

PENSACOLA BEACH

SANTA ROSA ISLAND AUTHORITY

Board Members: *

Thomas A. Campanella
Chairman

John L. Peacock, Jr.
Vice-Chairman

Tammy Bohannon
Secretary/Treasurer

Fred Gant
Vernon L. Prather
Elwyn D. Guernsey

W. A. "Buck" Lee
Executive Director

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1-3. A regularly scheduled meeting of the Authority was held on Wednesday, August 13, 2008, beginning at 5:06 p.m. Members in attendance were: Dr. Thomas Campanella, Mr. Fred Gant, Mr. Vernon Prather, Ms. Tammy Bohannon, Mr. John Peacock and Mr. Ed Guernsey. Ms. Bohannon arrived at 5:15 p.m. Dr. Campanella, Chairman, called the meeting to order and led the Pledge of Allegiance followed by a moment of meditation.

4. APPROVAL OF MINUTES - REGULAR BOARD MEETING (7/9/08)
SPECIAL BOARD MEETING (7/23/08)
SPECIAL BOARD MEETING (8/6/08)

Mr. Gant would like to note for the record of the August 6, 2008 Special Board Meeting Minutes that he was not asked and did not request to be named as Acting Vice-Chairman for the purposes of that meeting.

Upon motion of Mr. Vernon Prather, seconded by Mr. Fred Gant, the Board unanimously approved the minutes of the Regular Board Meeting (7/9/08), the Special Board Meeting (7/23/08) and the Special Board Meeting (8/6/08) as amended. (5-0)

5-6. ADOPTION OF AGENDA

Upon motion of Mr. John Peacock, seconded by Mr. Fred Gant, the adoption of the amended Agenda was unanimous with the following changes: Moved Item #1 of the Operations Committee to the Regular Agenda; added Item #1 to Old Business regarding the implementation of a policy to exempt non profit charitable organizations fund raising events from SRIA fees on food and beverage only; Item #6, #7, #8 and #9 to New Business regarding Board issues. (6-0)

7. CHAIRMAN'S COMMENTS

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The Chairman asked that any speakers use the microphone, and speak clearly. Motions must be verbal a raised hand will not suffice. There should be only one speaker at a time. There will be a three minute time limit on all speakers.

8. PENSACOLA BEACH VISITOR'S INFORMATION CENTER

Ms. Sandy Johnston submitted her monthly report for the review of the Board. She invited everyone to the Bath Tub Races on Sunday, August 31, 2008. She also noted that on July 12, 2008 the Visitor's Information Center logged 411 phone calls inquiring about the rain date for the Blue Angels Air Show.

CONSENT AGENDA

9. COMMITTEE REPORTS

A. OPERATIONS COMMITTEE, Mr. Vernon Prather, Chairman

The Committee unanimously recommends approval of the following items:

Item # 1 – Discussion on existing noise ordinance – referred from July 9, 2008 Regular Board Meeting. (Discussion by John Peacock)

The Committee unanimously recommends giving the Sheriff's Office up to \$2500.00 for a decibel meter and training.

The Committee unanimously recommended that Dr. Campanella write a letter of understanding to the Sheriff's office and businesses in the Core Area addressing the types of music being played and turning down the music.

This item was moved to the Regular Agenda for more discussion.

Item # 2 – Discussion designating a portion of the Gulf side beach as an alcohol free area – referred from July 9, 2008 Regular Board Meeting. (Staff report by Executive Director, Buck Lee)

The Committee unanimously recommended designating a portion of the Gulf side beach as an alcohol free area and sending a recommendation to the Board of County Commissioners for approval to establish an enforceable ordinance for Pensacola Beach.

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The Committee unanimously recommended that Dr. Campanella write a letter to the Sheriff's office requesting an emphasized police presence.

Item # 3 – Report on Pensacola Beach Gulf Pier – 41 Fort Pickens Road – SRIA daily inspections of sanitary conditions of the Pier and restrooms. (Staff report by executive Director Buck Lee)

This item was for information only.

Item # 4 – Report on a system to designate surfing and fishing areas around the Pensacola Beach Gulf Pier – referred from the June 25, 2008 Committee Meetings. (Staff report by Bob West)

This item was for information only.

Item # 5 – Proposals for conceptual design of the development of the commercial Core on Pensacola Beach, consisting of a parking garage, a Soundside building and casino building. (Staff report by Executive Director Buck Lee)

This item was for information only.

B. DEVELOPMENT AND LEASING COMMITTEE, Ms. Tammy Bohannon,
Chairman

The Committee unanimously recommends approval of the following items:

Item #1 – Mr. Robert Rinke and Mr. Andrew Rothfeder – Levin and Rinke Resort Realty, Inc. – 1 Portofino Drive – Discussion on the Pensacola Beach Beautification Fund, Via de Luna as-built plans from Baskerville Donovan and changes to lease agreement. (Staff report by Executive Director, Buck Lee)

The Committee unanimously recommended asking staff to meet with Mr. Lott and Mr. Stebbins and return with their findings to the August 27, 2008 Committee Meeting.

Item # 2 – Beach Club Development, Inc. – Mr. Robert Rinke – 18 Via de Luna – Request to sublease to Premier Island Management Group, LLC for a rental management operation, subject to paying all applicable percentage fees. (Staff report by Executive Director, Buck Lee)

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The Committee unanimously recommended approval of the request to sublease to Premier Island Management Group, LLC for a rental management operation, subject to paying all applicable percentage fees.

Item # 3 –Emerald Isle Resort Condominium Association, Inc. – 22 Via de Luna - Request to sublease to Premier Island Management Group, LLC for a rental management operation, subject to paying all applicable percentage fees. (Staff report by Executive Director, Buck Lee)

The Committee unanimously recommended approval of the request to sublease to Premier Island Management Group, LLC for a rental management operation, subject to paying all applicable percentage fees.

Item # 4 – Gary Work as Trustees of the Pensacola Land Trust – Portofino – 10 Portofino Drive - Request to sublease to Premier Island Management Group, LLC for a rental management operation, subject to paying all applicable percentage fees. (Staff report by Executive Director, Buck Lee)

The Committee unanimously recommended approval of the request to sublease to Premier Island Management Group, LLC for a rental management operation, subject to paying all applicable percentage fees.

C. ARCHITECTURAL AND ENVIRONMENTAL COMMITTEE – Mr. John Peacock, Chairman

The Committee recommends approval of the following items:

Item # 1 – Randy Clendenon – 260 LeStarboard Drive, Lot 1, Lafitte Cove II – Request for a ten (10) foot encroachment into the thirty (30) foot rear yard setback to construct an in-ground swimming pool. (Staff Report by Matt Mooneyham)

The Committee unanimously recommended approval of the request for a ten (10) foot encroachment into the thirty (30) foot rear yard setback to construct an in-ground swimming pool.

Item # 2 – Resolution for the 2009-2010 Florida Beach Erosion Control Program. (Staff Report by Matt Mooneyham)

The Committee unanimously recommended approval of the Resolution for the 2009-2010 Florida Beach Erosion Control Program.

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Item # 3 – Prom Queen II, LLC – aka Grand Marlin – 400 Pensacola Beach Boulevard – adjacent to Santa Rosa Sound – Request to construct a 1,081.5’ vinyl sheet pile wall located landward of the surveyed mean high water line. The wall will also have a 122’ return to the north and a 10.5’ return to the south for a total of 1,214 linear feet, subject to permits from the Florida Department of Environmental Protection, Corps of Engineers and Escambia County. (Staff report by Matt Mooneyham)

The Committee unanimously recommended approval of the request to construct a 1,081.5’ vinyl sheet pile wall located landward of the surveyed mean high water line. The wall will also have a 122’ return to the north and a 10.5’ return to the south for a total of 1,214 linear feet, subject to permits from the Florida Department of Environmental Protection, Corps of Engineers and Escambia County.

D. ADMINISTRATIVE COMMITTEE – Mr. Elwyn Guernsey, Chairman

The Committee unanimously recommends approval of the following items:

Item # 1 – Report on Financial Statements and Expenditures. (Staff report by Dottie Ford)

The Committee unanimously approved the Report on Financial Statements and Expenditures. (3-0)

Item # 2 – Proposed patron only parking policy for the Quietwater Boardwalk parking lot. (Report by Mike Stebbins)

The Committee unanimously recommended approval of the proposed patron only parking policy for the Quietwater Boardwalk parking lot from March through November, 10:00 a.m. through 9:00 p.m. with the changes suggested by Mr. Stebbins.

Upon motion of Mr. Prather, seconded by Mr. John Peacock, the Board unanimously approved the Consent Agenda as amended. (6-0)

REGULAR AGENDA

10. COMMITTEE REPORTS

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A. ARCHITECTURAL AND ENVIRONMENTAL COMMITTEE, Mr. John Peacock, Chairman

Item #1 – Charlie Bananas – sublease to Jubilee’s – 400 Quietwater Beach Road – Request for electrical modifications to the existing gazebo, portable concessions and beach stages. (Staff report by Matt Mooneyham)

Upon motion of Mr. John Peacock, seconded by Mr. Ed Guernsey, the Board unanimously recommended approval of the request for electrical modifications to the existing gazebo, portable concessions and beach stages subject to meeting all applicable codes and regulations and obtaining all applicable permits from Escambia County Building Inspections. (6-0)

Item #2 – White Sands Townhomes – Building 2 – 435-453 Fort Pickens Road Gulf side – Request for an after-the fact 4.27 foot variance to the 1975 Coastal Construction Setback Line for open decking, subject to approval from the Board of Adjustments and permit from the Florida Department of Environmental Protection. (Staff report by Matt Mooneyham)

Upon motion of Mr. John Peacock, seconded by Mr. Ed Guernsey, the Board unanimously recommended approval of the request for an after-the fact 4.27 foot variance to the 1975 Coastal Construction Setback Line for open decking, subject to approval from the Board of Adjustments and permit from the Florida Department of Environmental Protection. (6-0)

B. OPERATIONS COMMITTEE, Mr. Vernon Prather, Chairman

Item # 1 – Discussion on existing noise ordinance – referred from July 9, 2008 Regular Board Meeting. (Discussion by John Peacock)

This item was moved from the Consent Agenda. Mr. Prather stated that this issue remains an enforcement issue. He suggests that the SRIA hire a Code Enforcement Officer to police noise and other enforcement issues. The SRIA spends approximately \$85,000 per year on law enforcement. Perhaps some of those monies could be used for Code Enforcement. Mr. Guernsey and Mr. Peacock agreed. However, he stated there is an existing ordinance and the Sheriff’s Office is Code Enforcement for this issue. The Sandshaker and South Harbour property lines are approximately ten (10) feet away from each other which creates a problem. Mr. Prather stated the businesses are self policing and

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Escambia County Officers should enforce current ordinances. He feels that residents should file an official complaint with the Sheriff's Office so that there is a record of the complaint.

Speakers:

Mr. Jeff Elbert

Mr. Robert Gleim

Mr. Jerry Wright

Ms. Beverly Boswell

Mr. John Asmar, legal council for the Sandshaker

Mr. Fred Simmons

Upon motion of Mr. Gant, seconded by Mr. Prather, the Board unanimously recommended moving this item to the August 27, 2008 Committee Meeting for more discussion. (6-0)

C. OLD BUSINESS

Item #1 – The implementation of a policy to exempt non-profit charitable organizations fund-raising events from SRIA fees on food and beverages; for businesses if the organization presents a tax exempt form. (Staff report by Executive Director Buck Lee)

Upon motion of Mr. Gant, seconded by Mr. Guernsey, the Board unanimously approved the Resolution that exempts non-profit charitable organizations fund-raising events from SRIA fees on food and beverages and forwarding it to the Escambia County Board of County Commissioners for adoption of an ordinance. (6-0)

11. NEW BUSINESS

Item #1 – Authorization for law enforcement to tow vehicles parked on sidewalks, bike trails and medians including major events. (Blue Angels Air Show, Mardi Gras and the 4th of July) This report is for informational purposes only. (Staff report by Executive Director Buck Lee)

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Mr. Lee explained that during major events such as Blue Angels and 4th of July, visitors park on the medians and on bike paths thus destroying vegetation and irrigation systems. He would like to enact a zero tolerance policy for improper parking of motorized vehicles. Mr. Gant suggested that proper signage is necessary. Lt. Montee stated that between 30 and 35 cars were towed during the Blue Angels Air Show. Each car is towed and issued a county citation if they are not in a proper parking space. Each towed car is called in to dispatch so if the car is reported stolen they can send the vehicle owner directly to the impound lot.

This item was for information only.

Item #2 – Mr. Kevin E. Rudzki – Islander Package and Lounge – 43 Via de Luna – Request for Commercial Lease extension. (Staff report by Executive Director Buck Lee)

Upon motion of Ms. Bohannon, seconded by Mr. Prather, the Board unanimously approved the request for a 25 year Commercial Lease extension from December 31, 2023 to December 31, 2048 subject to paying all applicable percentage fees. (6-0)

Item #3 – Morette Company – Little Sabine, Inc. d/b/a Hotel Indigo – 165 Fort Pickens Road – Request to place one (1) construction/office trailer (24' X 60') on leasehold property (Gulf side) and ten (10) portable storage containers (20' X 40') and one (1) construction trailer (10' X 20') on the north side of 165 Fort Pickens Road leasehold property, during the construction of the new Hotel Indigo. (Staff report by Matt Mooneyham)

Upon motion of Ms. Bohannon, seconded by Mr. Guernsey, the Board unanimously recommended approval of the request to place one (1) construction/office trailer (24' X 60') on leasehold property (Gulf side) and ten (10) portable storage containers (20' X 40') and one (1) construction trailer (10' X 20') on the north side of 165 Fort Pickens Road leasehold property, during the construction of the new Hotel Indigo. (5-0) Mr. Gant excused himself from the meeting momentarily.

Item #4 – Biggs-Green – Santa Rosa Dunes Clubhouse – 900 Fort Pickens Road – Request to place one (1) 8' X 40' ground level security office/storage trailer on leasehold property during the construction of the new clubhouse. (Staff report by Matt Mooneyham)

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Upon motion of Ms. Bohannon, seconded by Mr. Peacock, the Board unanimously recommended approval of the request to place one (1) 8' X 40' ground level security office/storage trailer on leasehold property during the construction of the new clubhouse. (5-0) Mr. Gant excused himself from the meeting momentarily.

Item #5 – Approval of the Memorandum of Understanding between Florida Trail Association and the SRIA and the Proclamation for the Florida Trail Association, Inc. (Staff report by Executive Director Buck Lee)

Upon motion of Mr. Vernon Prather, seconded by Mr. Guernsey, the Board unanimously recommended approval of the Memorandum of Understanding between Florida Trail Association and the SRIA and the Proclamation for the Florida Trail Association, Inc. (5-0) Mr. Gant excused himself from the meeting momentarily.

Item #6 - Reaffirm or revise the policy on Board governance and employee complaints.

A discussion followed.

Upon motion of Mr. Gant, seconded by Mr. Peacock, the Board unanimously recommended that from this point forward employee disciplinary action will be handled by the Merit System Protection Board (MSPB) and the two pending hearings will be given the option to go to the MSPB or continue with the present policy. (6-0)

Item #7 - Reaffirm or establish a policy for giving the attorney instructions.

Upon motion of Mr. John Peacock, seconded by Mr. Ed Guernsey, the Board voted to direct Mr. Stebbins not to spend any more time on this investigation and move toward a policy where significant legal expenses are approved by the full Board. (3-3) The motion failed. Mr. Gant voted in the affirmative. Ms. Bohannon, Mr. Prather and Dr. Campanella opposed this motion.

Item #8 - Establish a policy or guideline for emergency meeting notification.

No action was taken.

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Item #9 - Address the contract for legal services and how they are currently conducted.

Upon motion of Mr. Gant, seconded by Mr. Guernsey, the Board voted to supercede the direction given by Dr. Campanella's letter of July 29, 2008 specifically the direction to abate any further termination, suspensions or demotions. (3-3) The motion failed. Mr. Peacock voted in the affirmative. Ms. Bohannon, Mr. Prather and Dr. Campanella opposed this motion.

12. REPORTS

A. EXECUTIVE DIRECTOR'S REPORT

Mr. Lee submitted his monthly report to the Board. Mr. Lee explained that in the event of an emergency the SRIA evacuation plan will be to meet at Gulf Breeze United Methodist Church, provided the building is secure and they have power. There may be as little as ten hours notice for this meeting. Also, starting in September the National Park Service will begin work on the Fort Pickens Road and the road to Opal Beach. He noted that the bed tax on Pensacola Beach has increased one percent (1%). Our neighbors to the east are down twenty-five percent (25%). Currently when we hire employees a check of their Driver's License is performed. From now on a full background check will be conducted. Mr. Lee wished to thank Mr. Julian McQueen for his assistance in the Air Show. Mr. McQueen spend \$10,000 to \$15,000 of his own money for the Blue Angels Air Show. In September Ms. Bell and Mr. Lee will be attending the Gulf Power Economic Symposium.

B. ATTORNEY'S REPORT

Mr. Stebbins submitted his monthly report to the Board. He noted that there will be a motion to dismiss the Steven Cox case on August 25, 2008. He desires the advice of the Board concerning the judgment on August 27, 2008 prior to the Committee Meetings. Mr. Peacock stated that he will not be present for the August 27, 2008 Committee Meeting.

Upon motion of Mr. John Peacock, seconded by Mr. Fred Gant, the Board unanimously recommended a shade meeting on August 27, 2008 at 5:00 p.m. prior to the Committee Meetings. (6-0)

C. ENGINEER'S REPORT

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Mr. Hemphill submitted his monthly report to the Board. He stated that the Reclaimed Water project is in the design phase. Currently the Little Sabine Lagoon Restoration Request budget is on target. He hopes to start the project this winter to take advantage of the low tide. He would also like to start the bidding process for the Dredging of Little Sabine Channel this October and begin the work this winter. He believes his initial estimate was too conservative and this project will cost approximately \$200,000. Mr. Guernsey spoke with Dottie Ford and Mr. Lee and believes the monies for this project can be taken from the \$600,000 net gain for this fiscal year.

Upon motion of Mr. Ed Guernsey, seconded by Mr. Vernon Prather, the Board unanimously recommended Mr. Hemphill to move forward with the bidding process for the Dredging of the Little Sabine Channel. (6-0)

13. VISITOR'S FORUM

No one wished to address the Board.

14. BOARD MEMBER'S FORUM

Mr. Peacock wished to congratulate Mr. Tom Carmichael of Capt'n Funs on a job well done during the Bushwhacker Festival.

The trash receptacles next to Alvin's Island are unsightly and it is the lessee's responsibility to have the debris removed in a timely manner.

Mr. Guernsey stated that Mr. Lee is doing an outstanding job and asked that the Chairman complete his evaluation.

Mr. Gant stated that some of the allegations claiming the Island Authority had acted independently of the Board were false. The Board did approve the actions taken by staff. Mr. Lee explained that he spoke with Michael Stewart and that Mr. Stewart opted to discontinue the investigations as the allegations had no merit.

Mr. Prather explained that he received an anonymous letter in the mail. Other Board members acknowledged that they received the same letter. Mr. Prather would like to see an H.R. report on Management activities. He would like to know how many people have quit, have been fired, or have been given letters of reprimand. He would like to see a satisfaction survey where employees rate their supervisors.

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Upon motion of Mr. Vernon Prather, seconded by Mr. John Peacock, the Board unanimously recommended that Dr. Campanella conduct the evaluation of Buck Lee per his employment contract and Dr. Campanella is granted full access to Buck Lee, all of his Directors and employees as he sees fit. (6-0)

Upon motion of Mr. John Peacock, seconded by Mr. Fred Gant the Board recommended providing Buck Lee with a copy of the current allegations with the names removed. (5-1) Dr. Campanella opposed this motion.

15. BUDGET WORKSHOP FY 2008/2009

Ms. Ford explained that capital has increased by \$600,000 this year. Of that \$600,000, \$200,000 will be used for the Little Sabine Dredging Project. Maintenance budget will be increased by \$10,000 next year to account for the increase in fuel cost. Mr. Guernsey asked how much of the contractual/professional fees were for legal expenses. Ms. Ford stated that \$100,000 to \$120,000 is for legal fees including Richard Lott and court reporting fees. Litigation fees are separate.


Mr. Guernsey asked why the budget for Promotions and Events was increased from \$179,000 to \$190,000. Ms. Ford explained that the budget was increased by \$11,100 for Sounds of Summer. He asked why we were spending \$52,000 for ATVs. Mr. Bob West explained that they were not small ATVs, but larger ones that are able to carry patients as the lifeguards are unable to get trucks in some areas. Mr. Guernsey inquired about the \$26,000 for Public Recreation. Mr. Mason Kilgore explained that those monies are for 4 wheel drive ATVs with safety lights. They use less gas than trucks; fifty miles to the gallon.

Mr. Prather asked if the SRIA could supplement law enforcement with a Code Enforcement officer. He asked if staff could find out how much it would be to hire a Code Enforcement officer.

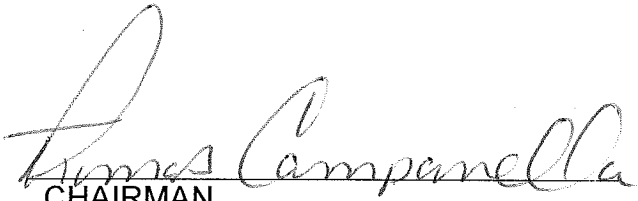
Adjournment:

There being no further business to come before the Board, Chairman Campanella declared the Regular Board Meeting of the SRIA Board adjourned at 9:01 p.m.

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SECRETARY



CHAIRMAN

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