



PENSACOLA BEACH ADVOCATES
Annual Meeting
November 7, 2017 – 6:30 pm
Pensacola Beach Community Church

Minutes

Introductions

Pensacola Beach Advocates (PBA) President Benjamin Stevenson welcomed the membership. He recognized PBA board members Dan Smith, Jack Cerone, and Ben Clabaugh. Jason Cromey was unable to attend due to an avoidable conflict, but he sent his regards. Stevenson also recognized committee chairpersons Terry Preston (Government Affairs) and Lauren Campanella (Beachkeepers). He thanked the Pensacola Beach Community Church for providing the

Stevenson provided an overview of the agenda.

Board Elections:

PBA held elections for two open board positions. Current PBA Board Members Dan Smith and Jason Cromey had decided not to run for re-election. Terry Preston and Lauren Campanella were running for the two open positions. Stevenson invited additional nominations from floor, but none were offered. The membership unanimously approved Terry Preston and Lauren Campanella as the new Board Members by an open vote on the floor.

Stevenson thanked Dan Smith and Jason Cromey for their service on the Board.

Stevenson called for a board meeting following the Annual Meeting.

Financial

Stevenson reported PBA's financial state. PBA has roughly \$32k in assets. Income and expenses to date in 2017 have roughly been the same—\$5k.

Stevenson altered the membership that PBA financial statements for 2017 will be available to the membership in January after our fiscal year closes.

Beachkeepers Committee Report

Lauren Campanella reported on the success of two Beachkeeper's events in 2017—Eco-Happy Hour on March 9, 2017, and Sea Turtle Baby Shower on August 12, 2017.

Government Affairs Committee Report

Terry Preston reported about the pending fee simple federal legislation (S. 1073, 115th Congress). Sen. Nelson had withdrawn his support for the legislation in light of the current bill's exclusion of Santa Rosa County from the provision that makes all current public land, beaches, and access points public in perpetuity. Preston was hopeful that if Santa Rosa County changes its opt-out position, Sen. Nelson would again support the bill. Sen. Rubio and Rep. Gaetz continue to support the bill.

Preston also reported that a PBA membership meeting will be called to address the Home-Tels or Event Houses to consider how short-term rental of single-family homes for large groups, events, or parties impacts our beach.

Paolo Ghio (Santa Rosa Island Authority)

Paolo Ghio, Executive Director of the Santa Rosa Island Authority (SRIA), addressed the membership. He reported on the past projects and successes over the last year. He also reported about future planned projects including re-paving the multiuse path along the north side of Via de Luna Drive from the core area to Porto Fino and three planned children's playgrounds.

Ed Fleming

Ed Fleming, an attorney and a founding partner of the law firm McDonald Fleming Moorhead, addressed the membership. He offered his interpretation of the pending federal fee simple legislation (S. 1073, 115th Congress). He expressed

frustration that too many people have misunderstood its potential impact. He explained that the bill would help preserve public lands, beaches, and beach access points and fairly allow current leaseholders to own in deed what the Florida Supreme Court has said they already own in effect. He recognized fee simple ownership may reduce the revenue for SRIA and he supported finding a way to ensure the SRIA may continue its work managing the Beach. Stevenson agreed that the SRIA provides benefits to the leaseholders and wants to figure out a way for SRIA to continue absent lease fees and with less expenditure on events.

Fleming also discussed several lawsuits challenging the ad valorem taxation on the beach. He displayed a Beach map from Property Appraiser Chris Jones that indicated in green the leaseholds Jones considers perpetual and in red the leaseholds Jones considers non-perpetual. Fleming explained that the Florida Supreme Court has deemed perpetual leaseholds subject to property taxation. Florida district courts of appeal have deemed non-perpetual leaseholds (those with a specific end point with no right to renew or only a “right” to negotiate for a renewal) exempt from such taxation. *See Beach Club Towers Homeowners Ass'n v. Jones*, 1D15-5886 (Fla. 1st DCA Oct. 11, 2017), https://scholar.google.com/scholar_case?case=6769344171007794388 (holding condominium leaseholders were exempt from taxation of underlying land because the lease was “not perpetually renewable”—the master lease only had an option to renew on terms later negotiated). Because in some circumstances the underlying land is exempt from property taxation while the developments may be taxed, Fleming reported about success in fairly apportioning a greater value to the land compared to the development.

Conclusion

Stevenson thanked everyone for attending, inquired whether of anything more to discuss for the betterment of the PBA, and hearing none, adjourned at 7:50 pm.