

VOLUSIA COUNTY BEACH POLICY ADVISORY BOARD
Meeting minutes for November 11, 2008
VCBP HQ

CALL TO ORDER:

The meeting of November 11, 2008 was called to order by Chairman Lamotte at 5:30 p.m.

BOARD MEMBERS PRESENT

Chairman David Lamotte
Vice-Chairman Glenn Storch
Mr. Worley Pruett
Dr. P.T. Bud Fleuchaus
Mr. Nick Conte
Ms. Judith Craig
Mr. Jason McGuirk
Mr. Steven Strawn
Mr. David Rigsby

BOARD MEMBERS ABSENT

STAFF PRESENT

Tony Sopotnick, Staff Liaison
Judith Hallock, Administrative Support

APPROVAL OF MINUTES:

Mr. Conte moved to approve the minutes of September 9, 2008. Mr. Strawn seconded the motion. Motion approved unanimously.

PLEDGE OF ALLEGIANCE:

Pledge of Allegiance in honor and recognition of Veterans' Day and welcome to new Lifeguard Headquarters Building by Director Kevin Sweat.

INTRODUCTION OF GUESTS BY CHAIRMAN LAMOTTE:

Joie Alexander, Volusia County Council
Art Giles, Volusia County Council
Josh Wagner, Councilman Elect

Deputy County Manager Mary Anne Connors: States the County has asked the Beach Advisory Board for input as the County develops a Request for Proposal (RFP) for providing concession services on the beach. A survey was posted on the Web for public input.

Director Kevin Sweat: Advises that survey responses were compiled, emailed to committee members and also posted on County Website for public viewing.

PUBLIC PARTICIPATION – ITEMS ON THE AGENDA (3 MINUTE TIME LIMIT PER SPEAKER):

Paul deMange: As a resident he would like to see a code of conduct, background investigations performed, master contract (5-year) with an executive committee to arrange sales, relocation and monies to upgrade. Issue of concessions located near homes and condos needs to be addressed.

Judith Ketchersid: Concessionaire since 2001. She feels established functioning concessions should not be put out to bid, the number of concessions should be increased not decreased and would like expectations regarding concessionaires clearly defined by County. Motorized vehicles (rental) should continue on the Beach and the process for this should be improved. Mr. Storch questioned whether the speed on ATV's is governed down and Ms. Ketchersid stated in her concession they are governed down.

Atty. David Hood: Representing the Beach Concessionaires Association (98% of licensed concessionaires). No clear expectations have been set or expressed by concessions. Concessionaires agree there should be quality standards. A united organization would ensure diversity of services and experiences for the visitors. The businesses need to be able to capitalize via length of contract, reinvestment in their business and fee structuring. This needs to be financially viable for County as well as concessionaires. Atty. Hood states contract should be 10 to 15 years in length for a reasonable return. Mr. Rigsby asks for clarification on "one entity". Atty. Hood states the solution is to have one organization that licenses, manages locations and handles fees collected. Further discussion ensued regarding management issues as one entity.

Mary Anne Connors: There is a Task Team under leadership of Joie Alexander that devised the survey, assembled the responses and is the group working together to address the concessionaire RFP. An RFP is the most flexible process in the interest of providing the services. Dr. Fleuchaus questioned what happened during the process 10 years ago when the original contract expired, and whether or not the concessionaires agreed as a uniform group at that time? Mary Anne Connors states at that time a new contract was offered to existing concessionaires for another 10 years, bringing it to this point. The Task Team would like to deal with less than the current 103 individual concessionaires, possibly one entity. There has never been a bidding process for these county services in compliance with purchasing ordinance. The RFP will be awarded by Council.

Atty. Frederick Karl: Purchasing ordinance requires services be done by public process. Legal will draft the contract and/or subcontract when Council awards the RFP. The concessions have never been put out for public bid. Mr. Rigsby asks if there are any model counties to be looked at for input. The Council will use what resources are available in the community for input. The Council would like input from the Beach Advisory Board in response to the survey posted on the Web.

Atty. David Hood: States concessions are willing to sit down and talk about standardization and moving forward towards one entity.

Phil Thomas: Concessionaire. He believes most of the problems are with ATVs and more enforcement of HCP is necessary. Mr. Storch inquires if there was one entity would the concessionaire's self police? Mr. Thomas agrees with a one entity concept which will address all aspects of concessionaire management.

Terry Campbell: Survey taken two years ago showed 86% of visitors were happy with their beach experience. The County is micromanaging the beach. The business owner's know what needs to be done to stay in business. Write a 10-year contract with concessionaires and if they do not fulfill the requirements they will be unable to operate.

Randy Campbell: Food concessionaire. There is a special relationship with customer/concessionaires. Survey on the Web showed returning visitors from out of town look forward to seeing the same concessions year after year.

PUBLIC PARTICIPATION – ITEMS NOT ON THE AGENDA (3 MINUTE TIME LIMIT PER SPEAKER):

Greg Gimbert: Would like to see tolls removed so the concessionaires have more business.

Lenny Legarie: Feels Beach Patrol should have more lifeguards, less law enforcement.

ONGOING BUSINESS AND DISCUSSION:

Dr. Fleuchaus: Generalized agreement from audience/public that concessionaires should have one manager. He would like to have input from concessionaires as they know the business best.

Mr. Storch: There needs to be clear standards and rules so everyone knows what is expected. Possibly design standards for different types of uses (IE, food wagons, ATVs, equipment rental).

Beach Policy Advisory Board Responses to Questionnaire:

1. **The process for awarding beach concessions will be open, fair and competitive. What selection criteria will support this process?**
RFP and the concept of one entity.
2. **What should be the most important factors in weighing the merits of the beach concession proposals?**
 - a. Customer service.
 - b. Return on investment for concessionaires (fair proposal to concessionaires).
 - c. Beach experience/knowledge of beach (HCP).
 - d. Organization.

- 3. How can we improve the appearance of concessions to upgrade the public impression of the beach?**
Design standards.
- 4. Should there be equipment standards?**
Yes. Bi-annual inspection of equipment and enforcement.
- 5. Beach concessions provide services and products to enhance the beach experience. Please list and rank the services and products that should be offered.**
 - a. Create standards.
 - b. What the market will bear regarding services to provide.
 - c. Motorized vehicles should be allowed but would recommend golf carts phased in to replace ATV's. Keep environment as green as possible (noise / emission reductions).
- 6. Beach concession locations vary as to customer traffic. How should concessions be spaced to meet customer service expectations?**
Concessionaires know the market regarding locations and combining services. County will insure grouping/location of concessions does not interfere with rights of others (noise to visitors, competition for sales).
- 7. Does grouping services together offer convenience for the customer?**
Yes, would not want to exclude combined services from stands. The "one entity" will oversee locations and services of concessions.
- 8. Should concessions generate revenue for beach related expenses?**
Yes, revenue should be put towards beach related expenses.
- 9. What do you recommend for revenue accountability and reporting?**
This would depend on what type of contract was drawn up. No accountability of revenue would make sense if there was only a flat fee charged for services.
- 10. Should concessions be required to accept debit and credit cards?**
No.
- 11. The County Council has directed that there be a reduction in the number of beach concession contracts being administered, what are your recommendations to accomplish this?**
Discussed as above.
- 12. How can the operation of beach concessions support environmental concerns?**
Design standards geared towards environmental concerns.
- 13. Should roving vendors be allowed? If so, what services should they provide?**
Yes. Single entity should dictate which services.
- 14. The county has certain sponsorship agreements on the beach that require vendors to sell sponsor products. Please provide any additional comments or suggestions on beach sponsorships.**
If sponsorship is entered into it should benefit the concessionaires. Consider using local contractors/manufacturing when awarding sponsorships.

15. Should beach concessions be allowed in front of private residences?

Yes with strict criteria for noise standards.

16. Do you have any additional comments or suggestions to be considered in this process?

- a. Advisory Board encourages Council to review comments on website from survey.
- b. Better inspections- possibly involve Beach Advisory Board as mediator with County and one entity overseeing concessions.
- c. Would like to see evaluation of comparison between old process and new process once it is initiated.
- d. Would like to see an ongoing review of the process.

ADJOURNMENT: Motion to adjourn was made by Dr. Fleuchaus, seconded by Mr. Strawn. The meeting was adjourned at 7:48 p.m.

MINUTES RECORDED BY:

Judith Hallock, Beach Safety

MINUTES EDITED BY:

Nanci Nolin, Beach Safety