

PENSACOLA BEACH
SANTA ROSA ISLAND AUTHORITY

Board Members:

William Griffith
Chairman

Thom Blas
Vice-Chairman

McGuire Martin
Secretary/Treasurer

Jimmie Perkins
Thomas Campanella
Vernon Prather

Monte E. Blews
General Manager

SANTA ROSA ISLAND AUTHORITY
PENSACOLA BEACH, FLORIDA
REGULAR BOARD MEETING MINUTES
MAY 4, 2005

1-2. A regularly scheduled meeting of the Authority was held on Wednesday, May 4, 2005 beginning at 5:00 p.m. Members in attendance were: Mr. Bill Griffith, Mr. Thom Blas, Mr. McGuire Martin, Mr. Jimmie Perkins, Dr. Thomas Campanella, and Mr. Vernon Prather. Mr. Griffith, Chairman, called the meeting to order and led the Pledge of Allegiance.

3. Upon motion of Dr. Campanella, seconded by Mr. Prather, the board unanimously approved the minutes of the regular board meeting of April 6, 2005, as revised. (6-0)

Upon motion of Mr. Perkins, seconded by Mr. Blas, the board unanimously approved the minutes of the special board meeting of April 6, 2005, as revised. (6-0)

Upon motion of Blas, seconded by Mr. Prather, the board unanimously approved the minutes of the first special board meeting of April 13, 2005. (6-0)

Upon motion of Blas, seconded by Dr. Campanella, the board unanimously approved the minutes of the second special board meeting of April 13, 2005. (6-0)

4-5. CHANGES OR ADDITIONS TO AGENDA

Upon motion of Mr. Perkins, seconded by Mr. Blas, the agenda was unanimously adopted with the following changes: Moved Items #5 and #6 under New Business, regarding proposed policies on building times and lease vesting, to immediately follow the Chairman's Comments; withdrew Item #4 under New Business, regarding a construction trailer at Regency Towers condominiums; moved Item #7 under New Business regarding the policy on temporary living facilities, to immediately precede the Architectural & Environmental Committee Report on the Regular Agenda; moved Item #1 under New Business, regarding the Pensacola Beach Air Show, to immediately follow discussion of the two polices after the Chairman's Report. (6-0)

6. CHAIRMAN'S COMMENTS

Mr. Griffith congratulated the Pensacola Beach Elementary School for having 100% of their students meet or exceed the basic standards on their achievement tests and asked

SANTA ROSA ISLAND AUTHORITY
PENSACOLA BEACH, FLORIDA
REGULAR BOARD MEETING MINUTES
MAY 4, 2005

that a resolution be drafted in recognition of their accomplishments, noting that they were the only school in Escambia County to meet the 100% standard. The board heard comments by Mr. Jeff Castleberry, Principal of the Pensacola Beach Elementary School.

Mr. Griffith then recapped the membership of the Committee to Address Redefining Pensacola Beach, as follows:

Scott Amberson
Jim Cox
Joe Endry
Larry Fox
Monsignor Luke Hunt
Jeanette Johnson
Julian MacQueen
Kirk Newkirk
Stan Potts
Jim Reeves
Robert Rinke
Casey Trout

He noted that this committee will be looking into redefining Pensacola Beach, including areas in which future variance requests or lease changes may be considered. He noted that the first meeting of the committee was scheduled for Thursday, May 12, 2005 at 5:00 p.m. in the Authority's meeting room and all were invited to attend.

New Business – Item #5 – Proposed Board Policy Regarding Single Family Residential Building Time Provisions

Mr. M. J. Menge reviewed the proposed policy, noting that, in 1997, the board adopted a policy to waive the building time requirements contained in all the leases. Additional discussion followed.

Upon motion of Mr. Martin, seconded by Mr. Blas, the board unanimously adopted the policy regarding single family residential building time provisions, as presented. (copy attached hereto and by reference made a part hereof). (6-0)

New Business – Item #6 – Proposed Board Policy Regarding Vesting Clause

Mr. Menge presented a policy that would allow residential leaseholders whose leases have erroneous language regarding title to the improvements on the leasehold be allowed an opportunity to amend their leases to include language to state that title to improvements erected on leaseholds on Pensacola Beach vests immediately or forthwith in Escambia

SANTA ROSA ISLAND AUTHORITY
PENSACOLA BEACH, FLORIDA
REGULAR BOARD MEETING MINUTES
MAY 4, 2005

County, and that the chairman be authorized to sign the amended leases without further board action, subject to legal approval.

Upon motion of Mr. Martin, seconded by Mr. Perkins, the board unanimously adopted the policy to allow an opportunity for amendment of residential leases that contain erroneous language regarding title to the improvements on the leasehold to include language to state that title to improvements erected on leaseholds on Pensacola Beach vests immediately or forthwith in Escambia County, and authorized the chairman to sign the amended leases without further board action, subject to legal approval (copy attached hereto and by reference made a part hereof). (6-0)

New Business – Item #1 – Pensacola Beach Air Show

Mr. Griffith provided background on the issue, noting that he, Mr. Lee, and the Manager met with the Gulf Breeze staff to discuss the Pensacola Beach Air Show. He noted that the Gulf Breeze staff and City Council members were opposed to having the air show on Pensacola Beach and had sent a letter to that effect. He said that several meetings had been held and that the County Administrator and the Sheriff had indicated that they would support continuing the air show if the Authority wished to do so. The board heard comments by Mr. Lane Gilchrist, Mayor of Gulf Breeze; and Mr. Buzz Eddy, City Manager of Gulf Breeze, who spoke in opposition to having the air show this year.

7. PENSACOLA BEACH RESIDENTS & LEASEHOLDERS ASSOCIATION REPORT

Mr. Gary Smith, President of the Pensacola Beach Residents and Leaseholders Association said that the Association would resume their regular membership and board meeting in the month of June and regular activities thereafter. He then congratulated the board and staff on the status of the recovery effort at Pensacola Beach.

8. PENSACOLA BEACH CHAMBER OF COMMERCE REPORT

Ms. Sandy Johnston, Manager of the Visitor's Information Center, reported that the Chamber was working closely with the businesses to assist them in reopening, if possible. She said the two challenges were in the area of accommodations and the Quietwater Boardwalk. She noted that six hotels would be back in business by June and that more condominium units were in the available inventory and should be available by June.

Mr. Johnston commended the team spirit of the staff, board, commercial leaseholders, residents and other agencies who had worked together thus far to aid in the recovery of Pensacola Beach. The board then heard comments by Mr. Jeff Elbert.

SANTA ROSA ISLAND AUTHORITY
PENSACOLA BEACH, FLORIDA
REGULAR BOARD MEETING MINUTES
MAY 4, 2005

9. SUN RAY VILLAGE OWNER'S ASSOCIATION, INC. d/b/a CLARION SUITES, 20 VIA DE LUNA – PUBLIC HEARING; CONSIDERATION OF REQUEST FOR REZONING

Mr. Griffith reviewed the process for the hearing, noting that each side of the issue would be allocated thirty minutes to present their issues.

Mr. Al Toepfer, President of the Sun Ray Village Owner's Association d/b/a Clarion Suites, introduced Mr. Buddy Page, who presented the request for Clarion Suites to be rezoned to high density residential/commercial and to be approved for a conditional use for fifty hotel units per acre. A lengthy discussion followed during which Mr. Griffith emphasized the importance of receiving the report from the committee to address redefining Pensacola Beach prior to acting on this request. On behalf of the president of the Association, Mr. Page asked that the application be continued until after completion of the board's review of the report by the committee to address redefining Pensacola Beach.

Upon motion of Mr. Perkins, seconded by Mr. Martin, the board unanimously tabled consideration of the request by the Sun Ray Village Owner's Association, Inc. d/b/a Clarion Suites, 20 Via de Luna, to rezone their leasehold to high density residential/commercial and to receive approval for a conditional use to increase the allowed hotel units from thirty (30) units per acre to fifty (50) units per acre, for six months or until completion of the board's review of the report by the committee to address redefining Pensacola Beach, whichever comes sooner. (6-0)

10. The public hearing scheduled to address the request for a lease use change and rezoning submitted by Coconut's by the Sea, 400 Pensacola Beach Boulevard, was cancelled at the request of the applicant.

CONSENT AGENDA

11. COMMITTEE REPORTS

A. ARCHITECTURAL AND ENVIRONMENTAL COMMITTEE (4-13-05) –
Mr. Thom Blas, Chairman

The committee unanimously recommends approval of the following items:

Item #3 – Pensacola Beach Elementary School – 900 Via de Luna – Parcel A – Villa Segunda – Request to construct a new administration building and 2 classroom buildings, replacing structures that were destroyed by Hurricane Ivan

Item #4 – White Sands Townhomes – Ft. Pickens Road – Gulf Side – Request to

SANTA ROSA ISLAND AUTHORITY
PENSACOLA BEACH, FLORIDA
REGULAR BOARD MEETING MINUTES
MAY 4, 2005

construct a new Building 1, Building 2, & Building 4, replacing the structures that were destroyed by Hurricane Ivan

Item #6 – Staff Review of the Proposed Escambia County Ordinance amending the Escambia County Land Development Code Hotel/Motel Definitions to determine exemptions for the Santa Rosa Island Authority, as appropriate

B. ADMINISTRATIVE COMMITTEE (4-13-05) – Mr. Jimmie Perkins, Chairman

The committee unanimously recommends acceptance of the following item:

Item #1 – Report on Financial Statements and Expenditures

Upon motion of Mr. Blas, seconded by Mr. Martin, the board unanimously approved the consent agenda, as published. (6-0)

REGULAR AGENDA

12. COMMITTEE REPORTS

A. DEVELOPMENT & LEASING COMMITTEE (4-13-05) – Dr. Thomas Campanella, Chairman

Item #1 – Mr. Kramer Litvak – 1715 Ensenada Uno – Lot 7, Block 3, Santa Rosa Villas – Request to amend residential duplex lease to allow for a condominium form of ownership (Unanimously recommended for approval by committee, subject to additional discussion at the full board meeting.)

Mr. Jesse Rigby appeared before the board on behalf of the applicant, and a discussion followed.

Upon motion of Mr. Martin, seconded by Mr. Perkins, the board unanimously voted to ask that the applicant provide a draft of the proposed condominium documents for review prior to further action on the request. (6-0)

New Business – Item #7 – Proposed Board Policy Regarding Post-Ivan Temporary Living Facilities

Ms. Bolman reviewed the proposed policy, stating that the purpose of the proposed policy is to establish guidelines for the use of temporary living facilities and storage containers on Pensacola Beach. A discussion followed during which Mr. Griffith asked that the policy be modified to state that although the Authority will attempt to notify the leaseholders with

SANTA ROSA ISLAND AUTHORITY
PENSACOLA BEACH, FLORIDA
REGULAR BOARD MEETING MINUTES
MAY 4, 2005

trailers or storage containers of impending severe weather, it will be the leaseholder's responsibility to be aware of the weather conditions and remove the trailer without notification. A discussion followed during which the board heard comments by Mr. Bobby Merritt and Ms. Lee Fisher.

Upon motion of Mr. Blas, seconded by Mr. Martin, the board unanimously approved the Policy on Post-Ivan Temporary Living Facilities and Storage Containers, as revised, subject to legal review. (6-0)

B. ARCHITECTURAL AND ENVIRONMENTAL COMMITTEE (4-13-05) –
Mr. Thom Blas, Chairman

Item #1 – Mrs. Pam Speer & Dr. & Mrs. Alex Gup – 915 Rio Vista Drive, Lot 2, Block 32, Villa Segunda – Request to place a second travel trailer at 915 Rio Vista Drive. The residential structure was destroyed by Hurricane Ivan (Recommended for denial by the committee on a vote of 2-1)

Mr. Griffith noted the policy that had just been approved regarding temporary living facilities, and Ms. Debbie Norton said that staff recommended that the applicant be consistent with the policy just adopted for travel trailers and storage containers, stating that staff recommended denial of the request.

Upon motion of Mr. Prather, seconded by Mr. Perkins, the board unanimously denied the request by Dr. and Mrs. Alex Gup to place a second travel trailer on their leasehold at 915 Rio Vista Drive. (6-0)

Item #2 – Harold & Caralie Tait, 325 Panferio Drive – Lot 7, Block 5, Villa Primera – adjacent to Santa Rosa Sound – Request for a 6.9 foot front setback variance and a 39 foot rear setback variance to construct a new single family residence, subject to approval of the variance criteria worksheet and approval by the Escambia County Board of Adjustments

Ms. Sue Smith reviewed the request, stating that staff recommended approval of the request subject to the variance criteria worksheet and approval by the Escambia County Board of Adjustments.

Upon motion of Mr. Blas, seconded by Mr. Martin, the board unanimously approved the request by Harold and Caralie Tait, 325 Panferio Drive, for a six point nine foot (6.9 ') front setback variance and a thirty-nine foot (39') rear setback variance to construct a new single family residence, subject to approval of the variance criteria worksheet and approval by the Escambia County Board of Adjustments. (6-0)

SANTA ROSA ISLAND AUTHORITY
PENSACOLA BEACH, FLORIDA
REGULAR BOARD MEETING MINUTES
MAY 4, 2005

Item #5 – Villas on the Gulf Condominiums – 1650 Via de Luna – Gulf Side – Request for approval of the following new construction to replace structures destroyed by Hurricane Ivan:

- a) Request to construct a new Building "J" and Building "K", with no variances.
- b) Request to construct a new Building "M" with variances to the east side yard setback and rear 1975 CCCL (Coastal Construction Control Line).
- c) Request to construct a new Building "N" with variances to the west side yard setback and rear 1975 CCCL (Coastal Construction Control Line)

Ms. Smith said that staff recommended approval of Item #5(a), as presented.

Upon motion of Mr. Blas, seconded by Mr. Perkins, the board unanimously approved the request by Villas on the Gulf Condominiums, 1650 Via de Luna, to reconstruct buildings "J" and "K" with no variances. (6-0)

Ms. Smith then reviewed the variance criteria worksheet regarding the variances requested for buildings "M" and "N" at Villas on the Gulf. She said that staff recommended that Building "M" be approved for a twenty-two foot (22') encroachment seaward of the CCCL and that Building "N" be approved for a fourteen point eight foot (14.8') encroachment seaward of the CCCL, subject to the variance criteria worksheet, approval by the Escambia County Board of Adjustments, and approval by the Florida Department of Environmental Protection. A discussion followed during which the board heard comments by Ms. Linda Sawyer.

Upon motion of Mr. Blas, seconded by Dr. Campanella, the board unanimously approved the request by Villas on the Gulf Condominiums, 1650 Via de Luna, to reconstruct Building "M" with a twenty-two foot (22') encroachment seaward of the 1975 CCCL and Building "N" with a fourteen point eight foot (14.8') encroachment seaward of the 1975 CCCL, subject to the variance criteria worksheet, approval by the Escambia County Board of Adjustments, and approval by the Florida Department of Environmental Protection. (6-0)

Note: The previous request for side yard variances on Buildings "M" and "N" for the purpose of relocating the stairs was withdrawn by the applicant.

13. OLD BUSINESS

Item #1 – Hurricane Ivan Update

SANTA ROSA ISLAND AUTHORITY
PENSACOLA BEACH, FLORIDA
REGULAR BOARD MEETING MINUTES
MAY 4, 2005

Mr. Dave Hemphill, SRIA engineering representative reviewed the status of the ongoing Post-Ivan debris removal project, stating that, with the exception of the 372 acres, the remainder of the project should be complete by June 1. He said the berm is 63% complete; sand screening is still under way. He noted that bids on the repairs to the toll facility will be available the end of the month, and plans for the Sheriff's Substation have been submitted. Mr. Hemphill noted that the rock was in for the Ft. Pickens parking lot, which will be ready by July.

Mr. Hemphill then said he had received the bid results to repair five parking lots and needed a motion to accept the bids, which are consistent with the Escambia County unit pricing contracts.

Upon motion of Mr. Martin, seconded by Mr. Blas, the board unanimously approved the bids to reconstruct parking lots #15, #14, #10, #8, #7, and #5, as presented by Mr. Hemphill. (6-0)

Item #2 – Road Improvement Project

Mr. Hemphill said that the road improvement project on Ft. Pickens Road had been delayed by rain, the outfall structures had been installed and the first water quality unit was scheduled for installation today. He noted that a proposal was received from Gulf Power to install electrical utilities underground on Ft. Pickens Road and to convert the crossings on Via de Luna from overhead to underground to the extent permitted by the existing budget for the improvements. Mr. Hemphill said that he recommended approving the proposal from Gulf Power within the existing budget constraints.

Upon motion of Mr. Martin, seconded by Mr. Blas, the board unanimously approved accepting the proposal from Gulf Power for underground utilities in the road improvement project to the extent permitted by the existing budget. (6-0)

Mr. Hemphill reported that the road improvement project on Via de Luna was delayed due to the extension of the debris removal project by Federal Emergency Management Agency and the subsequent amount of demolition debris on the right of way. He said that repairs to the Quietwater Boardwalk Pier were underway and the pier should be available by June 1. Mr. Hemphill said that the picnic shelters at Ft. Pickens will be bid soon, with repairs to the restrooms at Ft. Pickens bid as a separate project. He noted that the engineering firm was in the process of preparing a package for the repairs to the deck and restroom at Park East. A discussion followed during which the board heard comments from Ms. Wendy Brandon and Mr. Mel Lamp.

14. NEW BUSINESS

SANTA ROSA ISLAND AUTHORITY
PENSACOLA BEACH, FLORIDA
REGULAR BOARD MEETING MINUTES
MAY 4, 2005

Item #1 was previously addressed.

Item #2 – Ms. Bette Atwell Williams – Request to assign lease for 39 Via de Luna currently d/b/a Subway Sandwiches to Bill and Kim Losquadro

Ms. Bolman said that staff recommended approval of the request, as presented.

Upon motion of Mr. Blas, seconded by Mr. Martin, the board unanimously approved the request by Ms. Bette Atwell Williams to assign lease for 39 Via de Luna currently d/b/a Subway Sandwiches to Bill and Kim Losquadro. (6-0)

Item #3 – A & CH Properties, LLC d/b/a The Palace, 701 Pensacola Beach Blvd. – Request for approval to sublease to the following individuals to operate charter boats from the marina:

- a) Jerry Andrews d/b/a Entertainer Charters, LLC (one charter boat)
- b) William F. "Bubba" Thorsen d/b/a Chulamar, Inc. (two charter boats)

Ms. Bolman said staff recommended approval of the request, subject to the structure at the Palace being boarded and secured within a thirty-day time period and payment of 5% percentage fees by the sublessees from all sources in, upon, or from the leasehold.

Upon motion of Mr. Martin, seconded by Mr. Blas, the board approved the request by A & CH Properties, LLC d/b/a The Palace, 701 Pensacola Beach Blvd., for approval to sublease to Jerry Andrews d/b/a Entertainer Charters, LLC, to operate one charter boat and William F. "Bubba" Thorsen d/b/a Chulamar, Inc. to operate two charter boats from the marina, subject to the structure at the Palace being boarded and secured within a thirty-day time period and payment of 5% percentage fees by the sublessees from all sources in, upon, or from the leasehold. (5-1 with Mr. Prather voting in the negative)

Item #4 – Regency Towers, 1600 Via de Luna – Request for approval of construction trailer

This item was withdrawn.

Item #5 was previously addressed.

Item #6 was previously addressed.

Item #7 was previously addressed.

Item #8 – Awarding of Bid for Beach Renourishment

SANTA ROSA ISLAND AUTHORITY
PENSACOLA BEACH, FLORIDA
REGULAR BOARD MEETING MINUTES
MAY 4, 2005

Ms. Norton said the board had previously approved the intent to award the bid for beach renourishment, and staff now recommended awarding the bid for beach renourishment to Weeks Marine of Covington, Louisiana, with a bid in the amount of \$10,281,000. A discussion followed.

Upon motion of Mr. Blas, seconded by Mr. Martin, the board unanimously awarded the bid for beach renourishment to Weeks Marine with a bid in the amount of \$10,281,000. (6-0)

Item #9 – Renewal of Agreement with Olsen Associates, Inc. for Coastal Engineering Services

Ms. Norton said the current agreement with Olsen Associates, Inc. expires on June 21, 2005, and staff recommended renewing the agreement for five years, in accordance with the terms of the existing agreement, in view of the fact that the Authority is involved in the renourishment process and will be required to continue monitoring under the Department of Environmental Protection requirements during the next five-year term. A discussion followed.

Upon motion of Mr. Blas, seconded by Mr. Martin, the board unanimously approved renewing the agreement with Olsen Associates, Inc. for coastal engineering services for an additional five year-year period from June 21, 2005 until June 21, 2010, under the terms of the existing agreement. (6-0)

Item #10 – Approval of Resolution Adopting Local Mitigation Strategy Plan

Ms. Norton reviewed the provisions of the resolution, noting that the resolution could increase the number of points available to the Santa Rosa Island Authority's flood program, enabling additional discounts on the flood insurance premiums for leaseholders on Pensacola Beach. She said that staff recommended approval of the resolution.

Upon motion of Mr. Blas, seconded by Mr. Prather, the board unanimously adopted the Local Mitigation Strategy Plan Resolution, as presented by staff (copy attached hereto and, by reference, made a part hereof). (6-0)

Item #11 – Turtle Monitoring Contract

Ms. Norton said that during beach restoration, there were additional permit requirements for the turtle monitoring program, which must be conducted by the National Park Service as the sole source for turtle monitoring services. She said that staff recommended approval of the contract.

SANTA ROSA ISLAND AUTHORITY
PENSACOLA BEACH, FLORIDA
REGULAR BOARD MEETING MINUTES
MAY 4, 2005

Upon motion of Mr. Perkins, seconded by Dr. Campanella, the board unanimously approved the 2005 Turtle Monitoring Contract. (6-0)

15 REPORTS

A. MANAGER'S REPORT

The Manager said that his report was published for the information of the board.

B. ATTORNEY'S REPORT

Mr. Matt Dannheisser, SRIA legal counsel, noted that the attorney's report was also published for the board's information.

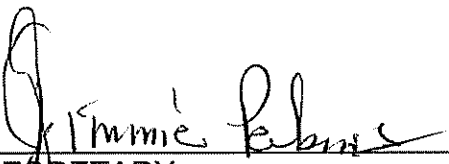
C. ENGINEER'S REPORT

The engineer's report was covered previously on the agenda.

16. VISITORS FORUM

The board heard comments by Mr. Mel Lamp and Ms. Lynn Manthei.

There being no further business before the board, the meeting adjourned at 7:12 p.m.



SECRETARY



CHAIRMAN

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

SANTA ROSA ISLAND AUTHORITY BOARD POLICY MANUAL

TITLE: REVOCATION OF WAIVER OF SINGLE FAMILY RESIDENTIAL
BUILDING TIME PROVISIONS

ADOPTED: MAY 4, 2005

DEPT: ADMINISTRATION & LEASING

Purpose:

To revoke the waiver of single family residential building time provisions granted by the Santa Rosa Island Authority on March 12, 1997.

Background:

On March 12, 1997, the Santa Rosa Island Authority granted a waiver and agreed not to enforce the building time provisions in leases of single family residential dwelling lots on the portions of Santa Rosa Island under the jurisdiction of the Santa Rosa Island Authority. Under the terms of the waiver, lessees whose single family structures were damaged as a result of Hurricane Erin or Opal, and who chose to reconstruct or repair their dwellings, were granted until October 25, 1998, to reconstruct or repair their dwellings. All structures that were damaged and which were not to be reconstructed or repaired were to be demolished and the property cleared of all debris. The Authority waived any time requirements for the reconstruction of a structure on those properties where the previous structure was demolished and the property cleared of all debris.

Policy:

The single family residential building time provisions were waived to grant the lessees time to recover from the destruction of Hurricanes Erin and Opal. It was not the intention of the Authority to grant the lessees the opportunity to land bank their leased premises or to grant the lessees an unlimited time to reconstruct a dwelling unit on their leased premises. It has always been the policy of the Authority to require the development of all properties leased by the Authority and to grant reasonable time frames to the lessees for the construction of structures on their leased premises. The construction of improvements on all properties leased by the Authority is part of the consideration for the leases entered into by the Authority. In view of the fact that several single family residential lessees whose structures were demolished as a result of Hurricane Erin and Opal have not reconstructed structures on their leased properties and in

view of the prospect that other single family residential lessees whose structures have been or will be demolished as a result of Hurricane Ivan may chose not to restructure their dwellings based on the waiver granted by the Authority on March 12, 1997, the Authority deems it necessary to revoke the waiver previously granted and to establish reasonable time requirements for the reconstruction of all single family residential buildings previously demolished or to be demolished in the future.

Enactment:

Effective as of May 4, 2005, the waiver of single family residential building time provisions granted by the Santa Rosa Island Authority on March 12, 1997, is hereby revoked.

Single family residential lessees whose structures have previously been demolished as a result of Hurricanes Erin, Opal or Ivan, or as a result of other cause or causes, or whose structures will be demolished as a result of Hurricane Ivan, shall reconstruct or construct a dwelling house on their leased premises, according to and in conformity with plans to be approved by the Authority. Visible commencement of reconstruction or construction shall begin not later than thirty six (36) months of this date, May 4, 2005, and said dwelling shall be completed not later than sixty (60) months from the aforesaid date, unless the times so fixed are extended for good cause by the Authority.

No building time extension fees shall be assessed for the period of time granted hereby for the reconstruction or construction of dwellings on those properties on which the previous structures have been demolished or will be demolished under the circumstances described hereinabove.

This enactment shall not affect the time provisions contained in new leases entered into by the Authority which by their terms require the commencement and completion of construction of structures within certain periods specified in such leases. The Authority reaffirms and intends to enforce all the provisions contained in those leases it has previously entered into. The intent of this enactment is to revoke the waiver granted by the Authority on March 12, 1997, and to establish a time table for the reconstruction or construction of single family residential buildings which have been demolished or will be demolished under the circumstances described hereinabove.

SANTA ROSA ISLAND AUTHORITY BOARD POLICY MANUAL

TITLE: AMENDMENT OF LEASES CONTAINING ERRONEOUS LANGUAGE REGARDING VESTING OF TITLE TO IMPROVEMENTS ON THE LEASED PREMISES IN ESCAMBIA COUNTY

ADOPTED: MAY 4, 2005

DEPT: ADMINISTRATION & LEASING

Purpose:

To provide for the amendment of all leases, commercial and residential, previously entered into by the Santa Rosa Island Authority which erroneously provided for title to any building or improvements of a permanent character that are erected or placed upon the demised premises to vest in Escambia County upon the termination of the lease or at any time other than immediately or forthwith upon erection, construction or placement of such improvements on the demised premises.

Background:

It has been brought to the attention of the Authority that certain leases previously entered into by the Authority erroneously provided for title to buildings or improvements of a permanent character that are erected or placed upon the demised premises to vest in Escambia County upon the termination of such leases.

Policy:

It has always been the policy of the Authority to require title to buildings or improvements of a permanent character erected or placed upon properties leased by the Authority to forthwith vest in Escambia County.

Any lease entered into by the Authority that contains language providing for the vesting of title to buildings or improvements of a permanent character erected or placed upon the demised premises in Escambia County upon the termination of the lease or at any time other than immediately or forthwith upon erection, construction or placement of such improvements on the demised premises is contrary to Board policy.

It is the intent of the Authority that title to any building or improvements of a permanent character shall immediately vest in Escambia County upon erection or

placement of such improvements on the demised or leased premises, that the construction of such building or improvements within the time frame provided by the lease is a fundamental consideration for the Authority entering into the lease, that the building or improvements of a permanent character shall immediately become a part of Lessee's leasehold estate upon erection or placement on the leased premises and shall become part of the property being leased by the Authority to such Lessee, and that Lessee shall repair, replace, restore, reconstruct if necessary, and maintain any building or improvement of a permanent character erected or placed on the leased premises in order that upon the termination of the lease the Authority will be able to take possession of the building or improvement of a permanent character in good condition and repair.

Enactment:

The Authority understands it has no authority to unilaterally amend those leases it has previously executed; however, the SRIA staff is hereby instructed to diligently seek to identify those leases that contain language providing for the vesting of title to improvements of a permanent character erected or placed on demised premises in Escambia County at a time other than forthwith upon erection, and to request that the lessees of the premises covered by such leases enter into mutual amendments of their leases with the Authority which will provide for the immediate vesting of title in Escambia County of all buildings or improvements of a permanent character erected or placed on the demised premises.

The Authority has previously approved language regarding vesting of title to improvements for insertion in the standard form leases to be executed by the Authority. The following language is hereby approved for use in any amended lease executed to correct the erroneous language regarding vesting of title to improvements erected on the leased premises:

"Title to any building or improvements of a permanent character (the "improvements") that shall be erected or placed upon the leased property ("demised premises") by the Lessee shall forthwith become a part of the leased property ("demised premises") and shall forthwith vest in Escambia County, Florida, subject to the possessory rights granted to Lessee and to each and every provision of this Lease. Lessee acknowledges that it shall have no right to remove such improvements from the leased property ("demised premises").

Similar language to the foregoing language may be used in the amended lease provided that such language is in conformity with the intent of the Authority to provide for immediate vesting of title in Escambia County to any building or improvement of a permanent character erected or placed upon the leased property.

The Chairman of the Authority is authorized to execute on behalf of the Authority any amended lease or amendment to lease prepared to correct the erroneous language regarding vesting of title to my building or improvements of a permanent character in Escambia County at a time other than forthwith upon the erection or placement of such improvements on the leased premises, which amended lease or amendment to lease has been approved by SRIA staff and the Authority's attorney.

**A RESOLUTION ADOPTING THE LOCAL
MITIGATION STRATEGY PLAN**

WHEREAS the Santa Rosa Island Authority is subject to natural and man-made hazards to include hurricanes, tornados, floods, fires, and chemical releases and faces potential damage to life, property, natural resources, and the local economy; and

WHEREAS the Local Mitigation Strategy Group was voluntarily created to meet 44CFR 201.6 local requirements to remain eligible for various Federal grant funding sources, such as the Hazard Mitigation Grant Program, the Flood Mitigation Assistance Grant Program, and the Pre-Disaster Mitigation Grant Program; and

WHEREAS the Local Mitigation Strategy Group consists of employees and community members of Escambia County, the City of Pensacola, the Town of Century, Santa Rosa Island Authority, the School District of Escambia County, and the Emerald Coast Utilities Authority, and is open for participation to any and all interested parties and individuals of our community; and

WHEREAS the Group has identified and prioritized mitigation projects that would reduce local vulnerabilities to these hazards; and

WHEREAS mitigation type projects identified on the Local Mitigation Strategy Groups prioritized projects list receives more consideration in State grant programs, such as the Emergency Management Preparedness and Assistance Grant Program and the Community Development Block Grant Program; and

WHEREAS the Local Mitigation Strategy Plan can serve as the Flood Mitigation Pan as required of all communities participating in the National Flood Insurance Program; and

WHEREAS the Local Mitigation Strategy Plan is designed to be constantly updated and improved with new members, attendees, officer, hazard data and information, studies, plans, and other perceived local needs, information, and funding opportunities relating to the plan; therefore,

NOW THEREFORE, BE IT RESOLVED BY THE SANTA ROSA ISLAND AUTHORITY OF ESCAMBIA COUNTY, FLORIDA:

Section 1: Escambia County Local Mitigation Strategy Plan

That the Local Mitigation Strategy Plan, attached hereto as Exhibit "1" and incorporated by Reference herein, shall be adopted as the formal guide for Santa Rosa Island Authority's hazard mitigation activities.

Section 2: Severability

That if any section, sentence, clause or phrase of the resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of the resolution.

Section 3: Construction

That these rules shall be construed in a manner, which is consistent with applicable local, state, and federal law and to the extent there is a conflict, applicable local, state, and Federal law shall prevail.

Section 4: Conflict

4.1: That already established and new Santa Rosa Island Authority policies and procedures may be amended or created from time to time so long as no conflict exists with this resolution and applicable local, state, and federal law.

4.2: That the Santa Rosa Island Authority in future amendments to existing policies and procedures or creating new policies and procedures relating to the local mitigation of hazards, shall ensure that such policies do not conflict with the Local Mitigation Strategy Plan approved by this Resolution.

Section 5: Amendment of this Resolution

That the Santa Rosa Island Authority may amend this resolution, from time to time, in order to comply with new development and modifications in applicable State or Federal Case Law, Florida Statutes, or other related law.

Section 6: Effective Date

This Resolution shall become effective immediately upon its adoption by the Board of County Commissioners of Escambia County, Florida.

ADOPTED this 4th Day of May, 2005

SANTA ROSA ISLAND AUTHORITY
ESCAMBIA COUNTY, FLORIDA

BY: 

William H. Griffith

ATTEST:

W. McGuire Martin
Secretary

