

Official

MINUTES OF THE ESCAMBIA COUNTY CHARTER COMMISSION MEETING  
HELD FEBRUARY 27, 2003  
BOARD CHAMBERS, THIRD FLOOR, ESCAMBIA COUNTY COURTHOUSE  
223 PALAFOX PLACE, PENSACOLA, FLORIDA  
(5:30 P.M. TO 8:30 P.M.)  
(SEVENTH MEETING)

Members Present:

M. J. Menge, Chairman	Francis A. "Frank" Montenes
Charles F. Beall, Jr.	E. P. "Ted" Nickinson, Jr.
Johnny W. Blackmon	Lucy Rentz
LeRoy Boyd	Lamar Smith
Barbara Forehand "Bobbie" Brown	Phyllis D. Sims
Laurel Dick	Garrett W. Walton

Members Absent:

Rita A. Riffel, Vice Chairman (Teaching Class)

Elbert Jones, Jr. (Meeting Conflict)

Denis McKinnon, Jr.

Others Present:

George Touart, County Administrator  
Roderick Powell, Director of Human Resources  
William Griffith, Chairman, Santa Rosa Island Authority  
Monte Blews, Manager, Santa Rosa Island Authority

AGENDA NUMBER

1. Call to Order - Chairman Menge at 5:30 p.m
2. Chairman Menge asked for Approval of the Agenda by the Commission with the following revisions: That the presentation by Commissioner Gilley be eliminated since she was unable to attend, and that as the first item prior to the presentation by the Santa Rosa Island Authority, we hear a presentation by Mr.

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Powell, Director of Human Resources.

Mr. Montenes also requested further discussion about the minutes of the meetings and the preparation thereof to be added under Item 11, Items Added to the Agenda.

A motion was made by Mr. Dick to accept the agenda with the changes and was seconded by Mr. Beall. The motion was carried unanimously.

3. Presentation by Mr. Powell

Mr. Powell addressed the Commission in regards to the background reference check that was forwarded to the members of the Commission. He explained that the original form had been sent in error and that the correct form entitled "Board of County Commissioners Consent Form for Boards and Committees" was the document the County was requesting be completed by the Commission Members for a public records check.

A motion was made by Mr. Nickinson that the Commission Members take the forms and send them back with their names on it and nothing else. The motion was seconded.

Following discussion on the motion, Chairman Menge made the suggestion that if the motion is defeated, that those Members who had no problems with the form, fill out the revised form and send it in. Those Members, who still had questions, should contact Mr. Powell. The motion failed five to four.

**Note: Mr. Powell is to furnish reference to the law or resolution that requires a public records check.**

4. Presentation by:

William Griffith, Chairman, Santa Rosa Island Authority  
Monte Blews, Manager, Santa Rosa Island Authority

Mr. Blews presented a Power Point presentation with a brief review of the history and organization and mission of the Santa Rosa Island Authority. Some important dates were in 1559, Don Tristan de Luna established a settlement on Pensacola Beach, and in 1819, the United States acquired Santa Rosa Island. In 1947, President Truman authorized the acquisition of a portion of Santa Rosa Island by Escambia County and in 1947, the State of

## MINUTES OF THE CHARTER COMMISSION MEETING-Continued

Florida Legislature enacted legislation creating the Santa Rosa Island Authority, which established the Authority's right to create leases for the Island, collect revenues, operate buildings and take care of public facilities, enact regulations and advertise the Island. Escambia County approves the budget of the Santa Rosa Island Authority, land use changes and major leases.

Mr. Blews stated that Escambia County has the right and does approve the SRIA budget, has the authority to veto any substantive land use changes and any major leases. He stated that the Santa Rosa Island Authority consists of 8.3 miles, 1,474 acres, of which 60 percent is held for the public and 40 percent for private leasehold opportunities. Pensacola Beach has a population of 2,738 people per the 2000 Census.

Mr. Blews stated that the Santa Rosa Island Authority Board consists of six members, five of whom are appointed by each of the County Commissioners, and one who is elected. He stated during his tenure as Manager, the direction of the Board has been to be sure that we are providing recreational services for the citizens of Escambia County and Northwest Florida. The SRIA also plays a role in the tourism industry in the community and directly focuses on beach issues.

Mr. Blews stated that the Board has various committees with which they operate: the Administrative Committee which handles administration, personnel issues, finance, insurance and marketing; the Architectural and Environmental Committee which does the residential and commercial structure review for both architecture and landscaping and also enforces rules and issues regarding soils, signs, docks, for the beach; the Development and Leasing Committee, which is responsible for leases, land use and license agreements; and, the Operations Committee, which addresses engineering, cares for our beaches, safety facilities, streets and parking.

Mr. Blews stated as manager, he reports directly to the Board and that there are four departments that report directly to him: Administration, Leasing and Marketing, Environmental and Developmental Services, Public and Recreational Facilities and, the Finance Department. He stated that the SRIA has 39 staff members and 18 lifeguards and a budget of almost five point two million dollars.

**MINUTES OF THE CHARTER COMMISSION MEETING-Continued**

Mr. Griffith stated that the SRIA contracted with the University of West Florida to see what impact the Island has on tourism throughout the County. He reported that 85 percent of the tourists that come to this area come because of the beaches and that visitors will stay longer and bring children to the beach because of the amount of condominiums that are available and the ambiance of the beach. Mr. Griffith also reported on the accomplishments that have been made on the Island.

**Note: Mr. Griffith and Mr. Blews presented the Commission Members a hard copy of the Power Point presentation and a booklet entitled Florida at Its Best.**

Responses to questions asked of Mr. Griffith and Mr. Blews are as follows:

In response to the question of what role does the County play in the Santa Rosa Island Authority and what three things would he recommend that the County do to help further their endeavors, Mr. Griffith responded by saying that the three things they need from the County are to continue telling people that the SRIA can do the job and is doing it; to let the SRIA know if there is anything that could be done better; and the third, barring those two things, leave us alone, but to continue the good support and the help when requested.

Mr. Blews stated that the building cap on Pensacola Beach, MU-5, is estimated at 4,128. When asked what was on the ground now, Ms. Mary Bowman responded there were approximately 349 units left available for development, that they include all permitted subdivision lots so that every residential lot is already guaranteed a building spot, including Portofino, which is 765. It was also pointed out that there is not a cap for lodging units, but that is picked up in the concurrency evaluation.

Mr. Blews stated that he would add to Mr. Griffith's statement on what the SRIA needs from the County and one was to continue to send good, quality Board Members. Another element in interfacing with the County was because of the good support from the County after Hurricanes Erin and Opal, the beach was up and operational very quickly. He stated that there is excellent interface between the County and the SRIA, including County Engineering and Code Enforcement and that the SRIA is the eyes and ears for enforcement in those areas.

## MINUTES OF THE CHARTER COMMISSION MEETING-Continued

Mr. Blews stated on the bond issues, one for 22 million dollars for roads and 20 million dollars for beach nourishment, that the SRIA is committed to 600,000 dollars a year for the next 30 years. The first 10 years they will be paying back on beach nourishment, and after that, they will pick up their share of the responsibility for the 30-year bond issue, particularly on the roads. Mr. Blews stated that the SRIA was the first to qualify in the state for the millions of dollars of funding after Hurricanes Erin and Opal and was the first to get those funds. He said he was very proud of what his staff did to make that happen.

In response to a question on why there is so much need for support at Pensacola Beach and the citizens can't get that on Perdido Key, Mr. Blews said that the fundamental difference between Perdido Key and Pensacola Beach is that we are Pensacola's beach, that the SRIA is the only provider of public beaches in the County for our people. He stated that we must provide for everyone a place to come regardless of their orientation and regardless of any other qualifier, that no one else has that mission. In response to a question regarding the governmental services that are handled with regard to permitting and building inspections on Pensacola Beach, Mr. Blews introduced his staff to give a brief presentation of the interface between the SRIA and Escambia County.

Ms. Mary Bowman, with the Administration Leasing and Marketing Department, stated that she works closely with the County's legal staff and with the County Administrator's staff to generate ordinances that might be needed. They work closely with the Sheriff's Department to provide the security that patrols the beach. They have Code Enforcement to help with the building, the animal shelter, and the mosquito and rodent control.

Ms. Nita Omley, Finance Manager with SRIA stated that they interact very closely with the County and their staff on the recently acquired debt and to make sure they have the very best documents completed for those bonds. She also stated that they work closely on the toll facilities, making sure that all the internal controls are set up at the toll facilities to make sure that the assets are protected there for the County. Ms. Debbie Norton, Manager of the Environmental and Developmental Services

## MINUTES OF THE CHARTER COMMISSION MEETING-Continued

Department, in answer to a question specifically in regard to permitting and building, stated that they do a preliminary review of all development that is done on the Island and make sure it's consistent with the Pensacola Beach Land Use Plan, with the leases, the Federal Flood Insurance Program, and Article 13 of the Land Development Code. After the SRIA development approval is granted, it is then sent to Escambia County for actual permit issuance. The County does the inspections of the building, and Code Enforcement participates if there are any violations of those codes. She also stated that the SRIA works very closely with Escambia County's Neighborhood Environmental Services Department on sand quality issues.

Mr. Charles Peeterse, SRIA Facilities Manager, stated that they do all the signage work for the roads, but that the County Road Department does the maintenance. The SRIA works closely with Janice Kilgore from EMS, with the fire department, hurricane recovery, and with the Sheriff's Department for security.

In response to the question, is the structure that presently exists by the legislation that's been passed and the amendments to it, the kind of structure that is needed to best provide those services or are there any modifications to that interface that exist right now as a matter of law that the Commission needs to address, Mr. Blews responded that he believed they were successful in accomplishing their mission and that they have not felt restricted as a Board in doing that. Mr. Griffith responded, If it isn't broke, don't fix it. Mr. Blews concurred.

Mr. Blews responded to a question that if there was a surplus at the end of the year, where did it go? Did it stay in a reserve? Or does it go to the County? He stated that there was a reserve account for disasters and a contingency fund. Mr. Griffith stated that there was a \$500,000 contingency account mainly in case there was a need from hurricanes. He stated that in the past, 80 percent of damage that occurs to public property is funded by the federal government and the remaining 20 percent would come from the contingency account. Responding to a question on how the reserve is created, Mr. Blews responded that the SRIA Board has set aside funds in the budget.

## MINUTES OF THE CHARTER COMMISSION MEETING-Continued

In response to a question regarding the Civil Service Board and whether there had been any noticed improvement in the relationship and the effectiveness of the Civil Service Board in dealing with problems, Mr. Blews stated that our personnel and our employees need to stay in the same system that the County stays in, which again, is a good example of why they need to be and are working very closely with the County. To answer the specific question, they've had neither extremes on either side, but that in recent times they've had a very professional relationships.

Mr. Menge requested that George Touart, County Administrator, give his viewpoint on the Santa Rosa Island Authority. Mr. Touart stated that from an administrator's standpoint that he works very well with the SRIA, that it's an excellent organization, that the County plays a support role, and that the SRIA does a very good job. He also stated that if there is a recommendation for the Island Authority from the Commission and it has merit, they would certainly look at it. He also stated he would recommend against abolishing the Santa Rosa Island Authority.

Mr. Blews was asked to address the pros and cons on the issues of the independence of the beach and with some people advocating incorporation of the beach and some people advocating a change in the structure of the Board. Mr. Blews stated because of the number of residences on the beach that incorporation would be difficult. As far as the Board's structure, that it is set up to manage the beach for the County, for all the residents of the County and not just for the residents on the beach.

Mr. Griffith stated that if you take the population of the beach, 2,700, and you compare it with the population of Escambia County, 300,000, you have one person representing 3,000 residents and five people representing each of the districts in the County. He stated that he thinks the way it's constituted now is fair, it's adequate and it does a good job of representation, as well as sets policy for the management of the beach.

In closing, Mr. Griffith and Mr. Blews extended an invitation to the Commission to visit them at Pensacola Beach if there are any other questions, and they would spend whatever amount of time is necessary to answer any and all questions.

**MINUTES OF THE CHARTER COMMISSION MEETING-Continued**

5. Approval of the minutes of the January 30, 2003, meeting.

Mr. Menge reported that the comments by Ms. Brown and Mr. Dick had been incorporated into the minutes. A motion was made by Mr. Beall, and seconded by Mr. Dick, to approve the minutes.

Under discussion on the motion, Mr. Montenes stated that he wanted to make sure that as we approve the minutes of the meeting that action items in the minutes do not get dropped.

The motion to approve the minutes of the January 30th meeting passed unanimously.

6. Approval of the minutes of the February 13, 2003, meeting.

A motion was made by Mr. Beall, and seconded by Mr. Dick, to approve the minutes of February 13, 2003, as submitted. The motion was passed unanimously.

7. Communications.

Mr. Menge stated that the Commission would be meeting with Tom Bonfield, Manager, City of Pensacola, on March 18, 2003, on the second floor of City Hall in the conference room.

A letter to Dr. Teasley in regard to public records was provided in the Commission packets.

Mr. Menge reported that he received communication from the County regarding some desired changes to the Agreement for Services and that he would be meeting with Mike Godwin, Assistant County Attorney, and with the University of West Florida to see what changes need to be made.

Also presented to the Commission were communications between Mr. Partington, Mr. Menge and Mr. David Tucker regarding whether meetings of the legal advisory team are subject to the Sunshine Law. Mr. Menge reported that he had talked with the County Attorney and there was a consensus at this point that meetings with the legal advisory team when they were giving exclusively legal advice and not making recommendations would not be subject to the Sunshine Law.

**MINUTES OF THE CHARTER COMMISSION MEETING-Continued**

8. Report on the creation of a Website for the Commission.

Ms. Tamela Ramos presented the actual draft of the Website page entitled Charter Commission. Ms. Ramos gave a basic overview of what the Website would contain with regard to personnel, goals and objectives, meetings, agendas, minutes, work schedule and meeting schedule, and reference sources. She reported that there would be a link's icon to other organizations within the community that may have an interest in charter government. The Website would also include the contact information with the UWF Whitman Center. Ms. Ramos stated that the presentation of the Website was to give an overview to the Commission and asked for feedback and recommendations for any changes.

Mr. Menge stated that the Website would not constitute legal notice of the Commission's meetings. A suggestion was made that there should be a home page with a welcome to the citizens of Escambia County.

Mr. Menge stated that not all reference material received by the Commission would be listed on the Website because a large percentage of that would be public record, but that a variety of good reference material would be cited to give the public an idea of that information coming to the Commission.

A suggestion was made to link to the existing governmental structure of Escambia and possibly charters passed by other counties.

9. Discussion of the Proposed Work and Meeting Schedule for the Commission.

Mr. Menge stated that the public hearing dates were moved back to allow time for further changes to the Charter after the public hearings and before the Charter is turned over on January 23rd. The four public hearing dates were suggested as follows: November 6th, 2003, at Pensacola Junior College; November 20th, 2003, at Molino Elementary School; December 4th, 2003, at Jim Bailey Middle School; and, December 18, 2003, in the BCC chambers. For the public input meetings it was suggested to have as many of the meetings as possible in the BCC meeting room, and in the event of a conflict, have the meetings at the Pensacola Junior College main campus, rather than trying to move to

## MINUTES OF THE CHARTER COMMISSION MEETING-Continued

various places around the County, just for the public input meetings, again, looking to the public hearings to be more of a geographically diverse hearing site than the public input meetings.

A suggestion was made that the Commission meet somewhere around April 10th to discuss and work up a summary of all the information received in regard to the first task in terms of how is the government working today.

Mr. Menge stated that he had been keeping a running informational tally of what the Commission has been receiving and from the presentations of the various government entities. He also stated that prior to April 10 he planned to have a draft notice of public input meetings to be distributed to the media and on the Commission Website to inform the public how the Commission intends to conduct the public input meetings.

A suggestion was made that the three forms of government in Chapter 125 be addressed at the public input hearings. It was also noted that when the Commission is drafting the final Charter, that it would be possible to invite an entity to appear back before the Commission for further questions.

A suggestion was made that the Commission Members browse thought the package of charters from other counties, that it would be helpful to the Commission.

Mr. Menge suggested in regards to Boards Created by Special Act, such as the Electronic Data Processing Management Board, the County Extension Council, the Pensacola/Escambia County Promotion and Development Commission, Pensacola Escambia Governmental Center Authority, West Florida Regional Library District Governing Board, Military Liaison Committee, Northwest Florida Creek Indian Council, Regional Planning Council, and the Escambia County Law Library Board, that they present a written summary as to the makeup of these boards and what they do. A request was made to have a presentation from the Area Housing Commission. Mr. Menge stated he would meet with the County Attorney on the subject of other commissions and boards appointed by the County Commission.

**MINUTES OF THE CHARTER COMMISSION MEETING-Continued**

A question was asked of Mr. Menge if other Commission Members could attend meetings where he is speaking on charter government. Mr. Menge stated other Commission Members could attend, but due to the Sunshine Law, they would not be able to participate in the discussions.

Based on the discussions on the Proposed Work and Meeting Schedule, the decision was made to move forward with the proposed meeting schedule.

**Note: Mr. Menge is to follow up on obtaining the Tax Collector's employee manual.**

**Note: Dr. Teasley is to present at the next meeting an outline of the projects the Whitman Center is working on.**

10. Unfinished Business - None

11. Items Added to the Agenda

Mr. Montenes stated that his questions regarding the minutes had been answered.

12. Announcements regarding the next meeting date, place and topics for discussion.

The next meeting will be in the BCC chambers at 5:30 on March the 13th.

13. Public Forum

Ms. Rita E. Jones addressed the Commission regarding preparation for the public input hearings.

14. Any Commission Response - None

15. Adjournment

The Charter Commission Meeting of February 27, 2003, held in the Escambia County Courthouse was adjourned at 8:30 p.m.

MINUTES OF THE CHARTER COMMISSION MEETING-Continued

Action Items:

1. Consent form from Mr. Powell.
2. Copy of the Civil Service Replacement Plan.
3. Bill of Rights research.
4. Tax Collector's handbook.
5. List of projects being worked on by The University of West Florida.

APPROVED BY:

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THE CHARTER COMMISSION

PREPARED BY:

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UNIVERSITY OF WEST FLORIDA WHITMAN CENTER FOR PUBLIC SERVICE