

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD JANUARY 10, 2008
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(4:33 p.m. – 6:55 p.m.)

Present: Commissioner D. M. "Mike" Whitehead, Chairman, District 1
Commissioner Gene M. Valentino, Vice Chairman, District 2
Commissioner Grover C. Robinson, IV, District 4
Commissioner Kevin W. White, District 5
Commissioner Marie K. Young, District 3
Mr. Robert R. "Bob" McLaughlin, Interim 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

PUBLIC FORUM WORK SESSION

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

1. FOR INFORMATION: The Board heard comments from Ann D. White concerning a ditch on Gulf Beach Highway (*8801 Gulf Beach Highway*), dug by the County in the 1920s, which has become wetland, and heard the request from Commissioner Whitehead that Ms. White speak with T. Lloyd Kerr, Director, Planning and Engineering, regarding this issue. 1633
2. FOR INFORMATION: The Board heard comments from Timothy Myers expressing opposition to a proposed RV Park on Wilde Lake Boulevard and was advised by Commissioner Whitehead that a traffic study for that area is being conducted and the development plans for the Park have not been approved yet. 1638
3. FOR INFORMATION: The Board heard comments from the following three individuals expressing opposition to a boat ramp in Riola Place: 1643

Dan Parker
Wesley H. Stephens
Faye Williamson

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

PUBLIC FORUM WORK SESSION – Continued

4. FOR INFORMATION: The Board heard the request from Bruno Piotrowski for assistance regarding a lien against property located at 1912 "K" Street and heard the request from Commissioner Whitehead that Mr. Piotrowski submit a formal request to County Administration to be placed on the Agenda under Written Communication for a future Board Meeting. 1653
5. FOR INFORMATION: The Board heard comments from L. Gary Sansing regarding various County/National issues, as well as issues discussed during Public Forum. 1706
6. FOR INFORMATION: The Board heard comments from Barbara Mayall regarding Escambia County Area Transit and heard Ms. Mayall's request for information concerning a traffic light on Michigan Avenue. 1711

5:14 P.M. – PUBLIC FORUM ADJOURNED

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

REGULAR BCC AGENDA

1. Call to Order

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

2. Invocation

Chairman Whitehead delivered the Invocation.

3. Pledge of Allegiance to the Flag

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

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

4. Adoption of the Agenda

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, adopting the agenda as prepared and duly amended to include Addendum #1 to the County Attorney's Report (*Item I-7*).

1735

5. Commissioners' Forum – District 5 – The Board heard comments from Commissioner White extending condolences to the family of Mickey Wiggins, who passed away.

1735

6. Proclamations

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning adoption/ratification of the following two Proclamations:

1736

- A. Adopting the Proclamation recognizing Major Harold O. Blum for his service to the people of Escambia County, serving in excess of 30,000 hours of voluntary service since his appointment to the Florida Highway Patrol Auxiliary on March 27, 1970; and
- B. Ratifying the Proclamation, dated December 13, 2007, expressing appreciation to the Myrtle Grove Volunteer Fire Department for their contributions to the community and for maintaining an ISO rating of Class 4.

REGULAR BCC AGENDA – Continued

7. Employee of the Month Proclamations/Special Recognition/Retirement Proclamations

Motion made by Commissioner White, seconded by Commissioner Young, and carried unanimously, taking the following action concerning Employee of the Month Proclamations/Special Recognition/Retirement Proclamations:

1736

A. Taking the following action concerning the United Way Campaign for Fiscal Year 2007-2008 for the Escambia County Board of County Commissioners:

(1) Commending and congratulating the following twelve departments and offices for "Exemplary Support to the Community" for participation of 90% or more of their employees:

- (a) Board of County Commissioners and County Administrator's Office
- (b) County Attorney's Office
- (c) Administrative Services
- (d) Community Corrections
- (e) Community Services
- (f) Environmental Code Enforcement
- (g) Extension Services
- (h) Facilities Management
- (i) Human Resources and Risk Management
- (j) Information Technology
- (k) Public Information and Communication
- (l) Purchasing

(Continued on Page 5)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

7. Continued...

A. Continued...

(2) Commending and congratulating the following twelve Escambia County United Way Red Feather Fellowship Contributors:

- (a) Commissioner Grover C. Robinson, IV, District 4 (Silver Feather)
- (b) David Musselwhite, Information Technology (Bronze Feather)
- (c) Janet Lander, County Attorney
- (d) Sandra Jennings, Solid Waste Management
- (e) Janice Kilgore, Public Safety
- (f) Gary McCormick, Human Resources
- (g) Gordon Pike, Community Corrections
- (h) Rod Powell, Human Resources
- (i) Willie Taylor, Assistant County Administrator
- (j) Fred Wagner, County Attorney's Office
- (k) Marilyn Wesley, Community Services
- (l) David Wheeler, Facilities Management

B. Recognizing the Office of Purchasing for receiving the Achievement of Excellence in Procurement Award for 2007 from the National Purchasing Institute; and

C. Taking the following action concerning the adoption of the following four Proclamations:

- (1) Adopting the Proclamation commending and congratulating Vernon B. Barnhill, Animal Control Officer, Public Safety Department, Animal Regulation and Control Division, on his retirement after 29 years of dedicated service;
- (2) Adopting the Proclamation commending and congratulating Cleo D. Crane, Storekeeper/Warehouse Technician, Administrative Services Department, Property Management Division, on her retirement after 30 years of dedicated service;

(Continued on Page 6)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

7. Continued...

C. Continued...

- (3) Adopting the Proclamation commending and congratulating Susan G. Nicholas, Environmental Enforcement Supervisor, Solid Waste Management Department, Environmental Code Enforcement Division, on her retirement after 13 years of dedicated service; and
- (4) Adopting the Proclamation commending and congratulating Michael T. "Mike" Oglesby, Building Codes Inspection Supervisor, Building Inspections Department, Inspections Division, on his retirement after 23 years of dedicated service.

Speaker(s):

Jean Norman

REGULAR BCC AGENDA – Continued

8. Written Communication

A. 607 Edgewater Drive

1735

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, sustaining the \$650 fine and allowing Ms. White a six-month term of repayment to the County, without interest, relative to a communication from Minnie E. White regarding an Environmental Code Enforcement Special Magistrate Order awarding fines, in the amount of \$650, payable to Escambia County, for a Code Enforcement violation against property located at 607 Edgewater Drive.

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, directing the County Attorney to come to the specific understanding with the Special Magistrate System that the Special Magistrate System is not permitted to unilaterally go below the \$1,100 (*administrative cost of the Special Magistrate Hearing*) mark, without prior consultation with the Board of County Commissioners.

Speaker(s):

Minnie E. White
Shannon Colbert

B. 71 Elsie Davis Road

The Board took no action concerning a communication from Ron Scott, Risk Manager, Deep South Crane Rentals, Inc., requesting that the Board consider forgiving a Code Enforcement Lien and reducing fines against property located at 71 Elsie Davis Road (*Mr. Scott was not present*).

1806

REGULAR BCC AGENDA – Continued

9. Proofs of Publication

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, 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 (*the 5:47 p.m. Public Hearing will be rescheduled*):

1806

A. The following five Public Hearings on the agenda:

- (1) The 5:31 p.m. Public Hearing, advertised in the Pensacola News Journal on December 21, 2007, for consideration of adopting an Ordinance creating the Audrey Plantation Street Lighting MSBU;
- (2) The 5:32 p.m. Public Hearing, advertised in the Pensacola News Journal on December 28, 2007, for consideration of adopting an Ordinance establishing an Economic Development Ad Valorem Tax Exemption for Advanced Elastomers, Inc.;
- (3) The 5:33 p.m. Public Hearing, advertised in the Pensacola News Journal on December 29, 2007, for consideration of adopting an Ordinance providing for the licensing requirements for contractors installing doors, windows, and storm shutters;
- (4) The 5:45 p.m. Public Hearing, advertised in the Pensacola News Journal on December 28, 2007, for consideration of adopting an Ordinance amending the Official Zoning Map; and
- (5) The 5:46 p.m. Public Hearing, advertised in the Pensacola News Journal on December 28, 2007, for consideration of adopting an Ordinance repealing Ordinance Number 2007-46 (SSA 2007-03); and

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

9. Continued...

B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule January 7 – January 11, 2008 – Legal No. 71812*, as published in the Pensacola News Journal on January 6, 2008, as follows:

January 7	5:30 p.m.	Marine Advisory Committee
January 8	8:00 a.m.	Department Directors
January 8	3:00 p.m.	Workforce Escarosa Career Council
January 8	5:00 p.m.	Housing Finance Authority
January 8	5:00 p.m.	Merit System Protection Board
January 9	8:30 a.m.	Examination Committee for Competency Board
January 9	9:00 a.m.	Construction Industry Competency Board
January 9	10:30 a.m.	Workforce Escarosa Finance Committee
January 9	1:00 p.m.	Development Review Committee
January 9	5:00 p.m.	Escambia County Area Transit Citizens Advisory Committee
January 9	5:00 p.m.	Santa Rosa Island Authority Joint Committee/Regular Meeting
January 10	9:00 a.m.	Agenda Work Session
January 10	3:30 p.m.	Board of County Commissioners Attorney-Client Session
January 10	4:30 p.m.	Board of County Commissioners Public Forum
January 10	5:30 p.m.	Board of County Commissioners Public Hearings & Reports
NEXT WEEK'S NOTE:		
January 14	8:30 a.m.	Planning Board
January 14	4:00 p.m.	West Florida Regional Planning Council
January 16	8:00 a.m.	Soil & Water Conservation Board

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

10. 5:31 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, adopting, and authorizing the Chairman to sign, the Ordinance (*Number 2008-1*) creating the Audrey Plantation Street Lighting Municipal Services Benefit Unit (MSBU), and all related documents, and making the following findings of fact:

1807

- A. Lots in the District are specially benefited since street lighting not only increases the market value of an individual lot in the District, but also increases safety in the District surrounding individual lots and the ability of lot owners to use their individual lots after dark;
- B. The benefit from improved street lighting varies according to the relative size of the affected lots; residential lots benefit from improved street lighting uniformly because of the small variation in size throughout the District;
- C. The non-ad valorem special assessments levied represent a fair and reasonable apportionment of the cost of the special benefit received by each lot and do not represent a fair share of the cost of general governmental service provided to residents in the unincorporated areas of Escambia County; and
- D. Lots which do not receive a special benefit have been and shall be excluded from the non-ad valorem special assessment for street lighting.

Speaker(s) – None.

11. 5:32 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Young, and carried unanimously, adopting an Ordinance (*Number 2008-2*) establishing an Economic Development Ad Valorem Tax Exemption for Advanced Elastomers, Inc., for 38.5% of their expansion, for 10 years.

1807

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

12. 5:33 p.m. Public Hearing

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, taking the following action concerning *(concerning definitions of companies that install garage doors, entry doors, windows, storm shutters, soffits, and fascia and siding)*:

1812

- A. Ratifying the scheduling and advertising of the Public Hearing for January 10, 2008, at 5:33 p.m.; and
- B. Adopting an Ordinance (*Number 2008-3*) amending Chapter 18, Article 2, Section 18-34, of the Escambia County Code of Ordinances, providing for definitions; providing for severability; providing for inclusion in the Code; providing for an effective date.

Speaker(s):

Bud Segers

REGULAR BCC AGENDA – Continued

13. Committee of the Whole Recommendation(s)

Motion made by Commissioner White, seconded by Commissioner Young, and carried unanimously, taking the following action, as recommended by the Committee of the Whole (C/W), at the December 13, 2007, C/W Workshop:

1815

- A. Approving to direct staff to research alternatives to support funding, in the amount of \$250,000, for the Pensacola Little Theatre (*Item 5*);
- B. Approving to allocate \$50,000 in the Fiscal Year 2007-2008 Budget for mowing services for Youth Sports Parks (*Item 7*);
- C. Approving to direct staff to finalize negotiations with the City of Pensacola (*Community Redevelopment Agency [CRA]*) regarding the Interlocal Agreement for (*the transfer of the CRA's interest in*) the parking garage located on (*the northeast corner of Baylen Street and*) Intendencia Street (*Item 14*); and
- D. Approving to direct the Interim County Administrator to write a letter to the Pensacola Ice Pilots advising that the County has a tentative agreement to renew the Ice Pilots' Contract, for a base period of three years, plus two option years (*Item 16*).

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

1-5. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 5, as follows:

1815

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

1815

A. The following two Payroll Expenditures:

- (1) As of Payday December 14, 2007, in the amount of \$2,421,435.95; and
- (2) As of Payday December 28, 2007, in the amount of \$2,313,838.29; and

B. The following four Disbursement of Funds:

- (1) November 29, 2007, to December 5, 2007, in the amount of \$44,232,722.19;
- (2) December 6, 2007, to December 12, 2007, in the amount of \$3,498,158.25;
- (3) December 13, 2007, to December 19, 2007, in the amount of \$36,351,228.21;
and
- (4) December 20, 2007, to December 26, 2007, in the amount of \$484,349.28.

2. Accepting, for filing with the Board's Minutes, the Investment Report for the month ended November 30, 2007, as prepared by the Clerk & Comptroller's Finance Department.

1815

3. Accepting, for filing with the Board's Minutes, the Tourist Development Tax (TDT) Collections Data for Fiscal Year 2007-2008, which includes October 2007 returns received in the month of November 2007, as prepared by the Clerk & Comptroller's Finance Department.

1815

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

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

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

1815

- A. *Pensacola-Escambia County Promotion and Development Commission, Pensacola, Florida, Financial Statements, September 30, 2007*, as prepared and audited by Saltmarsh, Cleaveland & Gund, Certified Public Accountants and Consultants, and received in the Clerk to the Board's Office on December 13, 2007;
- B. *Financial Statements, Escambia County Housing Finance Authority, September 30, 2007 and 2006*, as prepared and audited by Brown Thornton ♦ Pacenta & Company, P.A., Certified Public Accountants, Business & Financial Consultants, and received in the Clerk to the Board's Office on December 13, 2007;
- C. Closing documents relating to the sale of approximately 18.04 acres of property, located at the Escambia County Equestrian Center, to Classic Homebuilders, Incorporated, pursuant to the Board's action of July 19, 2007, approving the surplus and sale of the property, as provided to the Clerk to the Board's Office on December 17, 2007;
- D. *The State of Florida Department of Transportation County Incentive Grant Program Agreement (County Letting)*, regarding the design and installation of a traffic signal and construction of the southbound right turn lane on Nine Mile Road and Hummingbird Boulevard, as approved by the Board on July 19, 2007, and received in the Clerk to the Board's Office on December 19, 2007;
- E. *The State of Florida Department of Transportation County Incentive Grant Program Agreement (County Letting)*, regarding the design and construction of a westbound left turn lane on Olive Road at Gregg Road, as approved by the Board on July 19, 2007, and received in the Clerk to the Board's Office on December 19, 2007;

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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

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

4. Continued...

F. The recorded *Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreement*, in the amount of \$10,000, for Clutch Products, Inc., as approved by the Board on May 24, 2007, and recorded in Official Records Book 6265, Page 1265, on December 21, 2007;

G. A copy of the *Subordination Agreement* by Neighborhood Lending Partners of North Florida, Inc., Escambia County, and Arbours at Ensley, LTD, relative to the Board's action of May 24, 2007, committing \$950,000 in Hurricane Housing Recovery Program funds to Arbours at Ensley, and authorizing the Chairman to execute all related documents, as recorded in Official Records Book 6241, Page 352, on October 31, 2007, and provided to the Clerk to the Board's Office on December 27, 2007; and

H. *Amendment No. 1 to Agreement between The Northwest Florida Water Management District and Escambia County for Blue Pit Ecosystem Enhancement and Water Quality Improvement Project, Northwest Florida Water Management District Contract Number 06-059*, as executed by the Chairman on December 28, 2007, based on the Board's action of May 4, 2006, authorizing the Chairman to sign the Florida Forever Funding Agreement and subsequent Grant-related documents.

5. Taking the following action concerning Minutes and Reports prepared by the Clerk to the Board's Office:

1815

A. Approving the Minutes of the Public Forum Work Session and Regular Board Meeting held December 6, 2007;

B. Approving the Minutes of the Special Meeting of the Board of County Commissioners held December 13, 2007;

(Continued on Page 16)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

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

5. Continued...

C. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held December 6, 2007, as follows:

1. FOR INFORMATION: The agenda package for the 5:30 p.m., December 6, 2007, Regular Board Meeting was reviewed as follows:

A. Shirley L. Gafford, Program Coordinator, County Administrator's Office, County Attorney Lander, Jean A. Kassab, Director, Administrative Services, and Joy D. Blackmon, County Engineer, reviewed the agenda cover sheet, with comments from Brian W. Hoffman, Attorney representing the Petitioner, regarding the 5:37 p.m. Public Hearing;

B. Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services, and Lisa N. Bernau, Chief Deputy Clerk, reviewed the Clerk's Report, with comments from Willie C. Taylor, Assistant County Administrator, regarding Item I-5;

C. T. Lloyd Kerr, Director, Planning and Zoning Department, reviewed the Growth Management Report;

D. Robert R. "Bob" McLaughlin, Interim County Administrator, County Attorney Lander, Shirley L. Gafford, Program Coordinator, County Administrator's Office, Jean A. Kassab, Director, Administrative Services, Michael Watts, Risk Management, Janice R Kilgore, Director, Public Safety, and David Wheeler, Facilities Management, reviewed the County Administrator's Report, with comments from Barbara Flynn, First Florida Insurers of Tampa, Inc., and J. Hayden Knowlton, Waters Risk Management, regarding Item II-44;

E. County Attorney Lander reviewed the County Attorney's Report; and

(Continued on Page 17)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- C. Report of the December 6, 2007, Agenda Work Session – Continued
 - 1. Continued...
 - F. Commissioner Whitehead reviewed his add-on items (*and Interim County Administrator McLaughlin and Commissioner Whitehead discussed the possible acquisition of the old Palm Mattress Factory site in Navy Point and property adjacent to the Beulah Volunteer Fire Department, respectively*).
- D. Accepting, for filing with the Board's Minutes, the Report of the Committee of the Whole (C/W) Workshop held November 29, 2007, as follows:

AGENDA NUMBER

1. Call To Order

Chairman White called the Committee of the Whole (C/W) to order at 10:03 a.m.

2. Was the Meeting Properly Advertised?

The C/W was advised by Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services, that the Meeting was advertised in the Pensacola News Journal on November 25, 2007, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule November 26 – November 30, 2007, Legal No. 71559*.

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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
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- D. Report of the November 29, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

3. Judicial System Study for Escambia County

- A. Discussion – The C/W discussed Judicial System Study for Escambia County, and the C/W:
 - (1) Was advised by Robin Wright, Trial Court Administrator, that Okaloosa County has completed a comprehensive criminal justice study of the County's Judicial System, and, additionally, heard an overview from Ms. Wright of the findings and recommendations that resulted from the study;
 - (2) Upon inquiry from Commissioner White, was advised by Ms. Wright that the cost of the study conducted in Okaloosa County was \$138,000; and
 - (3) Was advised by Interim County Administrator McLaughlin that staff has identified a funding source to pay for a Judicial System study for Escambia County; and
- B. Board Direction – The C/W recommends that the Board move forward (*with a Judicial System Study for Escambia County*) and direct staff to issue a Request for Proposals (*for a Consultant to conduct the Study*).

Recommended 3-0, with Commissioner Valentino and Commissioner Whitehead absent

(Continued on Page 19)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- D. Report of the November 29, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

- 4. Preliminary Budget to Actual Report for Fiscal Year Ending September 30, 2007
 - A. Discussion – The C/W was advised by Commissioner White that this item has been referred to the December 13, 2007, C/W Workshop; and
 - B. Board Direction – None.
- 5. Objections/Recommendations/Comments (ORC) – Perdido Key Comp Plan Amendments
 - A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, entitled, *Escambia County – Perdido Key Comprehensive Plan Amendment*, presented by T. Lloyd Kerr, Director, Planning and Zoning, and was advised by Mr. Kerr that the Public Hearing for this Amendment is scheduled for December 13, 2007; and
 - B. Board Direction – None.

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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
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- D. Report of the November 29, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

6. Ethics Policy

A. Discussion – The C/W heard an overview from Roderick "Rod" Powell, Director, Human Resources, of the proposed amendments to the Board's Ethics Policy, and was advised by Mr. Powell that a recommendation for consideration of approving the amended Ethics Policy will be on the Agenda for the December 6, 2007, Board Meeting; and

B. Board Direction – None.

7. Fire Rescue Funding Alternatives

A. Discussion – The C/W was advised by Commissioner White that this item has been referred to the December 13, 2007, C/W Workshop; and

B. Board Direction – None.

8. Southwest Sports Complex Property

A. Discussion – The C/W heard the request from Kevin Briski, Director, Parks and Recreation, for Board approval to begin negotiations with the Martines Corporation and Christine Marks, who provided the sole response to the Request for Letters of Interest for the property search for a Sports Complex in Southwest Escambia County; and

(Continued on Page 21)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- D. Report of the November 29, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

8. Continued...

- B. Board Direction – The C/W recommends that the Board authorize staff to begin negotiations with the Sellers and Agents to determine the terms of purchase and bring the negotiated terms back to the Board on December 13, 2007, for final approval.

Recommended 3-0, with Commissioner Valentino and Commissioner Whitehead absent

9. Escambia River Muzzle Loaders' Gun-Firing Range

- A. Discussion – The C/W discussed Escambia River Muzzle Loaders' (ERML) Gun-Firing Range, and the C/W:
 - (1) Was advised by Kevin Briski, Director, Parks and Recreation, that the Board has the ability to determine the ways, means, and terms of the disposition of the Rocky Branch Road Property (*currently occupied by the ERML*), and that the following options are viable:
 - (a) Have the ERML clean the property of contamination and, afterwards, rezone and appraise the property for sale via competitive public bid, and sell the property to the highest bidder;
 - (b) If the ERML is the highest bidder and obtains the bid, support the rezoning of the property and require the ERML to continue "Best Management Practices" and implement on-site improvements;

(Continued on Page 22)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- D. Report of the November 29, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

9. Continued...

A. Continued...

(1) Continued...

(c) Sell the property directly to the ERML, support the rezoning of the property, and require ERML to continue "Best Management Practices" and implement on-site improvements;

(d) Maintain and modify the Management Agreement with the ERML and direct the ERML to construct and maintain on-site improvements and establish new terms to the operation and management of the property; and

(e) Terminate the ERML Management Agreement and still require the ERML to clean the property;

(2) Was further advised by Mr. Briski that, although the ERML is responsible for the cleanup of the property, the County is ultimately responsible for the cleanup, the cost of which could exceed \$1 million;

(3) Upon inquiry from Commissioner Young, was advised by Mr. Briski that staff met with the residents of the neighborhood and the ERML, separately, to mediate the issues/complaints of the residents, and, although there were compromises made by the ERML, the residents of the neighborhood still want the ERML off of the property; 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

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

5. Continued...

D. Report of the November 29, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

9. Continued...

A. Continued...

(4) Heard the affirmation from Commissioner Young that the consensus of the Board is to make one final attempt at mediation between the residents of the neighborhood and the ERML in order to resolve the issues and complaints concerning the shooting range; and

B. Board Direction – None.

10. Youth Sports Parks Mowing

A. Discussion – The C/W was advised by Commissioner White that this item has been referred to the December 13, 2007, C/W Workshop; and

B. Board Direction – None.

11. Federal/State Legislative Requests

A. Discussion – The C/W discussed Federal/State Legislative Requests, and the C/W; and

(1) Was advised by Interim County Administrator McLaughlin that, with the Board's approval, on December 6, 2007, he will represent the Board at the annual meeting of the Northwest Florida Legislative Delegation to submit the Federal/State Legislative Requests;

(Continued on Page 24)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- D. Report of the November 29, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

11. Continued...

A. Continued...

- (2) Heard the request from Commissioner Young that a request for funding for a community center for Wedgewood be included on the list of Requests; and
- (3) Was advised by Willie C. Taylor, Assistant County Administrator, that a written request is being sent to Congressman Miller requesting that he sponsor a Federal Grants Workshop in order to get feedback on certain County projects; and

B. Board Direction – The C/W recommends that the Board take the following action concerning the Federal/State Legislative Requests:

- (1) Amend Item 4, *Funding Requests*, to include a Community Center in Wedgewood, and identify the renovation of the old Molino Elementary School as first priority; and
- (2) Amend Item 3, *Policy Change Requests*, to allow the County Attorney to propose an Amendment exempting Escambia County from Chapter 57-1291, Laws of Florida (*pertaining to enclosure of certain pits and depressions*).

Recommended 3-0, with Commissioner Valentino and Commissioner Whitehead absent

(Continued on Page 25)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- D. Report of the November 29, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

12. Proposed 2008 Board of County Commissioners Meeting/Committee of the Whole Meeting/Joint City-County Meeting Schedules

A. Discussion – The C/W discussed the proposed 2008 Board of County Commissioners Meeting (BCC)/Committee of the Whole Meeting/Joint City-County Meeting Schedules, and the C/W:

- (1) Heard the request from Commissioner Robinson that, because of a conflict in his schedule, the first BCC Meeting in August be rescheduled;
- (2) Heard the request from Commissioner White that the Board abide by the original purpose of the second-scheduled C/W Workshop, which is to accommodate items from the first-scheduled Workshop that have to be carried over;
- (3) After discussion and affirmation of a consensus, was advised by Interim County Administrator McLaughlin that staff will revert to having one C/W Workshop per month, and he will confer with the Chairman on which items will be prioritized and placed on the Agenda; and
- (4) Was advised by Shirley L. Gafford, Program Coordinator, that a recommendation concerning approval of the proposed meetings schedules will be on the Agenda for the December 6, 2007, BCC Meeting; and

B. Board Direction – None.

(Continued on Page 26)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- D. Report of the November 29, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

13. Escambia County Area Transit Route & Policy Changes

- A. Discussion – The C/W heard an overview of Escambia County Area Transit (ECAT) Route & Policy Changes, that will be effective January 6, 2008, from Travis Lakin, General Manager, ECAT; and
- B. Board Direction – None.

14. Adjourn

Chairman White declared the C/W Meeting adjourned at 12:17 p.m.

- E. Accepting, for filing with the Board's Minutes, the Report of the Committee of the Whole Workshop held December 13, 2007, as follows:

AGENDA NUMBER

1. Call To Order

Chairman Whitehead called the Committee of the Whole (C/W) to order at 9:49 a.m.

(Continued on Page 27)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
5. Continued...
- E. Report of the December 13, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

2. Was the Meeting Properly Advertised?

The C/W was advised by Doris Harris, Deputy Clerk to the Board, that the Meeting was advertised in the Pensacola News Journal on December 9, 2007, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule December 10 –December 14, 2008, Legal No. 71629.*

3. Preliminary Budget to Actual Report for Fiscal Year Ending September 30, 2007

A. Discussion – The C/W received a hard copy of a PowerPoint Presentation, entitled, *Escambia County – Board of County Commissioners – Preliminary Results for the Fiscal Year Ended September 30, 2007*, and heard the request from Commissioner Valentino that Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services, meet with each Commissioner to review the information; and

B. Board Direction – None.

(Continued on Page 28)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- E. Report of the December 13, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

- 4. "HHRP Housing Recovery and Rebuild NWF Updates"
 - A. Discussion – The C/W viewed and discussed two PowerPoint Presentations, which were also provided in hard copy, one entitled, *Escambia/Pensacola Hurricane Housing Recovery Program*, presented by Randy Wilkerson, Executive Director, Neighborhood Enterprise Foundation, Inc., and one entitled, *Rebuild Northwest Florida – An Organizational Overview*, presented by Mark Ramos and Salina Woodberry, Rebuild Northwest Florida; and
 - B. Board Direction – None.
- 5. Pensacola Little Theatre Funding Request
 - A. Discussion – The C/W received a hard copy of a PowerPoint Presentation, entitled, *Pensacola Little Theatre – Pensacola Cultural Center – Grant Request To The County Commissioners*, and heard the request from Dennis K. Larry, President, Pensacola Little Theatre, that the County consider an appropriation, in the amount of \$250,000, for the Theatre; and

(Continued on Page 29)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- E. Report of the December 13, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

- 5. Continued...
 - B. Board Direction – The C/W recommends that the Board direct staff to research funding alternatives in order to grant the request of the Pensacola Little Theatre.

Recommended 5-0

Speaker(s):

John L. Peacock, Jr.

- 6. Funding for Parking Garage on Pensacola Beach
 - A. Discussion – The C/W discussed Funding for Parking Garage on Pensacola Beach, and the C/W:
 - (1) Heard the request from W. A. "Buck" Lee, General Manager, Santa Rosa Island Authority, that the County consider an allocation from Local Option Sales Tax for a parking garage on Pensacola Beach; and
 - (2) Heard the suggestion from Commissioner Whitehead that the County consolidate its assets on Pensacola Beach and nationally market a Request for Proposals for a design/build proposal for a parking garage/retail space/boardwalk; and
 - B. Board Direction – None.

(Continued on Page 30)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- E. Report of the December 13, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

7. Youth Sports Parks Mowing

- A. Discussion – The C/W discussed Youth Sports Parks Mowing, and was advised by Kevin Briski, Director, Parks and Recreation, that through internal savings in Park Operations from the General Fund and by reducing the level of service throughout the County's entire mowing system, the County would be able to provide Fiscal Year 2007-2008 funding, in the amount of \$50,000, for mowing services for the Youth Sports Parks; and
- B. Board Direction – The C/W recommends that the Board allocate \$50,000 for Youth Sports Park mowing.

Recommended 5-0

8. Perdido Key Beach Re-nourishment Update

- A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Perdido Key Beach Nourishment and Erosion Control Project – Project Funding Discussion*, presented by Keith Wilkins, Director, Neighborhood and Environmental Services Department, and the C/W:
 - (1) Heard the request from Mr. Wilkins that the Board confirm its desire to continue with the Project and provide staff with direction regarding which option(s) to pursue for funding the County's \$3 million obligation for the Project;

(Continued on Page 31)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

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

5. Continued...

E. Report of the December 13, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

8. Continued...

A. Continued...

(2) Was advised by Commissioner Valentino that a Municipal Services Benefit Unit (MSBU) is not an acceptable funding alternative; however, he is willing to appropriate \$150,000 from the \$5 million Local Option Sales Tax allocation for District 2 to assist with the Project;

(3) Heard the request from Commissioner Whitehead that staff research the possibility of a MSBU for re-nourishment on the west end of the Key, which is all private property; and

(4) Heard the suggestion from Commissioner Whitehead that the County consider selling the Pensacola Civic Center, which would save the County \$2 million per year, in order to provide funding for the Project through the TDC (*Tourist Development Council*); and

B. Board Direction – The C/W heard the request from Commissioner Whitehead that staff work on identifying alternative funding sources, including the possibility of selling the Civic Center.

(Continued on Page 32)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- E. Report of the December 13, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

9. Adopt-a-Spot Program

- A. Discussion – The C/W viewed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Adopt-A-Spot Program Information Report*, presented by Keith Wilkins, Director, Neighborhood and Environmental Services Department, and heard the request from Commissioner Robinson that Mr. Wilkins also make the presentation to the Santa Rosa Island Authority; and
- B. Board Direction – None.

10. Boat Ramps Update

- A. Discussion – The C/W was advised by Keith Wilkins, Director, Neighborhood and Environmental Services Department, that the County has received nine responses to the Request for Proposals (*Request for Letters of Interest, Land Search for Boat Launch Facilities, PD 07-08.012*) for property to be used as a boat ramp on Perdido Bay and/or Perdido River, and staff will have another update and a recommendation for the Board at the January 2008 C/W Workshop; and
- B. Board Direction – None.

(Continued on Page 33)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- E. Report of the December 13, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

11. Governmental Channel Update/Status

- A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *ECTV Channel 99 – Where Escambia County Turns for Information*, presented by Sonya Daniel, Division Manager, Office of Public Information and Communications, and heard the request from Commissioner Whitehead that Mrs. Daniel make the same presentation to the City of Pensacola at the January 22, 2008, City/County Joint Meeting; and
- B. Board Direction – None.

12. Insurance Requirements for Escambia County's Solid Waste Management Permit Holders

- A. Discussion – The C/W discussed Insurance Requirements for Escambia County's Solid Waste Management Permit Holders, and the C/W:
 - (1) Was advised by Commissioner Valentino that a Resolution has been drafted amending and clarifying certain liability insurance requirements for Escambia County's Solid Waste Management Permit holders to allow for more market access; and

(Continued on Page 34)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

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

5. Continued...

E. Report of the December 13, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

12. Continued...

A. Continued...

(2) Heard the request from Commissioner Robinson that the Resolution include a provision to penalize permit holders not carrying the proper insurance, with a consensus that the penalty would be revocation of the permit; and

B. Board Direction – None.

13. Fire Rescue Funding Alternatives

A. Discussion – The C/W discussed Fire Rescue Funding Alternatives, and the C/W:

(1) Heard the request from Kenneth G. "Ken" Perkins, Fire Chief, for Board direction regarding the following recommendations from the Fire Services Citizens' Advisory Committee, with a consensus to approve Item (1)(a):

(a) Establish a minimum commercial MSBU (*Municipal Services Benefit Unit*) rate that is equal to the residential MSBU rate, which would be a minimum of \$75; and

(Continued on Page 35)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- E. Report of the December 13, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

13. Continued...

A. Continued...

(1) Continued...

(b) Establish a Fire-Rescue Impact Fee of \$200 for each new residential construction unit and a minimum of \$200, or \$.03 per square foot, for commercial construction, whichever is greater; and

(2) Was advised by Commissioner Whitehead and Commissioner Robinson that they are opposed to an across-the-board Fire-Rescue Impact Fee; and

B. Board Direction – None.

14. Interlocal Agreement for Parking Garage Located on Intendencia

A. Discussion – The C/W heard the request from Interim County Administrator McLaughlin for Board direction regarding the Interlocal Agreement for the parking garage located on Intendencia Street; and

B. Board Direction – The C/W recommends that the Board direct staff to finalize negotiations with the City of Pensacola.

Recommended 4-0, with Commissioner Robinson temporarily out of Board Chambers

(Continued on Page 36)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- E. Report of the December 13, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

15. Letter from Mike Patterson

A. Discussion – The C/W, regarding the letter from P. Michael Patterson, Emmanuel, Sheppard & Condon, concerning George Touart, heard the suggestion from Commissioner Robinson that the Board consider offering Mr. Touart the terminal leave option in order to prevent a lawsuit; and

B. Board Direction – None.

16. Pensacola Ice Pilots Contract

A. Discussion – The C/W discussed the Pensacola Ice Pilots Contract and heard the request from Interim County Administrator McLaughlin that the Board authorize him to send a letter to the Pensacola Ice Pilots stating the County has a tentative agreement to renew the Contract for three years, with two option years; and

B. Board Direction – The C/W recommends that the Board direct the Interim County Administrator to move forward (*with sending the letter to the Pensacola Ice Pilots*).

Recommended 5-0

(Continued on Page 37)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- E. Report of the December 13, 2007, C/W Workshop – Continued

AGENDA NUMBER – Continued

17. Topics for Joint City-County Meeting – January 22, 2008

- A. Discussion – The C/W discussed Topics for Joint City-County Meeting – January 22, 2008, and the C/W:

- (1) Was advised by Commissioner Whitehead that the following three topics will be submitted as Agenda Items for the January 22, 2008, Joint City-County Meeting:

- (a) Government Access Channel
- (b) Sale of the Pensacola Civic Center
- (c) Pensacola Little Theatre

- (2) Heard the request from Commissioner Robinson that "Roger Scott Tennis Center" be added to the list; and

- (3) Heard the request from Commissioner Valentino that an information update of the meeting he attended in Jacksonville, Florida, regarding the consolidation of government be added to the list; and

- B. Board Direction – None.

18. Adjourn

Chairman Whitehead declared the C/W Meeting adjourned at 12:09 p.m.

GROWTH MANAGEMENT REPORT – T. Lloyd Kerr, Director, Planning and Engineering

I. PUBLIC HEARINGS

1. Rezoning Cases

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning Rezoning Case Z-2007-50, which was heard by the Rezoning Hearing Examiner (RHE) on November 26, 2007:

1816

- A. Adopting the RHE’s recommendation and approving VR-2; 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-2007-50
- Location: 200 Block of Crowndale Road
- Property Reference Number: 02-1N-31-1305-002-002
- Property Size: 4.75 (+/-) acres
- From: V-5, Villages Clustered Residential District
(4 dwelling units per acre if sewerred and clustered, 1 dwelling unit per acre if unsewered)
- To: VR-2, Villages Rural Residential District, Gross Density (1 dwelling unit per 0.75 acre)
- FLU Category: AA-15, Activity Area 15
- Commissioner District: 5
- RHE Recommendation: Approval
- Requested by: Sheretta Davis McClashie, Owner

Speaker(s):

George W. Ahl
Sheretta Davis McClashie

(Continued on Page 39)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Continued...

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning Rezoning Case Z-2007-52, which was heard by the Rezoning Hearing Examiner (RHE) on November 26, 2007:

1820

- A. Adopting the RHE’s recommendation and approving ID-2; 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-2007-52
Location: 200 Block of West Leonard Street
Property Reference Number: 18-2S-30-3001-009-001
Property Size: 2.36 (+/-) acres
From: R-2, Single-Family District (cumulative), Low-Medium Density (7 dwelling units per acre), Palafox Redevelopment Area, Brownsfield Redevelopment Area
To: ID-2, General Industrial District (0 dwelling units per acre), Palafox Redevelopment Area, Brownsfield Redevelopment Area
FLU Category: ~~C, Commercial I~~, Industrial (amended on December 6, 2007)
Commissioner District: 3
RHE Recommendation: Approval
Requested by: Ryan P. Hatler, Agent for Leonard Street Properties, Inc.

Speaker(s) – None.

(Continued on Page 40)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Continued...

Motion made by Commissioner Young, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning Rezoning Case Z-2007-53, which was heard by the Rezoning Hearing Examiner (RHE) on November 26, 2007:

1820

- A. Adopting the RHE's recommendation and approving ID-2; 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-2007-53
- Location: 2909 North Palafox Street
- Property Reference Number: 18-2S-30-3001-004-001
- Property Size: 5.46 (+/-) acres
- From: ID-1, Light Industrial District (cumulative) (no residential uses allowed), and R-2, Single-Family District, Low-Medium Density (7 dwelling units per acre), Palafox Redevelopment Area, Brownsfield Redevelopment Area
- To: ID-2, General Industrial District (non-cumulative) (no residential uses allowed), Palafox Redevelopment Area, Brownsfield Redevelopment Area
- FLU Category: ~~C, Commercial I~~, Industrial (amended on December 6, 2007)
- Commissioner District: 3
- RHE Recommendation: Approval
- Requested by: Ryan P. Hatler, Agent for Southern Scrap Company, Owner

Speaker(s) – None.

(Continued on Page 41)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Continued...

Motion made by Commissioner Young, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning Rezoning Case Z-2007-54, which was heard by the Rezoning Hearing Examiner (RHE) on November 26, 2007:

1821

- A. Adopting the RHE's recommendation and approving ID-2; 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:

- (4) Case Number: Z-2007-54
- Location: 2911 North Palafox Street
- Property Reference Number: 18-2S-30-3001-000-000
- Property Size: 2.25 (+/-) acres
- From: ID-1, Light Industrial District (cumulative) (no residential uses allowed), Palafox Redevelopment Area, Brownsfield Redevelopment Area
- To: ID-2, General Industrial District (non-cumulative) (no residential uses allowed), Palafox Redevelopment Area, Brownsfield Redevelopment Area
- FLU Category: ~~C, Commercial I~~, Industrial (amended on December 6, 2007)
- Commissioner District: 3
- RHE Recommendation: Approval
- Requested by: Ryan P. Hatler, Agent for Direct Plumbing Supplies, Inc., Owner

Speaker(s) – None.

(Continued on Page 42)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Continued...

Motion made by Commissioner White, seconded by Commissioner Young, and carried 4-0, with Commissioner Robinson abstaining (*and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), taking the following action concerning Rezoning Case Z-2007-57, which was heard by the Rezoning Hearing Examiner (RHE) on November 26, 2007:

1821

- A. Adopting the RHE’s recommendation and approving R-3; 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:

- (6) Case Number: Z-2007-57
- Location: 1600 East Nine Mile Road
- Property Reference Number: 06-1S-30-4001-000-002
- Property Size: 1.60 (+/-) acres
- From: C-1, Retail Commercial District (cumulative) (25 dwelling units per acre), and S-1, Outdoor Recreational District (non-cumulative)
- To: R-3, One- and Two-Family District (cumulative), Medium Density (10 dwelling units per acre)
- FLU Category: MU-2, Mixed Use 2
- Commissioner District: 5
- RHE Recommendation: Approval
- Requested by: Wiley C. “Buddy” Page, Agent for Richard W. Stamitoles, Trustee, Owner

Speaker(s) – None.

(Continued on Page 44)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Continued...

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning Rezoning Case Z-2007-58, which was heard by the Rezoning Hearing Examiner (RHE) on November 26, 2007:

1822

- A. Adopting the RHE’s recommendation and denying C-2 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:

- (7) Case Number: Z-2007-58
- Location: 4601 and 4601 1/2 Saufley Field Road
- Property Reference Number: 01-2S-31-2107-000-000
- Property Size: 1.0 (+/-) acre
- From: R-2, Single Family District (cumulative),
Low-Medium Density (7 dwelling units per acre)
- To: C-2, General Commercial and Light
Manufacturing District (cumulative)
(25 dwelling units per acre)
- FLU Category: C, Commercial, and R, Residential
- Commissioner District: 2 (*the correct Commissioner District is 1*)
- RHE Recommendation: Denial (*of C-2 and approval of C-1*)
- Requested by: Jimmie Murphy, Owner

Speaker(s) – None.

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Continued...

Motion made by Commissioner Young, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning Rezoning Case Z-2007-59, which was heard by the Rezoning Hearing Examiner (RHE) on November 26, 2007:

1823

- A. Adopting the RHE’s recommendation and approving VR-2; 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:

- (8) Case Number: Z-2007-59
- Location: 5100 Block of West Highway 4
- Property Reference Number: 09-5N-32-1402-000-000
- Property Size: 27.03 (+/-) acres
- From: VR-1, Villages Rural Residential Districts, Gross Density (1 dwelling unit per 4 acres)
- To: VR-2, Villages Rural Residential District, Gross Density (1 dwelling unit per 0.75 acre)
- FLU Category: AA-4, Activity Area 4
- Commissioner District: 5
- RHE Recommendation: Approval
- Requested by: Wiley C. “Buddy” Page, Agent for David C. and Nancy Roach, Owners

Speaker(s):

Raymond Peebles

(Continued on Page 46)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Continued...

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning Rezoning Case Z-2007-60, which was heard by the Rezoning Hearing Examiner (RHE) on November 26, 2007:

1825

- A. Adopting the RHE’s recommendation and approving C-2; 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:

- (9) Case Number: Z-2007-60
- Location: 9305 and 9319 Holsberry Road, and 115 East Nine Mile Road
- Property Reference Numbers: 11-1S-30-1101-002-080, 11-1S-30-1101-006-080, and 11-1S-30-1101-007-080
- Property Size: 9.9 (+/-) acres
- From: R-3, One- and Two-Family District (cumulative), Medium Density (10 dwelling units per acre), and 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: MU-1, Mixed Use 1
- Commissioner District: 3
- RHE Recommendation: Approval
- Requested by: Wiley C. “Buddy” Page, Agent for Shellco of Pensacola, Inc., Owner

Speaker(s) – None.

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Continued...

Motion made by Commissioner White, seconded by Commissioner Young, and carried unanimously, taking the following action concerning Rezoning Case Z-2007-61, which was heard by the Rezoning Hearing Examiner (RHE) on November 26, 2007:

1826

- A. Adopting the RHE’s recommendation and approving V-5; 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:

(10) Case Number: Z-2007-61
Location: 400 Block of Hazzard Lane and 1499 West Quintette Road
Property Reference Numbers: 33-2N-31-1102-000-000 and 33-2N-31-1102-000-001
Property Size: 19.63 (+/-) acres
From: VR-2, Villages Rural Residential District, Gross Density (1 dwelling unit per 0.75 acre)
To: V-5, Villages Clustered Residential District (4 dwelling units per acre if sewerred and clustered, 1 dwelling unit per acre if unsewerred)
FLU Category: RR, Rural Residential
Commissioner District: 5
RHE Recommendation: Approval
Requested by: Wiley C. “Buddy” Page, Agent for David W. and Diane R. Fitzpatrick, Owners

Speaker(s) – None.

(Continued on Page 48)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Continued...

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning Rezoning Case Z-2007-63, which was heard by the Rezoning Hearing Examiner (RHE) on November 26, 2007:

1826

- A. Adopting the RHE’s recommendation and approving C-2; 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:

(11) Case Number: Z-2007-63
Location: 1520 North Blue Angel Parkway
Property Reference Number: 12-2S-31-3109-000-000
Property Size: 4.08 (+/-) acres
From: C-1, Retail Commercial District (cumulative) (25 dwelling units per acre), and SDD, Special Development District, Low Density (3 dwelling units per acre)
To: C-2, General Commercial and Light Manufacturing District (cumulative) (25 dwelling units per acre)
FLU Category: MU-2, Mixed Use 2
Commissioner District: 2 (*the correct Commissioner District is 1*)
RHE Recommendation: Approval
Requested by: Wiley C. “Buddy” Page, Agent for John N. Arnold, Owner

Speaker(s) – None.

(Continued on Page 49)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Continued...

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, remanding Rezoning Case Z-2007-65, which was heard by the Rezoning Hearing Examiner (RHE) on November 26, 2007:

1827

(12) Case Number:	Z-2007-65
Location:	1012 North 72nd Avenue
Property Reference Number:	11-2S-31-2117-000-000
Property Size:	2.67 (+/-) acres
From:	R-2, Single-Family District (cumulative), Low-Medium Density (7 dwelling units per acre)
To:	R-4, Multiple-Family District (cumulative), Medium-High Density (18 dwelling units per acre)
FLU Category:	R, Residential
Commissioner District:	2 (<i>the correct Commissioner District is 1</i>)
RHE Recommendation:	Denial
Requested by:	Danny McCray, Agent for SEC Investment Properties, LLC, Owner

Speaker(s):

Conrad Krol
Holly Krol
Linda Moore
Deborah Hieb
James E. Benton
Danny McCray

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

1. PUBLIC HEARINGS – Continued

2. 5:45 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Young, and carried 4-0, with Commissioner Robinson abstaining (*and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), adopting an Ordinance (*Number 2008-4*) to amend the Official Zoning Map to include Rezoning Cases Z-2007-50, Z-2007-52 through Z-2007-54, Z-2007-56 through Z-2007-61, and Z-2007-63, approved during the previous agenda item, and to provide for severability, inclusion in the Code, and an effective date.

1849

Speaker(s) – None.

3. 5:46 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, (*adopting an Ordinance [Number 2008-5]*) repealing Ordinance Number 2007-46 (*Small Scale Amendment [SSA] 2007-03*).

1850

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 Valentino, seconded by Commissioner White, and carried unanimously, continuing to the February 7, 2008, BCC Meeting, at 5:45 p.m., the recommendation that the Board take the following action:

1851

- A. Ratify the scheduling (*and advertising*) of the 5:47 p.m. Public Hearing on January 10, 2008; and
- B. Reject the determination of the Planning Board and adopt the following Ordinances amending the Escambia County Code of Ordinances:
 - (1) An Ordinance amending Chapter 58, Article 1, Section 58-2 (the “Escambia County Airport/Airfield Environs Real Estate Sales Disclosure Ordinance”) (*amending the form of written disclosure required of sellers and lessors of real property*); and
 - (2) An Ordinance amending Article 11, the Escambia County Land Development Code, Section 11.02.01 (*relating to the regulation of Airfield Influence Planning Districts and the Pensacola Regional Airport Planning District; clarifying the written disclosures required from sellers and lessors of real property*).

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Robert R. "Bob" McLaughlin,
Interim County Administrator

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-14. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 14, as follows, as amended to drop Item 2: 1853

1. Authorizing the scheduling of a Public Hearing on January 24, 2008, at 5:34 p.m., to amend the Fiscal Year 2007-2008 Budget to include fund balance carry forwards. 1853
2. Dropping the recommendation that the Board approve a policy setting the requirements for permitting employee payroll deductions for donations to 501(c)(3) organizations. 1853
3. Authorizing the scheduling of a Public Hearing for January 24, 2008, at 5:32 p.m., (*to consider adopting an Ordinance*) to establish an ad valorem tax exemption for 100% of the assessed value of all improvements to the historic property located at 323 East Romana Street, from January 1, 2008, through December 31, 2017. 1853
4. Amending the Board's action of December 6, 2007, concerning the Memorandum of Understanding for the Maintenance of the Century and the Southwest Branch Libraries, to authorize the Interim County Administrator to execute the Memorandum of Understanding, instead of the Chairman. 1853
5. Reviewing, and approving to record in the Board's Minutes, the Legacy Oaks Subdivision Holding Pond Municipal Services Benefit Unit (MSBU) adjustments; the report reflects Holding Pond MSBU adjustments for properties in the Legacy Oaks Subdivision for the 2007 tax year; these adjustments are necessary due to the appropriate Property Reference Numbers not being available at the time the budget was created for the billing of this MSBU assessment in the subdivision; this information reflects the corrections in the MSBU assessments per property based on the number of lots in the subdivision charged in the Legacy Oaks Holding Pond MSBU. 1853
6. Authorizing the scheduling of a Public Hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on January 24, 2007, at 5:33 p.m., to consider the adoption of an Ordinance creating the Heritage Oaks Street Lighting MSBU. 1853

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

7. Approving the Requests for Disposition of surplus equipment to be sold as surplus or appropriately disposed of, all of which are described on 12 Requests as provided by various County Departments for the reasons stated on each, the value of which is estimated at under \$5,000 each, and one Request for Reinstatement of equipment. 1853
8. Accepting, for filing with the January 10, 2008, Board's Minutes, the *Enterprise Zone Development Agency 2007 Annual Report*. 1853
9. Accepting, for filing with the January 10, 2008, Board's Minutes, the *Enterprise Zone Development Agency EZDA Fourth Quarter Report, July 1 – September 30, 2007*. 1853
10. Appointing Susan B. Nelms as Vice Chair of the Enterprise Zone Development Agency (EZDA) Board, as recommended by the EZDA Board members at their November 7, 2007, Meeting. 1853
11. Authorizing the Chairman to execute, and staff to record, the *Corrective Restrictive Covenants*, as submitted, which are required by the Historic Preservation Grant Award Agreement, Grant No. SC807, for the Escambia County Courthouse. 1853
12. Confirming the appointment of Mr. Richard G. Hahner, as a representative for District 4, to the Escambia County Area Transit Citizens' Advisory Committee, effective January 10, 2008, through May 2008, or at Commissioner Robinson's discretion, replacing Barbara Mayall, who resigned. 1853
13. Confirming the appointment of Jeffrey A. Humbles, replacing Reverend Carl E. Reeves, as one of Commissioner Young's appointees to the Citizens' Environmental Committee, effective January 10, 2008; this appointment will run concurrent with Commissioner Young's term of office, or at her discretion. 1853

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. Taking the following action concerning the Board of County Commissioners' (BCC) Employee Incentive Award (IA) and Recognition Program (funding for the BCC Employee Incentive Program Certificates, recognition devices, and lapel pins have been centrally budgeted in the Human Resources Employee Morale and Welfare General Fund 001, Cost Center 140604, Account #51501; departments will be responsible for funding the departmental level awards, Employee Store gift certificates, and the SEP awards [a \$500 lump sum post-tax payment] each Fiscal Year):

1853

- A. Approving to change the program title to the “BCC Employee Incentive Award and Recognition Program”;
- B. Adopting the new BCC IA Recognition Program Policy for BCC employees using Employee Store gift certificates and administrative leave to reward performance; and
- C. Approving the consolidation of two Employees of the Month to one Employee of the Month, the consolidation of three Employees of the Year to one Employee of the Year, and the development of the following new Awards:
 - (1) County Administrator’s Awards (Above & Beyond and Teamwork Award) – Two days administrative leave and Board recognition;
 - (2) Employee of the Month (1) – \$100 Employee Store gift certificate, recognition devices, and one day administrative leave, with Successful Team Achievement Reward (STAR) Award;
 - (3) Employee of the Year (1) – \$250 Employee Store gift certificate, recognition devices, and two days administrative leave;
 - (4) Reward Individual Successful Effort (RISE) Award – \$25, \$50, or \$75 Employee Store gift certificate and recognition devices;
 - (5) Successful Team Achievement Reward (STAR) – Employee Store gift certificate for \$50 for each team member and recognition devices;

(Continued on Page 55)

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. Continued...

C. Continued...

(6) Departmental Awards, such as Special Incentive Awards (Customer Service Award, Excellence Award, Process Improvement Award, and Volunteer Award), Leadership, and Employee Accomplishes Goals through Leadership and Excellence (EAGLE) Award – \$25 Employee Store gift certificate (subject to department's availability of funds) for Customer Service, Excellence Award, and Process Improvement Awards only; recognition devices, and four hours of administrative leave for all awards; and

(7) Sustained Exemplary Performance Award (SEP) – \$500 based on the department's budget availability; an employee may only be awarded on one occasion in a three-year period.

II. BUDGET/FINANCE CONSENT AGENDA

1-21. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 21, as follows, as amended to correct the date of Board action to July 5, 2007, in Item 6 and to strike out the last sentence under the Background section of the Recommendation in Item 13:

1853

1. Taking the following action concerning Purchase Orders for the Judicial/Juvenile Justice Center Security System Capital Improvement Project:

1853

A. Approving the issuance of a blanket Purchase Order to Advanced Control Concepts, Inc., in the amount of \$124,080.23, with funds available in Fund 352 (Local Option Sales Tax [LOST] III), Cost Center 410149, Project 08JS0012; and

B. Approving the issuance of a blanket Purchase Order to Johnson Controls, in the amount of \$131,049.00, with funds available in Fund 352 (LOST III), Cost Center 410149, Project 08JS0012.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-21. Approval of Various Consent Agenda Items – Continued

2. Taking the following action concerning the Fiscal Year 2007-2008 Miscellaneous Appropriations Agreement between Escambia County and Gulf Coast African-American Chamber of Commerce, Inc.:

1853

A. Approving the Miscellaneous Appropriations Agreement, in the amount of \$23,000, to be paid from the General Fund 001, Cost Center 110201, Account 58224;

B. Authorizing the Chairman to sign the Agreement and all other necessary documents; and

C. Authorizing the execution of the necessary Purchase Order.

3. Approving an *Appropriations Agreement between Escambia County and the City of Pensacola for the FY 2007-2008 Funding of County Urban Mass Transit Services* (Escambia County Area Transit); this Agreement pledges the City of Pensacola's funding commitment to Escambia County Area Transit for Fiscal Year 2007-2008, in the amount of \$300,000.

1853

4. Taking the following action regarding the surplus and sale of real property located on Barth Lane, Account Number 121005000:

1853

A. Rescinding the Board's action of March 26, 2007, as follows, due to the failure of Century Community Development Partnership, Inc., a 501(c)(3) Not-for-Profit Community Development Corporation, to close on the property:

(1) "Declaring surplus the property owned by Escambia County located at Barth Lane, previously acquired through a tax deed (Account Number 121005000, Tax Parcel Reference Number 22-3N-31-1201-000-008)";

(2) "Approving the conveyance of the property, for the sum of \$1,650, to Century Community Development Partnership, Inc., a 501(c)(3) Not-for-Profit Community Development Corporation, for their affordable home ownership program for first-time buyers";

(Continued on Page 57)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-21. Approval of Various Consent Agenda Items – Continued

4. Continued...

A. Continued...

(3) "Adopting a Resolution (*R2007-52*) stating the application being made, purpose for which such property is to be used, and the price"; and

(4) "Authorizing the Chairman to sign all documents related to the sale";

B. Declaring surplus the property owned by Escambia County located at Barth Lane, previously acquired through a tax deed (Tax Parcel Reference Number 22-3N-31-1201-000-008);

C. Authorizing the sale of this property to the highest offer received from sealed bid above the minimum bid of \$1,570, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board;

D. Adopting a Resolution (*R2008-1*) rescinding the sale of (*the property located at* Barth Lane to Century Community Development Partnership, Inc., a 501(c)(3) Not-for-Profit Community Development Corporation; and

E. Authorizing the Chairman to sign all documents related to the sale.

5. Approving the *Agreement for Conveyance of Tangible Personal Property (Storage Shed)*, with Myrick House Movers, Inc., and authorizing the Chairman to sign all documents related to the conveyance.

1853

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-21. Approval of Various Consent Agenda Items – Continued

6. Amending the Board's action taken on July 5, 2007, concerning the conveyance of real property to the City of Pensacola in exchange for full ownership of the parking garage located on Intendencia Street, as follows:

1853

A. Rescinding the approval of an Interlocal Agreement with the City of Pensacola Community Redevelopment Agency (CRA) providing for the transfer of their interest in the parking garage located on the northeast corner of Baylen and Intendencia Streets, in consideration for the conveyance of the real properties identified as 150 South Baylen Street, 120 West Government Street, and 216 North "A" Street, plus an additional \$1,991,600 to be paid to the City of Pensacola CRA in three installments, January 15, 2008, January 15, 2009, and January 15, 2010; and

B. Approving a revised Interlocal Agreement with the City of Pensacola CRA providing for the transfer of their interest in the parking garage located on the northeast corner of Baylen and Intendencia Streets, in consideration for the conveyance of the real properties identified as 150 South Baylen Street, 120 West Government Street, and 216 North "A" Street, plus an additional \$1,991,600 to be paid to the City of Pensacola CRA in three installments, January 15, 2008, January 15, 2009, and January 15, 2010.

7. Authorizing transfers of cash from the Civic Center Fund (409) to SMG, the management company for the Pensacola Civic Center, throughout Fiscal Year 2007-2008, in a total amount not to exceed \$336,615, so that SMG can pay costs associated with the operations of the Civic Center.

1853

8. Adopting the Resolution (R2008-2) approving Supplemental Budget Amendment Number 78, Other Grants and Projects Fund (110), in the amount of \$250,000, to recognize proceeds from a State of Florida, Department of Environmental Protection Grant, Agreement Number LP6852, and to appropriate these funds for the Pensacola Bay Restoration Project.

1853

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-21. Approval of Various Consent Agenda Items – Continued

9. Adopting the Resolution (*R2008-3*) approving Supplemental Budget Amendment Number 79, Transportation Trust Fund (175), in the amount of \$5,000, to recognize the Fair Share Mitigation payment from Pensacola Exchange, LLC, for 29505 Blue Angel Parkway. 1853
10. Adopting the Resolution (*R2008-4*) approving Supplemental Budget Amendment Number 80, Other Grants and Projects Fund (110), in the amount of \$109,265, to recognize and appropriate reimbursements from various companies for the purchase of the Dialogics Emergency Telephone Notification System Upgrade. 1853
11. Adopting the Resolution (*R2008-5*) approving Supplemental Budget Amendment Number 81, Other Grants and Projects Fund (110), in the amount of \$88,861, to recognize proceeds from the Florida Department of Law Enforcement, Law Enforcement Terrorism Prevention Program Grant, and to appropriate these funds for the support of law enforcement functions. 1853
12. Adopting the Resolution (*R2008-6*) approving Supplemental Budget Amendment Number 82, Other Grants and Projects Fund (110), in the amount of \$150,000, to recognize the proceeds from a State of Florida, Department of Transportation, County Incentive Grant Program, and to appropriate these funds for installation of a traffic signal and construction of a southbound right turn lane on Hummingbird Boulevard and State Road 10. 1853

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-21. Approval of Various Consent Agenda Items – Continued

13. Taking the following action concerning the surplus and sale of real property located in the 400 Block of East Jordan Street:

1853

A. Declaring surplus the Board's real property, Account Number 133877000, Reference Number 00-0S-00-9020-230-109, acquired in 1981; 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; and

B. Authorizing the sale of this property to the highest offer received from sealed bid above the minimum bid of \$5,220, 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.

14. Taking the following action regarding the Community Development Block Grant (CDBG)-funded Neighborhood Renewal Initiative Mini-Grant Project Agreement with Brownsville Neighborhood Watch, Inc.:

1853

A. Awarding a Neighborhood Renewal Initiative Project Mini-Grant, in the maximum amount of \$500, for specific benefit of the Brownsville Neighborhood Watch, Inc. (Association), direct assistance, known as the Brownsville Neighborhood Watch Mini-Grant Project; the funds will assist the Association with neighborhood watch supplies in the Brownsville Redevelopment Area (funded with Community Development Block Grant funds budgeted in Fund 129/2005 CDBG, Cost Center 220422); and

B. Authorizing the Chairman or Vice Chairman to execute the Agreement and all related documents as required to implement the project.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-21. Approval of Various Consent Agenda Items – Continued

15. Taking the following action regarding Easements along the Gulf-front of Perdido Key to facilitate beach nourishment, dune construction, and dune maintenance (Funding Source: Local Option Sales Tax III, Fund 352, Perdido Key HCP, Project 08NE0072, Account 220102/56301):

1853

- A. Accepting, subject to Legal sign-off, the Easements from the Gulf-front property owners on Perdido Key;
- B. Authorizing the Chairman to execute the Acceptance of Easements;
- C. Authorizing the payment of incidental costs related to the recording of Easements in the public records of Escambia County, Florida; and
- D. Authorizing payment of documentary stamp taxes.

16. Taking the following action regarding the *Agreement between the Board of County Commissioners and the Emerald Coast Utilities Authority to Provide Funding for and Implementation of Upgrades to the County Emergency Telephone Notification System*, approved December 6, 2007:

1853

- A. Rescinding the previously-approved Agreement regarding the County emergency telephone notification system;
- B. Approving the revised Agreement between the Board of County Commissioners and the Emerald Coast Utilities Authority to provide \$24,816.24 toward the purchase of upgrading the emergency telephone notification system that was approved as to legal sufficiency by the County Attorney's office; and
- C. Authorizing the Chairman to sign the revised Agreement.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-21. Approval of Various Consent Agenda Items – Continued

17. Taking the following action concerning the *Participation Agreement between BA Merchant Services and Bank of America, N.A., and Escambia County, Florida, Animal Regulation and Control*, to enable Animal Regulation and Control to accept Visa, MasterCard, and debit card payments from its customers; a one-time purchase of equipment required to provide this payment option (\$275), and a minimal monthly transaction fee, based upon volume of customer usage (estimated not to exceed \$1,000 annually), are available in Cost Center 330501:

1853

A. Approving the Agreement to establish the mechanism for electronic payments to Animal Regulation and Control for all fees charged by that division; and

B. Authorizing the Chairman to sign the Agreement.

18. Authorizing a 2% price increase to Sisco Heating & Air Conditioning Supply for "Air Filters for Various County Buildings," PD 05-06.091, in accordance with the terms and conditions of the Contract, with funding coming from Fund 001 (General Fund), Cost Center 310201.

1853

19. Awarding a Contract for "Purchase of Hydraulic Excavator, 16,000 – 19,000 lbs.," PD 07-08.007, to Tractor and Equipment Company, for four Komatsu PD78MR-6 Hydraulic Excavators, with attachments, for the Road Department, in accordance with the terms and conditions of the solicitation, in the total amount of \$355,444, with funding available from Fund 175 (Transportation Fund), Cost Center 260102.

1853

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-21. Approval of Various Consent Agenda Items – Continued

20. Taking the following action concerning Engineering Services for Roadway Improvements:

1853

A. Awarding a Contract, PD 06-07.110, Engineering Services for Roadway Improvements to County Road 297A and Kingsfield Road, in the amount of \$115,001, to Fabre Engineering, Inc. (Funding: Fund 351, Local Option Sales Tax [LOST] II, Cost Center 210105, Transportation & Drainage LOST II – \$69,981; Fund 175, Transportation Trust, Cost Center 210304, Road Paving Projects – \$45,020);

B. Awarding a Contract, PD 06-07.111, Engineering Services for Roadway Improvements to Kingsfield Road County Road 97, in the amount of \$113,550, to Sigma Consulting Group, Inc. (Funding: Fund 351, LOST II, Cost Center 210105, Transportation & Drainage LOST II); and

C. Awarding a Contract, PD 06-07.112, Engineering Services for Roadway Improvements to Muscogee Road County Road 97, in the amount of \$113,375, to Post, Buckley, Schuh & Jernigan, Inc. (Funding: Fund 351, LOST II, Cost Center 210105, Transportation & Drainage LOST II).

21. Approving the First Amendment to the Contract between Escambia County and Quina Grundhoefer Architects, P.A., and Greenhut Construction Company, Inc., PD 06-07.045, Design-Build Services for Restorations to the Old County Courthouse, to include *Attachment B, Special Conditions of Contract Required by Historic Preservation Grant Award Agreement* (Funding: Fund 110, Other Grants and Projects, Cost Center 310103).

1853

COUNTY ATTORNEY'S REPORT – Janet Lander, County Attorney

I. CONSENT AGENDA

1-7. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 7, as follows:

1854

1. Scheduling a Public Hearing for January 24, 2008, at 5:31 p.m., to consider (*adopting an Ordinance*) amending Chapter 82, Solid Waste, Article V, Section 82-226, of the Escambia County Code of Ordinances, to require posting notices of Public Hearings on applications to construct, operate, modify, or close a regional, rural, infill, transfer, or LCD (*Land Clearing Debris*) facility in Escambia County. 1854
2. Scheduling a Public Hearing for January 24, 2008, at 5:35 p.m., to consider enacting an Ordinance amending Escambia County Code of Ordinances, Chapter 2, Article I, "In General," relating to the designation of a minimum of three emergency interim successors by the Clerk of Court, Tax Collector, Supervisor of Elections, Property Appraiser, and Sheriff in the event of an attack upon the United States. 1854
3. Taking the following action concerning insurance requirements for Escambia County's Solid Waste Management Permit holders: 1854
 - A. Scheduling a Public Hearing for January 24, 2008, at 5:36 p.m., to consider (*adopting an Ordinance*) amending Chapter 82, Solid Waste, Article V, Section 82-103, of the Escambia County Code of Ordinances, to allow the Director (*of Solid Waste Management*) to revoke the Permit of any Permit holder when the Director determines that the Permit holder has failed to maintain proper insurance as required by the Board of County Commissioners; and
 - B. Adopting the Resolution (*R2008-7*) amending and clarifying certain automobile liability insurance requirements for Escambia County's Solid Waste Management Permit holders.
4. Approving a Workers' Compensation washout settlement with former Escambia County Department of Corrections employee George Cato, in the amount of \$140,000; the County shall be reimbursed for \$100,000 of the settlement amount by the excess insurance carrier in this Workers' Compensation Case. 1854

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Continued

I. CONSENT AGENDA – Continued

1-7. Approval of Various Consent Agenda Items – Continued

5. Taking the following action concerning Interlocal Agreements for Reciprocal Evacuation Re-entry and for Mutual Aid: 1854

A. Approving, and authorizing the Chairman to sign, an *Interlocal Agreement for Reciprocal Evacuation and Re-entry among the City of Orange Beach, Alabama, Escambia County, Florida, and the Escambia County, Florida, Sheriff's Department,*

B. Approving, and authorizing the Chairman to sign, an *Interlocal Agreement for Mutual Aid for Fire, Medical, and Other Emergency Assistance Services between Escambia County, Florida, and the City of Orange Beach, Alabama;* and

C. Authorizing the recording of both Interlocal Agreements in the public records of Escambia County, Florida.

6. Accepting, for filing with the Board's Minutes, the information provided by the Office of the Attorney General of Florida, Advisory Legal Opinion – AGO 2007-50, dated November 7, 2007, concerning the prohibition of solicitation on public roadways. 1854

7. Accepting, for filing with the Board's Minutes, the information concerning Mr. Michael Baker, who appeared before the Board of County Commissioners during the Public Forum on December 6, 2007; he asked the Board to halt the scheduled demolition of a dilapidated structure located at 10139 Sinton Drive; the Board referred the matter to the County Attorney's Office for investigation and an update on a proposed course of action. 1854

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

ITEMS ADDED TO THE AGENDA – None.

ANNOUNCEMENTS

1. FOR INFORMATION: The Board was advised by T. Lloyd Kerr, Director, Planning and Engineering, that the kick-off meeting for the Sector Plan has been scheduled for January 22, 2008, at 6:30 p.m., at Ransom Middle School.

1852

ADJOURNMENT

There being no further business to come before the Board, Chairman Whitehead declared the Regular Meeting of the Board of County Commissioners adjourned at 6:55 p.m.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

ATTEST:

Ernie Lee Magaha
Clerk of the Circuit Court & Comptroller

By: _____
D. M. "Mike" Whitehead, Chairman



Deputy Clerk

Approved: January 24, 2008