000 cubic yards over 25,100 feet of Gulf shoreline and a minimum beach width of 30 feet with maximum beach widths exceeding 100 feet in hot spot regions. The Project may include placement of mitigative sand south of the terminal groin at Blind Pass pursuant to the Interlocal Agreement between the District, Lee County and the City of Sanibel, dated June 22, 2004.

Section 4. The Project shall be paid for in part or in whole through the levy of special assessments against benefited properties within the District.

Section 5. Construction on the Project shall commence, and special assessments shall be authorized, only with the approval of a majority of qualified electors residing in the District voting in the referendum election to be called by the District Board in accordance with the provisions of Chapter 2000-399, Laws of Florida.

THE FOREGOING RESOLUTION was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to vote, the vote was as follows:

Chairman Michael Mullins	_____
Vice Chairman Doris Holzheimer	_____
Treasurer Dave Jensen	_____
Secretary Henry A.Kaiser	_____
Commissioner Renee Miville	_____

DULY PASSED AND ADOPTED THIS _____ DAY OF AUGUST , 2010.

Board of Commissioners of the Captiva
Erosion Prevention District

By: _____
Chairman

Certified by: _____
Secretary

Approved by: _____
Attorney



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

July 28, 2010
OL-010-10

John E. Manning
District One

A. Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Karen B. Hawes
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing
Examiner

Captiva Erosion Prevention District
PO Box 365
Captiva, Florida 33924

RE: Turner Beach/Blind Pass Retention Area

Submitted via e-mail

Dear CEPD Commissioners,

On behalf of the Lee County Board of County Commissioners I am pleased to provide the attached maintenance plans and correspondence for the restoration of a previously permitted and constructed retention area associated with the construction of the Blind Pass Bridge which connects Sanibel and Captiva Islands.

Based our review of the provided CEPD permit application we believe that this activity does not fall under the jurisdiction of the Captiva Erosion Prevention District. Therefore we are providing the plans and other project information as a courtesy to the District.

All of the work will be located landward of the existing mean high water line and the 1988 mean high water line location according to DEP historical data. There are no erosion prevention components to this project; the project site is located behind the existing revetment/jetty located along the western shoreline of Blind Pass.

The Lee County Department of Transportation received a written notice of non-compliance from the South Florida Water Management District requesting the restoration of the retention area as part of the ongoing maintenance of the original permit. A copy of the request from SFWMD is also attached for your use.

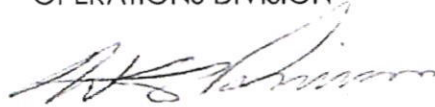
The retention area is being reconfigured somewhat in an effort to minimize impacts to existing native vegetation and the existing parking area. The retention area will be replanted with native and dune vegetation after elevations are restored. The tree portion of the planting plan is being organized in conjunction with a Florida Department of Forestry grant. A copy of a proposed planting plan is attached for your reference.

All beach compatible material will be remain seaward of the Coastal Construction Control Line in the form of two planted berms indicated on the plans with the remaining material to be placed within the County owned right of way beneath the Blind Pass Bridge on the Sanibel side on Blind Pass. Non-beach compatible material will be trucked off-site to an area landward of the CCCL.

Please feel free to contact us if you should have any questions at 239-533-9403 or via e-mail at wsimmons@leegov.com.

Very truly yours,

DEPARTMENT OF TRANSPORTATION
OPERATIONS DIVISION

A handwritten signature in black ink, appearing to read "Clay Simmons", written in a cursive style.

Clay Simmons, P.E.
Division Director

cc:Paul Wingard, P.E. Deputy Director Lee County DOT
Jennifer Cowart, FDEP Beaches & Coastal Systems
File



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

LOWER WEST COAST REGIONAL SERVICE CENTER 2301 McGregor Boulevard, Fort Myers, FL 33901
(239) 338-2929 • FL WATS 1-800-248-1201 • Suncom 748-2929 • Fax (239) 338-2936 • www.sfwmd.gov/lwc

April 23, 2010

LEE COUNTY
1500 MONROE STREET
FORT MYERS, FL 33901

RECEIVED

APR 27 2010

LC DEPT OF TRANSPORTATION

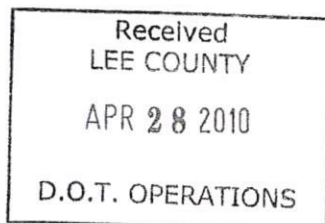
Dear Permittee:

**Subject : Notice Of Non-Compliance, Wms Complete
BLIND PASS BRIDGE REPLACEMENT
Permit No. 36-01000-S, Application No. 10148-9
Lee County, S11/T46S/R21E**

This letter is written to inform you that a post-permit compliance inspection was conducted at the subject project on 20-APR-2010. The inspection revealed that Permit Number 36-01000-S is not in compliance with the special conditions of the permit. Specifically, those issues in need of resolution are as follows:

1. Retention Pond A needs maintenance. Furthermore, the control structure is obstructed by heavy vegetation (see enclosed photos). Please remove excess vegetation from the retention berm and the control structure.
2. Retention B is not well defined (see enclosed photos). Please reconstruct Retention Pond B so that it matches the permitted plans and details.
3. District staff could not locate end of pipe in Retention Pond B. In addition, staff noted a hole in the pipe (see enclosed photo). Please replace this pipe.
4. District staff could not locate the two (2) weirs for Retention Pond B (see enclosed photo). Please re-establish the permitted weirs.

The District requests that you correct the deficiencies noted above and provide us with documentation of same or submit an acceptable plan for corrective actions within thirty (30) days of your receipt of this notice.





LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

July 28, 2010
OL-010-10

John E. Manning
District One

A. Brian Bigelow
District Two

Ray Judah
District Three

Tammy Hall
District Four

Frank Mann
District Five

Karen B. Hawes
County Manager

David M. Owen
County Attorney

Diana M. Parker
County Hearing
Examiner

Ms. Jennifer Cowart
c/o Florida Department of Environmental Protection
Division of Beaches & Coastal Systems
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33902-2549

RE: Turner Beach Field Permit Request

Submitted via e-mail

Dear Jenny,

On behalf of the Lee County Board of County Commissioners I am pleased to provide the attached maintenance plans and correspondence for the restoration of a previously permitted and constructed retention area associated with the construction of the Blind Pass Bridge which connects Sanibel and Captiva Islands.

The Lee County Department of Transportation received a written notice of non-compliance from the South Florida Water Management District requesting the restoration of the retention area as part of the ongoing maintenance of the original permit. A copy of the request from SFWMD is also attached for your use.

The retention area is being reconfigured somewhat in an effort to minimize impacts to existing native vegetation and the existing parking area. The retention area will be replanted with native and dune vegetation after elevations are restored. The tree portion of the planting plan is being organized in conjunction with a Florida Department of Forestry grant. A copy of a proposed planting plan is attached for your reference.

All beach compatible material will be remain seaward of the Coastal Construction Control Line in the form of two planted berms indicated on the plans with the remaining material to be placed within the County owned right of way beneath the Blind Pass Bridge on the Sanibel side on Blind Pass. Non-beach compatible material will be trucked off-site to an area landward of the CCCL.

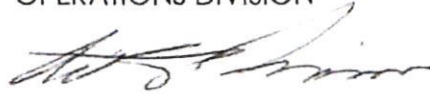
The seaward extent of the work will be approximately 100-feet seaward of DEP monument R-109. All of the work will be located landward of the existing mean high water line and the 1988 mean high water line location according to DEP historical data.

Based upon the information provided herein, we believe that this activity qualifies for a field permit under FDEP rules and guidelines and request that a field permit be issued for the maintenance work to be conducted.

If we may provide you with any additional information, please feel free to contact me at 239-533-9403 or via e-mail at wsimmons@leegov.com.

Very truly yours,

DEPARTMENT OF TRANSPORTATION
OPERATIONS DIVISION

A handwritten signature in black ink, appearing to read "Clay Simmons", is written over the typed name.

Clay Simmons, P.E.
Division Director

cc:Paul Wingard, P.E. Deputy Director Lee County DOT
Captiva Erosion Prevention District
File



- NOTES:**
1. EXISTING VEGETATION AT THE CAPTIVA BASIN WILL BE REPLACED BY LEE COUNTY DOT OPERATIONS IN CONJUNCTION WITH US FORESTRY GRANT.
 2. EXCESS FILL FROM THE CAPTIVA BASIN TO BE PLACED UNDER THE SANIBEL END OF THE BRIDGE SEAWARD OF THE COASTAL CONSTRUCTION CONTROL LINE.
 3. FOR PERMIT USE ONLY, NOT FOR CONSTRUCTION.



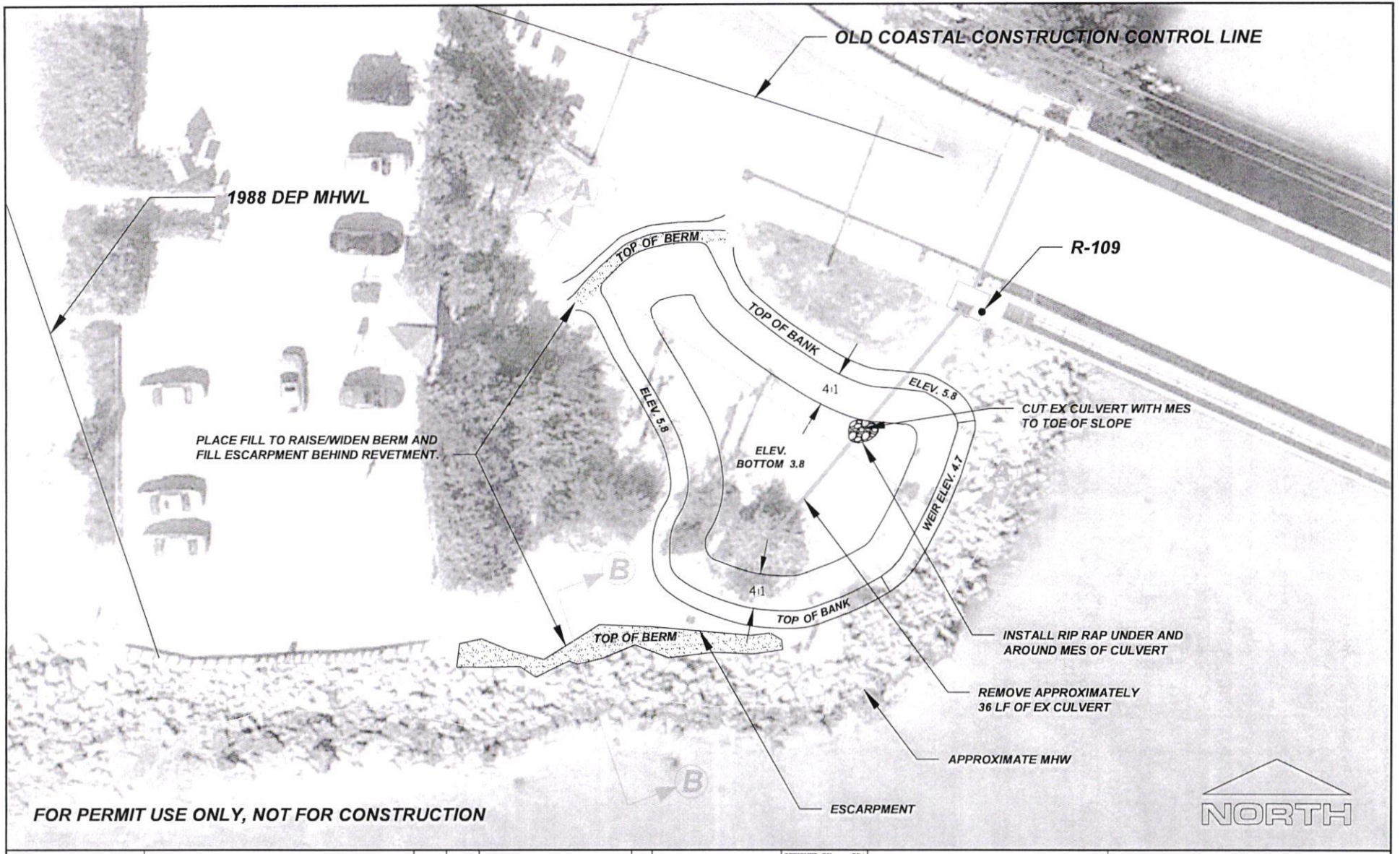
LEE COUNTY DEPARTMENT OF TRANSPORTATION
 OPERATIONS DIVISION
 5560 ZIP DRIVE
 FORT MYERS, FLORIDA 33905
 TEL (239) 533-9400

Revision	Date	Description	By

DESIGNED BY:	BOJ
DRAWN BY:	BOJ
APPROVED:	WCS
JOB CODE:	
SCALE:	1:50

**BLIND PASS
 LEE COUNTY, FLORIDA**

BLIND PASS		
CAPTIVA AND SANIBEL BASINS		
DATE:	FILE NAME:	DRAWING NUMBER 1 of 4
7/21/2010		



FOR PERMIT USE ONLY, NOT FOR CONSTRUCTION



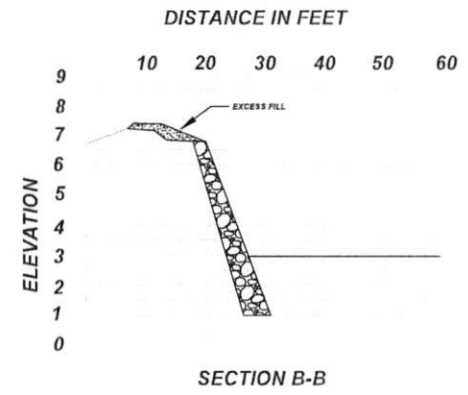
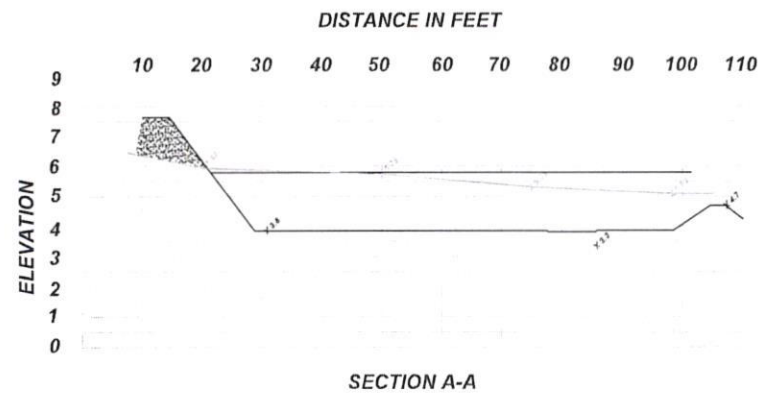
LEE COUNTY DEPARTMENT OF TRANSPORTATION
 OPERATIONS DIVISION
 5560 ZIP DRIVE
 FORT MYERS, FLORIDA 33905
 TEL (239) 533-9400

Revision	Date	Description	By


DESIGNED BY: BOJ
 DRAWN BY: BOJ
 APPROVED: WCS
 JOB CODE:
 SCALE: 1:20

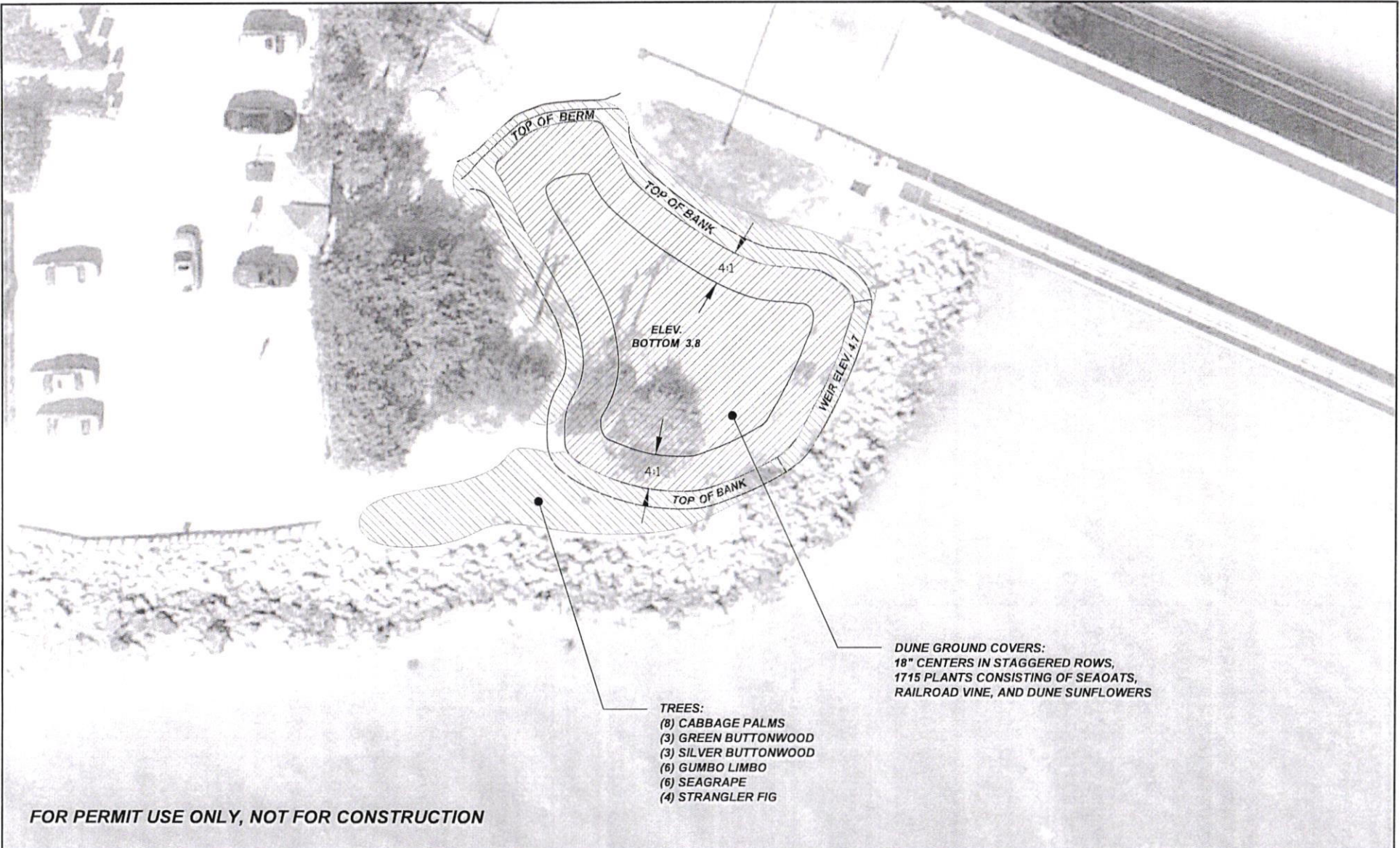
BLIND PASS
LEE COUNTY, FLORIDA

CAPTIVA BASIN		
BASIN MAINTENANCE		
DATE: 7/21/2010	FILE NAME:	DRAWING NUMBER 2 OF 4



FOR PERMIT USE ONLY, NOT FOR CONSTRUCTION

 LEE COUNTY SOUTHWEST FLORIDA	LEE COUNTY DEPARTMENT OF TRANSPORTATION OPERATIONS DIVISION 5560 ZIP DRIVE FORT MYERS, FLORIDA 33905 TEL (239) 533-9400					DESIGNED BY: <u>BDJ</u>	BLIND PASS LEE COUNTY, FLORIDA	CAPTIVA BASIN		
						DRAWN BY: <u>BDJ</u>		SECTION VIEWS		
						APPROVED: <u>WCS</u>		DATE: <u>7/21/2010</u>	FILE NAME:	DRAWING NUMBER <u>3</u> OF <u>4</u>
						JOB CODE:				
						SCALE: <u>1:20</u>				



DUNE GROUND COVERS:
 18" CENTERS IN STAGGERED ROWS,
 1715 PLANTS CONSISTING OF SEA OATS,
 RAILROAD VINE, AND DUNE SUNFLOWERS

TREES:
 (8) CABBAGE PALMS
 (3) GREEN BUTTWOOD
 (3) SILVER BUTTWOOD
 (6) GUMBO LIMBO
 (6) SEAGRAPE
 (4) STRANGLER FIG

FOR PERMIT USE ONLY, NOT FOR CONSTRUCTION



LEE COUNTY DEPARTMENT OF TRANSPORTATION
 OPERATIONS DIVISION
 5560 ZIP DRIVE
 FORT MYERS, FLORIDA 33905
 TEL (239) 533-9400

Revision	Date	Description	By

DESIGNED BY:	BDJ
DRAWN BY:	BDJ
APPROVED:	WCS
JOB CODE:	
SCALE:	1:20

**BLIND PASS
 LEE COUNTY, FLORIDA**

CAPTIVA BASIN		
LANDSCAPING PLAN		
DATE: 7/21/2010	FILE NAME:	DRAWING NUMBER 4 of 4

FY 2011-12 Local Government Funding Request

Project Name: Captiva Island and Sanibel Island Beach Renourishment

Project Description: The project includes the periodic nourishment and monitoring of the Captiva Island segment of the federally authorized Lee County Shore Protection Project, and nourishment of northern Sanibel Island and Bowmans Beach. The project area is located between Florida DEP reference monuments R-84 and R-109 and R-110 to R-118, excluding a 900 foot gap at R116 (Old Clam Pass). The shoreline is entirely within critically eroded areas as designated by the FDEP.

The project is currently three and a half years through the eight-year renourishment period at the time of the latest survey. The current 8 renourishment interval ends in 2013. The updated renourishment design has a volume of approximately 926,000 cubic yards distributed from Redfish Pass to Blind Pass and an additional volume of 280,00 cy south to R-118 on Sanibel Island.

The next nourishment is scheduled for FY2013/14 with the placement of 1.2 million cubic yards along the 6.4 mile shoreline. The sand source is located approximately 8 miles west of Captiva in the Gulf of Mexico. The primary sand source will be one used during the 2005/06 and 2008 nourishments.

Project Location: The Captiva and Sanibel Island Beach Restoration Project is located on the southwest Florida coastline in Lee County between Florida Department of Environmental Protection monuments and the project consists of approximately 6.4 miles of critically eroded Gulf shoreline.

Use of Requested Program Funds: Funds requested for FY11/12 will be used design and permitting tasks in preparation of construction in FY 12/13 and 5th year physical monitoring activities associated with the 2005/6 construction.

Local Government Support

Does this sponsor have dedicated support staff whose sole priority is to manage beach erosion control activities?

Yes

Name	Title	Email	Percent Commitment
Robert Neal	Coastal Engineer	rncal@leegov.com	100%
Address 1:	1500 Monroe St.	Phone:	239.533.8566
Address 2:	Ft. Myers, Fl 33901	Fax:	239.485.8408

Alternate:

Kathleen Rooker
Senior Administrative Consultant
Captiva Erosion Prevention District
239.472.2472

Quarterly Report Compliance:

2009-2010	End Date	Report Sent	Compliant
Qtr 1 (Sept)	Sept. 30	Sept. 30	Yes
Qtr 2 (Dec)	Dec. 31	Jan. 2	Yes
Qtr 3 (Mar)	Mar. 31	April 1	Yes
Qtr4 (June)	June 30	July 1	Yes

Revenue for the local cost share will be provided by: Local funding for the project will be obtained from special property assessments and the Lee County Tourist Development Council (TDC). The TDC provides a dedicated long term funding source through a ‘bed tax’. The tax allocates 1.32 % of all revenue generated from short term or seasonal rentals (less than 6 months) for beach and shoreline improvements.

Is the funding from a dedicated long term source for this project? Yes

In order to acquire funding, a resolution from the local governmental entity must be provided by the application deadline which declares:

- Support from the Sponsor for the Proposed Project
- Willingness to serve as the Local Sponsor
- Ability to provide the full Local Cost Share
- Funding Source

Has the local sponsor resolution been attached to the application fulfilling all of these requirements? Yes, it will be provided

Previous State cost-share for a feasibility or design/permitting phase of this project:

The Department previously entered into a cost-share agreement for funding the previous restorations, the latest agreement is 02LE2. The project is recommended in the Strategic Beach Management Plan and located in an area that has been designated as critically eroded shoreline by the Department.

Previous State Cost Share percentage 31.05%

10-Year Project Schedule and 5-Year Estimated Budget

Does this project have Congressional Authorization? Yes

Does this project have a Federal Project Cooperative Agreement? Yes

What is the end date of the Federal Authorization? 2037

Federal cost share available for this erosion control project: 27.72%

Eligibility: Access Points and Public Lodging Establishments:

Location/ Name	Address	R- Monument	Type of Access	Width of Access/ Frontage	Total units or parking spaces	No. Public	Eligible shoreline
SSP Hotel/Condo Resort Fac.	5400 Plantation Road	R-84 to 210 ft south of R-94	Resort	0	39	39	9,729
Andy Ross Lane		370 ft north of R-95 to 320 ft north of R95	Secondary	60	0	0	50
Jensens		20 ft north of R-96 to 230 ft south of R96	Resort	0	0	0	250
Tween Waters	15951 Captiva Drive	100 ft north of R-99 to 700 ft south of R99	Hotel	0	0	0	800
Turner Park		620 ft north of R-108 to 30 ft south of R- 109	Secondary	126	26	26	1,540
North Sanibel		R-100 to 110 ft south of R- 116	Secondary	1,413	15	15	6,335
Bowman's Beach		R-116-R-118	Primary	2,155	180	180	2,155

Additional Ranking Criteria

Will this project enhance or increase the longevity of a previously-constructed project?

Yes

Will this project nourish a previously restored shoreline?

Yes

Rate of Erosion as determined by the Bureau based on long term data (ft/yr)

7.3 ft/yr

Severity of erosion:

The entire project area has been designated by FDEP as critically eroded. The Bowman's Beach area is currently experiencing the most severe erosion rate in the project area, losing an average of 19.7 ft/yr. The northern Sanibel Island Project area (R-110 to R-116) lost an average of 9.8 ft/yr. Northern Sanibel has been losing 25,000 cy/yr since 1996.

Erosion on Captiva Island has averaged 7.3 ft/yr since 1996, or 67,500 cy/yr. In the last 3.5 year, the erosion rate has been 90,800 cy/yr, which reflects the residual from the 2004-5 hurricanes and storms since then.

Shoreline development within the approximately 6.4 mile-long project area consists of nearly 10,000 linear feet of publicly accessible beach in addition to approximately 3,000 feet of shoreline of the Bowman's Beach park project area. Approximately 950 ft of the shoreline is comprised of commercial development, 650 ft of multifamily residences, with the remainder of

the shoreline comprised of single-family residences and undeveloped parcels. Approximately 6,000 ft of State Road 867 and 2,900 ft of County Road 865 lie seaward of the Coastal Construction Control Line within the project limits. This is the hurricane evacuation route for the islands.

Project Benefits:

The project area consists of nearly 10,000 feet of publicly accessible shoreline in addition to Bowman’s Beach. Bowman’s Beach is a heavily utilized 170-acre public park with two miles of gulf-front shoreline (although the project area only encompasses approximately 3,000 feet of the park), 180 parking spaces, and an average visitation of 160,000 people each year. The park shoreline provides nesting habitat to many species including snowy plovers, Wilson’s plovers, and the threatened loggerhead turtle. The park is also a haven for over 100 species of migratory birds in addition to shorebirds.

The benefits from the nourishment project are twofold: storm protection and recreation. The recreation benefits are considerably larger than the storm protection benefits, \$10,572,232 in recreation compared to \$6,357,764 for the current project. This is the usual case with a renourishment, since the project adds sand to an existing beach that already provides some protection to upland properties.

Use of Innovative Applications of existing technologies:

The CEPD has developed an Emergency Maintenance Plan (December, 1998; adopted 1999) for recovery from a catastrophic hurricane or storm erosion event. The plan includes having a ten-year permit in place to allow the performance of maintenance nourishment and to repair damage from severe storm impacts quickly and efficiently. The plan is currently being updated.

Nourishment Interval (years): 8 Years

7

Project Performance

The Captiva Island project was constructed in 1988/89 with 1.6 million cubic yards of sand dredged from the Redfish Pass ebb tidal shoal. The Project created 4.5 miles of protective beach with a 40-foot protective berm between R-94 and R-109, and advance nourishment between reference monuments R-85 and R-109. Comparison of pre-construction (August 1988) to October 1993 surveys revealed that the project lost 248,700 cubic yards of sand (59,700 cy/yr). The protective berm was compromised at two erosion “hot spots” by October 1993. The “hot spots” were located at R-97 and between R-106 and R-107.

The Captiva Erosion Prevention District implemented the first renourishment of their authorized federal beach erosion control project in 1996. The authorized project provided a protective beach along 4.5 miles of Captiva Island (R-84 to R-109). The District included the northern 1.0-mile of Sanibel Island (R-110 to R-114) in their 1996 beach nourishment project. The project lost 363,600 cubic yards of sand from Captiva Island between May 1996 and September 2005. The northern Sanibel fill area (R-110 to R-114) has lost 81,200 cubic yards in the same time frame. The erosion hot spots were addressed in 1996, and were significantly reduced. The 1996 project provide protection against the hurricanes of 2004 and 2006, and was successful renourishment in 2008.

Schedule and Budget (Include estimated phases for 10 years and estimated project costs for 5 years.):

Year	Proposed Method	Description	Total Esitimated Cost	Federal Cost Share	State Cost Share	Local Cost Share
2010/2011	Design	Plans / Specs	\$223,120	\$0	\$69,279	\$153,841
	Monitoring	Phys	\$99,433	\$0	\$30,874	\$68,559
2011/2012	Design	Plans / Specs	\$324,187	\$0	\$100,660	\$223,527
2012/2013	Design	Plans / Specs	\$220,860	\$0	\$68,577	\$152,283
	Monitoring	Phys	\$109,376	\$0	\$33,961	\$75,415
2013/2014	Construction	Nourishment	\$22,338,595	\$3,991,739	\$5,696,699	\$12,650,157
2014/2015	Monitoring	Phys	\$100,000	\$0	\$31,050	\$68,950
2015/2016	Monitoring	Phys	\$100,000	\$0	\$31,050	\$68,950
2016/2017	Monitoring	Phys				
2017/2018	Monitoring	Phys				
2018/2019	Monitoring	Phys				
2019/2020	Monitoring	Phys				
2020/2021	Monitoring	Phys				

Mapping- Maps are provided as attachments.

Length of Project Boundary in Feet: 33,590 ft

Length of commercial or recreational property fronting the project shoreline:
 20,859

Percentage of project shoreline designated as commercial or recreational property
 62.10%