



UNIVERSITY *of* WEST FLORIDA

HISTORIC TRUST

BRINGING HISTORY TO LIFE

Monday

July 26, 2021

**MEETING OF THE
BOARD OF DIRECTORS**



UNIVERSITY *of* WEST FLORIDA
HISTORIC TRUST

AGENDA

July 26, 2021 - Noon

1. Opening of Meeting/Introductions
2. Public Comments
3. Approval of Minutes
 - a. Board of Directors Meeting: May 24, 2021
4. Additions to the Agenda
5. Adoption of the Agenda
6. University Update - Dr. Martha Saunders
7. Advancement Report - Mr. Howard Reddy
8. Executive Director Report – Mr. Robert Overton
9. Treasurer’s Report – Mr. Charlie Switzer
10. Committee Reports and Recommendation
 - a. PMA Board Report - Mr. Edward Tisdale
 - b. Property and Collections Committee – Mr. Dave Luttrell
 - a. ARB update - Gregg Harding/Ross Pristera
 - b. South-Market Exterior updates
11. Old Business
 - a. Wentworth project update - Dr. Jamin Wells
 - b. Strategic Planning - Rob and Claire Stewart
 - c. Update of Operating Agreement - Jessica Scholl
12. New Business
13. Chair’s Comments
14. Adjournment
 - a. Next meeting: September 27, 2021



UNIVERSITY of WEST FLORIDA
HISTORIC TRUST

Minutes of the Meeting of May 24, 2021
Virtual Meeting via Zoom

DIRECTORS PRESENT: Mr. Collier Merrill, Mr. David C. Luttrell, Mr. Charlie Switzer, Dr. Lornetta Epps, Mrs. Pamela Schwartz, Dr. Amy Mitchell-Cook, Mr. Edward Tisdale, Noemi Gaytan, Mr. John Peacock, and Dr. Della Scott-Ireton.

DIRECTORS ABSENT: Mr. Scott Barrow and Ms. Teri Levin.

STAFF PRESENT: Robert Overton, Howard Reddy, Claire Stewart, Nicholas Croghan, Anna Wall, Sheyna Marcey, Adrienne Walker, Ross Pristera, Wendi Davis, Amy Eve, Dr. Steve Brown, and Dr. George Ellenberg

INVITED GUESTS PRESENT: Jessica Scholl, Logan DeVries, and Dr. Jamin Wells.

PUBLIC PRESENT:

1. Opening of Meeting: Mr. Merrill called the meeting to order at 12:02 p.m. Initially the meeting lacked a quorum and moved forward as information only but Mr. Tisdale joined in and votes were taken and affirmed.
2. Public Comments / Questions: None
3. Approval of Minutes: Mrs. Lewis made a motion to approve the minutes of March 22, 2021. Dr. Cook seconded and the minutes were approved with unanimous consent.
4. Additions to the Agenda: Discussion on the Updated Operating Agreement was added to New Business. Dr. Epps made a motion and Mrs. Lewis seconded. The addition received unanimous support.
5. Adoption of the Agenda: The revised agenda was adopted with UNANIMOUS approval.
6. University Update: Dr. Saunders shared her enthusiasm for a return to normalcy as we seem to be approaching the other side of this pandemic. She is very proud of the staff and students and for their hard work and determination in the face of the difficulties funding cuts and other limitations.
7. Advancement Update: Mr. Reddy shared that the Advancement division has had a successful year of fundraising despite the pandemic. The team has had to revise strategies and approach giving with new initiatives. He added that he is looking forward to resuming in person meetings again.
8. Executive Director Report: Mr. Overton gave his Directors report. He shared that we received a PPP loan in the amount of 278k and we are glad to have some relief from the funding struggles we have faced. This will be applied to staffing and utility costs and we are also applying for shuttered venue grants as well as seeking other support grants for

operations. He also shared that unfortunately Arcadia Mill did not make it into the state budget this year as we had hoped but we are working with our representatives to seek the restoration of funding and are hopeful. He asked Mr. Pristera to provide an update on facilities, and he shared that most repairs from Sally are almost completed. Mr. Overton asked Mrs. Walker to provide an Arcadia Mill update and she shared that the new adopt a board campaign for the Arcadia Mill boardwalk repairs has met its goals and we are very pleased. She added that a former staff member independently established a change.org campaign to highlight Arcadia funding struggles and although we would have liked to have been consulted, the traction and attention received seems to have been a boost for attention to Arcadia Mill overall.

9. Treasurer's Report: Mr. Charlie Switzer presented the Income Statement and Balance Sheet for April. The total income for April was \$146,803.13 and the expense was \$69,335.75. The UWFHT had a monthly income over expense of \$77,467.38 and year to date expense over income of \$48,538.34. We continue to limit expenses while creatively preparing the site for an eventual resumption of pre-Covid hours and operations. We expect to see some expense lines over what we originally budgeted this year due to decreased UWF funds available to cover some maintenance and utilities and we are working to achieve a better balance in our income and expense lines despite the increased costs absorbed by the Trust. On a more positive note, we have received a PPP loan which will help repair ease the cost of staffing and utilities for a time. Mr. Switzer made a motion to accept the report and Mrs. Lewis seconded. The report was accepted unanimously.
10. Committee Reports and Recommendations:
 - a. PMA Board Report: Mr. Tisdale and Mr. Croghan shared updates on the PMA programs upcoming. We are pleased to have received funding from the Florida Humanities Council for Kingdom reimagined in the fall and we are excited to host our educational summer camps again this year. Regarding the reaccreditation decision, the reviewers voted to table the decision and we are diligently working with them on updating some documentation and a few other minor adjustments to our application that we are positive will move us through the process towards approval. Overall we had some positive responses about our site and operations. We will share another update when we get more news.
 - b. Property and Collections Committee (PCC) Report: Mr. Luttrell discussed the exhibits report and shared the PCC report. He presented items from the Gifts and Loans for approval.
 - i. Gifts & Loans: Mr. Luttrell asked for approval of items identified. Mrs. Lewis made a motion to accept the items and Dr. Scott-Ireton seconded. The report was accepted with unanimous approval.
 - ii. ARB: Mr. Pristera discussed the policy review on new materials that he has been working to help revise for the ARB in an effort to streamline policies. He added that he is working with the city attorney on drafts and hopes to see it become adopted soon.
11. Old Business:
 - a. Wentworth project update - Dr. Jamin Wells shared his progress and updated that he is working on drafts to present to the board as well as the community. He has met with the advisory group and shared that the feedback has been strong

as this is a difficult history to explore but they are supportive of a transparent release of the associated documents and context. He added that his review of the archival materials has revealed no surprises and now the focus is working to get it all ready for public record and share it with the community.

- b. Bicentennial Celebration: Mr. Overton shared that staff is currently working with the Bicentennial Celebration committee on planning for the upcoming 200th Anniversary event and we look forward to the big day as well as the associated programs. Big things are happening including the reenactment, a keel boat will be onsite, the sampler project and local marketing campaigns are a boost as well. We plan to bring in food trucks as well and a diverse pool of performers and speakers and look forward to being a part of the event. We have received funding from the City, the County, and the State to fund this and we will share the plans as they develop further.

12. New Business:

- a. DSO Budget Statement: Mr. Overton shared the DSO Budget Statement noting our funding estimations for the UWF Board of Trustees. They will share this with the UWF Auditors. The board showed unanimous support.
- b. Strategic Planning: Mr. Overton shared that staff and the university are looking to revise strategic plans, and in order to comply with reaccreditation requirements for the PMA we will be working on an interim plan to bring forward while a larger plan is developed. We will work to bring together some planning session in the near future and will update the board accordingly.
- c. Operating Agreement Update: Mr. Overton shared that UWF wants an update on the Operating Agreement between the Trust and UWF due to the scrutiny DSOs are under and he added that attorney Jessica School is helping to review the language and work through the process with us. She added that the findings from the auditor general were the impetus for this to incorporate changes. We anticipate having a revised document for the board to review at the July meeting.

13. Chair's Comments: Mr. Merrill introduced new SGA VP Noemi Gaytan as our new SGA representative and she shared some of her background. The board welcomed her. Mr. Merrill applauded Dr. Saunders for her leadership and added that we are hopeful we can all meet again in person at the July 26 meeting.

14. Adjournment: The meeting was adjourned at 12:54 p.m.

Chairman / Officer

ATTEST: _____

Robert J. Overton, Jr. – Executive Director

Visitation Report

June, 2021

Historic Pensacola	Current Month June, 2021	YTD 2019/20	YTD 2020/21
Schoolchildren	90	4923	1514
Birthday Parties Attendees	0	1803	0
Special Programs Attendees	8	9472	31
Private Tour Attendees	15	577	15
Special Event Attendees	2236	80549	27771
Admissions ONSITE sales	1047	28362	4132
TOTAL	3396	125686	33463
Online Admissions Total	277	N/A	2501
Pensacola Museum of Art			
Schoolchildren	40	85	225
Birthday Parties Attendees	0	52	0
Special Programs Attendees	62	837	505
Special Event Attendees	4	1506	496
Admissions	751	4390	5273
TOTAL	857	6870	6499
Arcadia Mill			
Scheduled Tour Attendees	8	533	8
Virtual School Tour Participants	0	0	800
Site Visitors (Mill & Homestead)	845	12,470	11844
Special Program Attendees	0	514	0
Tickets Sold	81	582	820
TOTAL	934	14,099	13472
GRAND TOTAL	5464	146655	55935

Treasurer's Report

MEMORANDUM

TO: UWF Historic Trust Board of Directors

FROM: Charlie Switzer, Treasurer

SUBJ: Treasurer's Report

DATE: June 26, 2021

Following this Memo is the June Income Statement and Balance Sheet for the UWF Historic Trust.

Total Income June: \$ 124,474.16

Total Expense June: \$ 69,107.47

The UWFHT had a monthly income over expense of \$55,366.69 and year to date expense over income of \$46,125.16. This has been a challenging year but we are glad to see our activity and associated incomes begin to rise again. These financials reflect limited operations throughout the year therefore our income goals fell a bit short of our budgeted projections. We also worked to trim spending as well to keep expenses down. You will see a few particular areas exceeded budget projections and that is due to building maintenance costs and utilities as state funding was decreased. We are optimistic that as we reach our pre-Covid operations we will see our financial activity reflect that as well. Staff is currently meeting with our auditors and we will present our audited financial statements at the next board meeting.

**UWF Historic Trust
INCOME STATEMENT**

For Month ending June 30, 2021

	Year to Date		Budget	Year to Date		Budget
	June 2020	June 2020	2019/2020	June 2021	June 2021	2020/2021
INCOME						
3005 - ADMISSIONS	2,115.00	137,380.00	182,461.00	15,641.00	70,487.70	130,000.00
3006 - BIRTHDAY PARTIES	1,200.00	10,536.75	7,000.00	0.00	10.00	3,500.00
3200 - EDUCATION PROGRAMS	320.00	39,707.97	46,500.00	802.00	11,062.58	29,000.00
3300 - CITY/COUNTY FUNDING	0.00	44,275.74	202,400.00	62,384.00	148,477.07	202,400.00
3310 - ESC COUNTY SCHOOL FUNDING	10,000.00	21,000.00	21,000.00	7,500.00	13,500.00	21,000.00
3320 - SPECIAL PROGRAMS: Ghost tours, Camp, etc	0.00	20,248.00	37,500.00	0.00	9,099.00	23,500.00
3350 - GRANT INCOME - Operating Support	10,000.00	35,391.00	25,369.00	1,561.32	29,770.00	25,000.00
3380 - PARKING	0.00	17,660.64	18,000.00	0.00	32,452.89	18,000.00
3400 - MUSEUM STORE	536.98	37,490.95	40,000.00	4,685.83	20,280.73	30,000.00
3500 - LEASE/BUILDINGS	12,858.74	128,957.77	124,000.00	13,950.82	128,808.70	130,000.00
3505 - RESIDENTIAL LIFE FACILITY	0.00	2,250.00	20,000.00	0.00	0.00	0.00
3510 - RENTALS/SHORT-TERM	1,743.43	135,370.23	150,000.00	5,198.77	180,006.32	127,000.00
3560 - DONATIONS	10,223.00	24,666.87	3,500.00	12,530.51	15,264.40	3,000.00
3570 - RESTRICTED GIFTS	0.00	0.00	1,000.00	219.02	219.02	11,000.00
3590 - RESTRICTED INTEREST-VEAL	218.12	218.12	220.00	0.00	0.00	220.00
3600 - EARNED INTEREST	2.21	230.97	100.00	0.46	16.98	100.00
3800 - SHORTAGE/OVERAGE	0.00	-66.66	0.00	0.43	-3.11	0.00
Total Income	49,217.48	655,318.35	879,050.00	124,474.16	659,452.28	753,720.00
EXPENDITURES						
4110 - CONSULTING SERVICE	1240.00	8,720.00	24,500.00	1665.00	10844.50	14,500.00
4113 - PAYROLL	9000.00	96,000.00	107,000.00	12000.00	77000.00	107,000.00
4115 - MUSEUM-STAFF	560.00	24,117.50	30,000.00	3045.00	22796.50	24,500.00
4120 - AUTO EXPENSE ALLOWANCE	600.00	7,200.00	7,200.00	600.00	7200.00	7,200.00
4130 - INSURANCE & SURETY BONDS	5035.84	18,025.62	19,300.00	0.00	13547.30	19,300.00
4133 - PROPERTY MGMT	757.70	11,139.94	12,000.00	911.79	9355.39	12,000.00
4135 - AUDITING	0.00	13,000.00	13,000.00	0.00	13000.00	13,000.00
4136 - PROPERTY TAX	0.00	0.00	750.00	0.00	705.16	750.00
4155 - POSTAGE/FREIGHT/EXP.MAIL	241.92	5,719.63	5,500.00	908.99	3032.57	4,500.00
4160 - PRINTING & DUPLICATING	4587.06	24,155.16	24,000.00	2049.70	7138.48	19,100.00
4175 - DUES/SUBSCRIPTIONS	89.99	9,220.81	12,000.00	375.00	6225.80	11,000.00
4176 - MEMORIALS	0.00	490.75	500.00	0.00	0.00	500.00
4180 - ADVERTISING	2361.69	48,529.84	50,000.00	3267.15	19509.87	37,000.00
4200 - EDUCATION PROGRAMS/SUPPLIES	468.87	31,916.31	36,300.00	2622.85	20870.28	32,150.00
4210 - MUSEUM STORE PURCHASES	1162.34	20,001.57	27,000.00	2282.47	9170.66	18,500.00
4215 - SPECIAL PROGRAMS: Ghost tours, camp, etc.	60.20	5,223.77	15,500.00	0.00	811.78	11,900.00
4225 - AWARDS/OTHER	0.00	3,075.00	5,500.00	0.00	3200.00	5,500.00
4250 - TELEPHONE	215.77	3,329.04	1,500.00	195.23	2691.37	2,000.00
4253 - WATER	199.29	2,505.69	3,000.00	825.52	3392.17	3,000.00
4275 - UTILITIES	3915.88	50,101.54	70,000.00	0.00	125229.19	65,000.00
5000 - TRAVEL / PROFESSIONAL DEVELOPMENT	32.12	10,842.96	25,000.00	134.38	1230.45	15,000.00
5100 - OFFICE CHARGES/EXPENSES	1585.40	22,471.32	23,000.00	910.94	18698.35	17,000.00
5250 - SPECIAL EVENTS	0.00	16,152.10	29,500.00	67.80	1139.27	23,300.00
6000 - EXHIBITS/COLLECTIONS/CURATORIAL	7026.92	72,965.98	123,000.00	16054.53	77743.77	100,000.00
6100 - BLDG/MAINTENANCE & SUPPLIES	3587.56	42,789.18	40,000.00	4083.10	59821.59	33,500.00
6135 - CEMETERIES	7202.09	67,451.75	70,000.00	10050.00	87980.05	70,000.00
6175 - INDEPENDENT CONTRACTOR	11463.81	93,880.68	94,000.00	7058.02	102626.39	81,520.00
7800 - OCO/OTHER CAPITAL OUTLAY	0.00	9,993.52	10,000.00	0.00	616.55	5,000.00
7900 - GRANT EXPENSES - MATCH	0.00	0.00	0.00	0.00	0.00	0.00
Total Expense	61,394.45	719,019.66	879,050.00	69,107.47	705,577.44	753,720.00
NET INCOME	-12,176.97	-63,701.31		55,366.69	-46,125.16	
7900 - GRANT EXPENSES *	23,074.92	23,074.92	46,500.00	0.00	20,600.00	65,000.00
8000 - CURRENT YEAR RESERVES	31,622.71	192,491.94	200,000.00	0.00	0.00	0.00

UWF Historic Trust
Balance Sheet
As of June 30, 2021

	Jun 30, 21
ASSETS	
Current Assets	
Checking/Savings	
102000 · CASH/MUSEUM CHANGE FUND	1,385.00
103000 · OPERATING ACCOUNT - REGIONS	36,921.36
103100 · SAVINGS/RESERVES - REGIONS	50,493.99
103300 · PMA TEMP RESTRICTED - REGIONS	33,996.61
103700 · ST. MICHAEL'S - REGIONS	442.72
106200 · HANCOCK BANK CD/OCC REPAIRS	140,732.28
106601 · PNC CD/VEAL AWARD	38,774.44
108000 · FOUNDATION INVSTMNT ACCNT-EN...	949,823.65
108249 · PMA Collections Endowment - UWF	50,000.00
Total Checking/Savings	1,302,570.05
Accounts Receivable	
11001 · AR - Short Term Rentals	65,540.52
117000 · ACCOUNTS RECEIVABLE-INTEREST	131.25
Total Accounts Receivable	65,671.77
Other Current Assets	
111000 · GRANTS RECEIVABLE	86,093.07
116000 · OTHER RECEIVABLE-NAI HALFORD	15,227.08
118000 · PRE-PAID INSURANCE	11,306.64
122000 · INVENTORY - ARCADIA MILL	2,277.81
125000 · INVENTORY OF STORES (HPV)	97,982.63
129000 · INVENTORY - PMA	6,219.08
Total Other Current Assets	219,106.31
Total Current Assets	1,587,348.13
Fixed Assets	
130000 · LAND	1,010,660.00
131000 · BUILDINGS	5,222,917.59
132000 · FURNITURE AND EQUIPMENT	419,139.80
133000 · FURNITURE, FIXTURES & EQUIP-PHS	9,085.00
134000 · FURNITURE & EQUIPMENT/TTW	8,011.48
134500 · FURNITURE & EQUIPMENT-BARKLEY	17,488.92
134900 · FURNITURE, FIXTURES & EQUIP-PMA	63,983.79
135000 · ACCUMULATED DEPRECIATION	-2,614,033.42
Total Fixed Assets	4,137,253.16
Other Assets	
141000 · HISTORICAL PROP/ANTIQUES	125,247.59
149000 · PMA Collection	123,966.27
151000 · Utilities Deposits	834.47
Total Other Assets	250,048.33
TOTAL ASSETS	5,974,649.62
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
200000 · ACCOUNTS PAYABLE	4,722.48
Total Accounts Payable	4,722.48

UWF Historic Trust
Balance Sheet
As of June 30, 2021

	<u>Jun 30, 21</u>
Credit Cards	
110003 · Regions Credit Card	7,789.39
Total Credit Cards	<u>7,789.39</u>
Other Current Liabilities	
201525 · DUE TO UWF - UTILITIES	1,340.76
201551 · Holding - AME Zion Mag Cem	4,196.19
201560 · Due to - Cemeteries Spc Prjcts	7,000.00
201700 · SALES TAX PAYABLE	
25500 · SALES TAX PAYABLE - WFHPI	6,156.92
Total 201700 · SALES TAX PAYABLE	<u>6,156.92</u>
216100 · PPP Loan	278,690.00
221000 · RENTAL DEPOSITS	80,111.37
221500 · RENTAL DEPOSITS-LONG-TERM L...	15,754.42
Total Other Current Liabilities	<u>393,249.66</u>
Total Current Liabilities	<u>405,761.53</u>
Total Liabilities	405,761.53
Equity	
Opening Bal Equity	199,222.40
Retained Earnings	3,205,553.53
296000 · FUND BALANCE/UNRESTRICTED	2,596,729.35
297000 · FUND BALANCE/TEMP. RESTRICTED	145,151.00
297550 · Fund Balance/Temp Rest/PMA Acc	24,872.00
298000 · Fund Balance/Perm Restricted	57,500.00
299550 · Fund Balance/Brd Des/PMA Collec	92,703.00
Net Income	-752,843.19
Total Equity	<u>5,568,888.09</u>
TOTAL LIABILITIES & EQUITY	<u><u>5,974,649.62</u></u>

**Meeting of UWF Historic Trust
Property & Collections Committee
Minutes
Jun 28, 2021
3:00 - 4:00 p.m.**

Attendees:

Committee members: Dave Lutrell, Elizabeth Benchley, Gregg Harding, Hill Goodspeed, Carter Quina

Staff: Rob Overton, Ross Pristera, Adrienne Sams-Walker, Lori McDuffie, Jess Cragg

1. Opening of Meeting

- Public Comment - none
- Review and Approval of Minutes from Previous Meeting: (04/26/21)
Gregg Harding typo correction - Exhibits Report says “forced” but should be “focused”
Motion to Approve - Gregg Harding, Second - Hill Goodspeed and Elizabeth Benchley, motion approved
- Announcement - Rob Overton
 - Suzanne Lewis selected as Chair to Board of Trustees, will no longer be on Property & Collections committee

2. Reports

- Collections Report
 - 1. Gifts and Loans – Lori
 - TC 824, 825, 826, 827, 828, 829, and 830 were all recommended for acceptance
 - TC 830 was archive purchase, was used for open house in 2018, accepted for accession
 - 3 loans incoming
 - 1. L2021.009 from [Ross Pristera](#) for PCM
 - 2. Other items for 9/11 exhibit
 - Need for re-establishing loan renewal procedures, specifically with Archaeology Institute
 - 2. Exhibits Report
 - Opened Gender Portraits in Voices on June 15th, will run through January 2022
 - Relocated and reopened Brickmaker Space on second floor of PCM on June 22nd
 - Upcoming 1821 exhibit to open in center gallery of first floor of Pensacola Museum of History (PMH) week of July 12th; will include temporary signage outside museum

- Upcoming exhibit on 9/11 20th anniversary; focused on memories, will ask visitors to contribute their memories on cards; desire to accession cards as part of archival collection
 - Upcoming exhibit focused on second floor of PCM titled “Land and Sea: Wonders of the Gulf Coast” in August
 - Arcadia Report - Adrienne
 - Still working on repairing Hurricane Sally damage to boardwalk; July 1st auger tie-downs arriving for repair
 - Steady visitation, in process to hire OPS to help staffing
 - Adopt a Board campaign will running May 17-August 31, fundraising campaign to replace boards on the boardwalk with names engraved (\$50 for one, \$80 for two)
 1. very successful, sold 68 out of 75 and made \$3300 so far - will be recurring annually
 - Archives Report - Adrienne
 - Tues/Thurs appointment only with steady requests
 - Streamlined request process and created formal paperwork
 - Students/volunteers weekly
 - Completing the Wentworth KKK report with Dr. Jamin Wells for release July 8th
 - Contacted by daughter of man who corresponded with Runyan (Ace envelopes); she wants to trade Runyan items for two we have of her father's - she is not original donor
 1. Will make digital record before sent to her
 2. Committee concurred to pursue next steps and proceed with trade of items; update next meeting
 - Historic Preservation/Facilities Report
 1. Facilities Report
 - a. Caboose detailing roof/railings completed end of August; donor provided funding to build covering over entire train
 - b. Applying for Special Category Grant for Dorr windows & doors/ Impact 100 Grant application for kitchen and repairs
 - c. Hurricane Repairs - received FDOT permit to install scaffolding on sidewalk for roof repairs on L&N, will continue repair work on MOC,PCM,PMH and waiting on roof repair for Dorr House
 2. ARB - proposed final draft, board provided edits and passed to make a formal policy
- ### 3. New Business
- Sidewalks - Rob
 1. Still waiting on response to see if DIB issue; correct previous minutes to state sidewalk on East side of Tarragona Street
 - Adding Wednesday's back to public schedule in July; fully reopened all sites by August
 - Hansen House Update - Rob

Mr. Hansen attended meeting to present his case on gifting family home at 1 West Lloyd Street to the UWF Historic Trust; home inspection completed at request of UWFHT, structurally solid, roof damage, all systems work but are dated; Mr. Hansen donating lot and house for UWFHT to interpret; asked for 50% cost share of roof repairs

- Currently leasing east side, will sign over possession immediately pending tenants; other ½ of building to be donated at later date after Mr. Hansen vacates property
- Possible future use as student housing, rental, interp center
- Hansen family connected to Norwegian fishing community, building on NRHP in 1980s individually

Carter Quina motioned to proceed with process; Gregg Harding second - passed

4. Adjournment

Property and Collections June 2021

Potential Gifts and Loan Review

Potential Gifts

TC #: 824

Objects: banner - "O Say Can You See, Francis Scott Key, Supported Slavery"
2 t-shirts - University of West Florida Gay-Straight Alliance
safe-zone pamphlets

Offered by: Mallory Giordany

Date Received or Offered: 4/30/2021

Notes: Offered in response to call to the community for the Emma Jones Exhibition

TC #: 825

Objects: Trader Jon signed/framed poster

Offered by: Kevin Rollins

Date Received or Offered: 4/30/2021

Notes: Left at the Wentworth Museum with contact information indicating we could accept it or dispose of it.



TC #: 826

Objects: -Hotel San Carlos Guest Information and Phone Directory
8 Mardi Gras doubloons ranging in date from 1975 to 1980

Offered by: Brian Ledford

Date Received or Offered: 4/30/2021

Notes:



TC #: 827

Objects: Photo album containing images of the aftermath of Hurricane Ivan. Put together by the American Red Cross, pictures by Irene Sacks. Album titled "DSHR 017-05 / Hurricane Ivan / Pensacola, Florida / Sept.- Oct. 2004"

Offered by: Summit Historical Society

Date Received or Offered: 5/4/2021

Notes: Clearing and relocating items that do not fit their mission.



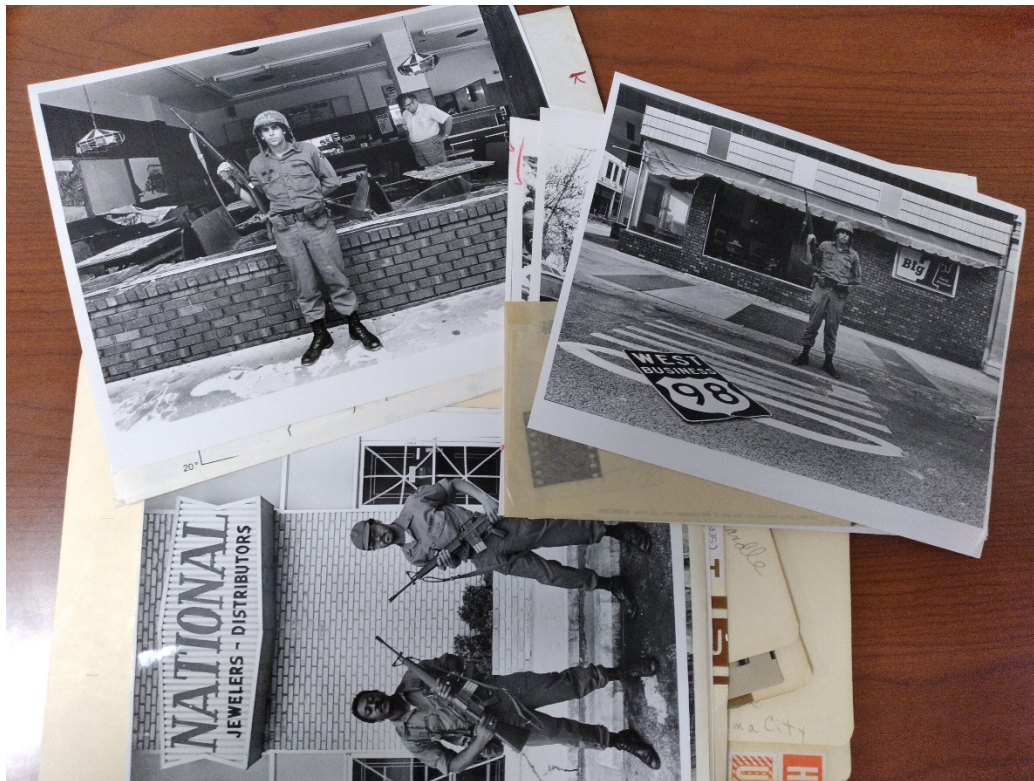
TC #: 828

Objects: three (3) folders containing images from various hurricanes that hit Pensacola and the panhandle from the 1950s to the 1980s. - Originally part of the collection from Palm Beach Post Newspaper photograph archives given to the Historical Society of Palm Beach.

Offered by: Historical Society Of Palm Beach County

Date Received or Offered: 5/6/2021

Notes: Originally part of the collection from Palm Beach Post Newspaper photograph archives given to the Historical Society of Palm Beach. The HSPB contacted us about taking them because they need to find a better home for the material.



TC #: 829

Objects: Cornet (small trumpet) owned and used by Don Gumpert

Don was trumpeter/cornetist/bandleader of the group which played at Rosie's O'Grady's when it opened in approx. 1967.

Offered by: Tony Chiarito

Date Received or Offered: 5/13/2021

Notes: Gifted for display in the Speakeasy at Lear



TC #: 830

Objects: -One pencil graphite drawing on paper, size 24"x19"

Isometric view of UWF Historic Trust site from the southwest. Originally drawn for open house 2018. Associated colorized digital files to be used for wayfinding maps and other print collateral and advertising. Reverse of drawing has failed draft of Wisteria Tavern on 12th Ave

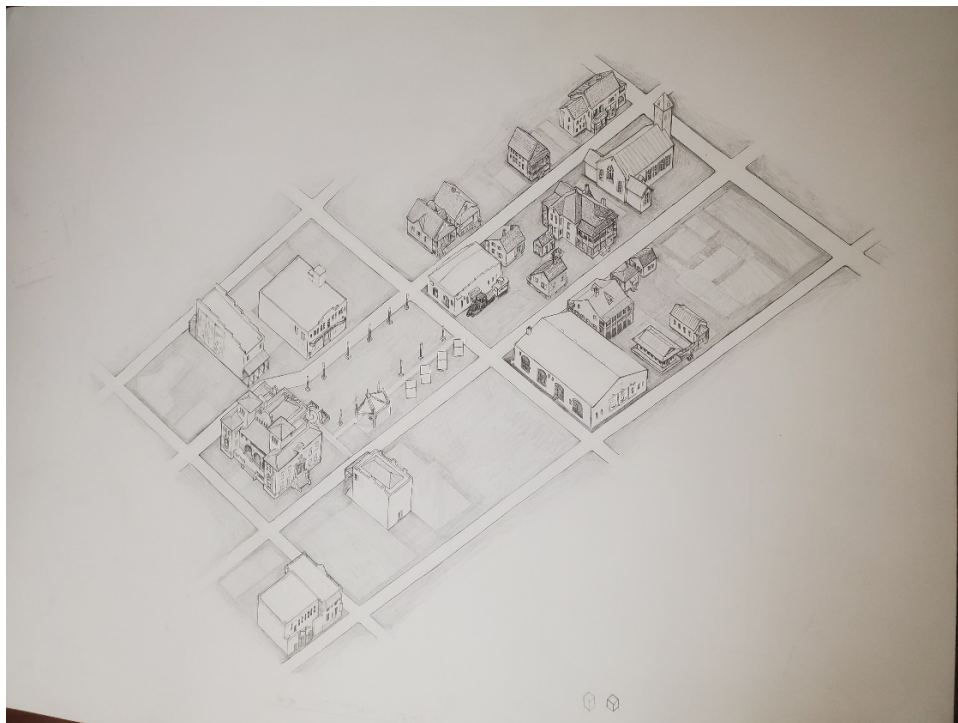
- hand drawn invoice

- hand drawn permission/release form signed by artist

Offered by: Jarrod Goldman

Date Received or Offered: 6/17/2021

Notes:



Outgoing Loans

None at this time.

Incoming Loans

L2021.009 – Incoming Annual Renewal Loan from Ross Pristera of LEGO Collection pieces on display are PCM in the *Brick Makerspace*.



L2021.010 – Incoming Temporary loan from the History Museum of Mobile of the 90lb section of the South Tower of the World Trade Center.

Item is to be part of the upcoming exhibit, *9/11 Remembered: 20th Anniversary Exhibition*.



L2021.011 – Incoming Temporary loan from 9/11 Memorial and Museum, 5 various items the belonged to first responders recovered from the World Trade Center just after the 9/11 terrorist attacks.

Items are to be part of the upcoming exhibit, *9/11 Remembered: 20th Anniversary Exhibition*.



MINUTES OF THE ARCHITECTURAL REVIEW BOARD

May 20, 2021

MEMBERS PRESENT: Chairperson Salter, Vice Chairperson Mead, Board Member Fogarty, Board Member Ramos, Board Member Spencer, Board Member Villegas, Board Member Yee

MEMBERS ABSENT: None

STAFF PRESENT: Historic Preservation Planner Harding, Senior Planner Statler, Assistant City Attorney Lindsay, Help Desk Technician Russo

STAFF VIRTUAL: Assistant Planning Director Cannon, Advisor Pristera

OTHERS PRESENT: Nick Pica, Mallory Gillette, Andy Thoms, Jarret Bresford, Shawn Marlow, Dana & Teddy McBride, Hastings & Anne Read, Ivo Alcala, Jeff Paul

CALL TO ORDER / QUORUM PRESENT

Chairperson Salter called the meeting to order at 2:05 p.m.

APPROVAL OF MINUTES

Historic Preservation Planner Harding reminded the Board of Form 8B for recusal; he explained it is common practice that any time someone recuses, it will be announced the reason for that recusal during the Board meeting; the form would then be uploaded to the back of the meeting minutes. Board Member Mead then made a motion to approve the April 15, 2021 minutes, seconded by Board Member Ramos, and it carried unanimously.

OPEN FORUM - None

NEW BUSINESS

Item 2

903 N. Barcelona Street

**NHPD
PR-2**

Contributing Structure

Action taken: Approved with Mobile Green Shutters – abbreviated review if not.

Erik and Lesa Gibson are requesting approval for new windows and shutters at a contributing structure.

Hastings Read presented to the Board and explained his company manufactured historically accurate door, shutters, and windows, and they tried to keep the historical elements on each elevation. He noted their shutters were historically accurate with holdbacks and hinges, and their

wood shutters were made of tropical hardwood and very durable for this climate; he provided an example for the Board's review. Chairperson Salter addressed the first-floor corner room facing the east and south elevations and asked about the decorative and non-decorative windows and change in the mullion pattern. Mr. Reed explained the decorative windows pertained to the front of the house, and it made no sense to not have the decorative element; the south side was a porch; putting a 1 over 1 on the east elevation would ruin the whole effect. He explained their opinion was based on what felt right from the ground view. Board Member Spencer was satisfied with the applicant's response. Board Member Villegas asked for clarification of the shutter color, and Mr. Reed indicated "Mobile Green" (dark green) had been recommended.

Board Member Mead made a motion to approve, seconded by Board Member Yee. Board Member Villegas suggested an amendment to clarify the color as Mobile Green and that it be included in the submission. Chairperson Salter agreed because there was no sample of the final color, it should be submitted through an abbreviated review; it was accepted. It was noted North Hill had no objection to the project. Board Member Ramos explained the shutter example was in Mobile Green and asked to amend if they returned with any other color than Mobile Green, it would go through an abbreviated review; it was accepted. The motion then carried unanimously.

Item 3

420 E. Zarragossa Street

PHD

**Noncontributing Structure
and Modern Infill Structure**

HC-1 / Wood Cottages

Action taken: Approved.

Mark Chastain is seeking approval for exterior repairs and renovations to a noncontributing structure. Staff explained landscaping would not be part of the presentation.

Mr. Alcala presented to the Board and stated the owners wanted to install new gutters and downspouts, and they had designed a simple box to match the existing colors and blend in with the existing features. Chairperson Salter agreed the proposed elements would blend in with the existing structure. Mr. Alcala confirmed the roof now drains into the scupper and advised the two outlets would spill into the gutter, and they would install two new downspouts on the ends of those gutters on the inside corner of the east side of the balcony and the northwest corner of the same balcony, both tucked in.

Board Member Spencer made a motion to approve, seconded by Board Member Ramos, and it carried unanimously.

Item 4

909 N. Barcelona St

NHPD

Contributing Structure

PR-1AAA

Action taken: Approved.

Professional Electrical Service, Inc. is seeking approval to add solar panels to the roof of a contributing structure. Twenty-five (25) panels are proposed to be added to the west and east sides of primary structure's roof. Staff explained the panels were placed around the dormers, with the solar meter and utility boxes on the rear side of the house hidden from view. The State Statute language was also provided to the Board.

Mr. Marlow presented to the Board. Chairperson Salter noted North Hill had no objections to this project. Board Member Mead questioned why the ARB was reviewing if the State has been preemptive. Historic Preservation Planner Harding explained in the past, the ARB had commented on the placement of the panels, and it was required by ordinance. Board Member Mead explained the Board appeared to be functionally preempted, and the City should have some general policies to reflect the placement and take it administratively out of the hands of the Board; Assistant City Attorney Lindsay advised she would bring this to the attention of the City Attorney. Staff advised

the fence policy had been changed to allow them to be considered in an abbreviated review. Mr. Marlow advised their goal in placement of the panels was for maximum production, but they tried to keep with the integrity of the home and stay off the front. Historic Preservation Planner Harding advised these types of projects were reviewed by staff, the ARB Chairperson, and Advisor before presentation.

Board Member Mead made a motion to submit these types of items for abbreviated review; if the reviewer thought necessary, it could be forwarded the Board for review. Chairperson Salter indicated he did not want to give up jurisdiction totally but agreed an abbreviated review would be a more efficient way to proceed. Assistant City Attorney Lindsay advised the motion had been made and if it were seconded and the Board directed the City Attorney's Office to change the procedures, it would. **Chairperson Salter seconded the motion.** Assistant City Attorney Lindsay pointed out it was not on the Board's agenda to make this motion, and it was not an item noticed to the public, but the Board could proceed with it. Board Member Mead explained just because it was not on the agenda did not mean the Board could not move on it. **Chairperson Salter clarified that this was a policy the Board would like to pursue. Board Member Mead advised this was the direction to staff to write a policy for abbreviated review with referral back to the Board was his understanding of the motion. The motion carried unanimously. Board Member Mead made a motion to approve the application, seconded by Board Member Villegas, and it carried unanimously.**

Item 5 **430 E. Intendencia Street** **PHD**
Noncontributing Structure **HR-1 / Wood Cottages**

Action taken: Approved with Comments.

Professional Electrical Service, Inc. is seeking approval to add solar panels to the roof of a non-contributing structure. Forty-two (42) panels are proposed to be added to the west and east sides of the primary structure's roof.

Chairperson Salter noted there appeared to be electrical panels behind a gate and wanted confirmation that the new equipment would be located behind the existing gate, and Mr. Marlow stated they would install as close to the meter as possible.

Board Member Fogarty made a motion to approve as submitted, seconded by Board Member Mead. Chairperson Salter proposed an amendment for clarification that the equipment must be mounted behind the fence; it was accepted, and the motion carried unanimously.

Item 6 **214 W. Blount Street** **NHPD**
Noncontributing Structure **PR-1AAA**

Action taken: Approved.

Jarret Brelsford is seeking approval to paint the exterior of a brick residence. Sections of the brick exterior, including brick surrounding all windows, have been painted in the past with tan and black latex paint. The applicant is proposing to use ROMABIO which is a breathable, mineral based, and toxin-free paint made specifically for brick and masonry features. The final product also appears as a natural finish rather than leaving a glossy or shiny surface.

Mr. Brelsford presented to the Board and stated the home was the 1948 Miller A. Gilmore house. Unfortunately, over the years there were many revisions to the outside with glue, paint, and wood which should not be there, and they were looking forward to getting it cleaned up and more unified. Board Member Mead asked for a sample of the new product, and Mr. Brelsford stated the sample in the packet was Richmond White which had one application shown. Richard Ingram Painting would reglaze all the windows. Chairperson Salter stated when he read the Code 12-3-10, Section 2 (d) stated for existing buildings and new construction, the Board could review the exterior design

and appearance of the building including the front, sides, rear and roof materials, textures, and colors. This house was not considered as contributing, but under the rules for noncontributing structures, the Board was directed to consider them as examples of their own time and period. When he looked at this building, he saw textured brick, shape and form, multiple colors, red brick, and glazed brick; it seemed the brick was intentionally picked to be a contributing detail and component of the architecture of this building. The existing paint is limited to a small percentage, and he believed there were products available to remove the paint without damage to the brick; he could not support painting the brick on this house. Board Member Mead stated the brick was representative of its time, and there were innumerable examples in the surrounding area. The City was not at risk of losing that type in the overall scheme of things; a whitewash was also typical for that time period. Board Member Spencer appreciated the Chair's diligence, but because it was noncontributing, he felt comfortable in supporting the request, and it would be a great improvement. Mr. Brelsford indicated originally there were two single-car garage doors, but that location had been turned into a mother-in-law suite. Eventually, they wanted to build a detached garage with textured brick and painted the same color. Board Member Villegas felt the double coat of paint would take away from the brick texture. Mr. Brelsford agreed and stated that was the reason for choosing this type of paint which was not thick and would not fill the vertical lines of the brick.

Board Member Spencer made a motion to approve, seconded by Board Member Mead, and it carried unanimously.

Item 7

824 Belmont Street

OEHPD

Contributing Structure

OEHC-2

Action taken: Approved with abbreviated review.

Teddy McBride is requesting approval to replace damaged wood siding with fiber cement at a contributing structure. In January 2018, Mr. McBride was issued a permit to replace the wood siding on the rear of the house with Hardie board fiber cement siding. Although the permit was issued and closed, it did not receive review or approval by ARB. The applicant was seeking approval to replace the remaining wood siding (except for on the front of the house) with fiber cement siding matching the January 2018 product.

Board Member Fogarty asked if there was a precedent set by the Board, and Historic Preservation Planner Harding stated for contributing structures, fiber cement siding was not approved by the Board; there were some instances where rear additions to contributing structures were allowed since those additions were considered new construction. New construction and modern infill did not have to utilize historic materials, and fiber cement siding would be allowed. He was not aware of any full replacement within OEHPD. He advised the applicant had received a permit in January 2018, but the permitting system was not set up as it is today; before you obtain a permit, there is a GIS search, and if the property is located within a historic district, ARB approval is required before a permit is issued.

Board Member Spencer stated he had visited 434 Zarragossa which has a new owner, and the historic contributing structure was replaced with non-wood siding with ARB approval. Staff clarified that those applicants were able to prove a hardship. Board Member Spencer explained the applicant had obtained a permit in 2018 allowing them to have this expectation. Ms. McBride stated most of the rear and second floor is now Hardie siding, and they wanted each side to be completed to match. She wanted to keep the glassed-in front porch with the original wood, but they were using the wood grain Hardie to be as close to the original as possible. Board Member Mead stated since they wanted to keep the main fabric on the front porch, it seemed to him if there were any compromised materials in the area of the door, they would salvage plenty of that from other surfaces to reuse. He asked that they keep to the original fabric on the front face; he

agreed having a permit issued and being relied upon for the replacements, it would be hard now to go back, especially when you have inconsistent materials on the same face of the building. Board Member Spencer asked if there was a corner board which would be a natural termination of the wood and resume with the Hardie board. Board Member Villegas stated it was unfortunate the permit was issued, but this was in such a visible spot on the end of Old East Hill. There was a difference in quality and shading of the contributing structure; the OEHPD stated there were very few opportunities to do right by Old East Hill. Board Member Yee offered a compromise for where the Hardie was already installed on the two-story structure which appeared to be an addition and have Hardie installed on that volume only and wood maintained on the one-story. Ms. McBride stated the Hardie on the two-story was installed down to the ground. Board Member Yee stated if there was a way to install wood on the east elevation of the original structure, the two-story volume would be a logical break. Board Member Mead stated the balance of the east facing two-story appeared to be wood, and it would have been preferable to have Hardie installed at the same spacing; he preferred keeping as much of the original material as possible. Ms. McBride indicated the east side was completely rotted, and there was not enough to salvage. Board Member Ramos agreed with Board Member Yee's suggestion, but was concerned that OEHPD did not approve this application.

Advisor Pristera explained the two-story addition would be permissible for Hardie, but if it all has to be replaced, it should be with a better looking material and not suburban style Hardie. His main concern was the one-story house since historic structures have different materials which contribute to the character and story of the house. He suggested getting a better match and saving anything original on the porch if salvageable. Mr. McBride, who is also the general contractor on the project, stated they do not make the existing siding anymore, but the rough-cut siding they are attaching matches the texture of the existing siding as close as possible. He pointed out it would coordinate better with the building next door which is also Hardie. Also, access to the west side of the house was limited due to a retaining wall, and he felt mixing and matching materials degraded the structure. Board Member Yee sent an email to staff for alternative materials which would more closely match. Board Member Villegas advised the Board followed the guidelines of the Federal government and the Department of Interior, but she respected all the arguments presented; she believed the value of the historical structure was in its integrity and not in the replacements.

Chairperson Salter read the 2018 permit application which called for Hardie replacement on the two-story addition. He then read the LDC section pertaining to restoration, rehabilitation, alterations, and additions to existing contributing structures in OEHPD. His perspective on the application was that the applicant had a unique circumstance with being previously approved to replace the siding on the two-story addition, and he believed they should be able to continue that siding on the two-story. However, the front portion has a very unique profile; with sections of the structure having tremendous deterioration, there was potential for unique circumstances; a board for board replacement would not be possible. One of the distinguishing characteristics was the profile of the siding and the shadow lines it created which were found on historic structures; he did not think the product being used on the rear addition was appropriate for the historical portion of the house. He advised that the Board would have to at least require a profile of siding as close as can be found to match, and if that profile were available in any composite or wood siding, the Board could take that into consideration as a special circumstance. Mr. McBride advised the siding with that profile was not available, and everything would need to be handmade from wood and extremely expensive. He explained they would not change any wood around the windows but the siding itself.

Board Member Mead made a motion as to the two-story structure to permit the use of Hardie or equivalent fiber cement so long as it is in the profile as close as commercially available to the profile of the original material in spacing and shadow line material identified by Board Member Yee, which might be a candidate for that, and submitted for abbreviated review with details showing spacing consistent with the existing structure and profiles for shadow lines; as to the existing wood on the second-story structure, that it be salvaged for purposes of reuse on the historic facade and to maintain as much of the historic material on the one-story portion of the structure which has the historical character; that to the extent there is a lack of sufficient material, that it be submitted for an abbreviated review to document, and preference be given to maintaining original materials and replace original materials with what is available on the east and south faces; if any further Hardie material is necessary because of shortage in salvaged material, it be used on the west face and preferentially in the lower portions where it would be of more use since it would be more exposed to weather. Staff asked for designation of the abbreviated reviewer since the review may involve a site visit or communication between the applicant and reviewer, and Chairperson Salter was agreeable for that review. The motion was seconded by Board Member Ramos. Mr. McBride stated they would have enough of the salvaged materials for the front of the building. It was clarified the abbreviated review would cover the final profile of the new siding. The motion then carried unanimously.

Item 8

423 E. Intendencia Street

PHD

Contributing Structure

HR-1 / Wood Cottages

Action taken: Approved with comments and abbreviated review.

Andy Thoms is requesting approval for exterior renovations to a contributing structure. Renovations include the replacement of all windows with new aluminum-clad wood windows, new paint consisting of a "Pearl Gray" body and "Westhighland White", new entry wood doors, and replacement wood decking for the front porch.

Mr. Thoms addressed the Board and stated the front porch wood decking would be replaced with 1x6 treated wood. Chairperson Salter stated it appeared the existing porch was tongue and groove, and there were only three original windows on the east elevation, and staff confirmed the others were metal or missing. Mr. Thoms stated he wanted to go with the Colonial 6 panel doors to match the windows. Chairperson Salter indicated in this location we try to keep the original elements to the best extent possible. Mr. Thoms explained the existing door was vertical and would not match the Colonial 6 panes with divided light; he stated it would be better not to have a mix of vertical lines in the glass with the Colonial style window. He also advised it would be the same color palette as 555 E. Government. The front door was determined to be old and needed to be replaced; the front steps were concrete, and the upper wood stairs were in good shape. Board Member Yee asked about the brick piers, and Mr. Thoms stated he was open to painting them. Advisor Pristera stated the door represented the period of the home, and if it could remain, it would be telling the story of the structure even though it was not the original style of the house; if it had to be replaced, it should be something in the cottage style. He believed the proposed replacement style had been used before in this district.

Board Member Villegas made a motion to approve with the new aluminum-clad wood windows and paint scheme proposed with the exception of the decking on the front porch, that it be replacement in kind and if it is to be replaced, it would be tongue and groove which shows to be 1x3 (not sure), and there is an intention to save the current door, but if it is replaced, that some thought be given to a cottage style door, and if that

is not possible, an abbreviated review to address the tongue and groove as well as the front door. Board Member Ramos amended that the color of the brick piers be in an abbreviated review; it was accepted. The motion was seconded by Board Member Ramos and carried unanimously.

Item 9

1015 N. Barcelona Street

**NHPD
PR-1AAA**

Contributing Structure

Action taken: Approved.

Nicholas Pica, Studio Pica Designs, is seeking approval for exterior renovations to a contributing structure.

Mr. Pica addressed the Board and stated all the existing bright white trim on the house would now be the Sherwin Williams America's Heritage, Extra White; all siding and exterior shake would be Sherwin Williams Historic, Classic Light Buff; accent exterior paint colors would be Sherwin Williams Historic, Copen Blue. The new windows would match the existing and all other windows would be Sherwin Williams America's Heritage, Tricorn Black; and the porch decking on the front and rear porches would be Sherwin Williams Historic, Library Pewter. Chairperson Salter appreciated the efforts to preserve as much of the exterior and originality of the home as possible, while making necessary interior upgrades.

Board Member Ramos made a motion to approve seconded by Board Member Fogarty, and it carried unanimously.

Item 10

815 N. Baylen Street

**NHPD
PR-2**

Contributing Structure

Action taken: Approved with Abbreviated Review.

Scott Sallis is seeking approval to renovate a two-story contributing structure. The renovations will include the additions of a new rear deck, new roof dormers, new exterior paint, new windows, and hardscape.

Mr. Sallis presented to the Board and advised they were not doing too much to the exterior, but they added dormers for proper egress to bedrooms and added a covered rear deck. They agreed with North Hill's comments regarding the light fixtures which would be changed. Regarding the ballast rock wall at the sidewalk property line, they would remove some of the wall for a driveway. The client has met with the City's arborist concerning the Magnolia tree that ties to that wall. He also stated they were going to replace all existing windows since most of them were rotten or broken except for the two full windows in the front which will be restored. All others would be replaced with a wood-clad product. The stain glass would remain. He indicated they had talked with North Hill about the wall and would remove only what was necessary for parking. Board Member Mead asked if they could reuse some of the stone to add wings to the drive, and Mr. Sallis stated that could be considered to border the driveway. Board Member Ramos asked that a more pervious paving for the driveway be considered.

Board Member Spencer made a motion to approve. Chairperson Salter made an amendment that any design associated with the driveway and wall not be approved here but returned in an abbreviated review; it was accepted. The motion was seconded by Board Member Villegas and carried unanimously.

Item 11

16 Palafox Place

**NHPD
C-2A**

Contributing Structure

Action taken: Approved with comments.

Scott Sallis, Dalrymple Sallis Architecture, is requesting approval for the addition of an outdoor dining area on the rear of the structure.

Mr. Sallis presented to the Board and stated they wanted the dining area to be open. The two columns built in the initial construction were to hold streetlights, but they have enough footing for the awning. Board Member Spencer asked what would the fasteners on the box truss be since this would become the front of the house, and Mr. Sallis explained they were holding it up with new steel saddles and bolts, and they could control the aesthetic. Board Member Villegas addressed the privacy canvas screening, and Mr. Sallis indicated the existing screens were installed to block the late sun and would be removed at the completion of the project. Board Member Mead addressed the trusses being asymmetric, and Mr. Sallis advised that was the result of existing conditions; the columns are there, and the roof they were attaching to does not align, and he was not aware of any treatment to make them less asymmetrical. Board Member Mead also stated they had an existing truss dimension palate established in the adjoining structure under the roof edge and felt it would be better to increase the dimension of the truss members since it would be a better balance for the visual of the rafters themselves and would also help to diminish the perception of asymmetry in the truss. Mr. Sallis assured all the truss cord members would be the same size; the renderings might not be accurate, but they would make sure that happened. Board Member Spencer was fine with the box truss slipping to the north. **Board Member Spencer made a motion to approve as submitted with the reference from Mr. Sallis that he would personally be involved as the architect in helping develop the shop drawings for the truss so that it maintains a more industrial aesthetic that provides evidence that any of the fasteners are meant to be exposed and seen. Board Member Villegas seconded the motion, and it carried unanimously.**

Item 12 DISCUSSION ON UWF HISTORIC TRUST RECOMMENDATION TO ADOPT RESOLUTION ON ALTERNATIVE BUILDING MATERIALS

Action taken: Comments added and returned to the Board at next meeting.

UWF Historic Trust has recommended ARB consider a resolution concerning the use of alternative building materials. This resolution / policy would supersede all previous policies concerning the use of vinyl, aluminum, fiber cement, or other artificial materials. Per ARB's Rules and Procedures adopted in 2006, the Board may at its discretion adopt resolutions deemed beneficial in addressing its intentions or processes.

Historic Preservation Planner Harding advised this policy was for discussion only but wanted the opinion of Assistant City Attorney Lindsay on how to move forward. He pointed out the intent of the policy was to allow the Board to consider an applicant's request to use alternative materials. The U.S. Secretary of the Interiors Standard #6 states: Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials." However, the duplication of materials is sometimes not possible. The policy states 1) Any request for application of any siding to any building in the Pensacola historic districts shall be brought before the ARB prior to proceeding with the work. Item 2) addresses fiber cement siding on contributing structures. The Board had discussed having an image or photograph which outlines the allowed thickness of fiber cement and how it should be matched or installed, however, this would not be a blanket approval for the use of alternative materials but would allow applicants to bring them before the Board for consideration on a case-by-case basis with the applicant having the burden to prove how the product would match, installation, etc.

In item 3) railings, decking and other architectural details would be considered on a case-by-case basis. Item 4) was taken from the current policy which states vinyl and aluminum siding is prohibited. Item 5) states UWF Historic Trust Property and Collection Committee would make recommendations to the Board through the Historic Trust.

Assistant City Attorney Lindsay advised that Council Executive Kraher had been working on

procedures to submit to Council for all the Boards appointed by Council; this might be something the ARB would want to see on how the Council proceeds with those particular procedures. She also explained the Board would not be able to adopt any policy or resolution that would be inconsistent with the current ordinance with its restrictions on the Board's discretion. But within the Board's discretion, it may adopt a policy which allows guidance on how it would exercise its discretion; when this Board changes, the new Board could change that policy. We would hope the way the Board used its discretion would not be so out-of-bounds that a future Board would say they got it wrong. Under the ordinance, the Board had the authority to exercise that discretion in ways that may differ from time to time as long as it was not contrary to a specific prohibition that the Council had put in place that provided for the Board's operations. She offered vinyl siding was always going to be prohibited, but there were other things which were not specifically prohibited where the Board would have the discretion to decide to have some variances. She did think it was appropriate to look at a policy or a procedure. The Board had the authority to adopt those procedures for when a situation comes up, this would be how it handled its discretion with the standards it would apply. It could take into account the UWF recommendations but did not have to be limited by the recommendations. The staff would draft the procedures for the Board's approval. Nothing the Board recommended would require Council approval unless it was asking for revision to an ordinance; if there was a problem with the current ordinance, she asked that the Board ask staff to go to Council to get that update made.

Board Member Mead stated as he viewed the Board's role in terms of protecting the City, he did not want the Board's discretion to reach beyond anything than the handling of administrative matters. He agreed it was the standards in the Code which must be applied. He viewed the effort of the Board to be more in line with creating findings about the state of the art that is available to satisfy the standards in the Code based on the knowledge and experience of the Board. Assistant City Attorney Lindsay explained the Board did have the authority to create procedures, as long as the procedures the Board proposed were consistent with the ordinance which gives it the authority it does; she had no issue with any procedure and would check any procedure the Board would ask staff to draft. If the Board wanted to take any recommendations from the Historic Trust, she would also review to ensure that the Board was not adopting a recommendation that was inconsistent with its authority.

Board Member Mead saw the policy as a way to better advise applicants on what they need to bring to the table to meet these requirements or concerns of the Code and for the staff to be able to screen applications and furnish the policy for additional information which might be required before going to the Board. It would be a tool for the applicants and for the Board to better review and for staff to screen and advise applicants who are not meeting those qualifications.

Board Member Spencer introduced an item regarding signage in review districts. Staff advised if the ARB wanted to draft a letter to Engineering, Public Works, and the Mayor as far as suggestions and recommendations as to wayfinding signs, it would be part of its power and responsibility to do so. It would not be something ARB could mandate since their authority has always been within property boundaries and not within the rights-of-way. Board Member Spencer stated that earlier North Hill had presented a loud voice of concern regarding AT&T boxes being placed in rights-of-way. Board Member Mead stated he would support a letter. Staff advised the letter would be sent from the Chairperson of ARB to Council since the chairs of all boards act as liaison to Council.

Historic Preservation Planner Harding stated the comments from today would be incorporated into the policy on Alternative Building Materials for submission to the Board at the next Board meeting.

ADJOURNMENT – With no further business, the meeting adjourned at 5:00 p.m.

Respectfully Submitted,

Gregg Harding

Historic Preservation Planner Harding
Secretary to the Board



MINUTES OF THE ARCHITECTURAL REVIEW BOARD

June 17, 2021

MEMBERS PRESENT: Chairperson Salter, Vice Chairperson Mead, Board Member Fogarty, Board Member Ramos, Board Member Spencer, Board Member Villegas, Board Member Yee

MEMBERS ABSENT: None

STAFF PRESENT: Historic Preservation Planner Harding, Senior Planner Statler, Assistant City Attorney Lindsay, Help Desk Technician Russo

STAFF VIRTUAL: Advisor Pristera

OTHERS PRESENT: Jennifer Wasilenko, Martha Turner, Jack Marshall, David Butler, Bryan Creed, C. Ray Jones, Christian Wagley

CALL TO ORDER / QUORUM PRESENT

Chairperson Salter called the meeting to order at 2:02 p.m.

APPROVAL OF MINUTES

Chairperson Salter made a correction to Item 6 indicating the vote was not unanimous since he had dissented. Staff advised the minutes could be approved with an amendment. Board Member Mead made a motion to approve the May 20, 2021 minutes with the amendment indicating the vote on Item 6, seconded by Board Member Villegas, and it carried unanimously.

OPEN FORUM - None

NEW BUSINESS

Item 2

23 Brainer Street

NHPD

Contributing Structure

PR-1AAA

Action taken: **Approved.**

Ms. Wasilenko presented to the Board, and it was noted North Hill had no objections to this request.

Board Member Mead made a motion to approve, seconded by Board Member Villegas, and it carried unanimously.

Item 3
New Construction

700 N. Barcelona Street

NHPD
PR-2

Action taken: Conceptual Approved with Modification.

Ms. Coate and Mr. Butler, the builder, presented to the Board. It was determined North Hill had no objections to the request and would support the ARB's decision but questioned the final material for the exposed foundation wall. Board Member Mead complimented the applicant on a well thought out plan but questioned the blue lines; it was determined they indicated landscaping. Mr. Butler stated their intent was to raise the house, and the exposed foundation would either be stucco or stone with the lot sloping to the street. Chairperson Salter advised while the house was significantly above the street level, the intent was that the finished floor of the house was only a few inches above grade. Board Member Villegas asked why they chose this style, and Ms. Cote advised she grew up in a house like this, and it was more a feeling. Board Member Yee asked if there were requirements in North Hill for first floor elevations, and staff advised there were none though it was a discussion point for Old East Hill and the PHD. Board Member Yee explained it was a great looking house but could benefit more from an increased elevation at the front porch; he also loved that the screened porch was off to the side. Chairperson Salter agreed that it could benefit from a solid anchor along the base and wanted to see the elevation raised to 12" to 14" above grade. Mr. Butler advised they were fluid in the design and could raise the elevation. Board Member Ramos agreed the comments were valid but felt the low steps into the porch were welcoming, and because it was new construction and not trying to recreate a historic structure, what had been presented was appropriate.

Board Member Villegas agreed that it was a new build and not historic but felt they had not taken into consideration the structures surrounding it. She explained it was very pronounced and was concerned with the overall feel of the space and the fact it was a corner structure. Board Member Spencer stated he appreciated that the future owner was going to bear the responsibility of a much more expensive type of structure which was the beauty of North Hill. This structure, because of its steep roof, was more expensive and was an asset for an empty corner lot which backed up to Cervantes. He did feel that a little more base to the building would go a long way.

Ray Jones, a North Hill resident, was disappointed the construction did not resemble those existing structures. He agreed the elevation needed to be higher. He also appreciated the Board's consideration of the applicant and the neighborhood. Staff confirmed new construction should be considerate of the existing historic structures in the immediate vicinity.

Board Member Spencer made a motion to approve as submitted with a modification to the top of the subfloor at no less than 18" (3 risers). Chairperson Salter agreed and seconded the motion. Staff clarified this was for conceptual review, and the Board would see the project for a final review. **The motion carried 6 to 1 with Board Member Villegas dissenting.**

Item 4
New Construction

710 N. Barcelona Street

NHPD
PR-2

Action taken: Approved with Abbreviated Review on Colors and Pebble Dash.

Mr. Veal presented to the Board and stated a sample of the pebble dash would be furnished. He advised metal was an option to the roof and 5V-crimp was certainly possible; they were also open to materials and colors. He explained the Colonial Red borrowed from the clay tile or fully rusted metal roof which was historic. He also stated their intent was to go in as low as possible and build this one to accommodate future needs for accessibility if a ramp was needed in the future. He offered the Mediterranean style was typically lower grade. Board Member Villegas felt the Colonial Red for the roof would be too strong. She appreciated the visuals of the pockets of existence or different areas which mean different things, representing different styles at different times. However, Mediterranean styles in the north part of North Hill are different from those south of

Cervantes. Mr. Veal then clarified that the front door was within the porch area. Board Member Ramos had a comment for this application for final approval as well as the former conceptual review item (700 N. Barcelona) noting that neither showed the context of the adjacent/surrounding structures, and explained the Board needed that information to make a good decision. Board Member Mead explained North Hill was defined by a wide variety of architectural diversity; the importance was to be a good example of what it is. He also felt the at-grade construction was appropriate and would complement the surrounding structures. Board Member Villegas explained her point was that the existing homes had a place in history in Pensacola and had their own story; where variety matters, the way in which the variety was done also matters. Regarding the Colonial Red on the body of the house and the Terracotta on the roof, they were two totally separate treatments, and she would not lean to that type of red. However, she was mostly concerned with the overall effect of the whole area.

Mr. Veal was overwhelmed by the variety of the features in North Hill and did not believe the Board wanted everything to look "cookie cutter." Board Member Fogarty stated she appreciated the 700 N. Barcelona applicant and this applicant with the variety they offered but wanted to see examples of the finishes; Mr. Veal explained final color samples could be furnished in an abbreviated review. Mr. Holmes had been looking for many years to build downtown; he was building the first house to live in and the other on the third lot would be sold. He appreciated the Mediterranean style and would be happy to return with another color scheme, but stated time was of the essence to move forward.

Board Member Spencer advised the stucco finish was a great touch, and the proportions were excellent; the site plan did not illustrate what might happen that could help but the house itself was not at grade with the sidewalk. **Board Member Spencer made a motion to approve as submitted reserving the color for the metal awnings and metal roofing in an abbreviated review. Board Member Mead proposed an amendment that an exemplar panel of the pebble dash be submitted along with the color selections in an abbreviated review. For clarification, the amendment included all exterior colors; it was accepted. Board Member Mead seconded the motion, and it carried 5 to 2 with Board Members Ramos and Villegas dissenting.**

Item 5**403 N. Alcaniz Street****OEHPD
OEHC-1****New Construction****Action taken: Approved with Comments and Abbreviated Review.**

Mr. Wagley presented to the Board and stated this was his mother's house. He felt they had captured the DNA of the neighborhood and would have a 24" finished elevation. He advised the board and batten, 2 over 2 windows with simulated divided light, and $\frac{3}{4}$ lite door also fit the neighborhood. He stated the finished treatment at the foundation would be hand troweled stucco or a mortar mix. He also explained the porch would be 8' deep since anything less would not be usable. Board Member Fogarty questioned the roofline over the side entry. Mr. Yee advised it began as an extension of the same roof pitch; the bay became wider than the width of the primary structure, and the side hip would have been taller than the main hip. Board Member Mead stated that bit of asymmetry did not offend him but more emphasis on it could provide more architectural detail with possibly a skirted gable. Mr. Yee asked if a different roof pitch on the gable would be appropriate, and Board Member Mead agreed it would. Board Member Spencer appreciated this addition on the vacant lot and suggested looking at an opportunity to consider aging in place – how an occupant might enter through the side door via a ramp accessed from the sidewalk. Mr. Yee agreed this might be a good suggestion and asked about enlarging the stoop; staff advised landings were allowed to encroach 3.5' into the side yard setback, but you could not occupy more than 50% of the lot. Staff also clarified that hardscape would not be counted as part of the lot

coverage.

Board Member Mead made a motion for approval with the added option for grading and expansion of the landing on the side door, if desired, be returned in an abbreviated view. Board Member Spencer seconded the motion, and it carried 6 to 1 with Board Member Yee recusing.

Item 6

211 W. Cervantes Street

**NHPD
PC-1**

Contributing Structure

Action taken: Approved with Railings Returning to Full Board.

Staff advised the applicants would be asked to raise the handrails currently at 35" to 42" since it was a multi-family structure and would be treated as commercial per the Florida Building Standard. North Hill had no objections to the 42" or whatever was required by Code.

Mr. Creed presented to the Board. Chairperson Salter asked if any of the windows were salvageable, and Mr. Creed advised they were not, with most of them rotted and some replaced by plexiglass. Staff had requested the Board be allowed to visit the structure but was turned down by the Building Official. Board Member Mead was concerned with the second-floor balcony; he was concerned how the rails would tie into the prominent feature of the pillar and post terminations on the support columns. It was a fairly plain house except for those elements which might be the chief ornament on the structure. Staff confirmed the Building Official preferred the rail height at 42" but if they went for board for board replacement, they could keep the 35" if the Building Official agreed, but with over 50% of rails being replaced, he was uncomfortable with them at 35". Board Member Spencer explained regardless of the Building Official's forgiveness regarding a historic structure, the 35" to 36" height railing was just a dangerous situation, however, 42" straight pickets were ugly, and he agreed this was the ornament on the structure. He felt the railings deserved to have a level of design and pointed out these railings were retrofit and not original to the structure. He also suggested the railing design return to the Board.

Board Member Yee asked if the deck could be dropped 6" to keep the top of the railing as is. Board Member Mead did not think it could and suggested they tie into the caps at the 42" level if it could be done in a visually minimized way. He also pointed out they had a wonderful treatment in the gable end that could be an inspiration for the railing. Board Member Villegas suggested some sort of veranda enclosure might possibly work for interior protection. Board Member Ramos thanked the applicant for not demolishing the structure; for a multi-family home, safety was key, but the rhythm of the railings was also important to the overall beauty of the home. He suggested the Board see the finished design of the railings.

Mr. Majors addressed the clad wood windows with simulated divided lite and the grille on the interior and exterior. Regarding the railing, Board Member Yee suggested there was a caveat to allow the top rail to be separate from the pickets and possibly recessed. It was determined the railing for the ramp would match the second-floor railing.

Board Member Mead made a motion to approve with the exception of the approach of the railings and that the applicant return with the design and installation of the 42" railing as well as the aesthetic treatment of the railing which would be submitted to the full Board for review. It was seconded by Board Member Spencer and carried unanimously.

Item 7

70 N. Baylen Street

**PHBD
C-2A**

Contributing Structure

Action taken: Denied with Encouragement to Resubmit.

Staff advised the Inspections Department had been consulted with the removal of an ADA parking space, and the project would still meet the ADA requirements.

Mr. Marshall addressed the Board and furnished brick samples. Board Member Mead pointed out

there was an existing access from the church parking lot to the rear. It was determined that gate was still there, but there would be another gate on the other side of the screen to prevent people from hiding back by the generator. Mr. Marshall explained he wanted to add height to the existing wall to control sound and hide the generator (11'-12'). Board Member Mead indicated this abuts to the rectory where several priests live, and Mr. Marshall stated this location seemed to be the least invasive. Board Member Mead advised the church already had noise from the federal courthouse, and this would add to it both in noise impact with concentrating all the equipment on that corner. Mr. Marshall stated he could consult with the engineers to see if they could slide it down, however, it could impact one of the larger trees. He explained they could slide the wall down and restripe the handicapped spaces; they also had the option to lose two handicapped spaces and remain in compliance.

Board Member Mead made a motion to deny with the encouragement to resubmit with the relocation further down the wall to minimize impact on the residential structure and minimize the impact on the ADA access closest to the building. Board Member Villegas seconded the motion, and it carried unanimously. Section 12-3-27(f)(4)g and 12-3-27(f)(4)h were cited as applicable sections of code. Mr. Marshall advised they would return with the modification.

Item 8**400 BLK Cevallos Street****PHD****New Construction-Conceptual****HC-1****Action taken: Conceptual Approval.**

Mr. Spencer presented to the Board and stated this was the least elaborate conceptual of his presentations and was intentional. He was approaching the Board mainly for site plan and form approval. He indicated the structure was 58% wood siding with a standing seam metal roof and a two-resident dwelling. Staff confirmed this application was similar to the submittal approved in 2017, and the variance granted in 2017 was still valid. Staff also verified this mass was consistent with the version of the project at the time the variance was requested.

Chairperson Salter wanted to take the opportunity to address the fact a lot of houses in the block with the exception of the SSD were not a mix of materials, and he offered they might consider that. He appreciated the use of stucco was in the recessed areas, but he would like to see more traditional materials. He also appreciated the treatment of the recessed garage on the southern elevation. He also addressed the north and west horizontal windows which were not typically found in this district and suggested looking at that and finding ways to reduce the strong horizontal element. Mr. Spencer asked about recessing the space and adding shutters so it would read as vertical, and the transom would still function bringing the light in while providing privacy. Chairperson Salter agreed with having the treatment reading as vertical. Mr. Spencer indicated the balconies protrude out further than the roof line for the "open to sky above" feel. He also suggested a railing type on the south side would be different from the design on the east side. He indicated he leaned toward interpretative style more than the historic replication. Board Member Mead stated since there was a variance on the height, he suggested treating the base the same all the way around, with the variations above that. Mr. Spencer noted that translucent garage doors were inappropriate for this structure.

Board Member Yee made a motion for conceptual approval, seconded by Board Member Fogarty, and it carried 6 to 1 with Board Member Spencer recusing.

Item 9**200 S. Alcaniz Street****PHD****Variance-Contributing Structure****HC-1****Action taken: Approved with Comments.**

Assistant City Attorney Lindsay explained the rules for the quasi-judicial function to allow the

presenter to make the presentation, allow questions from the Board to the applicant, allow the public to speak for any opposition, and allow the applicant the opportunity for rebuttal. Once those comments were received, the chair would close as far as public and applicant comments were concerned and then proceed to Board discussion to ascertain if the criteria had been met; if the Board was comfortable with discussion being complete, there would be a motion to approve the variance.

Board Member Mead was concerned with the necessity for a variance since historical photos showed the signage comparable with the proposed. Staff advised since this was signage, the Board would need to apply the current LDC ordinance for signage allowance which indicated the variance was needed. Board Member Mead explained he felt it was a prior nonconforming use which continued into the period of the existing zoning. Historic Preservation Planner Harding stated this was one of the applicant's arguments explaining hardship and why the variance should be granted. However, if the applicant wanted to return with any signage above what was allowed by the current Code, they would need to seek the variance. Senior Planner Statler explained the minute the signage is removed, anything which replaces it must conform to current Code.

Advisor Pristera explained there were not many buildings with the recess for signage, and the signage was historically correct. Staff furnished the criteria for the variance and indicated the applicant had addressed each one.

Mr. Fisher, Director of Florida Operations for Juan's Flying Burrito, addressed the Board and stated four of the businesses were in historic buildings, and this location in Pensacola was perfect for their business.

Mr. Brantley with SMP Architecture pointed out the applicant had already gathered the historic data and guidelines. He explained it was a corner brick building used for commercial business and surrounded by wood cottages. The brick inset was meant for commercial signage, and they wanted to be authentic. They also perceived Juan's being a value to the neighborhood and the historic district.

Chairperson Salter addressed the application stating the signage would be 46.7 sq. ft. and asked if the variance included the area of the recess. Staff advised the signage included the lettering, but the Board could approve a request smaller than what the applicant asked for. Technically, the background denoted a change of paint, and the variance pertained to the space for the lettering.

Ms. Turner who owns a home 50' from the building, noted quite a bit of brick on the north side and asked if there were plans for signage or decorative painting on that side. Chairperson Salter explained that would not be a consideration for the variance; staff advised if there were any plans, they would come before the Board for review. Ms. Turner appreciated the past history of signage in the district and pointed out other businesses with much smaller signage, and the neighborhood was concerned with the scale; it would be nice to know the big picture.

Mr. Brantley advised that Dharma was originally a cottage, and this was a corner store with a unique commercial use. Mr. Spencer wanted to assure the property owner that he was proud of the City's rigorous variance process which includes notifications, signs which are posted in advance of a public meeting, and that Ms. Turner shared the same right to call 311 or Code Enforcement for any noncompliance. He explained any variation of the variance would return to this Board for consideration.

Board Member Villegas stated as much as she respected the concerns of surrounding residents, this predates anyone living as a resident there, and as a historic preservation board, the Board had to take those things into consideration. Any other changes concerning this property would come before the ARB which should give some comfort for control.

Board Member Mead made a motion to approve the variance and preface that he was fully sympathetic with the Assistant City Attorney in regard to defending the consistency of the City's actions over time and interpretation of the Code by staff, however, as in all things the

Code must be consistent, but every case is different. When we have a very clearly demonstrated historical usage on an architectural structure designed for that usage, that we revert to the historical usage to defend the interests of historical affects in the historical district consistent with their usage. Whatever policies may underlie with questions regarding signage in particular should defer to the overall purpose of the district. He proposed that the variance be approved with the following findings:

- 1) That special conditions and circumstances exist consistent with the Code in that this is a demonstrated historical use, and that use includes the entirety of the panel below the cornice consistent with the usage of the Quina Apothecary.**
- 2) That those conditions and circumstances did not result from anything the applicant has done.**
- 3) That the variance will not confer any special privilege but rather is consistent with privileges which ought to exist in the historic district to restore historic usages and appearances.**
- 4) That the literal interpretation of the provisions of the title would deprive the applicant of the rights to restore the historical consistent usage and appearance of this structure consistent with its demonstrated history.**
- 5) That the variance is the minimum variance and will make possible the reasonable use of the land and the building and restore it to its historical usage.**
- 6) The granting of the variance will be in the general intent and purpose of this title – in the historic district we should refer to historic usage when they are proposed to be restored.**
- 7) It will not constitute any change in the district, will not impair or diminish other factors contained in the 7th item of the variance requirement.**
 - (a) It will not detract from the architectural integrity but improve the architectural integrity by restoring the purpose of that architectural element.**
 - (b) The grant of the variance will be in harmony with the general intent and purpose of the title and will not be injurious to the area involved or otherwise detrimental to the public welfare.**

The motion was seconded by Board Member Villegas and carried 6 to 1 with Board Member Spencer recusing.

Item 10

200 S. Alcaniz Street

PHD

Signage-Contributing Structure

HC-1

Action taken: Approved with Comments.

Mr. Brantley presented the signage in the inset with the 3 sq. ft. nameplate allowed by the Code. Chairperson Salter stated in looking at the Quina Apothecary which had been established as the true precedent, he suggested the new lettering follow those proportions in having that same distance from the ornamentation, and Mr. Brantley agreed. Assistant City Attorney Lindsay stated that was an important point since Board Member Mead's motion conditioned the variance on the size and that the sign be consistent with the Quina Apothecary.

Board Member Fogarty made a motion to approve the signage as submitted with special consideration not to exceed the dimensions of the Quina Apothecary signage. It was clarified the intent was to match the height of the Quina Apothecary, so the main text is approximately the same height which was about 7 masonry courses tall. Chairperson Salter advised the amendment could be that the main body of the text be limited to the approximate 7 courses observed in the Quina Apothecary historical signage. The amendment was accepted. Board Member Mead amended that the incidental serifs beyond the boundary line of the main body of the letters would not count against that restriction.

The amendment was accepted, and the motion seconded by Board Member Mead and carried 6 to 1 with Board Member Spencer recusing.

Item 11 ARB Resolution on the Review of Solar Energy Systems

Action taken: Approved.

In May 2021, the Board requested that an ARB resolution / policy be drafted which would allow new solar energy systems to be reviewed through an abbreviated review process. This would allow such requests to be internally reviewed by a Board architect and staff from the Historic Trust without the need for a full Board review. However, if agreement cannot be reached as it pertains to the request or if the request does not satisfy certain sections of the ordinance for the historic and preservation land use districts, the request can still be referred to the full Board for review. Staff furnished a draft of that policy along with the minutes of the last Board meeting.

Board Member Spencer left the meeting at 5:30 p.m. Board Member Mead also needed to leave the meeting, but commended staff on the Resolution on the Review of Solar Energy Systems document as well as the Resolution on Alternative Building Materials and advised he supported both documents.

Chairperson Salter read 4) of the recommended policy and clarified the policy stated how the Board reviewed the applications for solar energy; he asked if the last sentence created a criteria not in the ordinance. Staff advised the criteria was taken from the mechanical or screening requirements section of the Code. The HVAC requirements were used as guidelines for other equipment; the ordinance established requirements with mechanical units in mind, but the draft contains wording that we were already intentionally basing judgements on solar and mechanical systems. Assistant City Attorney Lindsay advised any modification to the language was within the Board's purview. It was determined the language was taken from the mechanical equipment in the Pensacola Historic District section dealing with exhaust fans or other building penetrations.

Board Member Villegas made a motion to approve the Resolution on the Review of Solar Energy Systems, seconded by Board Member Fogarty, and it carried 5 to 0. Staff advised the Abbreviated Review form would be changed to include solar energy systems.

Item 12 UWF Historic Trust Recommendation to Adopt Resolution on Alternative Building Materials

Action taken: Approved.

Historic Preservation Planner Harding advised the resolution specifically addressed siding and also included comments from Board Member Mead addressing what an application coming to the Board should include:

An application to use fiber cement siding shall include the following (though not limited to):

- supplemental illustrations, images, or photographs of proposed siding
- proposed texture
- profile details, dimensions, and thickness
- photographs and details of existing siding
- photographs of building elevations where proposed siding is to be used

This would also require the UWF representative to go to the site and survey the building and make a recommendation as to whether fiber cement siding should be used. This would not be a blanket approval for fiber cement and would not allow it on street frontages or corner sides.

Assistant City Attorney Lindsay cautioned the Board to remember that it must follow the ordinance and exercise its discretion and authority consistent with the ordinance, and it would be hard to anticipate every hypothetical scenario that could come up. Although she appreciated the recommendations, she did not want the Board to inadvertently limit itself or expand its authority

beyond or be interpreted as having done so by an applicant. She did not want an applicant to interpret these recommendations that the Board could adopt as its policy to mean they were entitled to something to which the Board may determine on a case-by-case basis that the ordinance may require a different result.

Advisor Pristera indicated the intent was to give the Board the ability to approve a different type of material on a case-by-case basis, based on his recommendation and the representative making a strong case on why they need to use this material on a historic structure. He felt the Board needed to look at these materials with a policy it could turn to that would give some confidence that it could review and approve it. The option would be there, but the applicant would need supporting reasons why they need to use the material on the house since the same material was not being replaced (not 100-year-old pine), and he would have to visit that structure. He felt if the resolution were broad enough, the Board could interpret it on a case-by-case basis.

Board Member Yee stated when the Board discussed this previously, he asked if this was putting in writing some authority at the review level and was there any harm in not adopting this resolution and continuing to review as is. Assistant City Attorney Lindsay suggested the Board consider accepting these as the official recommendations of UWF and evaluating these situations on a case-by-case basis, following their recommendations, or if for some reason there was a situation which raised something new that UWF did not anticipate or that the Board did not anticipate, the Board would not be locked in by a policy or would not be accused of not having followed a policy the applicant relied on.

Board Member Villegas pointed out North Hill and Old East Hill have policies in place allowing for Hardiboard (cement fiber board), but Seville did not. Staff stated the Board would be bound to look at each request on a case-by-case basis; Board Member Villegas wanted the Code reference to be considered on the case-by-case situation. Assistant City Attorney Lindsay confirmed staff could site the UWF policy and page number as supporting material.

Chairperson Salter referenced:

Smooth finish fiber cement siding matching existing historic siding in design, lap exposure, profile, and dimensions may be approved for:

- installation on all facades of a contributing or non-contributing structure where no historic wood siding remains.

On specific historic structures, it had been mandated by the Board that the true ordinance, which requires historic materials be used, the Board had leeway in special circumstances for elevations other than the front façade, but this statement opened the doorway for it to be an argument for more applicants trying to use Hardi product on every elevation including the front. The Board had always given more weight to the street visibility; he preferred this one item be stricken from the proposed policy. Board Member Yee pointed to the line above "may be approved" might be changed to "may be considered" which would be a better word to eliminate entitlement. Chairperson Salter agreed that "considered" would be more appropriate. Staff also identified the word "approve" in the second paragraph which should also be changed to "consider."

Board Member Ramos respected the recommendations of the UWF Historic Trust and would use it as a guide in the same way he used the Secretary of Interior's Standards for Rehabilitation but did not see the benefit of adopting it as a policy or allowing it to precede the current policy. He thought the Board might do as it has but adopt this as a recommendation and not necessarily as a policy. Staff explained it was not codified but would supersede a different resolution which deals with vinyl siding but not policy as an ordinance, which was the reason for changing it from policy to resolution.

Assistant City Attorney Lindsay stated the Board did not have to adopt this as a resolution while at the same time could rely on this or argue in favor of a decision which references this as

guidelines; these can continue as guidelines for the Board to consider at any time, and it did not have to be adopted as a resolution for that to be the case. Staff explained the Board had other documents which were non-codified and used as guidance documents (Land Use Guide for homeowners created by UWF which cites Code but is not Code).

Board Member Yee asked about the number of members required for a quorum since he had to leave, and there were four left for the necessary quorum. He also asked was the Board required to furnish this resolution to applicants or would it continue to be an internal guideline. Staff advised since it was not codified, it would not be required for applicants, but the Board did try to be as transparent as possible. Assistant City Attorney Lindsay explained the applicants had access to this resolution should it be approved. She also advised that the Board suggest these edits or make its approval as official guidelines contingent on the edits, or take another opportunity to discuss this after Advisor Pristera had a chance to review the Board's discussion, and vote on the resolution at the next Board meeting. Mr. Pristera stated he was not asking the Board for a vote but wanted to make sure there was a way forward to deal with these situations and wanted to make sure people have guidelines since these issues would not be going away, and they would be handled with consistency.

Chairperson Salter again stated that the following bullet point "installation on all facades of a contributing or non-contributing structure where no historic wood siding remains" should be removed, but the statements following addressed most of the scenarios and were more clear in those considerations. The other revision was to replace "approved" with "considered." Staff pointed out the "conditional approval" by the National Park Service in the third paragraph should remain.

Board Member Villegas stated in moving forward, the Board needed to have further discussions on the materials and what could be used in preserving our districts responsibly.

Board Member Villegas made a motion to approve the adoption of this Resolution with the modifications discussed, seconded by Board Member Fogarty, and it carried 4 to 0.

ADJOURNMENT – With no further business, the meeting adjourned at 6:11 p.m.

Respectfully Submitted,

Gregg Harding 6.30.2021

Historic Preservation Planner Harding
Secretary to the Board

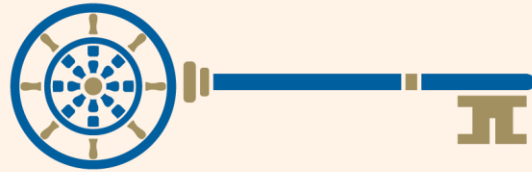
Item for Consideration: Interim Strategic Plan

Board Policy: The Board sets the direction of the for the organization through Strategic Planning

Staff Analysis:

At the last meeting of the board the need for an updated strategic plan was addressed. It was also recognized that there was an immediate need to provide an organizational strategic plan to the American Alliance of Museums, (AAM), as a part of the reaccreditation process being undertaken by the Pensacola Museum of Art. In order to meet the mid-August deadline for submitting a plan to the AAM, staff has worked on an interim plan that can meet the requirements of the reaccreditation and be used as a starting place for the strategic plan that the board will work on over the next fiscal year.

Board Action Requested: Approval of the proposed Interim Strategic Plan until a comprehensive board plan can be created.



UNIVERSITY *of* WEST FLORIDA

HISTORIC TRUST

2021-2026 STRATEGIC PLAN

and

SWOT ANALYSIS

MISSION AND VISION UPDATES

Mission:

Former Mission: *To collect, preserve, interpret, and share the history of Northwest Florida.*

Proposed Mission: To collect, preserve, interpret, and share the culture & history of Northwest Florida.

Vision:

Former Vision: *To be nationally known for bringing the past to life.*

Proposed Mission: To become the forefront leader in history, arts and culture in Northwest Florida.



5 YEAR ORGANIZATIONAL GOALS

1. Secure funding.

- a. Strategically apply for additional grant funding and support.
- b. Advocate for funding at the state and local levels.
- c. Increase private funding through UWF annual giving and major gift officer teams.
- d. Create more opportunities for revenue throughout the organization.

2. Ensure continuity of work.

- a. Increase full-time and part-time workforce.
- b. Provide optimal staff experiences.
 - i. Improve recruitment, onboarding and training to retain staff.
 - ii. Provide leadership opportunities that create career growth ladders.
 - iii. Celebrate the work of staff members and create the best work environments for each individual.

3. Create unified memberships and donor levels.

- a. Reinforce unity as one organization.
- b. Communicate the improved benefits which are now offered to all members and donors.

4. Improve communication in all aspects of the organization.

- a. Internal: Utilize focused meetings, e-communications, manuals and Task Learning Guides to improve knowledge shared with all employees.
- b. External: Build awareness and interest in our organization through improved communications with media partners, external organizations, visitors and community members.

5. Improve data collection and visitor behavior tracking through new technological advancements.

- a. Collect visitor behavior data during visits to improve wayfinding and visitor experience.
- b. Collect additional visitor demographic & contact information through ticketing and other resources that visitors must sign up for.



BUSINESS GOALS

1. Increase cross-training in the organization.

- a. Generate and share operations manuals for various tasks including Purchasing, HR, Travel, Ordering, Calendaring, Facility Usage, Building Plans, Organizational History, Tax Information, Archive Processes, Opening and Closing Procedures and A/V Equipment Directions.

2. Generate clearer protocols and communication standards for work.

- a. Create a responsibility list with communication expectations for each staff member in regards to work done across the organization and the individuals who need to be included on certain types of projects.

3. Increase efficiency in all business operations.

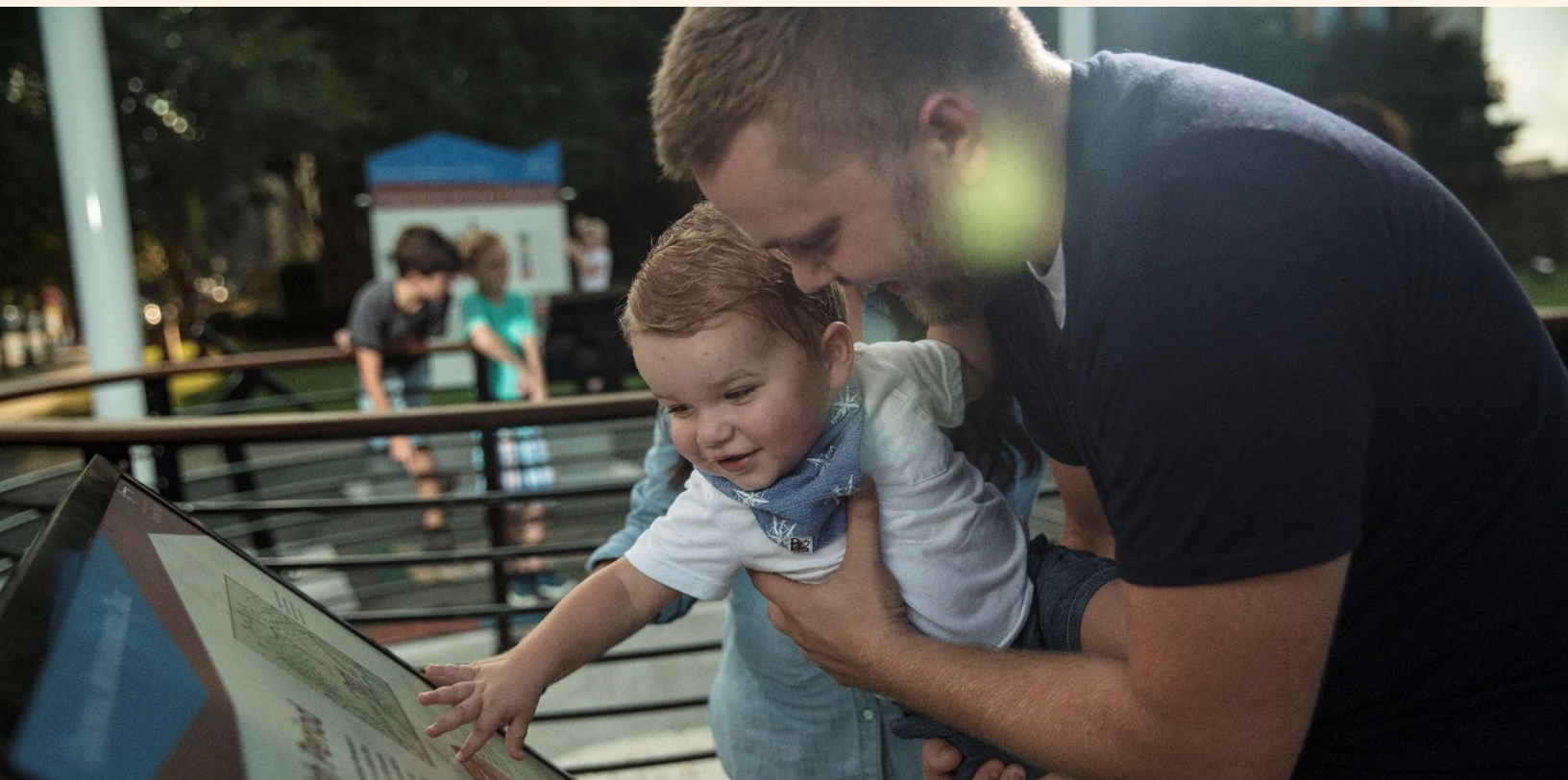
- a. Develop methods to increase digital business functions and reduce paper accumulation.
- b. Streamline Reporting Systems for interdepartmental submissions and budget approval requests.
- c. Promote the use of Google Drive for team projects.

4. Build more revenue streams.

- a. Address re-zoning request with Santa Rosa County to host special events/rentals at the Arcadia Homestead.
- b. Utilize Special Events Committees for one fundraising event per year for both the Pensacola Museum of Art and the Historic Trust.
- c. Increase annual giving efforts to generate ongoing support increasing goal by 2% annually.

VISITOR EXPERIENCE GOALS

- 1. Attract new audiences by engaging with our local community in new and strategic ways.**
 - a. Deepen partnerships with many different community organizations.
 - b. Engage new audiences with diverse program and event offerings, lectures, demonstrations and workshops.
 - c. Improve ADA accessibility by providing audio tours and large text materials for each exhibition.
- 2. Provide stellar member experiences to ladder members to donors.**
 - a. Update member benefits to meet the needs of members.
 - b. Provide members-only events to steward our supporters.
 - c. Create member-specific opportunities when onsite.
 - d. Create one annual member & donor stewardship event.
- 3. Improve site infrastructure for an enhanced visitor experience.**
 - a. Develop a facilities plan that prioritizes projects by looking at the full visitor experience and most efficient use of time and space.
 - b. Improve amenities available to visitors onsite including the addition of more water fountains, tables and trash cans.
- 4. Improve Wayfinding by hiring a professional consultant to complete staff proposal and develop an implementation plan.**
- 5. Improve experiences for special event guests.**
 - a. Upgrade A/V equipment and make it easier to use.
 - b. Inventory furniture and replace broken and dirty pieces.
 - c. Find ways to simplify the booking process.
 - d. Offer new or special experiences as a package.



CURATORIAL GOALS

- 1. Meet professional standards for collection management**
 - a. Process backlog of collection items in Historic Trust archives.
 - b. Inventory 120 boxes within a 12-month period in HT archives.
 - c. Develop a long-term collection storage plan for the entire organization.
 - d. Evaluate collections organization system and prioritize future steps for cataloguing and handling incoming donations.
- 2. Increase awareness of the Historic Trust Archives/Permanent Collection to community members.**
 - a. Promote resources available to the public through the archives.
 - b. Provide tours and lectures to professional groups seen as non-traditional users.
 - c. Develop and launch an interactive online transcription project.
 - d. Secure funding for initial investment of EmbARK Web Kiosk for the Pensacola Museum of Art.
- 3. Improve exhibit development.**
 - a. Develop and promote more traveling exhibits.
 - b. Continue to produce virtual tours for all exhibits.
 - c. Begin planning six months ahead of time to include a robust programming calendar for each exhibit.
 - d. Create at least one PMA Exhibition Catalogue Publication per year.
- 4. Include at least one physical or digital interactive/participatory exhibition element for each new exhibit.**
- 5. Focus on diversity and representation in collections.**
 - a. Increase PMA Collection diversity via a determined percentage of collected work by BIPOC Artists.
 - b. Reach out to underrepresented groups, not visible through our collections materials, to ensure an adequate representation of our community, past and present, can be seen in our collection.





EDUCATION GOALS

1. Increase public tours and school tour attendance.

- a. Promote virtual school tours.
- b. Offer new education programming each year to keep information fresh for returning visitors.
- c. Retool and update our traditional public tours for returning tour groups.

2. Offer new outreach programs.

- a. Build more opportunities for paid speaking engagements, demonstrations and workshops in our local and regional communities.
- b. Host more reenactments onsite and co-host reenactments throughout Northwest Florida.

3. Integrate education work done across the organization.

- a. Host monthly Education meetings for staff in all locations.
- b. Develop new family programming that better ties the Children's Museum to the Village.
- c. Cross-promote educational opportunities to audiences of each site for a larger reach and increased visitorship.

SWOT ANALYSIS

STRENGTHS

- Extensive museum complex
- Knowledgeable staff
- Dedicated members
- Trustworthy volunteers
- Many rental spaces
- Location in downtown Pensacola
- Extensive 3D artifact and archival collection covering many topics and periods of history
- Ability to research, design, fabricate and install exhibits in-house
- Learning lab for students
- Robust and diverse living history programming and tours
- Amount of quality and factual information presented to visitors
- Value for price of ticket
- University connections (faculty & Advancement staff)

OPPORTUNITIES

- Safer, walkable streets increase foot traffic and visitor access
- Collaborate with government organizations to achieve city & HT goals
- Educational outreach- schools, camps, community centers, clubs, etc.
- Engage with the public through programming, tours, and published articles focused on collections and the Archive
- Development of traveling exhibits and virtual tours to reach new groups of people
- Promotion of resources available at the Archives to increase memberships, researchers and photo sales
- New exhibit ideas that are ideal for donor or grant opportunities
- Virtual school tours to schools outside the region
- New exhibits and programming in Children's Museum
- PMA permanent collection engagement (in-person and online)
- Social media presence

WEAKNESSES

- Lack of cohesive identity and organizational understanding across staff
- Surrounding site infrastructure that cannot be changed (railroad, external buildings, etc.)
- Wayfinding disconnect from pre-visit to visit
- Accessibility issues
- Maintenance and preservation resources
- Lack of sustainability practices
- Size Restrictions of PCM
- Diversity (staff, community connections, members, etc.)
- Large collection in a number of different storage spaces with no room for growth.
- Intra-site communications
- Understaffed (OPS and Full-time)

THREATS

- Community misconception of organization
- Closures
- Siloed information
- Lack of funding for larger exhibits, OPS, programming and technology
- Inability to properly store or accept items without larger storage space
- Staff burnout from being spread thin
- Long-term exhibits that repeat visitors have seen before
- Local non-profit competition
- Public Perception of funding from state
- Infrastructure-- in regards weather & impact on tourism
- Crisis management & emergency plans

Item for Consideration: Updated Operating Agreement

Board Policy: As per the legislation that governs our operation the board has an operating agreement with the University to manage the historic resources under our charge on behalf of UWF.

Staff Analysis:

in response to a Florida Auditor General Finding related to DSO operations new language must be added to our operating agreement. This Second Amendment is intended to address State of Florida Auditor General Operational Audit recommendations and update the list of properties managed by the WFHPI.

Board Action Requested: Approval of the proposed Second Amendment to the UWF/WFHPI Operating Agreement.

SUMMARY
SECOND AMENDMENT TO UWF / WFHPI
OPERATING AGREEMENT

On July 1, 2001, the UWF Board of Trustees and West Florida Historic Preservation, Inc. entered into an ongoing Operating Agreement to serve as a direct support organization in carrying out historical preservation and historical educational purposes in Pensacola.

- The First Amendment was dated December 16, 2008.
- This Second Amendment is intended to address State of Florida Auditor General Operational Audit recommendations and update the list of properties managed by the WFHPI.

Misc. Governance:

- ◆ Reference repeal of s. 240.299, Fla. Stat. and enactment of s. 1004.28 re: DSOs.
- ◆ Strike First Amendment's erroneous reference to Renewal Document.
- ◆ Affirm WFHPI will operate pursuant to s. 1004.28 and will not enter into contracts nor engage in activities other than those in furtherance or support UWF activities. WFHPI is a DSO and an instrumentality of UWF.

Properties:

- ◆ Update Exhibit A list of properties managed by WFHPI:
 - No properties removed;
 - Three added: (1) PMA, (2) Arbona Building, and (3) Beacon Building.

Employees:

- ◆ UWF will document employee time and associated cost provided to WFHPI. WFHPI will support UWF's documentation efforts.

Finances / Annual Budget:

- ◆ WFHPI will annually report to BOT anticipated uses of UWF resources, including employees and square footage of UWF buildings used for office space. This will assist UWF in meeting its reporting requirements.
- ◆ WFHPI will annually certify that all UWF resources allocated in the prior fiscal year were used for approved purposes.
- ◆ For all payments made to WFHPI from UWF outside of UWF-controlled accounts, WFHPI will work with BOT to formalize an agreement establishing the basis. Payments must have retrievable transaction trails and must be made pursuant to applicable BOG and UWF regulations regarding DSOs.
- ◆ WFHPI will provide an annual financial and compliance audit. UWF, the Florida Auditor General, or other legally authorized entity may obtain detail and data regarding WFHPI's operation. Donors or prospective donors may remain anonymous.

Other WFHPI financial records are confidential and exempt from s.119.07(1), Fla. Stat.

Public Records Policy:

- ♦ WFHPI may keep records and data confidential as provided by law, including the exemption from public records disclosure in s. 1004.28, Fla. Stat.

Materials and Services:

- ♦ WFHPI will annually submit its proposed construction/renovation project list to the VP of Advancement or other UWF designee. The list will be updated as appropriate and presented to the UWF President or designee pursuant to Section 4.

SECOND AMENDMENT TO OPERATING AGREEMENT

This Second Amendment to Operating Agreement (this “Amendment”) amends the Operating Agreement between the University of West Florida Board of Trustees, a public body corporate (the “University”), and West Florida Historic Preservation, Inc., a Florida corporation not-for-profit (the “Corporation”) dated July 1, 2001 (the “Original Agreement”), and the First Amendment to Operating Agreement dated December 16, 2008 (collectively “the First Amended Agreement”). Reference to the Renewal Document dated June 27, 2006 is intentionally omitted, and hereby stricken. The University and the Corporation are herein referred to as the “Parties.”

WHEREAS, the State of Florida Auditor General issued its Operational Audit in March 2020 (the “Audit”);

WHEREAS, Section 240.299, Florida Statutes was repealed and section 1004.28, Florida Statutes, was enacted to govern direct support organizations;

WHEREAS, the real properties managed by the Corporation have changed composition; and

WHEREAS, the Parties desire to enter into this Amendment to acknowledge certain responsibilities of both Parties and to clarify and modify certain terms and provisions of the First Amended Agreement and Exhibits;

NOW, THEREFORE, in consideration of the promises contained herein and for other good and valuable consideration, the Parties agree as follows:

- 1. Direct Support Organization.** Section 1 of the First Amended Agreement is amended to read as follows:

The Corporation hereby agrees to serve as a direct support organization in accordance with the provisions of the Act, as amended from time to time, the provisions of Section 1004.28, Florida Statutes, any applicable administrative rules governing a direct support organization for a constituent institution of the State University System, and the provisions of this agreement. The Corporation will not enter into any contract, engage in any activity, or pursue any program that is not in furtherance or support of the programs and activities of UWF. In carrying out its duties and obligations hereunder, the Corporation will be deemed to be an instrumentality of UWF.

- 2. Use of University Properties, Facilities, and Personal Services.** Exhibit “A” as referenced in Section 2 of the First Amended Agreement reflecting the list of properties managed by the Corporation is amended as attached.
- 3. Employees.** Section 9 of the First Amended Agreement is amended to include the following language:

The University will document University employee time provided to the Corporation to support the purpose for and value of the Corporation's services. The University will also document the distribution of applicable personal service costs among specific University and Corporation activities for employees who work on more than one activity. The Corporation will at all times endeavor to support the University's efforts in such documentation.

4. **Annual Budget.** Section 4 of the First Amended Agreement is amended to include a subsection C, which reads as follows:

C. The Corporation will report its anticipated uses of University resources to the Board of Trustees on an annual basis. The report will identify the number and position of employees who will provide personal services to the Corporation, as well as the square footage of the area in the University buildings which will be utilized by the Corporation for office space. The University may then ascribe the value of such property use in accordance with its internal valuation formula.

The Corporation will annually certify to the University in the form of a letter signed by the Corporation's CEO and Executive Director that the University resources allocated in the prior fiscal year were used for the purposes approved by the University.

5. **Monies of the Corporation.** Section 5 of the First Amended Agreement is amended to be entitled "Monies of the Corporation," and to include the following language:

To the extent payments are made to the Corporation from the University outside of University-controlled accounts, the Corporation will collaborate with the Board of Trustees to formalize an agreement establishing the basis for any such payments. Any allowable transfers shall be formalized in writing or electronically in a form that has a retrievable transaction trail. All payments shall be limited by the applicable Florida Board of Governors regulations and University regulations governing direct support organizations.

6. **Annual Financial Reports.** Section 7 of the First Amended Agreement is amended as follows:

The Corporation will provide at its expense an annual financial and compliance audit of its financial accounts and records by an independent certified public accountant in accordance with rules adopted by the Auditor General of the State of Florida pursuant to 11.45(8) and by the University Board of Trustees. UWF, the Auditor General of the State of Florida, and any other entity authorized by law, shall have the authority to require and receive from the Corporation or from its independent auditor any detail or supplemental data relative to the operation of the Corporation. The identity of donors or prospective donors of property who desire to remain anonymous shall be protected, and that anonymity shall be maintained in the auditor's report. All financial records of

the Corporation other than the auditor's report, management letter, and any supplemental data requested by UWF shall be confidential and exempt from the provisions of Section 119.07(1), Florida Statutes.

- 7. Public Records Policy.** Section 19 of the First Amended Agreement is amended to provide that the Corporation has the authority to keep records and data confidential consistent with Florida law, including, but not limited to, the exemption from public records disclosure set forth in section 1004.28, Florida Statutes, as it may be amended from time to time.
- 8. Materials and Services.** Exhibit H of the First Amended Agreement, paragraph 4 (a) is hereby amended to read as follows:

The Corporation shall submit its list of proposed construction or renovation projects (the "Project List") to the Vice President of Advancement (or such person as may be designated by the President of the University) for review and comment prior to inclusion in the Corporation's expenditure plans for each year. Such Project List will be updated as appropriate and included in the information presented to the President of UWF or the President's designee pursuant to the provisions of Section 4 of the Original Agreement.

- 9. Continuation of Original Agreement.** Except as herein amended, the First Amended Agreement shall remain in full force and effect.
- 10. Effective Date.** This Agreement shall take effect upon execution by both parties.

IN WITNESS WHEREOF, the representatives of the University and the Corporation, being authorized to do so, and being fully advised in the premises, have hereunto fixed their signatures on the dates written below:

University of West Florida
Board of Trustees

West Florida Historic
Preservation, Inc.

By: _____
Dr. Martha Saunders
President, UWF

By: _____
Collier Merrill
Chairman, Board of Directors

Date: _____

Date: _____

Execution Copy

**OPERATING AGREEMENT BETWEEN THE UNIVERSITY OF WEST
FLORIDA AND WEST FLORIDA
HISTORIC PRESERVATION, INC.**

Dated as of July 1, 2001

(A Florida Corporation not for profit)

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**OPERATING AGREEMENT BETWEEN THE UNIVERSITY OF WEST
FLORIDA AND WEST FLORIDA
HISTORIC PRESERVATION, INC.**

Dated as of July 1, 2001

THIS AGREEMENT is made and entered into by and between the University of West Florida, for and on behalf of the Florida Board of Regents, a public corporation of the State of Florida, and its successors and assigns (“UWF”) and West Florida Historic Preservation, Inc., a Florida corporation not for profit (“Corporation”);

Whereas, the provisions of Section 267.1732, Florida Statutes (Chapter 2001-199, Laws of Florida) (the “Act”) require UWF to authorize a direct-support organization to assist UWF in carrying out its dual historic preservation and historic preservation education purposes and responsibilities for the City of Pensacola, Escambia County, and West Florida; and

Whereas, the Corporation was previously known as Historic Pensacola, Inc., and was previously constituted as a direct support organization for the Historic Pensacola Preservation Board of Trustees, a unit of the Division of Historical Resources of the Florida Department of State; and

Whereas, the Corporation desires to act as the direct support organization for UWF within the contemplation of the Act and has amended its Articles of Incorporation and Bylaws accordingly; and

Whereas, UWF has determined that the Corporation will be operating for the benefit of and in a manner consistent with the goals of UWF and in the best interests of the State of Florida;

Now Therefore, in consideration of the mutual covenants of the parties set forth herein and other good and valuable consideration, the parties hereto agree as follows:

Section 1. Direct Support Organization.

The Corporation hereby agrees to serve as a direct support organization to UWF in accordance with the provisions of the Act, as amended from time to time, the provisions of Section 240.299, Florida Statutes, any applicable administrative rules

governing a direct support organization for a constituent institution of the State University System, and the provisions of this agreement. The Corporation will not enter into any contract, engage in any activity, or pursue any program that is not in furtherance or support of the programs and activities of UWF. In carrying out its duties and obligations hereunder, the Corporation will be deemed to be an agency and instrumentality of UWF.

Section 2. Use of University Properties, Facilities and Personal Services.

UWF will designate property, facilities, and personal services in furtherance of the Corporation's activities and programs contemplated by this Agreement from time to time. The parties agree that the Corporation will manage the properties described on the attached Exhibit "A" on behalf of UWF (the "Properties"). In managing the Properties, the Corporation is authorized to engage in the following activities to establish, maintain, and operate the Properties:

A. Renting or leasing for revenue of any land, improved or restored real estate, or personal property directly related to carrying out the purposes for historic preservation as provided herein and deemed by UWF to be in the best interest of the State.

B. Selling of craft products created through the operation and demonstration of historical museums, craft shops, and other facilities.

C. The limited selling of merchandise relating to the historical and antiquarian period of Pensacola and its surrounding territory and the historical period of West Florida from the Apalachicola River to the western boundaries of the State.

D. Adopting and enforcing reasonable rules to govern the conduct of the visiting public.

Section 3. 501(c)(3) Status.

The Corporation agrees to maintain its not-for-profit status and its qualification under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, and to take no action or decision that may jeopardize such status. The Corporation will not carry on any activity which will adversely affect its status as an organization exempt from Federal income tax under Section 501(c)(3) of the Code or the corresponding provisions of any

future Internal Revenue Service law. The Corporation agrees to provide to UWF copies of any correspondence with the Internal Revenue Service.

Section 4. Annual Budget.

The Corporation will submit its annual operating budget which has been approved by the Corporation's governing board and to the President of UWF for approval on or before May 1 of each year. The budget shall be submitted in substantially the format of Exhibit "B" hereto.

A. The annual operating budget will conform to the following requirements:

i. The construction of any physical facilities shall be set forth in the budget. The Corporation will apply for any approvals of such construction required by State law and will give required notifications prior to commencement of construction.

ii. Salary supplements, compensation, and benefits provided to UWF's President, faculty, and staff, and to any employees of the Corporation from the assets of the Corporation shall be detailed in the budget.

iii. A schedule of the names of the governing board of the Corporation, the names of the officers of the Corporation, their dates of service, and committee membership lists shall be submitted with the budget. The schedule of names shall include a statement signed by the executive director of the Corporation certifying that the composition of the governing board is in accordance with its Bylaws. If the President of UWF does not serve as a member of the governing board of the Corporation, the individual serving on the governing as the President's designee shall be clearly identified.

B. The Corporation's expenditure plans shall be reviewed and approved quarterly by the President of UWF or his designee, who shall be a Vice President of UWF or other senior officer of UWF reporting directly to the President of UWF. The expenditure plan shall separately delineate planned actions which result in a commitment of UWF resources or which represent a significant commitment of the resources of the Corporation, including but not limited to:

i. A. Major fund raising events and campaigns along with their purpose.

ii. Compensation and benefits to employees of UWF and employees of the Corporation.

iii. Capital projects including land acquisition, construction, renovation, or repair.

iv. Leases, easements, and agreements with regard to the Properties, including renewals or extensions thereof.

v. Other major commitments of the resources of the Corporation as defined by the President of UWF.

Section 5. Moneys of the Corporation.

The Corporation will deposit all lease income, admissions income, membership fees, private donations, income derived from fundraising activities, and grants applied for and received by the Corporation in one or more separate depository accounts in the name of the Corporation, subject to the provisions of this Agreement. The Corporation may establish accounts with the State Board of Administration for investment of funds pursuant to Part IV of Chapter 218, Florida Statutes. The Corporation is hereby authorized to:

A. Enter into agreements to accept credit card payments as compensation, and establish accounts in credit card banks for the deposit of credit card sales invoices.

B. Fix and collect charges for admission to any of the Properties.

C. Permit the acceptance of tour vouchers issued by tour organizations or travel agents for payment of admissions.

Section 6. Alternative Method of Financing New Facilities.

The Corporation may, with the prior approval of UWF, issue indebtedness pursuant to Section 240.2093(2), Florida Statutes. The Corporation may also, with the prior approval of UWF enter into agreements to finance, design and construct, lease, lease-purchase, purchase, or operate facilities necessary and desirable to serve the needs and purposes of UWF, provided that any required approval of the particular project by the Legislature is first obtained. Such agreements are subject to the provisions of Section 243.151, Florida Statutes.

Section 7. Annual Financial Reports.

The Corporation will provide at its expense an annual financial and compliance audit of its financial accounts and records by an independent certified public accountant in accordance with generally accepted accounting standards and any applicable Government Auditing Standards issued by the Comptroller of the United States. UWF, the Auditor General of the State of Florida, and any other entity authorized by the provisions of Section 240.299, Florida Statutes, shall have the authority to require and receive from the Corporation or from its independent auditor any detail or supplemental data relative to the operation of the Corporation. The identity of donors who desire to remain anonymous shall be protected, and that anonymity shall be maintained in the auditor's report. All financial records of the Corporation other than the auditor's report, management letter, and any supplemental data requested by UWF shall be confidential and exempt from the provisions of Section 119.07(1), Florida Statutes.

Section 8. Annual Reporting.

On an annual basis, the Corporation will furnish to UWF:

- A. Its form 990
- B. A certification signed by its Executive Director certifying that the Corporation has complied during the year with the provisions of this contract.
- C. Its audited financial statements for the preceding fiscal year.

Section 9. Employees.

UWF will provide the employees described on the attached Exhibit "C" to assist the Corporation in carrying out its duties hereunder. These employees will be and remain UWF employees. Persons employed by the Corporation shall not be considered employees of the State of Florida by reason of such employment. UWF shall approve salary supplements and other compensation or benefits paid to UWF's President, faculty and staff from assets of the Corporation; and salaries, benefits and other compensation

paid to employees of the Corporation. The Corporation shall comply with the policies concerning salary supplements, compensation, and benefits attached hereto as Exhibit "D."

Section 10. Use of Existing Assets.

The assets of the Corporation will be used by the Corporation for the purposes set forth in this agreement.

Section 11. Leases of the Properties.

The parties hereto acknowledge that title to the Properties is held by the Board of Trustees of the Internal Improvement Trust Fund, subject to a lease to the Florida Department of State, Division of Historical Resources (the "BOT Lease"). The Corporation will, on UWF's behalf, participate in future reviews of the Management Plan referred to in the BOT Lease and provide future notifications regarding erection or removal of structures or other improvements on the Properties and any changes affecting the value of the improvements as required in the BOT Leases. The Corporation is hereby authorized, on behalf of UWF, to enter into leases, easements, and agreements with regard to the Properties as contemplated in Sections 2 and 4 hereof.

Section 12. Confidentiality.

The Corporation will take all steps necessary to provide that the identity of a donor or prospective donor of property to the Corporation who desires to remain anonymous, and all information identifying such donor or prospective donor, shall be and remain confidential.

Section 13. UWF Certification.

UWF shall certify on an annual basis, after consideration of the information provided by the Corporation, that the Corporation is complying with the terms of this agreement and in a manner consistent with the goals and purposes of UWF and in the best interests of the State. Such certification shall be made annually and reported in the minutes of a meeting of the Board of Trustees of UWF. If at any time UWF determines that the Corporation is not operating in the best interest of UWF or the State, or that the Corporation is not operating in accordance with the Act or the provisions of other

applicable law, UWF may unilaterally cancel this Agreement by giving thirty (30) days written notice to the Corporation.

Section 14. Articles of Incorporation and Bylaws.

UWF approves the Corporation's Articles of Incorporation and Bylaws in the form attached hereto as Exhibits "E" and "F," respectively. The Corporation shall not make any changes to its Articles of Incorporation or Bylaws without the written approval of the President of UWF.

Section 15. Disposition Upon Cessation of Qualification.

The Corporation shall exist for the sole purpose of acting as a direct support organization for UWF. In the event that:

- i. The Corporation, for any reason, ceases to be a Direct Support Organization for UWF; or
- ii. The Corporation is dissolved or the Articles of Incorporation are for any reason revoked or cancelled, or
- iii. This Agreement is cancelled in accordance with the provisions of Section 13 hereof,

then in that event, all property and funds held by the Corporation for the benefit of UWF shall be transferred promptly to UWF, or to the State of Florida if UWF shall no longer exist (or to such other governmental entity as may be provided by law), including funds or properties that are derived from:

- i. membership fees;
- ii. private or public fund raisers by the Corporation;
- iii. grants or gifts to and received in the name of the Corporation; or
- iv. other funds or properties received through the efforts of the Corporation, its directors or its membership.

Section 16. Non-Discrimination.

The Corporation shall provide equal employment opportunity to all persons regardless of race, color, religion, sex, age, disability, or national origin as required and specified by applicable federal and state law.

Section 17. Fiscal Year.

The Corporation will at all times establish its fiscal year to be consistent with the fiscal year of UWF. Such fiscal year currently commences July 1 of each year and ends June 30 of the following year.

Section 18. Disclosure of Separate Status.

The Corporation will disclose material provisions of this contract and the distinction between UWF and the Corporation in all promotional and fundraising publications and to all donors of gifts, contributions, or bequests.

Section 19. Public Records Policy.

The Corporation will comply with the University's Public Records Policy attached hereto as Exhibit "G." Public records of the Corporation will be maintained in the main office of the Corporation at 120 Church Street, Pensacola, Florida.

Section 20. Entire Agreement.

This Agreement embodies the whole Agreement of the parties and there are no provisions, terms, conditions or obligations other than those contained herein. This Agreement shall supersede all previous communications, representation or oral agreements between the parties and no amendment thereto shall be effective unless reduced to writing and signed by the parties hereto.

Section 21. Effective Date; Term

This Agreement shall take effect upon the later of execution by both parties or July 1, 2001. This Agreement shall extend for an indefinite term, subject to the provisions hereof regarding termination; however, the parties hereto may agree, from time to time, to review the provisions hereof to ensure continuing accomplishment of common goals.

**UNIVERSITY OF WEST FLORIDA, for
and on Behalf of The Florida Board of
Regents and its Successors and Assigns**

By: _____
President, University of West Florida

**WEST FLORIDA HISTORIC
PRESERVATION, INC.**

By: _____
President, Board of Directors

Exhibit A - The Properties

Legal Descriptions

Deed from Historic Pensacola, Inc., to
Board of Trustees of the Internal Improvement Trust Fund

ALL OF LOTS 25, 26, 31, AND 32 OF BLOCK 6, OLD CITY TRACT, CITY OF PENSACOLA, PER WATSON MAP OF 1906; LESS AND EXCEPT THEREFROM, HOWEVER, THE NORTH 90 FEET OF THE EAST 30 FEET OF LOT 31 AND THE WEST 25 FEET OF THE NORTH 90 FEET OF LOT 32 OF SAID BLOCK 6, AND FURTHER LESS AND EXCEPT ALL PORTIONS OF LOTS 25, 26, AND 32 CONVEYED TO THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR ROAD RIGHT-OF-WAY FOR BAYFRONT PARKWAY, CONTAINING 28,978 SQUARE FEET, MORE OR LESS.

(PARCEL TAX IDENTIFICATION # 13-0079-000)

AND

LOT 20 BETWEEN SQUARES IN OLD CITY OF PENSACOLA, SAID LOT FRONTING SEVILLE SQUARE, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

(PARCEL TAX IDENTIFICATION # 13-0711-000)

AND

THE NORTH 90 FEET OF THE WEST 25 FEET OF LOT 32 AND THE NORTH 90 FEET OF THE EAST 30 FEET OF LOT 31, BLOCK 6, OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

(PARCEL TAX IDENTIFICATION # 13-0080-000)

AND

A PORTION OF LOT "H" OF LETTERED LOTS OF THE OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING 85 FEET EAST OF THE SOUTHWEST CORNER OF LOT "H", OLD CITY TRACT, CITY OF PENSACOLA, FLORIDA, THENCE EAST 88.25 FEET; THENCE NORTH APPROXIMATELY 144.92 FEET TO THE SOUTH LINE OF ZARRAGOSSA STREET (LIBERTY STREET); THENCE WEST ALONG THE SOUTH LINE OF ZARRAGOSSA STREET 88.25 FEET; THENCE SOUTH APPROXIMATELY 144.92 FEET TO POINT OF BEGINNING.

(PARCEL TAX IDENTIFICATION # 13-0662-500 AND 13-0663-000)

AND

COMMENCE AT THE SOUTHEAST CORNER OF LOT "I", WEST ALONG THE SOUTH LINE OF SAID LOT 76 FEET TO POINT OF BEGINNING, CONTINUE ALONG SAME LINE 74 FEET; THENCE NORTH PARALLEL TO THE EAST LINE OF SAID LOT FOR 50 FEET;

Historic Pensacola
Operating agreement-6-14-01

THENCE EAST PARALLEL TO THE SOUTH LINE OF SAID LOT FOR 74 FEET; THENCE SOUTH PARALLEL TO THE EAST LINE OF THE LOT FOR 50 FEET TO THE POINT OF BEGINNING, PART OF LOTS "H" AND "I", OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA ACCORDING TO THE MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

(PARCEL TAX IDENTIFICATION # 13-0665-500)

AND

ALL OF LOT "G", OLD CITY TRACT OF THE CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, WHICH LOT IS BOUNDED AS FOLLOWS: ON THE NORTH BY THE SOUTH LINE OF ZARRAGOSSA STREET; ON THE EAST BY THE WEST LINE OF BARRACKS STREET; ON THE SOUTH BY THE NORTH LINE OF MAIN STREET; ON THE WEST BY THE EAST LINE OF TARRAGONA STREET; ALL AS SHOWN ON MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

(PARCEL TAX IDENTIFICATION # 13-0662-000)

AND

A PORTION OF LOT "I", OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF LOT "I" FOR POINT OF BEGINNING; THENCE WEST ALONG THE SOUTH LINE OF LOT "I" 76 FEET; THENCE NORTH AND PARALLEL TO EAST LINE OF LOT "I" 50 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE OF LOT "I" 4 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF LOT "I", TO THE SOUTH RIGHT OF WAY LINE OF ZARRAGOSSA STREET; THENCE EAST ALONG THE NORTH LINE OF LOT "I" 80 FEET; THENCE SOUTH ALONG THE EAST LINE OF LOT "I" TO POINT OF BEGINNING, BEING PART OF LOT "I".

(PARCEL TAX IDENTIFICATION # 13-0665-000)

AND

THE WEST TEN (10) FEET OF THE WEST FIFTY (50) FEET OF THE EAST SIXTY (60) FEET OF LOT 34, BLOCK 6, OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO THE MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

THE WEST TWENTY (20) FEET AND THE EAST TEN (10) FEET OF LOT 35, BLOCK 6, OLD CITY TRACT IN THE CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO THE MAP OF SAID CITY COPYRIGHTED IN 1906 BY THOMAS C. WATSON.

(PARCEL TAX IDENTIFICATION # 13-0082-000 AND 13-0084-000)

AND

THE WEST FIFTY (50) FEET OF THE WEST SIXTY (60) FEET OF LOT 34, BLOCK 6, OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO THE MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906, LESS THE WEST TEN (10) FEET OF SAID PROPERTY.

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THE EAST FIFTY (50) FEET OF LOT 36 AND THE EAST FIFTY (50) FEET OF LOT 29, BLOCK 6, OLD CITY TRACT, SECTION 46, TOWNSHIP 2 SOUTH, RANGE 30 WEST, DESCRIBED ACCORDING TO MAP OF THE CITY OF PENSACOLA, COPYRIGHTED BY THOMAS C. WATSON IN 1903.

THE WEST FIFTY (50) FEET OF THE WEST (60) FEET OF LOT 35, BLOCK 6, OLD CITY TRACT, PENSACOLA, FLORIDA, ACCORDING TO MAP OF SAID CITY COPYRIGHTED AND PUBLISHED BY THOMAS C. WASTON IN 1884. CONTAINING FIFTY (50) FOOT FRONT ON ZARRAGOSSA STREET, BEING THE SAME AS THE MAP OF SAID CITY COPYRIGHTED AND PUBLISHED BY THOMAS C. WATSON IN 1906.

THE EAST TEN (10) FEET OF LOTS 28 AND 34, AND THE WEST TWENTY (20) FEET OF LOT 29, BLOCK 6, OLD CITY TRACT, IN THE CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO MAP OF SAID CITY COPYRIGHTED IN 1906 BY THOMAS C. WATSON.

(PARCEL TAX IDENTIFICATION # 13-0084-000)

AND

THE WEST THIRTY (30) FEET OF LOT 36, BLOCK 6, OLD CITY TRACT, IN THE CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO MAP OF SAID CITY, PUBLISHED BY THOMAS C. WATSON IN 1884.

(PARCEL TAX IDENTIFICATION # 13-0084-000)

AND

ALL OF LOT 33, ALL OF LOT 27, THE WEST 20 FEET OF LOT 34, AND THE WEST 20 FEET OF LOT 28, ALL LYING AND BEING IN BLOCK 6, OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO THE MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

(PARCEL TAX IDENTIFICATION # 13-0082-000)

AND

LOT 1, 2 LESS THE EAST 3 FEET 5 INCHES OF LOT 1, LOTS 3 AND 4, LOT "O", ALSO KNOWN AS BLOCK "O", OF SEVILLE SQUARE, OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, BEING THAT BLOCK IMMEDIATELY SOUTH OF SEVILLE SQUARE IN THE CITY OF PENSACOLA, BORDERED ON THE NORTH BY EAST ZARRAGOSSA (LIBERTY) STREET, THE EAST BY SOUTH ALCANIZ STREET, THE SOUTH BY EAST MAIN STREET AND ON THE WEST BY ADAMS STREET.

(PARCEL TAX IDENTIFICATION # 13-0713-000)

AND

THE WEST 175 FEET OF BLOCK 5, IN THE WATERFRONT TRACT IN THE CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, AS SHOWN ON MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WASTON IN 1906.

(PARCEL TAX IDENTIFICATION # 15-4309-000)

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AND

THE WEST 85 FEET OF LOT "H"; ALSO, BEGIN 80 FEET WEST OF THE SOUTHEAST CORNER OF LOT "I", NORTH 50 FEET FOR POINT OF BEGINNING; CONTINUE NORTH 94 FEET TO THE SOUTH LINE OF ZARRAGOSSA STREET, WEST 70 FEET, SOUTH 94 FEET, EAST 70 FEET TO POINT OF BEGINNING, BEING PART OF LETTERED LOTS "H" AND "I"; ALSO, THE WEST 80 FEET OF LOT "J", BEING A PARCEL FRONTING 80 FEET ON ZARRAGOSSA AND CHURCH STREETS AND 108.5 FEET FRONTING ON BARRACKS STREET; AND ALL OF LOT 94 BLOCK "K", BEING A PARCEL BOUNDED ON THE WEST BY TARRAGONA STREET, ON THE SOUTH BY ZARRAGOSSA STREET, ON THE EAST BY BARRACKS STREET, AND ON THE NORTH BY CHURCH STREET; ALL A PART OF OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO MAP OF SAID CITY, COPYRIGHTED BY THOMAS C. WATSON IN 1906.

(PARCEL TAX IDENTIFICATION # 13-0662-501/13-0663-999/13-0664-000/13-0668-000/13-0669-000)

AND

A PARCEL OF LAND IN THE OLD CITY TRACT, OF THE CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO MAP OF THE SAID CITY, COPYRIGHTED BY THOMAS C. WATSON IN 1903 AND RECORDED IN DEED BOOK 126 AT PAGE 400 OF THE PUBLIC RECORDS OF SAID COUNTY, CONTAINING 45820 SQUARE FEET, MORE OR LESS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF JEFFERSON STREET J (60'R/W) AND THE NORTHERLY RIGHT OF WAY LINE OF ZARRAGOSSA STREET (60'R/W); THENCE GO EASTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF THE SAID ZARRAGOSSA STREET A DISTANCE OF 336.06 FEET; THENCE WITH AN INTERIOR ANGLE OF 90 DEGREES 30'48" GO NORTHERLY A DISTANCE OF 107.02 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF CHURCH STREET (40'R/W); THENCE WITH AN INTERIOR ANGLE OF 89 DEGREES 19'06" GO WESTERLY (THIS CALL AND THE SUCCEEDING TWO CALLS BEING ALONG THE SAID RIGHT-OF-WAY LINE OF CHURCH STREET) A DISTANCE OF 138.34 FEET; THENCE WITH AN INTERIOR ANGLE OF 270 DEGREES 32'18" GO NORTHERLY A DISTANCE OF 50.00 FEET; THENCE WITH AN INTERIOR ANGLE OF 89 DEGREES 35'12" GO WESTERLY A DISTANCE OF 198.83 FEET TO THE EASTERLY RIGHT OF WAY LINE OF JEFFERSON STREET; THENCE WITH AN INTERIOR ANGLE OF 90 DEGREES 06'18" GO SOUTHERLY ALONG THE SAID RIGHT OF WAY LINE A DISTANCE OF 156.47 FEET TO THE POINT OF BEGINNING.

(PARCEL TAX IDENTIFICATION # 13-0658-500)

AND

THE EAST HALF OF THE WEST HALF OF LETTER BLOCK "J", OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, PER MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

(PARCEL TAX IDENTIFICATION # 13-0667-000)

AND

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ALL OF LOT R AND THE EAST 26.85 FEET OF LOT L, LETTERED LOTS IN THE OLD CITY TRACT, IN THE CITY OF PENSACOLA, FLORIDA, ACCORDING TO MAP OF SAID CITY, COPYRIGHTED BY THOMAS C. WATSON IN 1906.

(PARCEL TAX IDENTIFICATION # 13-0658-000)

AND

A PORTION OF LOTS 7 AND 8 OF THE NUMBERED LOTS LYING BETWEEN GOVERNMENT AND CHURCH STREETS IN THE OLD CITY TRACT OF THE CITY OF PENSACOLA, FLORIDA, ACCORDING TO MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906, CONTAINING 14,410 SQUARE FEET, MORE OR LESS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE INTERSECTION OF THE SOUTH LINE OF GOVERNMENT STREET AND THE WEST LINE OF TARRAGONA STREET, THENCE GO SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE WEST LINE OF TARRAGONA STREET A DISTANCE OF 186.00 FEET TO THE NORTH LINE OF CHURCH STREET, THENCE GO SOUTH 89 DEGREES 09 MINUTES 55 SECONDS WEST ALONG THE NORTH LINE OF CHURCH STREET A DISTANCE OF 76.00 FEET, THENCE GO NORTH 00 DEGREES 53 MINUTES 14 SECONDS WEST A DISTANCE OF 186.18 FEET TO THE SOUTH LINE OF GOVERNMENT STREET, THENCE GO NORTH 89 DEGREES 14 MINUTES 35 SECONDS EAST ALONG THE SOUTH LINE OF GOVERNMENT STREET A DISTANCE OF 78.88 FEET TO THE POINT OF BEGINNING.

(PARCEL TAX IDENTIFICATION # 13-0662-500)

AND

LOT 374 AND THE EAST 17.55 FEET OF LOT 373, OLD CITY TRACT, ACCORDING TO MAP OF CITY OF PENSACOLA BY THOMAS C. WATSON COPYRIGHTED IN 1906.

(PARCEL IDENTIFICATION # 13-0627-000)

AND

THE EAST 38 FEET OF LOT 16, OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, HAVING A FRONTAGE OF 38 FEET ON THE NORTH SIDE OF CHURCH STREET, BY A DEPTH OF 93 FEET, ACCORDING TO MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

(PARCEL TAX IDENTIFICATION # 13-0704-000)

AND

DESCRIPTION OF SOUTH BARRACKS STREET:

(PARCEL TAX IDENTIFICATION # 13-0662-500/ 13-0662-000)

BEGINNING AT THE SOUTHEAST CORNER OF LOT G EASTERLY 40' TO THE SOUTHWEST CORNER OF LOT H, THENCE NORTHERLY 144.92 FEET TO THE INTERSECTION OF THE NORTHWEST CORNER OF LOT H AND ZARRAGOSSA STREET, THENCE WESTERLY 40' TO THE INTERSECTION OF THE NORTHWEST CORNER OF LOT G THENCE SOUTHERLY 144.92 FEET TO THE STARTING POINT. THIS PARCEL BEING THE SECTION OF BARRACKS ST LYING BETWEEN ZARRAGOSSA STREET AND MAIN STREET AS SHOWN ON THE MAP OF PENSACOLA AS COPYRIGHTED BY THOMAS C. WATSON IN 1906. THIS PARCEL WAS ABANDONED BY THE CITY OF PENSACOLA UNDER ORDINANCE #37-86.

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DESCRIPTION OF NORTH BARRACKS STREET:
(PARCEL TAX IDENTIFICATION # 13-0668-000/ 13-0669-000)

BEGINNING AT THE SOUTHEAST CORNER OF LOT K, THENCE EASTERLY 40 FEET TO THE SOUTHWEST CORNER OF J, THENCE NORTHERLY ALONG THE PROPERTY LINE TO A POINT AT THE NORTHWEST CORNER OF LOT J AT THE INTERSECTION OF THE RIGHT OF WAY ON CHURCH STREET, THENCE WESTERLY 40 FEET ALONG THE CHURCH STREET RIGHT OF WAY TO A POINT AT THE NORTHWEST CORNER OF LOT K, THENCE SOUTHERLY ALONG THE BOUNDARY OF LOT K TO THE STARTING POINT. THIS PARCEL BEING PLATTED RIGHT OF WAY OF BARRACKS STREET AS COPYRIGHTED BY THOMAS C. WATSON IN 1906. THIS PARCEL WAS ABANDONED BY THE CITY OF PENSACOLA UNDER ORDINANCE #14-72.

DESCRIPTION OF CEDAR STREET:
(PARCEL TAX IDENTIFICATION # 15-4309-000/ 13-4315-000)

THAT PORTION OF CEDAR STREEET, BETWEEN BARRACKS STREET AND ADAMS STREET IN PENSACOLA, ESCAMBIA COUNTY, FLORIDA LYING BETWEEN BLOCK 5 AND BLOCK 8 AS SHOWN ON A MAP COPYRIGHTED BY THOMAS C. WATSON IN 1906. SAID PARCEL BEING 175 FEET ALONG THE BOUNDARY WITH LOTS 5 AND 8, AND 60 FEET WIDE AS SHOWN ON THE SAME MAP.

DESCRIPTION OF SOUTH ADAMS STREET:
(PARCEL TAX IDENTIFICATION # 13-0665-000/ 13-0713-000)

THAT PORTION OF ADAMS STREET, BETWEEN ZARRAGOSSA STREET AND MAIN STREET IN PENSACOLA, ESCAMBIA COUNTY, FLORIDA DESCRIBED AS LYING BETWEEN THE EAST BOUNDARY LINE OF LOT I AS DESCRIBED ON A MAP COPYRIGHTED BY THOMAS C. WATSON 1906 AND THE WEST BOUNDARY LINE OF PARCEL 4, SAID PARCEL BEING 144.93 FEET NORTH TO SOUTH AND 44.6 FEET EAST TO WEST, AS ABANDONED BY THE CITY OF PENSACOLA BY ORDINANCE #29-88.

AND

LOT 4 OF THE NUMBERED LOTS BETWEEN GOVERNMENT AND CHURCH STREETS, OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

TOGETHER WITH A NON-EXCLUSIVE PERPETUAL EASEMENT FOR INGRESS AND EGRESS OVER THE WEST 50 FEET OF LOT 6, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF THE WEST 50.0 FEET OF LOT 6 OF THE NUMBERED LOTS BETWEEN GOVERNMENT AND CHURCH STREETS, OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 6 AND RUN IN A NORTHERLY DIRECTION ALONG THE WEST BOUNDARY OF SAID LOT 6 A DISTANCE OF 92.0 FEET TO A POINT 1.0 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 6; THENCE

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RUN IN AN EASTERLY DIRECTION ALONG A LINE OF 1.0 FEET FROM AND PARALLEL TO THE NORTH BOUNDARY OF SAID LOT 6, A DISTANCE OF 10.0 FEET; THENCE RUN IN A SOUTHERLY DIRECTION ALONG A LINE OF 10.0 FEET FROM AND PARALLEL TO THE WEST BOUNDARY OF SAID LOT 6, A DISTANCE OF 23.65 FEET; THENCE RUN AN EASTERLY DIRECTION, PERPENDICULAR TO THE WEST BOUNDARY OF SAID LOT 6, A DISTANCE OF 10.0 FEET TO A POINT OF CURVE CONCAVE TO THE WEST HAVING A CENTRAL ANGLE OF 180 DEGREES AND A RADIUS OF 10.0 FEET; THENCE RUN IN AN EASTERLY, SOUTHEASTERLY, SOUTHERLY, SOUTHWESTERLY AND WESTERLY DIRECTION ALONG THE ARC OF SAID CURVE A DISTANCE OF 31.42 FEET TO A POINT OF TANGENCY; THENCE RUN IN A WESTERLY DIRECTION PERPENDICULAR TO THE WEST BOUNDARY OF SAID LOT 6, A DISTANCE OF 10.0 FEET TO A POINT 10.0 FEET EAST OF THE WEST BOUNDARY OF SAID LOT 6; THENCE RUN IN A SOUTHERNLY DIRECTION ALONG A LINE 10.0 FEET FROM AND PARALLEL TO THE WEST BOUNDARY OF SAID LOT 6, A DISTANCE OF 48.35 FEET TO A POINT ON THE SOUTH BOUNDARY OF SAID LOT 6; THENCE RUN IN A WESTERLY DIRECTION ALONG THE SOUTH BOUNDARY OF SAID LOT 6, A DISTANCE OF 10.0 FEET TO THE SOUTHWEST CORNER OF SAID LOT 6 AND THE POINT OF BEGINNING. CONTAINING 1277 SQUARE FEET, MORE OR LESS.

SUBJECT TO AN EXISTING MORTGAGE IN FAVOR OF THE BARNETT BANK OF WEST FLORIDA, IN THE ORIGINAL PRINCIPAL SUM OF \$500,000.00, DATED JULY 19, 1990 AND RECORDED IN O.R. BOOK 2885, PAGE 506 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA WHICH THE GRANTEE NEITHER ASSUMES NOR AGREES TO PAY.

(PARCEL TAX IDENTIFCATION # 13-0690-000)

Exhibit B – Form of Budget

Exhibit C – University Employees

Located under WFHPI Board and Staff Contact Information section of the Board Manual.

Exhibit D - Policies Concerning Salary Supplements, Compensation, and Benefits

1. Full or part-time employees of DSOs are not state employees and may not participate in State Retirement or other fringe benefits available to employees of the State.
2. Any salary supplement provided by a DSO to the university president shall be consistent with applicable State requirements concerning the annual salary amount to be paid from combined state and private funds to the university president.
3. Salary supplements and other compensation or benefits provided for university employees will be paid using the State of Florida payroll payment process, and will not be subject to state retirement contributions nor included in salary averaging for the purpose of computing retirement benefits.
4. The university president, or the president's designee, shall approve all supplemental compensation to be paid to university employees by DSOs. Determination of compensation of athletic personnel from DSO assets is to be made at the discretion of the university president and may not be delegated.
5. The list of approved payees shall be provided to the University Payroll Office for processing as prescribed by the Bureau of State Payrolls.
6. The DSO, in coordination with the respective university, shall transfer the appropriate funds from the DSO into a State Treasury account for disbursement in accordance with State Comptroller's guidelines. These funds shall be sufficient to pay all federally required employer matching.
7. The appropriate withholding taxes, as dictated by the State Comptroller, will also be applicable.
8. Prior to increasing the salary or changing the salary source for an individual who receives compensation from a DSO fund source that does not contribute to the Florida Retirement System (FRS) and from a fund source that does contribute to FRS, the university shall request a written analysis from the Division of Retirement, Florida Department of Management Services, or other appropriate state agency, if the proposed change in salary increases the proportion of the total salary that is paid from state funds.

This analysis, assessing the potential impact of such action on FRS, shall be provided to the Chancellor prior to the president's approval of the change in salary. If the change in salary results in a significant fiscal impact on the FRS, an assessment payable to the FRS may be required.

Exhibit E - Articles of Incorporation

Exhibit F – Bylaws

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Exhibit G – Public Records Policy

Public Records Policy

It is the policy of the University of West Florida that all offices and departments comply with Florida law regarding public records. The 2000 Government-In-The-Sunshine Manual is the official reference manual on public records. It can be accessed electronically at: <http://legal.firn.edu/sunshine>.

I. INTRODUCTION (Purpose and Intent)

The purpose of this policy is to establish a procedure for responding in a reasonably timely basis to requests for public records in the custody of the University, while at the same time maintaining the confidentiality of University records which are confidential pursuant to state and federal law, and recognizing exemptions from the requirements of the Florida Public Records Law.

II. STATEMENT OF POLICY

It is the policy of the University of West Florida that all public records in University custody shall be open for inspection by any person, at reasonable times and under reasonable conditions, and that University custodians of public records shall furnish copies of public records. A reasonable charge may be imposed for the cost of duplication and labor.

III. DEFINITIONS

A. Public Record -- Any document, paper, letter, map, book, tape, photo, film, sound recording, magnetic or machine-readable media, or other material, regardless of physical form or characteristic, (including e-mail), made, received or held pursuant to law or ordinance or in connection with the transaction of official University business.

B. Confidential Records and Non-Public Records -- University records which are exempt from the inspection and duplication requirements of the Public Records Law, and/or which are protected against public disclosure by Federal or State law. Confidential and non-public records generally include, but are not limited to:

1. Student records -- §228.093, §240.237, F.S.
2. Medical/Psychological records -- §455.667, §90.503, F.S.
3. Certain police records -- Chapter 119, F.S.
4. Certain personnel records -- §240.253, F.S.
 - a. reflecting academic evaluations of employee performance
 - b. reflecting nonacademic performance evaluations created on or before July 1, 1995.
 - c. records involving witnesses in sexual harassment claims

- d. records involving ongoing collective bargaining grievances
 - e. records involving ongoing disciplinary action against employees
5. Social Security numbers in State employment records -- §119.07, F.S.
 6. Certain information concerning University Police, Mental Health workers and their families -- Chapter 119, F.S.
 7. Collective bargaining negotiation records -- §110.201, §447.605, F.S.
 8. Certain Research-related records -- §240.241, F.S.
 9. Certain Direct Support Organization records -- §240.299, F.S.

§240.299, F.S. provides that all financial records of direct support organizations, such as the Corporation, other than the auditor's report, management letter, and any supplemental data requested by the Board of Regents and the Auditor General shall be confidential and exempt from the provisions of s. 119.07(1).

IV. PROCEDURE

A. Custodian of Records -- The Director of Public Affairs of the University of West Florida or his/her designee shall be the Custodian of Records for the purpose of the Florida Public Records Law. Questions concerning the location of particular records may also be referred to the Office of the General Counsel. The Office of Public Affairs shall respond to all Public Records inquiries made by members of the news media and/or the Florida Legislature.

B. When an individual or department receives a request, either verbal or written, to inspect or copy a University record, that person or department representative must determine whether the requested record is public or confidential and may contact the Custodian of Records or the Office of General Counsel for assistance in making that determination. Copies of such requests shall be submitted to the Office of Public Affairs.

C. If the requested record is a public record, the person or department receiving the request must, within a reasonable time:

1. Make the record available for inspection under reasonable conditions (which may include supervision of inspection), and/or

2. Furnish copies of the record to the records requestor without charge.

3. The University reserves the right to impose a charge of 15¢ per page and impose a special service charge when the nature or volume of public records to be inspected or copied is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance, or both. The charge must be reasonable and based on actual costs incurred.*

V. LOCATION OF RECORDS -- The records mentioned above are located on the campus of the University of West Florida, 11000 University Parkway, Pensacola, FL 32514, or on the branch campus of the University of West Florida, Martin Luther King Jr. Boulevard, Fort Walton Beach. Particular records may be located in various buildings on the University campuses.

*Where questions arise concerning what constitutes a reasonable time, reasonable conditions, or appropriate charges, contact the Office of the General Counsel.

NOTE: UWF has had requests from both the general public and the media for the e-mails of individuals on campus. E-mails which communicate or perpetuate knowledge of official business are public records. It is the responsibility of each individual to keep copies of pertinent e-mails – those dealing with University business - either electronically or in hard copy files by subject.

Exhibit H – Contracting Policy & Procedure

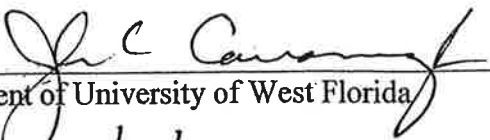
Contracting for Materials & Services

The University of West Florida (“UWF”) and West Florida Historic Preservation, Inc. (“Corporation”) (collectively referred to as “parties”) have previously entered into an Operating Agreement dated as of July 1, 2001 (“Agreement”.) The parties wish to clarify the process when contracting for Materials and Services for the historical properties by amending the Agreement to include this Exhibit H- Contracting Policy and Procedure. Both parties recognize that the State of Florida, through State Statute, and UWF, through this Agreement and Exhibit H in support of same, hereby formally convey the delegation of authority to the Corporation to contract for Materials & Services for the expressed purpose of supporting the direct and indirect activities related to the renovation and maintenance of the historical properties listed herein under Exhibit A – The Properties. Further, it is recognized by both parties that procurements under this specialized program are not subject to normal State/UWF competitive bidding requirements. The Corporation and UWF hereby agree to the following:

1. The Corporation’s dollar level of authority for FY 2003-04 is not to exceed \$900,000.00 inclusive of both PECO and O & M project monies.
2. The Corporation shall apply sound business practices when obtaining Materials & Services and shall solicit competitive quotes whenever practical and whenever it will not impact the integrity of the program.
3. The Corporation and UWF agree to the following process for the expenditure of funds for Materials & Services:
 - a. Corporation shall submit a Scope of Work for any construction projects requiring a permit to the office of the Associate Vice President, Facilities Services for review and approval.
 - b. Upon receipt of approval, Corporation shall issue a Notice To Proceed (attachment 1 to this Exhibit H) to the vendor of choice with a copy to the UWF Controllers Office.
 - c. Upon receipt of materials or successful completion of services, the Corporation shall review the appropriate vendor invoice and shall approve the same for payment by the Controller as demonstrated by signature approval of the Corporation Executive Director, Business Manager or other Corporation personnel delegated authority in writing by the Corporation Executive Director.

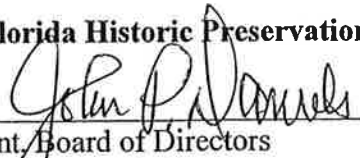
Both parties agree that any and all written support, justification, records and documentation of the procurement activity, invoice and subsequent payment shall be the sole responsibility of the Corporation and may be subject to audit by all interested parties.

University of West Florida Board of Trustees:

By: 
President of University of West Florida

8/6/03
Date

West Florida Historic Preservation, Inc.

By: 
President, Board of Directors

8/4/03
Date

First Amendment to
Operating Agreement

West Florida Historic
Preservation, Inc. and
University of West Florida
Board of Trustees

Execution Copy

December 12, 2008

FIRST AMENDMENT TO OPERATING AGREEMENT

This First Amendment To Operating Agreement (this "Amendment") amends the Operating Agreement between the University of West Florida Board of Trustees, a public body corporate (the "University"), and West Florida Historic Preservation, Inc., a Florida corporation not-for-profit (the "Corporation") dated July 1, 2001, as amended and renewed by a Renewal Document agreement dated June 27, 2006 (the "Original Agreement"). The University and the Corporation are herein referred to from time to time as the "Parties".

Whereas, the Legislature of the State of Florida in its 2008 session, enacted House Bill 337, amending Section 267.173, Florida Statutes (the "Authorizing Statute"); and

WHEREAS, University and Corporation desire to enter into this Amendment to acknowledge certain responsibilities of both parties and to clarify and modify certain terms and provisions of the Original Agreement and Exhibits;

NOW, THEREFORE, in consideration of the promises contained herein and for other good and valuable consideration, the Parties agree as follows:

1. **References to BOT Lease.** Pursuant to the provisions of House Bill 337, the Properties will be leased to UWF by the State of Florida, and references to the BOT Lease in the Original Agreement will be deemed to refer to the Lease Agreement between the University and the Board of Trustees of the Internal Improvement Trust Fund of the State of Florida dated as of December 12, 2008.

2. **Amendment to Section 2.** Paragraphs C and D of Section 2 of the Original Agreement are hereby amended to read as follows:

- (C) The limited selling of merchandise relating to Florida history and archaeology.
- (D) Adopt and enforce reasonable policies to govern the conduct of the visiting public.

3. **Alternative Method of Finance.** Section 6 of the Original Agreement is hereby amended to read as follows:

Section 6. Alternative Method of Financing New Facilities. The Corporation may, with the prior approval of UWF, issue indebtedness in compliance with Section 1010.62, Florida Statutes, and other applicable law. The Corporation may also, with the prior approval of UWF enter into agreements to finance, design and construct, lease, lease-purchase, purchase, or operate facilities necessary and desirable to serve the needs and purposes of UWF, provided that any required approval of the particular project by the Legislature is first obtained. Such agreements are subject to the provisions of Section 1010.62 and 1013.171, Florida Statutes, and other applicable law.

4. **Employees.** Section 9 of the Original Agreement is hereby amended to contemplate that the list of employees provided to the Corporation by UWF will change from time to time to reflect the names of the UWF employees filling the positions.

5. **Leases of the Properties.** Section 11 of the Original Agreement is amended to read as follows:

Section 11. Leases of the Properties.

The parties hereto acknowledge that title to the Properties is held by the Board of Trustees of the Internal Improvement Trust Fund, subject to a lease to the University (the "BOT Lease"). The Corporation will comply in all respects with the requirements of the BOT Lease in any actions taken under this Agreement. The Corporation is hereby authorized, on behalf of UWF, to enter into leases, easements and agreements with regard to the Properties as contemplated in Sections 2 and 4 hereof.

6. **Public Records Policy.** Section 19 of the Original Agreement is hereby amended to provide that the Corporation will comply with the University's Public Records Policy as it may be amended from time to time and as the requirements of Florida law may change from time to time.

7. **Materials and Services.** Exhibit H to the Original Agreement is hereby amended to read as set forth on Exhibit H hereto.

8. **Continuation of Original Agreement.** Except as herein amended, the Original Agreement shall remain in full force and effect.

9. **Effective Date.** This Agreement shall take effect upon execution by both parties.

IN WITNESS WHEREOF, the representatives of UWF and Corporation, being duly authorized to do so, and being fully advised in the premises, have hereunto affixed their signatures on the date(s) written below:

University of West Florida Board of Trustees	West Florida Historic Preservation, Inc.
By: _____ President of UWF	By: _____ President, Board of Directors
Date	Date

Exhibit H

Contracting for Materials and Services for the Properties

1. The Corporation is hereby authorized to execute contracts, agreements, and purchase orders on behalf of the University of West Florida Board of Trustees for the acquisition of equipment, materials and services used in the operation, maintenance and preservation of the Properties in the manner and subject to the limitations set forth herein.
2. For each fiscal year, the University will advise the Corporation of the amount and type of funding that will be made available by the University for the operation and maintenance of the Properties. Such funding will include at a minimum an amount equal to the amount received by the University for Plant Operation and Maintenance Expense of the Properties (the "formula funding" for the applicable year multiplied by the gross square footage of those Properties with legislative authorization for PO&ME funding, less holdbacks and budget cuts affecting such funding). The Corporation will comply with funding restrictions applicable to the specific funding sources, as set forth on the Schedules hereto.
3. The Corporation shall apply sound business practices when obtaining equipment, materials & services and shall follow the requirements of the University's purchasing regulations and applicable state law in so doing; provided that the Corporation may give effect to any exemptions available under state law and such regulations.

4. The Corporation and University agree to the following process for the expenditure of funds for certain equipment, materials & services:
 - a. Corporation shall submit its list of proposed construction or renovation projects (the "Project List") to the office of the Associate Vice President, Facilities Services (or such person as may be designated by the President of the University) for review and comment prior to inclusion in the Corporation's expenditure plans for each year. Such Project List will be updated quarterly and included in the information presented to the President of UWF or her designee pursuant to the provisions of Section 4 of the Original Agreement.
 - b. Upon receipt of all equipment and materials or successful completion of services, the Corporation shall review the appropriate invoice and shall approve same for payment by the Controller as demonstrated by signature approval of the Corporation Executive Director, Business Manager or other Corporation personnel delegated authority in writing by the Corporation Executive Director.
 - c. Both parties agree that any and all business decisions, written support, justification, records and documentation of the procurement activities (including support for best value and waivers of competitive bidding), invoice and subsequent payment shall be the sole responsibility of the Corporation and will be subject to audit by all interested parties. The Corporation will furnish information as required to the University's financial personnel and internal or external auditors.

- d. Notwithstanding the fact that, pursuant to the provisions of Section 553.80, Florida Statutes, the University is the building code compliance entity for the Properties, the University agrees that Corporation may use one or more local governmental entities as the building code compliance entity for its projects so long as an appropriate agreement between the University and the applicable local government is in effect, and agrees that Corporation may agree to pay applicable fees for permits and inspections to the extent allowed by Section 553.80(6)(b), Florida Statutes. Corporation agrees that building code compliance, inspections and proper use of the appropriate local government as the building code compliance entity will be the sole responsibility of the Corporation, and understands that this activity may be subject to compliance review by applicable governmental authorities.

Schedules to Exhibit H

The main sources of University funding for the Properties are the following:

- **Plant Operations Maintenance Expense** (P.O.M.E.) General Revenue Funds to Operate and Maintain. This annual recurring funding requires Legislative authorization for accepted/approved specific buildings and gross square feet.
- **Public Education Capital Outlay (P.E.C.O.) Utilities/Infrastructure/Capital Renewal/Roofs** funding based upon the University of West Florida Main Campus Legislative authorization and internally allocated to the Corporation
- **Operational Expense (E&G)** General Revenue Funds for operational expenses budgeted for University employees allocated to Corporation.

a) **Plant Operations Maintenance Expense** – General Revenue

P.O.M.E. monies fund the systematic day-to-day processes to operate and maintain plant facilities. This annual recurring operating budget is intended to sustain usable and reliable facilities; e.g., structures, systems, equipment (fixed or moveable), pavement, grounds, and furnishings. It includes such things as scheduled repetitive/routine work, such as custodial/housekeeping activities, grounds-keeping, building and mechanical maintenance, applicable maintenance service contracts, and facility planning; scheduled preventative/periodic maintenance that has been planned to provide adjustments, cleaning, minor repair, and routine inspections of components, systems, and equipment to provide service reliability and reduce service interruptions.

b) **P.E.C.O. - Utilities/Infrastructure/Capital Renewal/Roofs**

Florida Statute Chapter 1013 provides guidance for use of the fixed capital outlay appropriations for educational facilities. These funds are requested annually as part of the University Fixed Capital Outlay Plan that is submitted to the Board of Governors, for Legislative appropriation. Further, the International Higher Education Facilities Organization provides guidance for major maintenance to permanent improvements referred to as “capital renewal and deferred maintenance.”

These funds are intended to address this capital renewal and deferred maintenance backlog of major maintenance projects unfunded in operating budgets and deferred to a future budget cycle. Underfunding of preventive and routine maintenance is one

cause of the neglect that allows minor repair work to evolve into more serious conditions.

This funding pertains to existing Education and General (E & G) building and infrastructure components (non-architectural elements) and systems that have failed or have reached unacceptable levels of service within an identified life expectancy (e.g., roofs – 20 years; exterior envelopes – 30 years, HVAC systems – 30 years, etc.).

The correction of deferred maintenance is intended to return building, fixed equipment, infrastructure, grounds, and road infrastructure to good appearance and usable condition, and prevent further deterioration. Typically, these projects are eligible for inclusion as a “fixed capital asset” within the Governmental Accounting Standards Board (GASB) Form 34/35. These components and/or systems “cyclic/predictable” life expectancy may be due to extended use, exposure to weather, corrosive agents, vandalism, the malfunctioning of other components, or other actions/events relate to use, age, location, or interconnection of components, which has been postponed or underperformed maintenance, not funded through annual operating and maintenance budgets, and where further postponement of corrections will impair operations reliability.

- Use of funds is limited to facilities owned, or having a minimum lease period of forty (40) years.
- Moveable equipment and furnishings are not eligible expenditures.
- Representative projects include the following:

Roof replacement and repairs, environmental impact/mitigation, demolition, roadway improvements, parking, masonry cleaning, masonry tuck-pointing, window replacements, structural inhibitive component painting (water tower on main campus, or exterior structural steel), HVAC upgrades, Building Automation System upgrades, plumbing, sanitary sewer, potable water, electrical, telecommunications fiber, fire systems, and code compliance component and/or system upgrades.

c) Operational Expense—General Revenue

Operational Expense (E&G) General Revenue Funds to be used for the operation of the department and its employees, including salaries, travel, professional fees, office supplies and furnishings, as more particularly set forth in the following publication:

http://www.fldfs.com/aadir/reference_guide/reference_guide.htm

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Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

June 10, 2008

Mr. James R. Barnett, Ed. D.
Associate Vice President
University of West Florida
11000 University Parkway
Building 90
Pensacola, FL 32515-5750

received
6-11-08

RE: New Lease 4559
House Bill Action 337
The University of West Florida

Project: 15060

Dear Mr. Barnett:

Through the action of House Bill-337, The University of West Florida will be the new manager of this property contained in the new Lease 4559. In order to complete this action, two copies of a Release of Lease 3912 have been sent to the Department of State releasing the Department of State from any leasehold interest in this property. The leasehold interest will be transferred to The University of West Florida. Attached is the House Bill explaining this action.

This land was formerly managed by the Department of State. The University of West Florida will now manage this land under a new Lease 4559. The term for Lease 4559 begins July 1, 2008 because that is when the House Bill 337 becomes effective. Please have this Lease 4559 executed before that time.

Attached are three copies of Lease 4559. Please have all three copies executed. Once the documents have been executed, please forward them to my attention (directed to Mail Station 130). Upon final departmental execution, one fully executed original will be sent to you for your records.

Thank you for your assistance and if you have any questions, please call me at 850/245-2720.

Sincerely,

Joseph Duncan
Bureau of Public Land Administration
Division of State Lands
MS 130

Attachments-3 copies of Lease 4559, H.B. 337

"More Protection, Less Process"
www.dep.state.fl.us

EXHIBIT "A" – THE PROPERTIES

Legal Descriptions

Deed from Historic Pensacola, Inc., to
Board of Trustees of the Internal Improvement Trust Fund

ALL OF LOTS 25, 26, 31, AND 32 OF BLOCK 6, OLD CITY TRACT, CITY OF PENSACOLA, PER WATSON MAP OF 1906; LESS AND EXCEPT THEREFROM, HOWEVER, THE NORTH 90 FEET OF THE EAST 30 FEET OF LOT 31 AND THE WEST 25 FEET OF THE NORTH 90 FEET OF LOT 32 OF SAID BLOCK 6, AND FURTHER LESS AND EXCEPT ALL PORTIONS OF LOTS 25, 26, AND 32 CONVEYED TO THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR ROAD RIGHT-OF-WAY FOR BAYFRONT PARKWAY, CONTAINING 28,978 SQUARE FEET, MORE OR LESS.

(PARCEL TAX IDENTIFICATION # 13-0079-000)

AND

LOT 20 BETWEEN SQUARES IN OLD CITY OF PENSACOLA, SAID LOT FRONTING SEVILLE SQUARE, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

(PARCEL TAX IDENTIFICATION # 13-0711-000)

AND

THE NORTH 90 FEET OF THE WEST 25 FEET OF LOT 32 AND THE NORTH 90 FEET OF THE EAST 30 FEET OF LOT 31, BLOCK 6, OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

(PARCEL TAX IDENTIFICATION # 13-0080-000)

AND

A PORTION OF LOT "H" OF LETTERED LOTS OF THE OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING 85 FEET EAST OF THE SOUTHWEST CORNER OF LOT "H", OLD CITY TRACT, CITY OF PENSACOLA, FLORIDA, THENCE EAST 88.25 FEET; THENCE NORTH APPROXIMATELY 144.92 FEET TO THE SOUTH LINE OF ZARRAGOSSA STREET (LIBERTY STREET); THENCE WEST ALONG THE SOUTH LINE OF ZARRAGOSSA STREET 88.25 FEET; THENCE SOUTH APPROXIMATELY 144.92 FEET TO POINT OF BEGINNING.

(PARCEL TAX IDENTIFICATION # 13-0662-500 AND 13-0663-000)

AND

COMMENCE AT THE SOUTHEAST CORNER OF LOT "I", WEST ALONG THE SOUTH LINE OF SAID LOT 76 FEET TO POINT OF BEGINNING, CONTINUE ALONG SAME LINE 74 FEET; THENCE NORTH PARALLEL TO THE EAST LINE OF SAID LOT FOR 50 FEET; THENCE EAST PARALLEL TO THE SOUTH LINE OF SAID LOT FOR 74 FEET; THENCE SOUTH PARALLEL TO THE EAST LINE OF THE LOT FOR 50 FEET TO THE POINT OF BEGINNING, PART OF LOTS "H" AND "I", OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA ACCORDING TO THE MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

(PARCEL TAX IDENTIFICATION # 13-0665-500)

AND

ALL OF LOT "G", OLD CITY TRACT OF THE CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, WHICH LOT IS BOUNDED AS FOLLOWS: ON THE NORTH BY THE SOUTH LINE OF ZARRAGOSSA STREET; ON THE EAST BY THE WEST LINE OF BARRACKS STREET; ON THE SOUTH BY THE NORTH LINE OF MAIN STREET; ON THE WEST BY THE EAST LINE OF TARRAGONA STREET; ALL AS SHOWN ON MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

(PARCEL TAX IDENTIFICATION # 13-0662-000)

AND

A PORTION OF LOT "I", OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHEAST CORNER OF LOT "I" FOR POINT OF BEGINNING; THENCE WEST ALONG THE SOUTH LINE OF LOT "I" 76 FEET; THENCE NORTH AND PARALLEL TO EAST LINE OF LOT "I" 50 FEET; THENCE WEST PARALLEL WITH THE SOUTH LINE OF LOT "I" 4 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF LOT "I", TO THE SOUTH RIGHT OF WAY LINE OF ZARRAGOSSA STREET; THENCE EAST ALONG THE NORTH LINE OF LOT "I" 80 FEET; THENCE SOUTH ALONG THE EAST LINE OF LOT "I" TO POINT OF BEGINNING, BEING PART OF LOT "I".

(PARCEL TAX IDENTIFICATION # 13-0665-000)

AND

THE WEST TEN (10) FEET OF THE WEST FIFTY (50) FEET OF THE EAST SIXTY (60) FEET OF LOT 34, BLOCK 6, OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO THE MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

THE WEST TWENTY (20) FEET AND THE EAST TEN (10) FEET OF LOT 35, BLOCK 6, OLD CITY TRACT IN THE CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO THE MAP OF SAID CITY COPYRIGHTED IN 1906 BY THOMAS C. WATSON.

(PARCEL TAX IDENTIFICATION # 13-0082-000 AND 13-0084-000)

AND

THE WEST FIFTY (50) FEET OF THE WEST SIXTY (60) FEET OF LOT 34, BLOCK 6, OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO THE MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906, LESS THE WEST TEN (10) FEET OF SAID PROPERTY.

THE EAST FIFTY (50) FEET OF LOT 36 AND THE EAST FIFTY (50) FEET OF LOT 29, BLOCK 6, OLD CITY TRACT, SECTION 46, TOWNSHIP 2 SOUTH, RANGE 30 WEST, DESCRIBED ACCORDING TO MAP OF THE CITY OF PENSACOLA, COPYRIGHTED BY THOMAS C. WATSON IN 1903.

THE WEST FIFTY (50) FEET OF THE WEST (60) FEET OF LOT 35, BLOCK 6, OLD CITY TRACT, PENSACOLA, FLORIDA, ACCORDING TO MAP OF SAID CITY COPYRIGHTED AND PUBLISHED BY THOMAS C. WASTON IN 1884. CONTAINING FIFTY (50) FOOT FRONT ON ZARRAGOSSA STREET, BEING THE SAME AS THE MAP OF SAID CITY COPYRIGHTED AND PUBLISHED BY THOMAS C. WATSON IN 1906.

THE EAST TEN (10) FEET OF LOTS 28 AND 34, AND THE WEST TWENTY (20) FEET OF LOT 29, BLOCK 6, OLD CITY TRACT, IN THE CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO MAP OF SAID CITY COPYRIGHTED IN 1906 BY THOMAS C. WATSON.

(PARCEL TAX IDENTIFICATION # 13-0084-000)

AND

THE WEST THIRTY (30) FEET OF LOT 36, BLOCK 6, OLD CITY TRACT, IN THE CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO MAP OF SAID CITY, PUBLISHED BY THOMAS C. WATSON IN 1884.

(PARCEL TAX IDENTIFICATION # 13-0084-000)

AND

ALL OF LOT 33, ALL OF LOT 27, THE WEST 20 FEET OF LOT 34, AND THE WEST 20 FEET OF LOT 28, ALL LYING AND BEING IN BLOCK 6, OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO THE MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

(PARCEL TAX IDENTIFICATION # 13-0082-000)

AND

LOT 1, 2 LESS THE EAST 3 FEET 5 INCHES OF LOT 1, LOTS 3 AND 4, LOT "O", ALSO KNOWN AS BLOCK "O", OF SEVILLE SQUARE, OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, BEING THAT BLOCK IMMEDIATELY SOUTH OF SEVILLE SQUARE IN THE CITY OF PENSACOLA, BORDERED ON THE NORTH BY EAST ZARRAGOSSA (LIBERTY) STREET, THE EAST BY SOUTH ALCANIZ STREET, THE SOUTH BY EAST MAIN STREET AND ON THE WEST BY ADAMS STREET.

(PARCEL TAX IDENTIFICATION # 13-0713-000)

AND

THE WEST 175 FEET OF BLOCK 5, IN THE WATERFRONT TRACT IN THE CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, AS SHOWN ON MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WASTON IN 1906.

(PARCEL TAX IDENTIFICATION # 15-4309-000)

AND

THE WEST 85 FEET OF LOT "H"; ALSO, BEGIN 80 FEET WEST OF THE SOUTHEAST CORNER OF LOT "I", NORTH 50 FEET FOR POINT OF BEGINNING; CONTINUE NORTH 94 FEET TO THE SOUTH LINE OF ZARRAGOSSA STREET, WEST 70 FEET, SOUTH 94 FEET, EAST 70 FEET TO POINT OF BEGINNING, BEING PART OF LETTERED LOTS "H" AND "I"; ALSO, THE WEST 80 FEET OF LOT "J", BEING A PARCEL FRONTING 80 FEET ON ZARRAGOSSA AND CHURCH STREETS AND 108.5 FEET FRONTING ON BARRACKS STREET; AND ALL OF LOT 94 BLOCK "K", BEING A PARCEL BOUNDED ON THE WEST BY TARRAGONA STREET, ON THE SOUTH BY ZARRAGOSSA STREET, ON THE EAST BY BARRACKS STREET, AND ON THE NORTH BY CHURCH STREET; ALL A PART OF OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO MAP OF SAID CITY, COPYRIGHTED BY THOMAS C. WATSON IN 1906.

(PARCEL TAX IDENTIFICATION # 13-0662-501/13-0663-999/13-0664-000/13-0668-000/13-0669-000)

AND

A PARCEL OF LAND IN THE OLD CITY TRACT, OF THE CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO MAP OF THE SAID CITY, COPYRIGHTED BY THOMAS C. WATSON IN 1903 AND RECORDED IN DEED BOOK 126 AT PAGE 400 OF THE PUBLIC RECORDS OF SAID COUNTY, CONTAINING 45820 SQUARE FEET, MORE OR LESS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY LINE OF JEFFERSON STREET J (60'R/W) AND THE NORTHERLY RIGHT OF WAY LINE OF ZARRAGOSSA STREET (60'R/W); THENCE GO EASTERLY ALONG THE NORTHERLY RIGHT OF WAY LINE OF THE SAID ZARRAGOSSA STREET A DISTANCE OF 336.06 FEET; THENCE WITH AN INTERIOR ANGLE OF 90 DEGREES 30'48" GO NORTHERLY A DISTANCE OF 107.02 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF CHURCH STREET (40'R/W); THENCE WITH AN INTERIOR ANGLE OF 89 DEGREES 19'06" GO WESTERLY (THIS CALL AND THE SUCCEEDING TWO CALLS BEING ALONG THE SAID RIGHT-OF-WAY LINE OF CHURCH STREET) A DISTANCE OF 138.34 FEET; THENCE WITH AN INTERIOR ANGLE OF 270 DEGREES 32'18" GO NORTHERLY A DISTANCE OF 50.00 FEET; THENCE WITH AN INTERIOR ANGLE OF 89 DEGREES 35'12" GO WESTERLY A DISTANCE OF 198.83 FEET TO THE EASTERLY RIGHT OF WAY LINE OF JEFFERSON STREET; THENCE WITH AN INTERIOR ANGLE OF 90 DEGREES 06'18" GO SOUTHERLY ALONG THE SAID RIGHT OF WAY LINE A DISTANCE OF 156.47 FEET TO THE POINT OF BEGINNING.

(PARCEL TAX IDENTIFICATION # 13-0658-500)

AND

THE EAST HALF OF THE WEST HALF OF LETTER BLOCK "J", OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, PER MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

(PARCEL TAX IDENTIFICATION # 13-0667-000)

AND

ALL OF LOT R AND THE EAST 26.85 FEET OF LOT L, LETTERED LOTS IN THE OLD CITY TRACT, IN THE CITY OF PENSACOLA, FLORIDA, ACCORDING TO MAP OF SAID CITY, COPYRIGHTED BY THOMAS C. WATSON IN 1906.

(PARCEL TAX IDENTIFICATION # 13-0658-000)

AND

A PORTION OF LOTS 7 AND 8 OF THE NUMBERED LOTS LYING BETWEEN GOVERNMENT AND CHURCH STREETS IN THE OLD CITY TRACT OF THE CITY OF PENSACOLA, FLORIDA, ACCORDING TO MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906, CONTAINING 14,410 SQUARE FEET, MORE OR LESS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE INTERSECTION OF THE SOUTH LINE OF GOVERNMENT STREET AND THE WEST LINE OF TARRAGONA STREET, THENCE GO SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE WEST LINE OF TARRAGONA STREET A DISTANCE OF 186.00 FEET TO THE NORTH LINE OF CHURCH STREET, THENCE GO SOUTH 89 DEGREES 09 MINUTES 55 SECONDS WEST ALONG THE NORTH LINE OF CHURCH STREET A DISTANCE OF 76.00 FEET, THENCE GO NORTH 00 DEGREES 53 MINUTES 14 SECONDS WEST A DISTANCE OF 186.18 FEET TO THE SOUTH LINE OF GOVERNMENT STREET, THENCE GO NORTH 89 DEGREES 14 MINUTES 35 SECONDS EAST ALONG THE

SOUTH LINE OF GOVERNMENT STREET A DISTANCE OF 78.88 FEET TO THE POINT OF BEGINNING.

(PARCEL TAX IDENTIFICATION # 13-0662-500)

AND

LOT 374 AND THE EAST 17.55 FEET OF LOT 373, OLD CITY TRACT, ACCORDING TO MAP OF CITY OF PENSACOLA BY THOMAS C. WATSON COPYRIGHTED IN 1906.

(PARCEL IDENTIFICATION # 13-0627-000)

AND

THE EAST 38 FEET OF LOT 16, OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, HAVING A FRONTAGE OF 38 FEET ON THE NORTH SIDE OF CHURCH STREET, BY A DEPTH OF 93 FEET, ACCORDING TO MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

(PARCEL TAX IDENTIFICATION # 13-0704-000)

AND

DESCRIPTION OF SOUTH BARRACKS STREET:

(PARCEL TAX IDENTIFICATION # 13-0662-500/ 13-0662-000)

BEGINNING AT THE SOUTHEAST CORNER OF LOT G EASTERLY 40' TO THE SOUTHWEST CORNER OF LOT H, THENCE NORTHERLY 144.92 FEET TO THE INTERSECTION OF THE NORTHWEST CORNER OF LOT H AND ZARRAGOSSA STREET, THENCE WESTERLY 40' TO THE INTERSECTION OF THE NORTHWEST CORNER OF LOT G THENCE SOUTHERLY 144.92 FEET TO THE STARTING POINT. THIS PARCEL BEING THE SECTION OF BARRACKS ST LYING BETWEEN ZARRAGOSSA STREET AND MAIN STREET AS SHOWN ON THE MAP OF PENSACOLA AS COPYRIGHTED BY THOMAS C. WATSON IN 1906. THIS PARCEL WAS ABANDONED BY THE CITY OF PENSACOLA UNDER ORDINANCE #37-86.

DESCRIPTION OF NORTH BARRACKS STREET:

(PARCEL TAX IDENTIFICATION # 13-0668-000/ 13-0669-000)

BEGINNING AT THE SOUTHEAST CORNER OF LOT K, THENCE EASTERLY 40 FEET TO THE SOUTHWEST CORNER OF J, THENCE NORTHERLY ALONG THE PROPERTY LINE TO A POINT AT THE NORTHWEST CORNER OF LOT J AT THE INTERSECTION OF THE RIGHT OF WAY ON CHURCH STREET, THENCE WESTERLY 40 FEET ALONG THE CHURCH STREET RIGHT OF WAY TO A POINT AT THE NORTHWEST CORNER OF LOT K, THENCE SOUTHERLY ALONG THE BOUNDARY OF LOT K TO THE STARTING POINT. THIS PARCEL BEING PLATTED RIGHT OF WAY OF BARRACKS STREET AS COPYRIGHTED BY THOMAS C. WATSON IN 1906. THIS PARCEL WAS ABANDONED BY THE CITY OF PENSACOLA UNDER ORDINANCE #14-72.

DESCRIPTION OF CEDAR STREET:

(PARCEL TAX IDENTIFICATION # 15-4309-000/ 13-4315-000)

THAT PORTION OF CEDAR STREET, BETWEEN BARRACKS STREET AND ADAMS STREET IN PENSACOLA, ESCAMBIA COUNTY, FLORIDA LYING BETWEEN BLOCK 5 AND BLOCK 8 AS SHOWN ON A MAP COPYRIGHTED BY THOMAS C. WATSON IN 1906. SAID PARCEL BEING 175 FEET ALONG THE BOUNDARY WITH LOTS 5 AND 8, AND 60 FEET WIDE AS SHOWN ON THE SAME MAP.

DESCRIPTION OF SOUTH ADAMS STREET:
(PARCEL TAX IDENTIFICATION # 13-0665-000/ 13-0713-000)

THAT PORTION OF ADAMS STREET, BETWEEN ZARRAGOSSA STREET AND MAIN STREET IN PENSACOLA, ESCAMBIA COUNTY, FLORIDA DESCRIBED AS LYING BETWEEN THE EAST BOUNDARY LINE OF LOT I AS DESCRIBED ON A MAP COPYRIGHTED BY THOMAS C. WATSON 1906 AND THE WEST BOUNDARY LINE OF PARCEL 4, SAID PARCEL BEING 144.93 FEET NORTH TO SOUTH AND 44.6 FEET EAST TO WEST, AS ABANDONED BY THE CITY OF PENSACOLA BY ORDINANCE #29-88.

AND

LOT 4 OF THE NUMBERED LOTS BETWEEN GOVERNMENT AND CHURCH STREETS, OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906.

TOGETHER WITH A NON-EXCLUSIVE PERPETUAL EASEMENT FOR INGRESS AND EGRESS OVER THE WEST 50 FEET OF LOT 6, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF THE WEST 50.0 FEET OF LOT 6 OF THE NUMBERED LOTS BETWEEN GOVERNMENT AND CHURCH STREETS, OLD CITY TRACT, CITY OF PENSACOLA, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO MAP OF SAID CITY COPYRIGHTED BY THOMAS C. WATSON IN 1906, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHWEST CORNER OF SAID LOT 6 AND RUN IN A NORTHERLY DIRECTION ALONG THE WEST BOUNDARY OF SAID LOT 6 A DISTANCE OF 92.0 FEET TO A POINT 1.0 FEET SOUTH OF THE NORTHWEST CORNER OF SAID LOT 6; THENCE RUN IN AN EASTERLY DIRECTION ALONG A LINE OF 1.0 FEET FROM AND PARALLEL TO THE NORTH BOUNDARY OF SAID LOT 6, A DISTANCE OF 10.0 FEET; THENCE RUN IN A SOUTHERLY DIRECTION ALONG A LINE OF 10.0 FEET FROM AND PARALLEL TO THE WEST BOUNDARY OF SAID LOT 6, A DISTANCE OF 23.65 FEET; THENCE RUN AN EASTERLY DIRECTION, PERPENDICULAR TO THE WEST BOUNDARY OF SAID LOT 6, A DISTANCE OF 10.0 FEET TO A POINT OF CURVE CONCAVE TO THE WEST HAVING A CENTRAL ANGLE OF 180 DEGREES AND A RADIUS OF 10.0 FEET; THENCE RUN IN AN EASTERLY, SOUTHEASTERLY, SOUTHERLY, SOUTHWESTERLY AND WESTERLY DIRECTION ALONG THE ARC OF SAID CURVE A DISTANCE OF 31.42 FEET TO A POINT OF TANGENCY; THENCE RUN IN A WESTERLY DIRECTION PERPENDICULAR TO THE WEST BOUNDARY OF SAID LOT 6, A DISTANCE OF 10.0 FEET TO A POINT 10.0 FEET EAST OF THE WEST BOUNDARY OF SAID LOT 6; THENCE RUN IN A SOUTHERNLY DIRECTION ALONG A LINE 10.0 FEET FROM AND PARALLEL TO THE WEST BOUNDARY OF SAID LOT 6, A DISTANCE OF 48.35 FEET TO A POINT ON THE SOUTH BOUNDARY OF SAID LOT 6; THENCE RUN IN A WESTERLY DIRECTION ALONG THE SOUTH BOUNDARY OF SAID LOT 6, A DISTANCE OF 10.0 FEET TO THE SOUTHWEST CORNER OF SAID LOT 6 AND THE POINT OF BEGINNING. CONTAINING 1277 SQUARE FEET, MORE OR LESS.

SUBJECT TO AN EXISTING MORTGAGE IN FAVOR OF THE BARNETT BANK OF WEST FLORIDA, IN THE ORIGINAL PRINCIPAL SUM OF \$500,000.00, DATED JULY 19, 1990 AND RECORDED IN O.R. BOOK 2885, PAGE 506 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA WHICH THE GRANTEE NEITHER ASSUMES NOR AGREES TO PAY.

(PARCEL TAX IDENTIFICATION # 13-0690-000)

Additional properties as of June 2008

LT G & W 85 FT OF LT H LETTERED LOTS OLD CITY TRACT & VACATED
BARRACKS ST LYING BETWEEN LTS ORD 38-86 OR 3037 P 431 CA 74

(PARCEL TAX IDENTIFICATION # 13-0662-000) MUSEUM OF COMMERCE

AND

BEG AT INTER OF ELY R/W LI JEFFERSON ST (60 FT R/W) AND NLY R/W LI
ZARRAGOSSA ST (60 FT R/W) ELY ALG NLY R/W LI ZARRAGOSSA ST 336
6/100 FT WITH AN INTERIOR ANG OF 90 DEG 30 MIN 48 SEC NLY 107 2/100 FT
TO SLY R/W LI CHURCH ST WITH AN INTERIOR ANG OF 89 DEG 19 MIN 6 SEC
WLY (THIS CALL AND SUCCEEDING TWO CALLS BEING ALG SD R/W LI
CHURCH ST) 138 34/100 FT WITH AN INTERIOR ANG OF 270 DEG 32 MIN 18
SEC NLY 50 FT WITH AN INTERIOR ANG OF 89 DEG 35 MIN 12 SEC WLY 198
83/100 FT TO ELY R/W LI JEFFERSON ST WITH AN INTERIOR ANG OF 90 DEG
6 MIN 18 SEC SLY ALG SD R/W LI 156 47/100 FT TO POB LETTERED LOTS OLD
CITY TRACT OR 3037 P 431 CA 74

(PARCEL TAX IDENTIFICATION #13-0658-500) T. T. WENTWORTH MUSEUM

AND

W 80 FT OF LT J & E 1/2 OF LT K LETTERED LOTS OLD CITY TRACT & ALL
VACATED BARRACKS ST LYING BETWEEN LTS ORD 14-72 OR 3037 P 431 CA
74

(PARCEL TAX IDENTIFICATION #13-0669-000) LAVALLE HOUSE & JULEE
COTTAGE

AND

LT G & W 85 FT OF LT H LETTERED LOTS OLD CITY TRACT & VACATED
BARRACKS ST LYING BETWEEN LTS ORD 38-86 OR 3037 P 431 CA 74

(PARCEL TAX IDENTIFICATION #13-0662-000) WALSH BUILDING & MANUEL
BARRIOS COTTAGE & TIVOLLI PARKING LOT

AND

LT 20 LOTS BETWEEN GOVT AND CHURCH STREETS OR 3037 P 431 OLD CITY
TRACT CA 74

(PARCEL TAX IDENTIFICATION #13-0711-000) DORR HOUSE