

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE  
BOARD OF COUNTY COMMISSIONERS  
HELD APRIL 10, 2007  
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX  
221 PALAFOX PLACE, PENSACOLA, FLORIDA  
(4:33 p.m. – 9:08 p.m.)

Present: Commissioner Marie K. Young, Vice Chairman, District 3  
Commissioner Grover C. Robinson, IV, District 4  
Commissioner Gene M. Valentino, District 2  
Commissioner D. M. "Mike" Whitehead, District 1  
Mr. George Touart, County Administrator  
Mrs. Janet Lander, County Attorney  
Mrs. Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services  
Mrs. Shirley L. Gafford, Program Coordinator, County Administrator's Office  
Mrs. Doris Harris, Deputy Clerk to the Board

Absent: Commissioner Kevin W. White, Chairman, District 5

PUBLIC FORUM WORK SESSION

Chairman White called the Public Forum Work Session to order at 4:33 p.m.

1. FOR INFORMATION: The Board heard comments from Tony R. Rowe concerning the County's public transportation system. 1634
2. FOR INFORMATION: The Board heard comments from Judy Holmes, President of the Pensacola Figure Skating Club, concerning the ice rink at The Pensacola Civic Center, regarding which Ms. Holmes provided documentation. 1636

4:42 P.M. – PUBLIC FORUM ADJOURNED

5:33 P.M. – REGULAR BOARD MEETING CONVENED

## PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

### REGULAR BCC AGENDA

1. Call to Order

Vice Chairman Young called the Regular Meeting of the Board of County Commissioners to order at 5:33 p.m.

2. Invocation

Vice Chairman Young advised that Reverend Ron Pouliot, Myrtle Grove Baptist Church, would deliver the Invocation.

3. Pledge of Allegiance to the Flag

Vice Chairman Young advised that Commissioner Whitehead would lead the Pledge of Allegiance to the Flag.

4. Adoption of the Agenda

Motion made by Commissioner Whitehead, seconded by Commissioner Robinson, and carried 4-0, with Commissioner White absent, adopting the agenda as prepared and duly amended to include Commissioner White's two add-on items, one concerning candidates for the position of Director of Planning and Zoning and one concerning the Pensacola Ice Pilots.

1736

5. Commissioners' Forum – District 4 – The Board was advised by Commissioner Robinson that Team Up to Clean Up has scheduled a cleanup event for Saturday, April 14, 2007, beginning at 8:30 a.m. at the Casino Beach Pavilion on Pensacola Beach, until 1:00 p.m.

1737

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

6&7. Approval of Agenda Items 6 and 7

Motion made by Commissioner Whitehead, seconded by Commissioner Valentino, and carried 4-0, with Commissioner White absent, taking the following action concerning Proclamations/Special Recognition and Employee of the Month Proclamations/Special Recognition/Years of Service/Retirement Proclamations:

1738

6. A. Taking the following action concerning adoption/ratification of the following four Proclamations:

1738

- (1) Adopting the Proclamation proclaiming the week of April 8 – 14, 2007, as “Public Safety Telecommunicators Week” in Escambia County;
- (2) Adopting the Proclamation recognizing and commending the Pensacola Civitan Club for their many years of dedicated service to the community;
- (3) Ratifying the Proclamation dated April 2, 2007, proclaiming the week of April 2 – 6, 2007, as “Juvenile Justice Week” in Escambia County; and
- (4) Ratifying the Proclamation dated March 28, 2007, proclaiming April 2, 2007, as “Rotary International Group Study Exchange Day” in Escambia County;

B. Recognizing, and presenting a certificate to, Clean and Green for their efforts in making Escambia County a better place to live; and

C. Recognizing, and presenting a certificate to, Emerald Coast Utilities Authority for their efforts in making Escambia County a better place to live.

7. Adopting the two Proclamations commending and congratulating the following employees for being selected as Employees of the Month for April 2007:

1738

- (1) Mr. Marcus B. Martin, Jr., Road Corrections Officer, Road Department, Community Services and Public Safety Agency; and
- (2) Mr. Terry D. Williams, Urban Planner II, Planning and Zoning Department, Public Works and Land Management Agency;

(Continued on Page 4)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

6&7. Approval of Agenda Items 6 and 7 – Continued

7. Continued...

- B. Recognizing, and presenting a Celebrating Excellence Award to, Sonya M. Daniel, Division Manager, Office of Public Information and Communications (PIO), for PIO's outstanding performance in receiving multiple awards on March 10, 2007, presented by the Northwest Florida Public Relations Association for the 2007 Local Image Award (Local Option Sales Tax Campaign 2007);
- C. Recognizing, and presenting a Celebrating Excellence Award to, Janice R. Kilgore, Director, Public Safety Department, and Marilyn D. Wesley, Director, Community Services Department, for their nomination for Sacred Heart Hospital's 2007 Spirit of Women Award;
- D. Recognizing, with a pin and certificate, Andrew P. Hudson, Road Corrections Officer, Road Prison Division, Road Department, for 25 years of dedicated service to the County; and
- E. Adopting the following two Proclamations:
  - (1) The Proclamation commending and congratulating Ramon V. Taranto, Department of Solid Waste Management/Administration Division, on his retirement after 11 years of dedicated service; and
  - (2) The Proclamation commending and congratulating Patricia I. Rudd, Engineering Department/Technical Services Division, on her retirement after 35 years of dedicated service.

Speaker(s):

Jim Smith  
Gwinn Corley

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

8. Written Communication

Motion made by Commissioner Whitehead, seconded by Commissioner Valentino, and carried 4-0, with Commissioner White absent, approving to enforce the Lien, in the amount of \$1,100 for hard costs, plus daily fines in the amount of \$1,300 for the 13 days Ms. Sanders owned the property (*prior to cleanup, March 1 – 14, 2007*), for a total of \$2,400, and forgive the remaining balance, relative to a communication from Barbie Sanders requesting that the Board consider forgiving a Code Enforcement Lien against property located at 4600 Petra Circle (*Case No.: 05-06-0340*).

1810

9. Proofs of Publication

Motion made by Commissioner Whitehead, seconded by Commissioner Valentino, and carried 4-0, with Commissioner White absent, waiving the reading of the legal advertisement(s) and accepting, for filing with the Board's Minutes, the certified affidavit(s) establishing proof of publication for the Public Hearing(s) on the agenda, and the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule*, as follows:

1826

A. The following five Public Hearings on the agenda:

- (1) The 5:32 p.m. Public Hearing, advertised in The Escambia Sun-Press, LLC, on March 22, 2007, for consideration of the Petition to Vacate Dewey Street, as petitioned by Floral Property III, LLC, Floral Property IV, LLC, and Clyde H. and Pauline J. Pearson;
- (2) The 5:45 p.m. Public Hearing, advertised in the Pensacola News Journal on March 23, 2007, for consideration of adopting an Ordinance amending the Official Zoning Map;
- (3) The 5:46 p.m. (*Transmittal*) Public Hearing, advertised in the Pensacola News Journal on March 29, 2007, for consideration of Comprehensive Plan Amendments 2007-01A, B, and C;

(Continued on Page 6)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

9. Continued...

A. Continued...

- (4) The 5:47 p.m. Public Hearing, advertised in the Pensacola News Journal on March 29, 2007, for consideration of adopting an Ordinance amending LDC Article 3, Hotels and Motels; and
- (5) The 5:48 p.m. Public Hearing, advertised in the Pensacola News Journal on March 29, 2007, for consideration of adopting an Ordinance amending LDC Articles 3 and 4, Subdivision Regulations; and

B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule April 9 – April 13, 2007 – Legal No. 70619*, as published in the Pensacola News Journal on April 8, 2007, as follows:

April 9 8:30 a.m. Planning Board  
April 10 9:00 a.m. Agenda Work Session  
April 10 1:30 p.m. Environmental Enforcement Special Magistrate  
April 10 4:30 p.m. Board of County Commissioners Public Forum  
April 10 5:00 p.m. Housing Finance Authority  
April 10 5:00 p.m. Merit System Protection Board  
April 10 5:30 p.m. Board of County Commissioners Public Hearings & Reports  
April 11 1:00 p.m. Development Review Committee  
April 11 5:00 p.m. Santa Rosa Island Authority  
April 12 9:00 a.m. Board of County Commissioners Committee of the Whole  
April 12 1:30 p.m. Citizens Environmental Committee  
April 12 5:30 p.m. Wedgewood Community Meeting  
April 12 6:00 p.m. Enterprise Zone Neighborhoods Leader Meeting  
April 12 7:00 p.m. Firefighters Executive Committee

NEXT WEEK'S NOTE:

April 16 1:00 p.m. FL-AL Transportation Planning Organization: Technical Coordinating  
April 16 3:30 p.m. FL-AL Transportation Planning Organization: Citizens Advisory  
April 16 4:00 p.m. West Florida Regional Planning Council

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

10. 5:32 p.m. Public Hearing

Motion made by Commissioner Whitehead, seconded by Commissioner Robinson, and carried 4-0, with Commissioner White absent, taking the following action concerning the Petition to Vacate Dewey Street (formerly known as John Street and a portion of Davida Street, per plat of Weide Subdivision, as recorded in Plat Book 3 at Page 34 of the Public Records), consisting of 66 feet by approximately 910.51 feet = 60,094 square feet, or 1.37 acres, as petitioned by Floral Property III, LLC, Floral Property IV, LLC, and Clyde H. and Pauline J. Pearson:

1827

- A. Approving the Petition to Vacate, subject to a utility easement being retained over the said right-of-way being vacated, with the understanding that the County will not be responsible for ownership nor maintenance of said easement;
- B. Accepting the Hold/Harmless Agreement;
- C. Adopting the Resolution (*R2007-60*) to Vacate; and
- D. Authorizing the Chairman or Vice Chairman to accept the documents as of the day of delivery of the documents to the Chairman or Vice Chairman, and authorizing the Chairman or Vice Chairman to execute them at that time.

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Honorable Ernie Lee Magaha, Clerk  
of the Circuit Court & Comptroller

I. CONSENT AGENDA

1-3. Approval of Various Consent Agenda Items

Motion made by Commissioner Whitehead, seconded by Commissioner Valentino, and carried 4-0, with Commissioner White absent, approving Consent Agenda Items 1 through 3, as follows, as amended to change the amount in Item 1.B.(1) from \$3,476,088.25 to \$3,476,008.25:

1827

1. Accepting, for filing with the Board's Minutes, the following four Reports prepared by the Clerk & Comptroller's Finance Department:

1827

A. The following two Payroll Expenditures:

(1) As of Payday March 23, 2007, in the amount of \$2,555,571.56; and

(2) As of Payday April 5, 2007, in the amount of \$2,071,269.83; and

B. The following two Disbursement of Funds:

(1) March 15, 2007, to March 21, 2007, in the amount of \$3,476,008.25; and

(2) March 22, 2007, to March 28, 2007, in the amount of \$9,681,261.67.

2. Accepting, for filing with the Board's Minutes, the following documents provided to the Clerk to the Board's Office:

1827

- A. *Amendment #3 to the Agreement Between the Board of County Commissioners of Escambia County, Florida, and Roads, Inc., of NWF for County-Wide Road Resurfacing Pricing Agreement (PD 04-05.11)*, as approved by the Board on September 21, 2006, and executed by the County Administrator on March 18, 2007;

(Continued on Page 9)



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1-3. Approval of Various Consent Agenda Items – Continued

2. Continued...

B. The *Hurricane Housing Recovery Program (HHRP) Agreement for New Housing Development* with each of the following two entities, based on the Board's action of December 8, 2005, approving to commit HHRP funds to finance performance-based incentives supporting construction of new workforce homes and complementing second mortgage assistance at levels required to ensure that homes are affordable to HHRP-eligible, low- and moderate-income homebuyers:

- (1) Patterson Quality Construction
- (2) Urban Infill Corporation

C. The "Commitment Contract" for emergency purchases of goods and services for any existing quotations and agreements and any future additional quotations and agreements that may be required for the procurement of emergency goods and services during declarations of emergencies and the activation of the Emergency Operations Center, with Motel 6, as authorized by Board action on September 7, 2006;

D. The *Florida Department of State, Division of Library and Information Services, State Aid to Libraries Grant Agreement*, as approved by the Board on September 21, 2006, and received in the Clerk to the Board's Office on April 4, 2007;

E. *Report No. 2007-155 – University of West Florida Financial Audit For the Fiscal Year Ended June 30, 2006*, prepared by William O. Monroe, CPA, Auditor General, State of Florida, as received in the Clerk & Comptroller's Finance Department on March 27, 2007;

F. *Northwest Florida Water Management District (NFWWMD) Financial Statements September 30, 2006*, audited by James Moore & Co., P.L., Certified Public Accountants, submitted to the Chairman of the Board by Larry R. Wright, Deputy Executive Director, NFWWMD, and received in the Clerk to the Board's Office on March 27, 2007; and

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-3. Approval of Various Consent Agenda Items – Continued
  2. Continued...
    - G. A copy of the Minutes of the Santa Rosa Island Authority Regular Board Meeting held February 14, 2007.
  3. Taking the following action concerning Minutes and Reports prepared by the Clerk to the Board's Office: 1827
    - A. Approving the Minutes of the Public Forum Work Session and Regular Board Meeting held March 26, 2007; and
    - B. Accepting, for filing with the Board's Minutes, the Report of the March 26, 2007, Agenda Work Session.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Robert R. "Bob" McLaughlin,  
Assistant County Administrator

I. PUBLIC HEARINGS

1. Rezoning Cases

Motion made by Commissioner Whitehead, seconded by Commissioner Robinson, and carried 4-0, with Commissioner White absent, taking the following action concerning Rezoning Case Z-2007-05, which was heard by the Rezoning Hearing Examiner (RHE) on February 26, 2007:

1828

- A. Adopting the RHE's recommendation and approving C-1; and
- B. Authorizing the Chairman to sign the Order of the Escambia County Board of County Commissioners for the Rezoning Case that was reviewed, as follows:

- (1) Case Number: Z-2007-05
- Location: 9221 and 9200 Block of Fowler Avenue
- Property Reference Numbers: 10-1S-30-2000-000-010 and 10-1S-30-2000-000-008
- Property Size: 0.28 (+/-) acre
- From: R-3, One-Family and Two-Family District (cumulative), Medium Density (10 dwelling units per acre)
- To: C-1, Retail Commercial District (cumulative), High Density (25 dwelling units per acre)
- FLU Category: MU-1, Mixed Use 1
- Commissioner District: 5
- Requested by: Jason Toole, E.I., CPH Engineers, Inc., Agent for Burnie O. and Bessie A. Paul, Owners
- RHE Recommendation: Approval
- Staff Recommendation: Approval

Speaker(s) – None.

(Continued on Page 12)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Continued...

Motion made by Commissioner Whitehead, seconded by Commissioner Robinson, and carried 4-0, with Commissioner White absent, taking the following action concerning Rezoning Case Z-2006-86, which was heard by the Rezoning Hearing Examiner (RHE) on February 26, 2007:

1829

- A. Adopting the RHE's recommendation and approving C-1; and
- B. Authorizing the Chairman to sign the Order of the Escambia County Board of County Commissioners for the Rezoning Case that was reviewed, as follows:

- (2) Case Number: Z-2006-86
- Location: 9211 Fowler Avenue
- Property Reference Number: 10-1S-30-2000-000-012
- Property Size: 0.65 (+/-) acre
- From: R-3, One-Family and Two-Family District (cumulative), Medium Density (10 dwelling units per acre)
- To: C-1, Retail Commercial District (cumulative), High Density (25 dwelling units per acre)
- FLU Category: MU-1, Mixed Use 1
- Commissioner District: 5
- Requested by: Jason Toole, E.I., CPH Engineers, Inc., Agent for Frances R. Galloway Life Estate, Rodney Galloway, James E. Galloway, and Alicia F. Weatherby, Owners
- RHE Recommendation: Approval
- Staff Recommendation: Approval

Speaker(s) – None.

(Continued on Page 13)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Continued...

Motion made by Commissioner Whitehead, seconded by Commissioner Valentino, and carried 4-0, with Commissioner White absent, taking the following action concerning Rezoning Case Z-2006-87, which was heard by the Rezoning Hearing Examiner (RHE) on February 26, 2007:

1830

- A. Overturning the RHE's recommendation and approving C-2, on the basis that the RHE erred in his findings with regard to Criterion 1 in that C-2 is an appropriate use, it does match what is on the ground, it is consistent with the Comprehensive Plan, and it falls in the MU-1 category, and with regard to Criterion 2, the RHE erred in that he minimized the number of nonconforming uses that are on the ground, and directing staff to prepare a legislative rezoning for the balance of this area, because this area is surrounded by nonconforming uses; and
- B. Authorizing the Chairman to sign the Order of the Escambia County Board of County Commissioners for the Rezoning Case that was reviewed, as follows:

- (3) Case Number: Z-2006-87  
Location: 4710 North "W" Street  
Property Reference Number: 46-1S-30-2001-015-047  
Property Size: 0.51 (+/-) acre  
From: R-6, Neighborhood Commercial and Residential District (cumulative), High Density (25 dwelling units per acre)  
To: C-2, General Commercial and Light Manufacturing District (cumulative), High Density (25 dwelling units per acre)  
FLU Category: MU-1, Mixed Use 1  
Commissioner District: 3  
Requested By: Wiley C. "Buddy" Page, Agent for GRC Properties, LLC  
RHE Recommendation: Denial  
Staff Recommendation: Denial

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Continued...

B. Continued...

(3) Continued...

Speaker(s):

Wiley C. “Buddy” Page

(Continued on Page 15)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Continued...

Motion made by Commissioner Robinson, seconded by Commissioner Whitehead, and carried 4-0, with Commissioner White absent, to continue for another 30 days the recommendation that the Board take the following action concerning Rezoning Case Z-2007-01, which was heard by the Rezoning Hearing Examiner (RHE) on January 22, 2007:

1846

- A. Review and either adopt, modify, or overturn the RHE's recommendation; and
- B. Authorize the Chairman to sign the Order of the Escambia County Board of County Commissioners for the Rezoning Case that was reviewed, as follows:

- (4) Case Number: Z-2007-01 (Continued from the March 5, 2007, BCC Meeting)
  - Location: 9250 Cove Avenue
  - Property Reference Number: 10-1S-30-1101-041-002
  - Property Size: 0.97 (+/-) acre
  - From: R-3, One-Family and Two-Family District (cumulative), Medium Density (10 dwelling units per acre)
  - To: C-2, General Commercial and Light Manufacturing District (cumulative), High Density (25 dwelling units per acre)
  - FLU Category: MU-1, Mixed Use 1
  - Commissioner District: 5
  - Requested by: Wiley C. "Buddy" Page, Agent for Clyde H. and Pauline J. Pearson, Owners
  - RHE Recommendation: Denial
  - Staff Recommendation: Denial

Speaker(s):

Wiley C. "Buddy" Page

## PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

### GROWTH MANAGEMENT REPORT – Continued

#### I. PUBLIC HEARINGS – Continued

##### 2. 5:45 p.m. Public Hearing

Motion made by Commissioner Whitehead, seconded by Commissioner Robinson, and carried 4-0, with Commissioner White absent, adopting an Ordinance (*Number 2007-20*) to amend the Official Zoning Map to include Rezoning Cases Z-2007-05, Z-2006-86, and Z-2006-87 heard on February 26, 2007, before the Rezoning Hearing Examiner, and approved during the previous agenda item, and to provide for severability, inclusion in the Code, and an effective date.

1857

Speaker(s) – None.

##### 3. 5:46 p.m. (*Transmittal*) Public Hearing

###### A. (1) CPA 2007-01A

Motion made by Commissioner Robinson, seconded by Commissioner Whitehead, and carried 4-0, with Commissioner White absent, reviewing (*and approving to transmit to the Department of Community Affairs as the first of two Comprehensive Plan Amendments allowed by Florida Statute for the Year 2007*) Comprehensive Plan Amendment (CPA) 2007-01, composed of three draft Ordinances and attachments therein, to amend Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended; amending portions thereof, as follows:

1857

CPA 2007-01A: Text amendment, amending Chapter 6, “Concurrency Management System Element,” and Chapter 14, “Capital Improvements Element,” to include references to the County’s adopted Proportionate Fair Share Mitigation Program



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

3. Continued...

A. (2) CPA 2007-01B

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried 4-0, with Commissioner White absent, reviewing *(and approving to transmit to the Department of Community Affairs as the first of two Comprehensive Plan Amendments allowed by Florida Statute for the Year 2007)* Comprehensive Plan Amendment (CPA) 2007-01, composed of three draft Ordinances and attachments therein, to amend Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended; amending portions thereof, as follows:

1857

CPA 2007-01B: Text and map amendment, amending Chapter 8, "Transportation Element," to update the County transportation map series and associated references

(3) CPA 2007-01C

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried 4-0, with Commissioner White absent, reviewing *(and approving to transmit to the Department of Community Affairs as the first of two Comprehensive Plan Amendments allowed by Florida Statute for the Year 2007)* Comprehensive Plan Amendment (CPA) 2007-01, composed of three draft Ordinances and attachments therein, to amend Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended; amending portions thereof, as follows:

1857

CPA 2007-01C: Map amendment, amending Chapter 7, "Future Land Use Element," to amend the Year 2020 Future Land Use Map to correct existing deficiencies; and

B. See Items A.(1) through A.(3).

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

4. 5:47 p.m. Public Hearing

Motion made by Commissioner Whitehead, seconded by Commissioner Valentino, and carried 4-0, with Commissioner White absent, approving to give Commissioner Robinson 60 days to bring to the Board a draft of changes he wants made to the Ordinance, relative to the recommendation that the Board adopt an Ordinance amending Part III of the Escambia County Code of Ordinances (1999), the Escambia County Land Development Code, as amended; amending Article 3, "Definitions," Hotels and Motels, as related to the limitation on an owner's stay in a condominium-financed hotel unit from two weeks to sixteen weeks; providing for severability, inclusion in the Code, and an effective date.

1859

Speaker(s):

Ed Fleming  
Mike McLaughlin  
Dr. Thomas A. Campanella  
Jim Cox  
Ann Griffin  
Mike Pinzone  
Michael A. Liebeno  
Beth Barrios  
Olga Dancaescu  
Joe Endry

Wanda Cross  
Mike Price  
Bill Griffith  
Victoria Clarkin  
Robert Rinke  
Gary E. Smith  
Audrey Faragher  
Vernon L. Prather  
Debbie Waters  
Joe Gilchrist

Jane Kates  
Julian MacQueen  
Robert Emmanuel

For Information: The Board was provided with a *Petition in Favor of Differentiating Hotels and Condos* from Jim Cox and a *Lose Yourself in Perdido Key, Perdido Key Area Chamber of Commerce Visitor's Guide and Membership Directory* from Beth Barrios.

8:59 P.M. – REGULAR BOARD MEETING RECESSED

9:01 P.M. – REGULAR BOARD MEETING RECONVENED

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

5. 5:48 p.m. Public Hearing

Motion made by Commissioner Whitehead, seconded by Commissioner Robinson, and carried 4-0, with Commissioner White absent, approving to hold the recommendation that the Board, (*adopt an Ordinance to*) approve a proposed amendment to the Escambia County Land Development Code (Ordinance Number 96-3, as amended); amending Article 3, Definitions, Section 3.00.01, to amend the definition of Right-of-Way and add definitions for Minor Subdivision and Single-lot Split; and amending Article 4, "Subdivision Regulations," Section 4.01.03, adding Single-lot Split, Section 4.01.05, to delete Unplatted subdivisions and add Minor subdivisions and provide review requirements, and Section 4.02.01.E, to delete Unplatted subdivisions; providing for severability, inclusion in the Code, and an effective date.

2102

Speaker(s) – None.

## PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

### GROWTH MANAGEMENT REPORT – Continued

#### II. CONSENT AGENDA

##### 1. Scheduling of Public Hearings

Motion made by Commissioner Whitehead, seconded by Commissioner Valentino, and carried 4-0, with Commissioner White absent, scheduling the following seven Public Hearings, as amended to drop Item E from the Consent Agenda (*the Board was advised by Charles “Dana” Word, Planning and Zoning, that Item E will appear on the County Attorney’s Report on May 1, 2007*) and reschedule Item F for April 19, 2007, at 5:48 p.m. (*and, in accordance with the amendments, renumber the Public Hearings on the Consent Agenda*):

2102

- A. 5:45 p.m. – Thursday, April 19, 2007 – A Public Hearing (*to consider adopting an Ordinance*) to amend the Official Zoning Map to include the following Rezoning Case heard by the Rezoning Hearing Examiner (RHE) on March 26, 2007:

Case Number:	Z-2007-02
Location:	10419 Tanton Road
Property Reference Number:	29-2S-31-2204-004-001
Property Size:	1.88 (+/-) acres
From:	R-2, Single-Family District (cumulative), Low-Medium Density (7 dwelling units per acre) and SDD, Special Development District (non-cumulative), Low Density (3 dwelling units per acre)
To:	R-R, Rural Residential District (cumulative), Low Density (2 dwelling units per acre)
FLU Category:	LDR, Low Density Residential
Commissioner District:	1
Requested By:	Herbert H. Ellis, Owner

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

II. CONSENT AGENDA – Continued

1. Continued...

- B. 5:46 p.m. – Thursday, April 19, 2007 – A Public Hearing (*to consider adopting an Ordinance*) to amend the Official Zoning Map to include the following Rezoning Case heard by the BCC on July 20, 2006, and the Circuit Court on January 24, 2007:

Case Number:	Z-2003-28
Location:	9610 Chemstrand Road
Property Reference Number:	07-1S-30-2101-001-003
Property Size:	0.75 (+/-) acre
From:	R-2, single Family District (cumulative), Low-Medium Density (7 dwelling units per acre)
To:	R-6, Neighborhood Commercial and Residential District (cumulative), High Density (25 dwelling units per acre)
FLU Category:	C, Commercial
Commissioner District:	5
Requested By:	Billy E. and Helen F. Grantham, Owners

- C. 5:47 p.m. – Thursday, April 19, 2007 – A Public Hearing to review and approve an Ordinance, amending Part II of the Escambia County Comprehensive Plan, as amended; amending Chapter 7, “The Future Land Use Element,” as authorized by Section 7.06; providing for a Small Scale Amendment (SSA 2007-01), to the Year 2020 Future Land Use Map, as amended, and as requested by W. R. Ward, Agent for Cleveland R. Campbell, Sr., Owner, changing the Future Land Use of 9.74 (+/-) acres located at 20 East Quintette Road from Activity Area-15 (AA-15) to Industrial (I);

(Continued on Page 22)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

II. CONSENT AGENDA – Continued

1. Continued...

D. 5:45 p.m. – Tuesday, May 1, 2007 – A Public Hearing (*to consider adopting an Ordinance*) to amend the Official Zoning Map to include the following Rezoning Cases heard by the Rezoning Hearing Examiner (RHE) on March 26, 2007:

- (1) Case Number: Z-2007-06  
Location: 4101 and 4100 Block of Mobile Highway  
Property Reference Numbers: 34-2S-30-1080-001-108 and 34-2S-30-1080-002-108  
Property Size: 2.08 (+/-) acres  
From: C-1, Retail Commercial District (cumulative), (25 dwelling units per acre)  
To: C-2, General Commercial and Light Manufacturing District (cumulative), (25 dwelling units per acre)  
FLU Category: C, Commercial  
Commissioner District: 2  
Requested By: Hatch Mott MacDonald, Agent for Saufley Center Partners, Ltd., Owners
- (2) Case Number: Z-2007-07  
Location: 3181 Stefani Road  
Property Reference Number: 38-1N-31-4204-000-000  
Property Size: 9.44 (+/-) acres  
From: VR-1, Villages Rural Residential District (1 dwelling unit per 4 acres)  
To: V-2 Villages Single-Family Residential District (2 dwelling units per acre)  
FLU Category: MU-6, Mixed Use 6, Area 2  
Commissioner District: 5  
Requested By: R. Todd Harris, Agent for L.D.J. Development, Inc.

(Continued on Page 23)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

II. CONSENT AGENDA – Continued

1. Continued...

- E. 5:48 p.m. – Tuesday, April 19, 2007 – A Public Hearing to review and approve the proposed Comprehensive Plan Amendment, Capital Improvements Plan therein, amending Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended; amending the updated five-year Capital Improvement Program Schedule and adopt the revised Table 14-1, to be included in Chapter 14 of the Comprehensive Plan entitled “Capital Improvement Element”; and
- F. 5:49 p.m. – Tuesday, May 1, 2007 – A Public Hearing to review and uphold or overturn the Vested Rights Committee recommendation for the following Case:

Case Number:	VRD 2007-01
Location:	9211 1/2 Cove Avenue
Parcel No.:	10-1S-30-1101-133-003
Zoning District:	R-3
Vested Rights for:	Mobile Home
Applicant:	Edward T. Nims

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – George Touart, County Administrator

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-14. Approval of Various Consent Agenda Items

Motion made by Commissioner Whitehead, seconded by Commissioner Valentino, and carried 4-0, with Commissioner White absent, approving Consent Agenda Items 1 through 14, as follows, as amended to approve Maintenance Map L-4737 subject to Legal sign-off in Item 11:

2103

1. Taking the following action, relative to the Extension to the Memorandum of Understanding (MOU FM 235) *(between Escambia County and the Florida Department of Financial Services, Division of State Fire Marshal)* for Expenditure of Local Government Unit Funding from the 2005 Domestic Preparedness State Homeland Security Grant Program, extending the MOU to December 31, 2007:

2103

A. Approving the Extension to the Memorandum of Understanding; and

B. Authorizing the County Administrator to sign the Extension.

2. Approving the street name “Blue Oval Lane” for a private road that runs east off of the 2500 Block of Argle Road, for the four-lot, unrecorded Argle Road Subdivision; this is in Commission District 5.

2103

3. Approving the street name “Hart Farm Road” for an unnamed, private road that runs north off of the 2400 Block of Molino Road and 1700 feet west of Chestnut Road; 100% of the property owners signed the Street Name Petition; this is in Commission District 5.

2103

4. Taking the following action regarding Wal-Mart Stores East L.P., Store No. 3785:

2103

A. Adopting the Resolution (*R2007-61*) confirming designation of Wal-Mart Stores East L.P., Store No. 3785, located at 501 North Navy Boulevard, Pensacola, Florida, as an eligible business pursuant to Section 288.107(1)(e)2, Florida Statutes, and providing for the election of the local financial support exemption option of the Brownfield Redevelopment Bonus Refund pursuant to Section 288.106(1)(k), Florida Statutes; and

B. Authorizing the Chairman to sign the Resolution.



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-14. Approval of Various Consent Agenda Items – Continued

5. Taking the following action regarding Agreements for Voluntary Environmental Site Assessment Analysis: 2103

- A. Approving the License Agreements for Voluntary Environmental Site Assessment Analysis signed by the following property owners:

(1) J. E. Anderson, Inc.  
P.O. Box 456  
Gulf Breeze, Florida 32562

(2) Sam Glover, Sr., et al.  
601 West Romana Street  
Pensacola, Florida 32501

- B. Authorizing the Chairman to sign the Agreements.

6. Taking the following action concerning a Certificate of Need for Southern Haulers, LLC: 2103

- A. Approving a Certificate of Need Application permitting the above-named company to operate in Escambia County; and

- B. Authorizing the Chairman to sign the approved Certificate.

7. Taking the following action concerning Addendum III to the Grant Contract with Florida Communities Trust for the purchase and preservation of property in the Jones Swamp Wetland Preserve, providing for a time extension of the Grant Contract until time sufficient to close: 2103

- A. Approving the time extension, *Addendum III to Grant Contract*, with Florida Communities Trust, FF5 Award Number 05-041-FF5, Jones Swamp Wetland Preserve; and

- B. Authorizing the Chairman to sign the time extension, Addendum III to the existing Florida Communities Trust Grant Contract.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-14. Approval of Various Consent Agenda Items – Continued

8. Taking the following action concerning recording of the Final Plat of Forage Estates (a 26-lot, single-family, residential subdivision), located in the Beulah Community, lying south of Frank Reeder Road and east of Beulah Road (County Road 99), owned and developed by H & L Land Development, Inc.; prior to recording, the County Engineer, County Surveyor, Planning and Zoning Director, and the Clerk of the Circuit Court must sign the Final Plat, as set forth in Section 4.02.08 of the Escambia County Land Development Code: 2103
  - A. Approving the Final Plat for recording;
  - B. Approving the street name “Cattle Drive”;
  - C. Accepting the public road paving, all public easements and drainage improvements, including Parcel “A,” a 0.37-acre retention pond, as depicted upon the Final Plat, for permanent County maintenance; the cost of maintenance for drainage improvements is to be funded through the establishment of a stormwater management Municipal Services Benefit Unit; and
  - D. Authorizing the Chairman or Vice Chairman to execute a *Two-Year Warranty Agreement for Streets and Drainage Improvements Without Surety/Financial Security*.
9. Taking the following action concerning recording of the Final Plat of Lost Creek (a 126-lot, single-family, residential subdivision), located in the Ensley Community, lying east of North Palafox Street (County Road 95A) and south of East Olive Road (State Road 290), owned and developed by Gulf Timberlands, Inc.; prior to recording, the County Engineer, County Surveyor, Planning and Zoning Director, and the Clerk of the Circuit Court must sign the Final Plat, as set forth in Section 4.02.08 of the Escambia County Land Development Code: 2103
  - A. Approving the Final Plat for recording;

(Continued on Page 27)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-14. Approval of Various Consent Agenda Items – Continued

9. Continued...

B. Approving the street names “Forgotten Creek Lane,” “Nalo Creek Loop,” and “Brookmeadow Drive”;

C. Accepting the public road paving, all public easements and drainage improvements, including Parcel “A,” a 1.97-acre retention pond, and Parcel “B,” a 3.56-acre retention pond, as depicted upon the Final Plat, for permanent County maintenance; the cost of maintenance for drainage improvements is to be funded through the establishment of a stormwater management Municipal Services Benefit Unit; and

D. Authorizing the Chairman or Vice Chairman to execute a *Two-Year Warranty Agreement for Streets and Drainage Improvements Without Surety/Financial Security*, a *Conservation Easement* document and a *Release of Claims for Damages, Hold Harmless, and Indemnification Agreement*.

10. Scheduling a Public Hearing for May 1, 2007, at 5:31 p.m., to consider the Petition to Vacate a portion of Mayflower Avenue (385 feet by 40 feet = 15,400 square feet, or 0.35 acre) and alleyway (385 feet by 10 feet = 3,850 square feet, or 0.08 acre) in Block 57, Figland Park Subdivision, as petitioned by Pensacola Pools, Inc., and John Kiley’s Cycle World, Inc.

2103

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-14. Approval of Various Consent Agenda Items – Continued

11. Taking the following action concerning adoption of a Maintenance Map (Map) of an unnamed street abutting North 59th Avenue and being south of Annette Street and north of Linda Street: 2103
  - A. Adopting a Maintenance Map, Engineering Department Map Number L-4737, subject to Legal sign-off, on an unnamed street abutting North 59th Avenue and being south of Annette Street and north of Linda Street; the Map delineates the extent of County Maintenance to define County property in areas where the County maintains roads without having deeded right-of-way;
  - B. Approving said areas shown on the Map for continued maintenance, pursuant to Florida Statutes, Chapter 95.361; and
  - C. Authorizing the Chairman or Vice Chairman to accept the Map as of the day of delivery of the Map to the Chairman or Vice Chairman, and authorizing the Chairman or Vice Chairman to execute the Map for recording at that time.
12. Authorizing a Public Hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on May 1, 2007, at 5:32 p.m., to consider the adoption of an Ordinance creating the East Port Street Lighting MSBU. 2103

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-14. Approval of Various Consent Agenda Items – Continued

13. Taking the following action concerning County Athletic Parks:

- A. Adopting each of the Resolutions (*R2007-62, R2007-63, R2007-64, R2007-65, R2007-66, R2007-67, R2007-68, R2007-69, R2007-70, R2007-71, R2007-72, R2007-73, R2007-74, R2007-75, R2007-76, R2007-77, R2007-78, R2007-79, and R2007-80*) authorizing lease and management of County-owned property for public recreation purposes with the following volunteer Athletic Organizations:
- (1) Bellview Baseball Association at Bellview Park;
  - (2) Bellview Youth Association at Bellview Park;
  - (3) Brent Raiders Football Association at Brent Park;
  - (4) Brent Recreation Association at Brent Park;
  - (5) Cantonment Baseball Association at Cantonment Athletic Park;
  - (6) Cantonment Football Club at Cantonment Athletic Park;
  - (7) Ensley Chiefs Football Association at John R. Jones, Jr. Athletic Park;
  - (8) Miracle League of Pensacola at John R. Jones, Jr. Athletic Park;
  - (9) Molino Recreation Association at Don Sutton Park;
  - (10) Myrtle Grove Athletic Association at Myrtle Grove Park;
  - (11) Northwest Escambia Football League at Ernest Ward School;
  - (12) Northwest Escambia Little League at Harvey C. Bradberry Park;
  - (13) Pensacola Futbol Club at Ashton Brosnahan Park;
  - (14) Perdido Bay Youth Sports at Baars Field;
  - (15) Quintette Community Park Association at Quintette Park;
  - (16) Warrington Baptist at Mayfair Park;
  - (17) Wedgewood/Rolling Hills Association at Lewis Powell Park;
  - (18) West Pensacola Youth Association at Raymond Riddles Park; and
  - (19) Youth Association of NE Pensacola at John R. Jones, Jr. Athletic Park; and
- B. Authorizing the Chairman to sign each Park License and Management Agreement for the same aforementioned 19 volunteer Athletic Organizations, for the purpose of providing organized athletic activities to the citizens of Escambia County, for a one-year period, effective upon Board approval.

2103

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-14. Approval of Various Consent Agenda Items – Continued

14. Re-appointing Robert R. Penfold to the Board of Adjustment, at-large position, for a two-year term, effective April 16, 2007, through April 15, 2009. 2103

II. BUDGET/FINANCE CONSENT AGENDA

1-35. Approval of Various Consent Agenda Items

Motion made by Commissioner Whitehead, seconded by Commissioner Valentino, and carried 4-0, with Commissioner White absent, approving Consent Agenda Items 1 through 35, as follows, as amended to correct the year to 2006 in Item 25 and to correct the amount to \$69,960 in Item 27: 2104

1. Taking the following action concerning the surplus and sale of real property located in the 500 Block of West Romana Street: 2104
  - A. Declaring surplus the Board's real property located in the 500 Block of West Romana Street (Tax Reference Number 00-0S-00-9070-011-003), offering this property to the adjacent property owners, and authorizing the sale of this property to the highest offer received above the minimum bid of \$200, without further action of the Board;
  - B. Making a factual determination, in accordance with Section 46-131 of the Escambia County Code of Ordinances, that the real property is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the property, and the size, shape, location, and value of the property would make it of use to only one or more of the adjacent property owners; and
  - C. Authorizing the Chairman to sign any and all documents necessary to close this sale.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

2. Taking the following action concerning the surplus and sale of real property located in the 100 Block of West Reggie Lane:

2104

- A. Declaring surplus the Board's real property Account Number 113991000, Reference Number 16-1N-31-2111-000-000, acquired by tax deed; a legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting bids by sealed bid;
- B. Authorizing the sale of this property to the highest offer received from sealed bid above the minimum bid of \$2,390, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and
- C. Authorizing the Chairman to sign all documents related to the sale.

3. Taking the following action concerning the surplus and sale of real property located at 1008 West Lloyd Street:

2104

- A. Declaring surplus the Board's real property located at 1008 West Lloyd Street (Tax Reference Number 00-0S-00-9050-024-052), offering this property to the adjacent property owners, and authorizing the sale of this property to the highest offer received above the minimum bid of \$6,300, without further action of the Board;
- B. Making a factual determination, in accordance with Section 46-131 of the Escambia County Code of Ordinances, that the real property is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the property, and the size, shape, location, and value of the property would make it of use to only one or more of the adjacent property owners; and
- C. Authorizing the Chairman to sign any and all documents necessary to close this sale.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

4. Taking the following action concerning the surplus and sale of real property located at 1103 West Bobe Street: 2104
  - A. Declaring surplus the Board's real property Account Number 062693750, Reference Number 18-2S-30-6000-090-024, acquired by tax deed in 2003; a legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting bids by sealed bid;
  - B. Authorizing the sale of this property to the highest offer received from sealed bid above the minimum bid of \$6,400, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and
  - C. Authorizing the Chairman to sign all documents related to the sale.
5. Amending the Board's action of November 3, 2005, concerning the surplus and sale of real property located at 1807 West Desoto Street (Tax Reference Number 00-0S-00-9060-011-114), to correct the street address from the 1800 Block of West Desoto Street to 1807 West Desoto Street and to increase the minimum bid amount from \$1,840 to \$5,250. 2104
6. Taking the following action concerning the surplus and sale of real property located at 210 East Lakeview Avenue: 2104
  - A. Declaring surplus the Board's real property Account Numbers 134204000 and 134204100, Reference Numbers 00-0S-00-9020-034-128 and 00-0S-00-9020-035-128, acquired by tax deeds in 1997; a legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting bids by sealed bid;
  - B. Authorizing the sale of these properties to the highest offer received from sealed bid above the minimum bid of \$6,000, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and
  - C. Authorizing the Chairman to sign all documents related to the sale.



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

7. Adopting the Resolution (*R2007-81*) approving Supplemental Budget Amendment Number 213, Transportation Trust Fund (175), in the amount of \$5,500, to recognize funds received from Gulf Coast Office Products, LLC, and to appropriate these funds for sidewalk and miscellaneous improvements in the Marcus Pointe area. 2104
8. Adopting the Resolution (*R2007-82*) approving Supplemental Budget Amendment Number 214, Transportation Trust Fund (175), in the amount of \$75,000, to recognize funds received from Gulf Timberlands, Inc., and to appropriate these funds for a corridor study in the Olive Road area. 2104
9. Taking the following action concerning the surplus and sale of real property located in the 300 Block of Mallory Street: 2104
  - A. Declaring surplus the Board's real property located in the 300 Block of Mallory Street, Account Number 133709000 (Tax Reference Number 00-0S-00-9020-014-099), offering this property to the adjacent property owners, and authorizing the sale of this property to the highest offer received above the minimum bid of \$2,580, without further action of the Board; and
  - B. Authorizing the Chairman to sign any and all documents necessary to close the sale of this property.
10. Taking the following action concerning the surplus and sale of real property located in the 500 Block of West Desoto Street: 2104
  - A. Declaring surplus the Board's real property located in the 500 Block of West Desoto Street (Tax Reference Number 00-0S-00-9010-120-071), Tax Account Number 131596000, offering this property to the adjacent property owners, and authorizing the sale of this property to the highest offer received above the minimum bid of \$8,620, without further action of the Board; and
  - B. Authorizing the Chairman to sign any and all documents necessary to close the sale of this parcel.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

11. Taking the following action concerning the surplus and sale of the real property located in the 600 Block of North “C” Street: 2104
- A. Declaring surplus the Board’s real property located in the 600 Block of North “C” Street (Tax Reference Number 00-0S-00-9060-130-024), offering this property to the adjacent property owners, and authorizing the sale of this property to the highest offer received above the minimum bid of \$4,890, without further action of the Board;
  - B. Making a factual determination, in accordance with Section 46-131 of the Escambia County Code of Ordinances, that the real property is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the property, and the size, shape, location, and value of the property would make it of use to only one or more of the adjacent property owners; and
  - C. Authorizing the Chairman to sign any and all documents necessary to close this sale.
12. Taking the following action concerning the surplus and sale of real property located in the 6100 Block of Schaag Road: 2104
- A. Declaring surplus the Board’s real property Account Number 120239000, Reference Number 10-2N-31-2401-000-002, acquired by tax deed; a legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting bids by sealed bid;
  - B. Authorizing the sale of this property to the highest offer received from sealed bid above the minimum bid of \$32,700, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and
  - C. Authorizing the Chairman to sign all documents related to the sale.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

13. Taking the following action concerning the surplus and sale of real property located in the 700 Block of East Maxwell Street:

2104

- A. Declaring surplus the Board's real property located in the 700 Block of East Maxwell Street, Account Number 133547000, (Tax Reference Number 00-0S-00-9020-041-084), offering this property to the adjacent property owners, and authorizing the sale of this property to the highest offer received above the minimum bid of \$4,450, without further action of the Board; and
- B. Authorizing the Chairman to sign any and all documents necessary to close the sale of this property.

14. Taking the following action concerning the surplus and sale of real property located at 712 1/2 West Lloyd Street:

2104

- A. Declaring surplus the Board's real property located at 712 1/2 West Lloyd Street, (Tax Reference Number 00-0S-00-9050-023-033), offering this property to the adjacent property owners, and authorizing the sale of this property to the highest offer received above the minimum bid of \$200, without further action of the Board;
- B. Making a factual determination, in accordance with Section 46-131 of the Escambia County Code of Ordinances, that the real property is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the property, and the size, shape, location, and value of the property would make it of use to only one or more of the adjacent property owners; and
- C. Authorizing the Chairman to sign any and all documents necessary to close this sale.

15. Amending the Board's action of January 5, 2006, concerning the surplus and sale of real property located at 915 West Brainerd Street, (Tax Reference Number 00-0S-00-9060-110-029) to increase the minimum bid amount from \$4,950 to \$6,180.

2104

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

16. Taking the following action concerning the surplus and sale of real property located off of Bobe Street: 2104
- A. Declaring surplus the Board's real property located off of Bobe Street (Tax Reference Number 00-0S-00-9025-016-285), offering this property to the adjacent property owners, and authorizing the sale of this property to the highest offer received above the minimum bid of \$50, without further action of the Board;
  - B. Making a factual determination, in accordance with Section 46-131 of the Escambia County Code of Ordinances, that the real property is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the property, and the size, shape, location, and value of the property would make it of use to only one or more of the adjacent property owners; and
  - C. Authorizing the Chairman to sign any and all documents necessary to close this sale.
17. Taking the following action concerning the surplus and sale of real property located on Calloway Street: 2104
- A. Declaring surplus the Board's real property located on Calloway Street, Tax Account Number 113964008, Tax Reference Number 16-1N-31-1301-000-008, offering this property to the adjacent property owners, and authorizing the sale of this property to the highest offer received above the minimum bid of \$860, without further action of the Board; and
  - B. Authorizing the Chairman to sign any and all documents necessary to close the sale of this parcel.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

18. Taking the following action concerning the surplus and sale of real property located at 914 North 7th Avenue: 2104
- A. Declaring surplus the Board's real property located at 914 North 7th Avenue, Tax Account Number 133166000, Tax Reference Number 00-0S-00-9020-040-043, offering this property to the adjacent property owners, and authorizing the sale of this property to the highest offer received above the minimum bid of \$6,270, without further action of the Board; and
  - B. Authorizing the Chairman to sign any and all documents necessary to close the sale of this parcel.
19. Taking the following action concerning the surplus and sale of real property located on Pettaway Circle: 2104
- A. Declaring surplus the Board's real property located on Pettaway Circle, Tax Account Number 120620000 (Tax Reference Number 35-2N-31-2201-000-001), offering this property to the adjacent property owners, and authorizing the sale of this property to the highest offer received above the minimum bid of \$3,000, without further action of the Board; and
  - B. Authorizing the Chairman to sign any and all documents necessary to close the sale of this parcel.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

20. Adopting the Resolution (*R2007-83*) authorizing the issuance and sale of not exceeding \$19,200,000 Escambia County, Florida, Capital Improvement Refunding Revenue Bonds, Series 2007 (the “2007 Refunding Bonds”), which includes the approval of forms of the following documents: 2104
- A. Escrow Deposit Agreement between the County and Commerce Bank, N.A., as Escrow Holder;
  - B. Bond Purchase Agreement between the County and RBC Dain Rauscher Inc., on its own behalf and on behalf of Citigroup Global Markets, Inc.;
  - C. Preliminary Official Statement;
  - D. First Amendment to Interlocal Agreement between the County and Santa Rosa Island Authority; and
  - E. Supplement to Memorandum of Understanding between the County and the City of Gulf Breeze.
21. Taking the following action concerning an Economic Development Ad Valorem Tax Exemption for “Project Palmer”: 2104
- A. Adopting a Resolution (*R2007-84*) establishing the Board's intent to adopt an Ordinance for an Economic Development Ad Valorem Tax Exemption for “Project Palmer” for 100% of their expansion for up to seven years, extending from 2009 through 2015; and
  - B. Adopting a Resolution (*R2007-85*) approving “Project Palmer” as a qualified applicant for the Florida Qualified Target Industry Tax Refund Program, providing a 20% local “participation” in the tax refund through a local Economic Development Ad Valorem Tax Exemption, in the amount of \$43,200, over a four-year period from 2009-2012.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

22. Taking the following action concerning the surplus and sale of real property located in the 2200 Block of West Main Street:

2104

- A. Declaring surplus the Board's real property located in the 2200 Block of West Main Street (Tax Reference Number 00-0S-00-9080-003-159), offering this property to the adjacent property owners, and authorizing the sale of this property to the highest offer received above the minimum bid of \$720, without further action of the Board;
- B. Making a factual determination, in accordance with Section 46-131 of the Escambia County Code of Ordinances, that the real property is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the property, and the size, shape, location, and value of the property would make it of use to only one or more of the adjacent property owners; and
- C. Authorizing the Chairman to sign any and all documents necessary to close this sale.

23. Approving, and authorizing the County Administrator to execute, the following Change Order for additional supplemental assessment of the Escambia County Mosquito Control Facility (Funding Source: Fund CDBG 2001, Cost Center 220482, Object Code 53101, Fund CDBG 2005, Cost Center 220422, Object Code 53101):

2104

Department:	Neighborhood and Environmental Services
Type:	Addition
Amount:	\$91,475.00
Vendor:	Cameron-Cole, Inc.
Project Name:	603 Romana Street/Escambia County Mosquito Control Facility per PD 03-04.53, Professional Services, as Governed by Florida Statute 287.055, Cameron-Cole, Inc.
Contract:	PD 03-04.53
Purchase Order Number:	271029-2
Change Order Number:	2
Original Award Amount:	\$ 94,362.12
Cumulative Amount of Change Orders through Number 2:	<u>\$102,710.24</u>
New Contract Total:	\$197,072.36

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

24. Taking the following action concerning release of liens and fees for 8661 Fab Street, in the amount of \$5,210; the Code Enforcement Department is asking the liens and fines be released to rectify an error with the new property owners, which was the demolition of a building on this property: 2104
- A. Approving the release of the liens ordered by the Environmental Enforcement Special Magistrate on May 9, 2006, and the amended Order dated September 27, 2006, in the amount of \$1,100, and fees in the amount of \$4,110, for a total amount of \$5,210, placed on the property of 8661 Fab Street;
  - B. Authorizing payment of incidental expenses associated with the recording of the Release of Lien; and
  - C. Authorizing the Chairman to sign the Release of Lien, upon Mr. Henry Cravens' execution of the General Release.
25. Amending the Board's action of August 17, 2006, concerning waiving the Code Enforcement fines and demolition costs against property located at 301 Dwight Way and owned by James N. Haley, to correct the amount of the Lien forgiven from \$10,000 to \$39,000, due to an error in calculating the original Lien. 2104



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

26. Approving, and authorizing the County Administrator to execute, the following Change Order (add 28 days after Board approval to the duration for construction [Funding Source: Fund 112, Cost Center 330465, Object Code 56201]): 2104

Department:	Facilities Management
Type:	Addition
Amount:	\$45,850.00
Vendor:	Jack Moore & Company, Inc.
Project Name:	Various Hurricane IVAN Repairs
Purchase Order Number:	270529
PD Number:	04-05.48
County Change Order Number:	5
Project Change Order Number:	16
Original Award Amount:	\$2,085,000.00
Cumulative Amount for Contract Change Orders:	<u>\$ 536,275.23</u>
New Contract Total:	\$2,621,275.23

27. Awarding an Indefinite Quantity, Indefinite Delivery Contract for PD 06-07.036, "Jones Creek Restoration," to Klepac Engineering & Contracting, LLC, in the amount of \$69,960 (funding is to be provided from Fund 110, Other Grants and Projects, Cost Center 210314, Jones Creek, and Object Code 356301). 2104
28. Authorizing the purchase of one Komatsu WA250PT-5L Wheel Loader for the Road Department from Tractor & Equipment Company, Inc., off of PD 05-06.094, "Purchase of Wheel Loader," in the amount of \$128,326.72, in accordance with the terms and conditions of the solicitation and appropriation of funds; this unit is a replacement for Property Number 42513 (funding is available from Fund 175 [Transportation Trust Fund], Cost Center 260102). 2104

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

29. Authorizing the County to piggyback off of the GSA Contract GS-30F-1028G, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Applications; Exemptions; and Section 46-64, Board Approval, and awarding a Purchase Order for one Altec #209 LRV60-E70 Aerial Device on a 2007 International 4300 SBA 4X2 Cab and Chassis (bucket truck) from Altec Industries, Incorporated, in the amount of \$134,674, with funds available from Fund 175 (Transportation Trust Fund), Cost Center 260102. 2104
30. Amending the Board's action of February 15, 2007, relating to the Contract Award to Staffco Management Group, Inc., d/b/a American Staffing Resources, for PD 06-07.017, Term Employment Services, to replace the bid tab to correct a scrivener's error in the bid tab that was included with the recommendation on February 15, 2007. 2104
31. Taking the following action concerning the "General Paving and Drainage Pricing Agreement": 2104
- A. Approving Amendment #6 for one previously-awarded Contractor (Roads, Inc., of NWF), relating to Contract PD 04-05.10, "General Paving and Drainage Pricing Agreement," providing for the acceptance of amended prices, in accordance with "Section 15, Price Adjustment," and establishing an effective date of April 10, 2007, for Amendment #6; and
- B. Authorizing the County Administrator to execute the Amendment on behalf of the Board.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

32. Taking the following action concerning issuance of Change Orders for the Fire Services Department:

2104

- A. Approving issuance of the following Change Order to Whitman & Whitman, Inc., on Contract PD 01-02.6, Property Liability & Statutory Death Benefits Insurance, due to an increase in premium renewal in January 2007 (Funding Source: Fund 143, Fire Protection, Cost Center 330202, Object Code 54501):

Department:	Fire Services	
Type:	Addition	
Amount:	\$50,000	
Vendor:	Whitman & Whitman, Inc.	
Project Name:	Property Liability & Statutory Death Benefits Insurance	
Purchase Order Number:	270177	
Change Order Number:	2	
Original Amount:		\$275,000
Cumulative Amount of Change Orders through Number 1:		<u>\$ 50,000</u>
New Contract total:		\$325,000

- B. Approving issuance of the following Change Order to Preferred Governmental Insurance Trust for Contract PD 02-03.83, Workers Compensation Insurance for Escambia County Volunteer Firefighters, due to an unanticipated audit of the prior year's premium (Funding Source: Fund 143, Fire Protection, Cost Center 330202, Object Code 54501):

Department:	Fire Services	
Type:	Addition	
Amount:	\$55,000	
Vendor:	Preferred Governmental Insurance Trust	
Project Name:	Workers Compensation Insurance for Escambia County Volunteer Firefighters	
Purchase Order Number:	271221	
Change Order Number:	1	
Original Amount:		\$110,000
Cumulative Amount of Change Orders through Number 1:		<u>\$ 55,000</u>
New Contract total:		\$165,000

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

33. Awarding an Indefinite Quantity, Indefinite Delivery Contract, PD 06-07.035, "Tampico Boulevard Drainage Outfall," to Utility Service Co., Inc., in the amount of \$1,044,999.27 (funding to be provided from Fund 351, Local Option Sales Tax II, Cost Center 210105, Object Code 56301, Project Number 05EN2021, Object Code 56301). 2104
34. Approving the following concerning the Fox Lawson & Associates' pay study results: 2104
- A. Approving the implementation of the new employee pay schedule designed by Fox Lawson & Associates, effective April 7, 2007; and
  - B. Approving the funding of employee salary increases required to bring all Board of County Commissioners' employees to the minimum of the pay ranges.
35. Taking the following action concerning a Resolution for the Bayou Chico dredged material disposal site and management plan: 2104
- A. Adopting a Resolution (*R2007-86*) authorizing disposal of approximately 230,000 cubic yards of dredged sediment from the federal navigation channel and turning basin of Bayou Chico on County property in the North Lake of Jackson Branch Lakes;
  - B. Authorizing acceptance of long-term maintenance of the site, including security access, inspection of the monitoring wells and related equipment, and institutional controls;
  - C. Authorizing the expenditure of \$9,000 for the first year, and \$7,000 per year thereafter, from Accounts 54601 and 53401, Cost Center 110224, for maintenance and monitoring of the site; and
  - D. Authorizing the Chairman to sign the Resolution and all documents related to maintenance of the site.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Janet Lander, County Attorney

I. CONSENT AGENDA

1-5. Approval of Various Consent Agenda Items

Motion made by Commissioner Whitehead, seconded by Commissioner Valentino, and carried 4-0, with Commissioner White absent, approving Consent Agenda Items 1 through 5, as follows: 2105

1. Approving to enter into a Memorandum of Understanding with the Pensacola-Escambia Promotion and Development Commission to assist the County through economic development by applying for new market tax credits. 2105
2. Taking the following action concerning Pensacola Ready Mix, LLC, v. Escambia County Commissioners, Case No.: 2005 CA 001536: 2105
  - A. Approving not to appeal the Order issued March 19, 2007, by Circuit Court Judges Terry Terrell, Michael Allen, and Jan Shackelford in the matter of Pensacola Ready Mix, LLC, v. Escambia County Commissioners, Case No.: 2005 CA 001536; and
  - B. Scheduling the remand of the matter for Public Hearing at 5:46 p.m., on May 1, 2007, which will appear as part of the Growth Management Report.
3. Approving payment to attorney Brett Vigodsky, Esquire, in the amount of \$45,000.00 in fees and \$5,421.90 in costs, for securing the award of permanent total disability benefits to former Escambia County employee Barney Cash, regarding Barney Cash v. Escambia County Board of County Commissioners, in compliance with Section 440.34(1), Florida Statutes, and the final order issued by the Judge of Compensation Claims on January 23, 2006. 2105
4. Approving payment to attorney J. Rod Cameron, Esquire, in the amount of \$26,081.81, plus costs in the amount of \$2,174.49, for a total amount of \$28,256.30; this payment is for securing the award of permanent total disability benefits to Workers' Compensation Claimant Claudette Patton (Claudette Patton v. Escambia County Board of County Commissioners, Case No.: 01-018516NSW). 2105

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Continued

I. CONSENT AGENDA – Continued

1-5. Approval of Various Consent Agenda Items – Continued

5. Accepting a washout settlement offer from Workers' Compensation Claimant Donald Jay, in the amount of \$17,250 (*Donald Jay v. Escambia County Board of County Commissioners*, Case No.: 06-024849NSW); upon receipt of the settlement amount, Mr. Jay will execute a general release of liability and waiver of future employment with Escambia County. 2105

ITEMS ADDED TO THE AGENDA – COMMISSIONER KEVIN W. WHITE

1. Payment of Travel Expenses

Motion made by Commissioner Whitehead, seconded by Commissioner Valentino, and carried 4-0, with Commissioner White absent, approving payment of travel expenses related to interviews for finalists/candidates for the position of Director of Planning and Zoning. 2106

2. Pensacola Ice Pilots

Motion made by Commissioner Whitehead, seconded by Commissioner Valentino, and carried 4-0, with Commissioner White absent, taking the following action concerning the Pensacola Ice Pilots: 2106

- A. Rescinding the letter of termination of the lease and authorizing the County Administrator to reopen negotiations with Henley Sports, Inc., for a lease extension to be effective after the Fiscal Year 2007-2008 hockey season; and
- B. Authorizing the County Administrator to sign a letter agreeing by mutual consent with Henley Sports, Inc., to continue the current lease through the end of the Fiscal Year 2007-2008 hockey season as stated in the letter.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

ANNOUNCEMENTS

1. FOR INFORMATION: The Board was advised by County Administrator Touart that the cleanup of sand on County rights-of-way on Pensacola Beach will be completed by Thursday or Friday of this week. 1738

ADJOURNMENT

There being no further business to come before the Board, Vice Chairman Young declared the Regular Meeting of the Board of County Commissioners adjourned at 9:08 p.m.

BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA

ATTEST:

ERNIE LEE MAGAHA  
CLERK OF THE CIRCUIT COURT

By: \_\_\_\_\_  
Kevin W. White, Chairman



\_\_\_\_\_  
Deputy Clerk

Approved: April 19, 2007