



Captiva Erosion Prevention District

Special Board Meeting

Monday, March 8, 2021

Location: Sanibel Captiva Conservation Foundation

3333 Sanibel Captiva Road

Sanibel, FL 33957

Public attendance via Zoom

1. Call to Order

- Chairman Miville called to order the regular Board meeting of the Captiva Erosion Prevention District (CEPD) at approximately 1:00 pm on March 8, 2021.
- Commissioner Mullins motioned to authorize Chairman Miville to appear remotely. Treasurer Pyle seconded the motion. Discussion was invited. No vote was held.

2. Roll Call

- The following persons were in attendance:
  - CEPD Commissioners:
    - Seat 1, Harry Kaiser, Secretary
    - Seat 2, René Miville, Chairman
    - Seat 3, Michael Mullins, Commissioner
    - Seat 4, John Silvia, Vice Chairman
    - Seat 5, Richard Pyle, Treasurer
  - CEPD Staff:
    - Jennifer Nelson, Executive Director
    - Daniel Munt, Technical Policy Director
    - John Riegert, Administrative Director
  - Members of the Public:
    - Sean Taylor, VNF Solutions
    - Max Ford

- Dr. Cheryl Hapke
- Linda Laird
- David Mintz
- Jay Brown
- Michael Lanigan

### 3. Approval of Minutes

- February 8, 2021 Board Meeting
  - Secretary Kaiser motioned to dispense the reading of the minutes and to approve the minutes of the February 8, 2021 Board meeting. Treasurer Pyle seconded the motion. Discussion was invited. A vote was held and the motion passed unanimously.
    - In Favor: Commissioner Mullins, Treasurer Pyle, Chairman Miville, Vice Chairman Silvia, Secretary Kaiser.

### 4. Financial reports

- Budget Performance
  - Treasurer Pyle led a review of the financial report. The budget is tracking and financially things are slightly better than a year ago at this time. The General Fund balance sheet shows assets of \$833,000 compared to \$475,000 a year ago. The Capital Projects Fund shows a \$4.3M total asset amount compared to about \$3.8M a year ago.
  - Commissioner Mullins motioned to approve the reading of the Financial Statement. Chairman Miville seconded the motion. Discussion was invited. Commissioner Mullins stated that among the financials that need to be ratified are those financials relative to salaries that were approved in November due to physical quorums not being held at that time. Commissioner Mullins suggested a budget amendment to reflect the changes. Treasurer Pyle stated he recollects that salaries were built into the previously approved budget. Commissioner Mullins requested clarification regarding the need for ratification. Mr. Riegert provided clarification regarding Resolution 2021-06. Further discussion was held. Ms. Nelson will confirm with Attorney Ralf Brookes to determine if ratification and/or amendment of the budget is required.
  - Chairman Miville requested that Vice Chairman Silvia facilitate the meeting.
- Parking Lot
  - Monthly Sales Revenue
    - 2,084 parking tickets were sold in the month of February (\$62,581).
    - Discussion was held regarding the amount projected in the budget and how it has been affected by COVID-19 and how it may be affected by closures associated with the upcoming renourishment project.
    - Discussion was held regarding allocating a percentage of parking revenue for environmental conservation efforts in collaboration with the SCCF.

- Commissioner Mullins made a motion to move forward with 15% of parking revenue not to exceed \$75,000 to be donated to the SCCF for environmental conservation efforts. Vice Chairman Silvia seconded the motion. Discussion was invited. A vote was held and the motion passed unanimously.
  - In Favor: Commissioner Mullins, Treasurer Pyle, Chairman Miville, Vice Chairman Silvia, Secretary Kaiser.
  - The CEPD Administration will reach out to Mr. Ryan Orgera with the SCCF to draft an agreement.

## 5. New Business

- Lobbyist Proposal
  - CEPD Attorney Ralf Brookes reviewed the draft contract which has been prepared in accordance with the federal lobbying proposal which was previously received.
  - Commissioner Mullins stated that he would prefer to table this to allow time to read the proposal and the strategy.
  - Chairman Miville requested that Ms. Nelson read the proposal to the Board.
  - Treasurer Pyle stated that the proposal was a reasonable way to reestablish a relationship with the federal government.
  - Mr. Sean Taylor reviewed the services being proposed. He spoke about an upcoming federal funding opportunity (National Coastal Resiliency Fund/National Fish and Wildlife Foundation). Federal earmarking/community project funding was discussed.
  - Commissioner Mullins requested additional information specifically regarding Army Corps of Engineers funding. Mr. Taylor stated that he could change the contract to be more specific about the inclusion of this funding source and that they would be throwing a wider net to pursue funding opportunities.
  - Commissioner Mullins reviewed the CEPD's history of engaging with lobbyists and that specificity in the contract would be of value. Chairman Miville asked what the firm can do that the CEPD Administration is not able to accomplish. Mr. Taylor outlined the relationships that the agency has with funders and the sources of funding they have secured in the past. Discussion was held.
  - Vice Chairman Silvia suggested that Ms. Nelson and Commissioner Mullins work together to create specific questions for Mr. Taylor. It was agreed that the discussion and vote be tabled pending further exploration.
- Ratifying Decisions From Virtual Meetings
  - Mr. Riegert introduced Resolution 2021-06 re-adopting and ratifying prior decisions made during virtual Zoom meetings held between November 1, 2020 and March 9, 2021.
  - Commissioner Mullins made a motion to approve Resolution 2021-06 as written. Secretary Kaiser seconded the motion. Discussion was invited. Public comment was invited. It was noted that Mr. Max Ford had comments; the audio was not functioning. Mr. Brookes explained the purpose of the Resolution.
  - A vote was held and the motion passed unanimously.

- In Favor: Commissioner Mullins, Treasurer Pyle, Chairman Miville, Vice Chairman Silvia, Secretary Kaiser.
- Captiva Community Panel Sea Level Rise Committee
  - A presentation was given at the March 4, 2021 workshop. A request was received for \$34,400 in funding. The CEPD Administration was tasked with researching the proposal over the weekend.
  - Mr. Munt reviewed the conclusion reached by the CEPD administration. It was identified that the proposals from Integral and APTIM were similar in some ways. He stated that they differ in that the proposal from APTIM appears to be more comprehensive, as it will be coordinating with the permitting aspects of the project, will not require an outside contractor as the coastal engineer, the deliverables to be provided will be a compatible format, there are scientists and researchers on staff, and the proposal will cost the CEPD approximately \$10,000 less.
  - Discussion regarding other financial contributions to the cost of the proposals was held, as well as discussion regarding potentially waiting until the new Sea Level Rise Captain position is filled.
  - Discussion was held regarding the history of the CEPD's interactions with the Sea Level Rise Panel.
  - Commissioner Mullins motioned that the CEPD provide \$10,000 of support in recognition of the two years of effort that has been put in by the community panel.
    - Vice Chairman Silvia asked for clarification regarding the use of the funds. Ms. Nelson clarified that the \$75,000 for the Sea Level Rise Captain will go to the SCCF. The Sea Level Rise Committee proposal is for \$34,000 for the work of Dr. Hapke. The presentation at the previous workshop detailed this project. Chairman Miville stated that Dr. Hapke messaged the group and requested the opportunity to resubmit and requested a full presentation from Mr. Munt.
    - Dr. Hapke spoke to clarify that the message was regarding the upcoming funding opportunity introduced by Mr. Taylor. She discussed the previous collaborative work that was performed on a declined proposal last year for the same funding opportunity.
    - Vice Chairman Silvia seconded the motion. Discussion was invited and was held regarding the history of the project and whether or not the CEPD would like to proceed or wait for the onboarding of the Sea Level Rise Captain.
    - It was noted that Mr. Orgera (SCCF) had joined the meeting. He stated that it's not possible to give a specific date for the hiring of the Sea Level Rise Captain, but the realistic timeline is approximately 6-8 weeks.
    - Public comment was invited. Ms. Linda Laird provided comment.
    - Treasurer Pyle stated that there are funds in the budget to support work in the area of sea level rise. Additional discussion was held.
    - Mr. Mintz, Mr. Brown, and former CEPD Commissioner Lanigan provided comments.
    - Dr. Hapke clarified that the \$10,00 being requested is not to cover past pro-bono work. Additional discussion was held. Public comment was closed.

- The original motion was repeated. A vote was held.
  - In Favor: Commissioner Mullins
  - Opposed: Vice Chairman Silvia, Treasurer Pyle, Chairman Miville
  - Absent: Secretary Kaiser.
- Chairman Miville requested that the conversation be tabled and added to the agenda for the next meeting.

#### 6. Administrative Report

- Administrative updates will be sent out on a biweekly basis.
- TDC Grant Requests
  - Applications were submitted for both TDC grants. Ms. Nelson is working with Steve Boutelle to get familiarized with his methodology.
- Vice Chairman Silvia called for a five (5) minute break.
- Apportionment
  - Mr. Munt provided an update on the apportionment process. The models are being worked off of a benefits-based approach (recreation and storm benefits) and a semi-ad valorem model which incorporates storm protection benefits and ad valorem for recreation. Another model being investigated is a benefits-based approach based upon the proximity to beach access.
  - Some bid documents were received and have been forward to Mr. Brookes for legal review. They will then be finalized with APTIM and ready for an advertisement. When bids are received, a tentative apportionment can be prepared and presented for public comment.
  - Discussion was held regarding the timeline being included in the bidding process.
  - When Mr. Brookes has completed review of the agreement it will be forwarded to the Board for review.
  - Discussion was held regarding the impact of the timeline on parking lot revenues in comparison with the variables regarding contractor costs and funds required for the relocation of turtle nests.

#### 7. Public Comments – Limit 3 minutes per person

- Public comment was invited. No members of the public provided comment at this time.

#### 8. Commissioners' Comments

- Commissioner Mullins expressed appreciation for the work done over the weekend and the flexibility. He expressed that he wants to ensure that the work of those in the community over the last two years is not disrespected. It was confirmed that the funding for the Sea Level Rise Committee will be on the agenda at the April meeting.
- No other Commissioners provided comment at this time.

#### 9. Adjournment

- Treasurer Pyle motioned to adjourn the meeting. Commissioner Mullins seconded the motion. The meeting was adjourned.