

Minutes

Regular Meeting of the Captiva Erosion Prevention District

Tween Waters Inn, 15951 Captiva Drive, Captiva, Florida 33924

April 15, 2015 @ 1:00 PM

Commissioners Present: Jim Boyle, Chairman; Harry Kaiser, Secretary; Dave Jensen, Treasurer; Mike Mullins, Commissioner

Commissioners Absent : Doris Holzheimer, Vice Chair

Staff Present: Kathy Rooker, CEPD Administrator; John Bralove, CEPD Assistant to the Administrator; Robin Mixon, Hans Wilson and Associates

Stroemer & Company: Jack Alexander

1. Call to Order

Chairman Boyle called the meeting to order at 1:02 P. M .

2. Roll Call

The roll was called and the results are outlined above.

3. Approval of March Meeting Minutes

Commissioner Kaiser moved and Commissioner Mullins seconded a motion to dispense with the reading of the minutes from the March 11, 2015 Regular Board Meeting and approve them as presented . The motion passed unanimously .

4. Public to be Heard

There were no comments from the public.

5. Financial Report

a) Budget Performance Ending March 31, 2015

Treasurer Jensen presented this report. He said that in the General Fund ad valorem taxes collected were close to the amount budgeted. Mr. Alexander added that an additional \$17,000 was deposited in April that did not appear on the March statements. Regarding the Capital Budget, Treasurer Jensen said that recent sales of property have boosted the collection of special assessments. He noted nothing unusual on the expense side. Chairman Boyle called for questions; there were none.

6. Old Business

a) Blind Pass Study

The Chair referred to the minutes of the last meeting of the Coastal Advisory Committee Blind Pass Subcommittee contained in the Agenda Materials. He said the CAC had approved the proposed Scope of Work on March 23. County staff thinks that it best to go out for formal bids and proposals. A representative from Sanibel and one from CEPD will be members of a

selection committee to evaluate the various proposals. That committee will also include County staff. Mr. Evans will represent Sanibel and Ms. Rooker will represent CEPD. Chairman Boyle said it is estimated that the study will be completed by the end of the year. The initial solicitation will go out April 17, the return date is May 7, and the selection committee will then rank the proposals. The top three proposals will be submitted to the Board of County Commissioners for review, discussion, and approval.

The Chair pointed out that there are two clauses in the County's procurement process that CEPD Commissioners need to be aware of: a collusion clause and anti-lobbying clause. He explained that this meant CEPD Commissioners should not lobby County Commissioners about this project nor should they have any discussions with any of CEPD's consulting firms regarding the project. He suggested as a matter of caution, CEPD also should not talk to Sanibel City Council members about the project.

Commissioner Mullins asked about the idea expressed at the last meeting that this be a joint project. Had that changed? Chairman Boyle responded that it will be up to the bidders whether they want to propose a joint effort.

7. New Business

a) Resolution 2015-3 Approving Fifth Third Bank Installment Payment

Commissioner Mullins offered and Commissioner Kaiser seconded Resolution 2015-3 approving the expenditure of \$738,947.23 to pay on May 1, 2015 principal and interest on the 2013/14 Beach Nourishment Project loan from Fifth Third Bank. Chairman Boyle explained that \$700,000 of the amount was payment of principal, bringing the balance down to \$3.5 million from \$4.2 million. Paying \$700,000 per year in principal will result in paying the loan off 1 year earlier, May of 2020 rather than May of 2021. He said CEPD is able to do this because of the boost in the collection of special assessments that Treasurer Jensen mentioned in his report. There was no further discussion and the Chair called for the vote. The resolution passed unanimously.

b) Donation from Florida Environmental Protection Junior League, Morgan Mansur

Ms. Rooker detailed how she had met with Tracy and Barry Mansur and their daughter Morgan to discuss dune protection and coastal environmental issues. Following the meeting, Morgan Mansur founded "The Florida Environmental Protection Junior League" and enlisted 13 of her high school classmates to share information with beach goers on the importance of the dune system and what they can do to protect dunes. The students and Mr. Mansur donated a total of \$2,000 to the CEPD for beach protection efforts. Ms. Rooker hopes this will inspire other similar efforts.

c) Letter Received from Jacksonville District Corps of Engineers

As a result of a recent Federal audit of the 2005 project, Chairman Boyle explained that \$218,832.43 in Work in Kind credit was declared inappropriate under the Project Coordination Agreement. In a letter dated March 18, 2015, the Jacksonville District Army Corps of Engineers requested CEPD to provide supporting documentation that can be applied to Project Coordination Team efforts. Should no credit be applied, CEPD will be required to pay back the non-Federal portion of \$60,304.90.

Ms. Rooker reported that the Project Coordination Agreement did allow a Project Coordination Team of the type that worked on the 2005 Project. She put together a package containing a

spreadsheet, invoices documenting legitimate expenses, a PCT credit request, and a cover letter outlining CEPD's position. They were submitted to the Corps on April 10.

8. Administrator Report

a) FEMA Update

Ms. Rooker went over the developments since the last meeting:

- On April 6, Frank Ferreira, Government Affair Director for FEMA HQ in Washington, and Jessie Munoz, Director of FEMA Region IV Atlanta were contacted by email about the status of the Project Worksheet.
- On April 7, Mr. Munoz responded that he is no longer in the Recovery Division as of March 20 and he is forwarding CEPD's inquiry to his replacement, Terry Quarles. Mr. Munoz said that at the time of his departure, it was under review by the Environmental & Historic Preservation staff. Ms. Rooker said that Bryan Lowe of the Florida DEM is also tracking the Project Worksheet status.

b) TDC FY 2015-2016 Beach & Shoreline Project Funding

Ms. Rooker reported that the CAC met to review all the funding requests after the Lee County attorney had determined which requests met the requirements. CEPD submitted two requests: the first for beach park maintenance (\$23,247) and the second a Red Fish Pass Sand Source Study (\$325,000). She attended the meeting to answer questions but members of the CAC had none. The next meeting is a TDC Workshop on April 30, which Ms. Rooker will also attend to answer questions. On May 17 the TDC will make its formal recommendation for funding to the Lee County Board of Commissioners .

Chairman Boyle brought up the schedule for determining next year's budget and millage rate. He said his rough look at the 2015-16 budget suggests that CEPD could hold the budget to approximately what it is this year and a rolled back millage rate for 2015-16. He thought the budget workshop could be held before the June Board Meeting. There would not be a need for a July Regular Board Meeting unless Commissioners felt otherwise. The Commissioners agreed to cancel the July Board meeting.

9. Public to be Heard

There were no comments from the public.

10. Commissioner Comments

Commissioner Mullins asked about a bay side study in relation to sea level rise. There was discussion about seawalls and previous tidal data that had been compiled.

Commissioner Mullins said he thought the County had looked at the issue of sea level rise and asked Mr. Boutelle whether anything further had been done. Mr. Boutelle said not to his knowledge; it was not something with which he has been involved. He said there had been some changes in the Sustainability Office but he has not seen that subject in any of the priority items of late. He did not think there was anything terribly active. However, he said he had been hearing about conversations at the Regional Planning Council level. He did not know the details but knew that it is something they are actively looking at.

Adjourn

There being no other business, the Chairman adjourned the meeting at 1:45 P.M.