



PENSACOLA BEACH
SANTA ROSA ISLAND AUTHORITY

Board Members:

Thomas Campanella
Chairman

Tammy Bohannon
Vice-Chairwoman

Fred Gant
Secretary/Treasurer

Janice Gilley
Acting Secretary/Treasurer

Elwyn Guernsey
Dave Pavlock

W. A. "Buck" Lee
Executive Director

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PENSACOLA BEACH, FLORIDA
REGULAR BOARD MEETING MINUTES
NOVEMBER 6, 2013
5:00 P.M.

1-3. A regularly scheduled meeting of the Santa Rosa Island Authority was held on Wednesday November 6, 2013, beginning at 5:10 p.m. Members in attendance were: Mr. Dave Pavlock, Ms. Tammy Bohannon, Mr. Fred Gant, Mr. Ed Guernsey and Dr. Thomas Campanella, Chairman. Ms. Janice Gilley participated via teleconference. Chairman Campanella led the Pledge of Allegiance followed by a moment of meditation.

4. APPROVAL OF MINUTES (Regular Board Meeting – 10/09/2013)

Upon motion of Ms. Tammy Bohannon seconded by Mr. Ed Guernsey, the Board unanimously approved the minutes of the Regular Board Meeting (10/09/2013) as presented. (6-0)

5. CHANGES OR ADDITIONS TO AGENDA

Chairman Campanella moved the readerboard item (C-3) from consent to Old Business for further discussion.

6. ADOPTION OF AGENDA

Upon motion of Ms. Tammy Bohannon seconded by Mr. Dave Pavlock, the Board unanimously recommended adoption of the agenda as amended. (6-0)

7. CHAIRMAN'S COMMENTS

Chairman Campanella requested speakers turn in their request form to Courtney Fell, and reminded them they only had 3 minutes to speak.

8. PENSACOLA BEACH VISITOR'S INFORMATION CENTER

Ms. Nicole Stacey presented the report for the VIC to the Board for review.

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CONSENT AGENDA

9. COMMITTEE REPORTS

A. ARCHITECTURAL & ENVIRONMENTAL COMMITTEE, (10/23/2013) MR. ELWYN GUERNSEY, CHAIRMAN, MR. FRED GANT AND DR. THOMAS CAMPANELLA, MEMBERS

Item # 1 – Request for approval of proposal to increase the power at Casino Beach Pavilion. (Staff report by Paolo Ghio)

The Committee unanimously approved staff's recommendation.

Item # 2 - Jeff Saunders – 27 Calle Hermosa – Lot 23, Santa Rosa Villas – Request to construct a swimming pool with an encroachment of 33 feet into the rear yard setback (Via de Luna). (Staff report by Paolo Ghio)

The Committee unanimously approved staff's recommendation.

Item # 3 – Request by Robert Rinke to extend the Palm Tree Beautification Project and include 4 traffic calming devices. (Staff report by Executive Director Buck Lee)

The Committee voted to separate the two items into a Palm Tree Project and a Traffic Calming Project. The Committee approved the Palm Tree Project, Phase 2, and voted to hold the Traffic Calming Devices in Committee (November 20, 2013) for further discussion.

B. DEVELOPMENT & LEASING COMMITTEE, (10/23/2013) MR. DAVE PAVLOCK, CHAIRMAN, MR. ELWYN GUERNSEY AND MS. TAMMY BOHANNON, MEMBERS

Item # 1 - Monthly update from Tammy Bohannon regarding the progress of the Core Area Development Plan, as part of the Master Plan.

No action taken at this time.

C. ADMINISTRATIVE COMMITTEE, (10/23/2013) DR. THOMAS CAMPANELLA, CHAIRMAN, MR. ELWYN GUERNSEY AND MR. DAVE PAVLOCK, MEMBERS

Item # 1 - Report on Financial Statements and Expenditures.

The Committee unanimously accepted the Report on Financial Statements and Expenditures as presented.

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Item # 2 – Discussion on SRIA logo. (Staff report by E.W. Bullock)

No action taken at this time.

Upon motion of Mr. Dave Pavlock seconded by Mr. Ed Guernsey, the Board unanimously approved the Consent Agenda as amended. (6-0)

REGULAR AGENDA

10. OLD BUSINESS

(Item # 1 moved to Regular Agenda from Consent Agenda per Chairman Campanella.)

Item # 1 - Monthly update from Mr. Guernsey regarding lease fees and the property tax issue. (Report by Ed Guernsey)

Mr. Guernsey presented a PP report. (See attached)

Much discussion followed, with Mr. Guernsey explaining he was trying to find funding sources for Santa Rosa Island Authority, if the Island goes to fee simple, instead of paying lease fees.

It was agreed that a methodology needed to be developed to deliver the message of the positive contributions Pensacola Beach currently makes to the economy of Escambia County.

Dr. Campanella thanked Mr. Guernsey for his hard work and stated the SRIA needs to make sure any income generated on the Island, stays on the Island.

SPEAKER:

Jim Cox – He thanked Mr. Guernsey and stated getting the facts together is critical. He stated he helped draft the bill going through Congress regarding this issue. He said in order for the SRIA to be dissolved, it would have to go through the state legislature and master and sublease issues would need to be resolved.

No action taken.

Item # 2 – Approval of the Third Interim Agreement – (Palm Tree Project – Phase Two) (Report by Mike Stebbins)

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Mr. Stebbins gave background on this item.

Upon motion of Ms. Tammy Bohannon seconded by Mr. Fred Gant, the Board unanimously approved the Third Interim Agreement for the Palm Tree Project, Phase Two.) (6-0)

Item # 3 – Discussion on amending the lease with Springhill Suites for refinancing purposes. (Referred from 10/23/2013 Committee Meeting)(Report by Mike Stebbins)

Mr. Stebbins gave the background and stated much more was needed than an estoppel letter, which had been indicated at the Committee Meeting. He stated the leases needed to be amended, that there had been discussion of separating the property and leases, and also that the Certificate of Sale had been purchased by American Fidelity. (AMFI)

Mr. Stebbins stated it was very complex and he was not comfortable moving forward with any changes until after the litigation had been settled.

Ms. Bohannon questioned if the item could be tabled pursuant to the end of the litigation.

SPEAKER:

Linda Hoffman – The attorney for AMFI. She stated they had great concerns regarding the request. She said they had been in litigation on this matter since 2010.

Bret Kanis – The attorney representing David Brannen, explained they were trying to close the refinancing loan, which would pay off the lender. He stated the litigation is not an issue, because it will all happen at the same time. He stated there is a title issue from 2001 that still needs to be resolved.

Robert Beasley – The attorney also representing David Brannen. He stated the Santa Rosa Island Authority created this problem with the First Amended and Restated Lease with Pensacola Beach, Inc. He said the changes proposed are what the lender needs in order to complete the loan. He asked the board to authorize Mr. Stebbins to move forward with the Ground Lessor instruments.

Ms. Stebbins stated he is not comfortable without Board approval on splitting the lease or with the AMFI issues.

Much discussion followed.

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Mr. Stebbins again voiced concerns and stated he is not comfortable with the requests and stated it is the Board's decision.

Mr. Beasley stated he never said the problem with the lease was the SRIA's fault.

Mr. Stebbins suggested a Special Board Meeting if the Board wants to move forward.

Mr. Beasley asked to move forward with the Ground Lessor Agreements, then send the ancillary documents, which include title work, termination of old leases, issuance of new leases, and density issues if the lease is split.

Upon motion of Thomas Campanella seconded by Mr. Fred Gant, the Board unanimously voted to move forward conceptually, with financing to satisfy AMFI and to bring all documents back to the Board for approval. He called a Special Board Meeting for Wednesday November 13, 2013. (6-0)

Mr. Stebbins asked when he should receive the documents from Mr. Beasley.

Mr. Beasley said he would send them by the end of the week.

Mr. Stebbins told Mr. Beasley to include every document Mr. Beasley was asking approval on.

Item # 4 – Discussion on amending the Board Policy, application and post report for Event Sponsorships. (Staff report by Robbie Schrock) (Referred from 10/23/2013 Committee Meeting)

Ms. Schrock gave background on the item.

There was much discussion on the "Super Majority" (5 of 6 Board Members) vote needed for requests above \$2,500.00.

A motion was made by Ms. Bohannon to adopt the policy, without the "Super Majority" vote included. It was seconded by Mr. Guernsey, and the motion failed with a 3-3 vote, with Ms. Gilley, Dr. Campanella and Mr. Pavlock voting in the negative.

A second motion was made by Mr. Pavlock seconded by Ms. Gilley, to accept the policy as presented, with the "Super Majority" vote needed. This motion failed with a 3-3 vote, with Ms. Bohannon, Mr. Gant and Mr. Guernsey voting in the negative.

A third motion was made by Mr. Pavlock seconded by Ms. Gilley, to change the limit from \$2,500.00 to \$5,000.00 and require a "Super Majority" vote. This motion also

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failed, with a 3-3 vote. Ms. Bohannon, Mr. Gant, and Mr. Guernsey voted in the negative.

Upon motion of Ms. Tammy Bohannon seconded by Mr. Fred Gant, the Board voted to approve the policy, with a \$7,500.00 limit, and keep a standard vote, not requiring a "Super Majority". (5-1) Mr. Pavlock voted in the negative.

Item # 5 – Discussion on amending the Personnel Policy Section 4.3, Assignment of Positions and Classes of Positions. (Staff report by Executive Director Buck Lee) (Referred from 10/23/2013 Committee Meeting)

Mr. Lee gave background on this item.

Mr. Gant stated the SRIA is not like the BCC and a past Board had approved this policy. He stated we are a smaller unit and use citizens in our decision making process. He does not want to see the Board removed from this hiring process of department directors.

Ms. Bohannon stated her Commissioner said he would never give up that power if he had it at the BCC, and suggested revising the policy to the Chairman working with the Executive Director to hire new directors, rather than the whole Board. She also stated an appeal process needed to be added because right now, a terminated employee had to go to the MSPB.

Mr. Pavlock stated the SRIA Board is a policy making Board, not a micro-managing Board. He likes the idea of the Chairman working with the Executive Director.

Dr. Campanella stated a terminated employee can appeal directly to the Chairman of the Board. He disagrees with the Chairman's involvement with the hiring of Directors, since the Chairman doesn't work with that person every day.

Mr. Lee stated he would prefer the policy could be left as it currently is, with the Executive Director presenting his first choice to the Board for approval, rather than including the Chairman in the interviewing process.

Mr. Pavlock stated the SRIA Board is a policy making Board, and they only hire the Executive Director and the attorney.

Upon motion of Mr. Dave Pavlock seconded by Mr. Ed Guernsey, the Board voted to approve staff's recommendation to remove the necessity of SRIA Board approval from the hiring process of Department Directors. (4-2) Ms. Bohannon and Mr. Gant voted in the negative.

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Item # 6 moved from consent agenda per Chairman Campanella.

Item # 6 - Discussion on a new reader board sign. (Staff report by Public Safety Director Bob West)(Referred from the 9/25/2013 Committee Meeting)

Ms. Nicole Stacey gave the results of the poll taken at the Chamber regarding use and fees of the proposed readerboard.

Upon motion of Ms. Tammy Bohannon seconded by Mr. Ed Guernsey, the Board unanimously voted to rescind the motion to move forward with an RFP for a new readerboard, due to a lack of business support. (6-0)

11. REPORTS

A. EXECUTIVE DIRECTOR'S REPORT

Mr. Lee presented his report for the review of the Board. He stated the SRIA is thrilled the Blue Angels will be back next year, and shared the Visit Pensacola, Inc.'s transition report. (See attached)

Mr. Lee requested approval of a Ground Lessor agreement for Red Fish, Blue Fish, contingent upon legal sign-off. He explained the attorney was in Tallahassee and didn't realize the procedures normally followed regarding Committee and Board.

Mr. Stebbins stated he is comfortable with this request, that the SRIA already has similar agreement in place with the Hilton properties.

Upon motion of Ms. Tammy Bohannon seconded by Mr. Dave Pavlock, the Board unanimously approved the requested revisions with legal signoff. (6-0)

B. ATTORNEY'S REPORT

Mr. Stebbins submitted his report for the review of the Board, and stated, with the help of the finance department, the SRIA is down to 8 active default cases.

He stated he still doesn't have enough information on the Peggy Gale case, so he recommends no action be taken at this time.

Mr. Stebbins stated he had received a request to change the amendment sent to Escambia County regarding the noise levels in the residential area. He requested the Board identify specific decibels allowed in the residential areas.

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SPEAKER:

Ray Ascherfeld – He stressed the importance of regulating the noise levels in residential areas. He suggested 60 decibels during the day and 55 decibels at night.

Jim Leslie – He suggested having the same levels in the residential areas as they have in town. He requested 55 at night in the residential areas. He also stated more decibels meters ere needed on Pensacola Beach.

Terry Preston – She feels slighted by Escambia County, they have a “reasonableness” ordinance, why can’t Pensacola Beach? She strongly supports 65 decibels during the day in the residential areas and 55 decibels at night.

Upon motion of Ms. Tammy Bohannon seconded by Mr. Ed Guernsey, the Board unanimously approved recommending 65 decibels in the residential areas from 7:00 a.m. to 10:00 p.m. and 55 decibels in the residential areas from 10:00 p.m. to 7:00 a.m. (5-0) (The telephone connection with Ms. Gilley was lost.)

C. ENGINEER’S REPORT

Mr. Langston submitted his monthly report for the review of the Board.

D. DEVELOPMENT SERVICES DIRECTOR REPORT

Mr. Ghio submitted his report for the review of the Board. He stated he had received the Development Order for the new Visitor’s Information Center today, and requested approval of dates listed below:

- Advertise for RFP: November 16 & 17, 2013 (Sunday & Monday)
- Mandatory bid conference: November 26, 2013 (Tuesday, 10:00 A.M.)
- Bid opening: December 6, 2013 (Friday, 10:00 A.M.)

Upon motion of Mr. Dave Pavlock seconded by Mr. Ed Guernsey, the Board unanimously approved staff’s recommendation. (5-0)

12. VISITORS FORUM

There were no speakers.

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13. BOARD MEMBERS FORUM

Mr. Gant asked about beach nourishment. Mr. Lee stated the SRIA has paid \$250,000.00 on permit fees, and that hopefully Escambia County will come up with the \$6 Million needed to fund the project. He stated he is working with other counties to combine mobilization costs to save money.

Ms. Bohannon questioned the Board policy regarding teleconferencing, since Ms. Gilley is often not present in the SRIA meetings.

14. ADJOURN

There being no further business to come before the Board, Chairman Campanella declared the Regular Board Meeting of the SRIA Board adjourned at 7:23 p.m.



SECRETARY



CHAIRMAN

(Please note that the Santa Rosa Island Authority does not make verbatim transcripts of its meetings, although the meetings are tape-recorded. Any person desiring a verbatim transcript of a meeting of the Santa Rosa Island Authority will need to independently secure such verbatim transcript.)