

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD APRIL 2, 2009
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(4:31 p.m. – 6:43 p.m.)

Present: Commissioner Marie K. Young, Chairman, District 3
Commissioner Grover C. Robinson, IV, Vice Chairman, District 4
Commissioner Wilson B. Robertson, District 1
Commissioner Gene M. Valentino, District 2
Commissioner Kevin W. White, District 5
Mrs. Lisa N. Bernau, Chief Deputy Clerk, representing the
Honorable Ernie Lee Magaha, Clerk of the Circuit Court & Comptroller
(Regular Meeting Only)
Mr. Robert R. "Bob" McLaughlin, County Administrator
Mrs. Alison Rogers, 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 (Regular Meeting Only)

PUBLIC FORUM WORK SESSION

Chairman Young called the Public Forum Work Session to order at 4:31 p.m.

1. FOR INFORMATION: The Board: 1631
 - A. Heard the request from David Sjoberg for the status on the installation of a traffic light at the intersection of Cody LanE and Olive Road; and
 - B. Was advised by Larry Newsom, Director of Transportation, that a contract for a design firm has been issued and the installation phase should begin within the next six months.
2. FOR INFORMATION: The Board heard comments from L. Gary Sansing concerning various government related issues. 1638

4:46 P.M. – PUBLIC FORUM ADJOURNED

5:31 P.M. – REGULAR BOARD MEETING CONVENED

REGULAR BCC AGENDA

1. Call to Order

Chairman Young called the Regular Meeting of the Board of County Commissioners to order at 5:31 p.m.

2. Invocation

Chairman Young advised that Horace Jones would deliver the Invocation.

3. Pledge of Allegiance to the Flag

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

4. Adoption of the Agenda

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting the agenda as prepared and duly amended *(to include Commissioner Robinson's add-on item concerning an amendment to Florida Statute 196.031[6], Homestead Exemption, and Commissioner Young's add-on item concerning the scheduling of a Public Hearing)*.

1733

REGULAR BCC AGENDA – Continued

1733

5. Commissioners' Forum

- A. District 2 – Commissioner Valentino:
 - (1) Made comments regarding a karaoke contest, which Commissioner Robertson won;
 - (2) Advised the Board that the next Citizens' Academy session begins on April 14, 2009, and encouraged citizen enrollment; and
 - (3) Made comments regarding an article he read in the Newspaper concerning a County in Chicago that allows businesses to advertise on potholes that they repair;
- B. District 1 – Commissioner Robertson expressed gratitude toward Wes Moreno, Deputy Bureau Chief, Public Works Bureau, and the staff of the Road Department, for a job well done during recent storms;
- C. District 5 – Commissioner White echoed Commissioner Robertson's comments and, in addition, expressed gratitude toward Grace McCaffery, Public Information Office, for her professionalism in dealing with a "difficult situation" that occurred this morning;
- D. District 4 – Commissioner Robinson:
 - (1) Advised that drainage work in Ferry Pass will be commencing soon, and Mediacom will be broadcasting the BCC Meetings in the Pensacola Beach area; and
 - (2) Expressed gratitude toward Larry Newsom, Director of Transportation, and staff, for working with FDOT (*the Florida Department of Transportation*) to get a guard rail placed at Olive Road and 9th Avenue within the next three to four weeks; and
- E. District 3 – Commissioner Young expressed gratitude toward Wes Moreno, Deputy Bureau Chief, Public Works Bureau, and the staff of the Road Department, for a job well done during recent storms, and expressed condolences to the family of a Pensacola City Police Officer, who passed away.

REGULAR BCC AGENDA – Continued

6. Proclamations

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried unanimously, adopting the following three Proclamations:

1740

- A. The Proclamation extending thanks and appreciation to Dr. Cliff Owen for his selfless contributions to the Escambia County Animal Shelter;
- B. The Proclamation proclaiming April 2009 as “Fair Housing Month in Escambia County”; and
- C. The Proclamation proclaiming the week of April 12-18, 2009, as “Public Safety Telecommunicators Week” in Escambia County.

Speaker(s):

Dr. Cliff Owen
Dr. Calvin Avant

7. Written Communication

A. Code Enforcement Lien – Ronald H. Bowers

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, approving to waive the fines, in the amount of \$10,500, relative to an email communication, dated February 18, 2009, from Ronald H. Bowers requesting that the Board forgive the fines relative to a Code Enforcement violation against property located at 8325 Kipling Street.

1749

Speaker(s):

Ronald H. Bowers

(Continued on Page 5)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

7. Continued...

B. Code Enforcement Lien – 1202 Chisholm Trail

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving to collect the hard costs, in the amount of \$2,900, and waive the fines (*in the amount of \$71,700*), relative to an undated communication from Rekeesha McCoy, TitleLink, representing the seller of property located at 1202 Chisholm Trail, requesting that the Board eliminate or reduce the Code Enforcement violation fines against the aforementioned property.

1750

8. Proof of Publication

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, 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:

1751

A. The following three Public Hearings on the agenda (*the 5:32 p.m. Public Hearing was dropped from the Agenda*):

- (1) The 5:31 p.m. Public Hearing, advertised in The Escambia Sun-Press, LLC, on March 19, 2009, for consideration of the vacation, on the Board's own motion, of a 10-foot-wide Drainage Easement located on Nowak Road; and
- (2) The 5:45 p.m. Public Hearing, advertised in the Pensacola News Journal on March 20, 2009, for consideration of adopting an Ordinance amending the Official Zoning Map; and

(Continued on Page 6)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

8. Continued...

B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule March 30, 2009 – April 3, 2009 – Legal No. 223607*, as published in the Pensacola News Journal on March 28, 2009, as follows:

March 31	1:30 p.m.	Environmental Enforcement Special Magistrate
March 31	3:00 p.m.	Workforce Escarosa Career Council Meeting
March 31	4:00 p.m.	Scenic Highway Corridor Mgmt Entity Meeting
March 31	6:00 p.m.	Bratt Park Improvements Community Meeting
April 1	8:30 a.m.	Examination Committee for Competency Board
April 1	9:00 a.m.	Construction Industry Competency Board
April 1	11:00 a.m.	Workforce Escarosa Business Competitiveness Council
April 1	1:00 p.m.	Development Review Committee
April 1	2:30 p.m.	Workforce Escarosa Youth Development Council
April 2	9:00 a.m.	Agenda Work Session
April 2	1:30 p.m.	Citizens Environmental Committee
April 2	3:30 p.m.	Board of County Commissioners Attorney-Client Session
April 2	4:30 p.m.	Board of County Commissioners Public Forum
April 2	5:30 p.m.	Board of County Commissioners Public Hearings & Reports
NEXT WEEK'S NOTE:		
April 6	5:30 p.m.	Marine Advisory Committee

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

9. 5:31 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action regarding the vacation, on the Board's own motion, of a 10-foot-wide Drainage Easement (10 feet x 801.28 feet = 8,012.80 square feet, or .18 acre), located on Nowak Road:

1751

- A. Approving the vacation;
- B. Adopting the Resolution (*R2009-51*) to Vacate; and
- C. Authorizing the Chairman or Vice Chairman to accept the documents as of the day of delivery of the documents to the Chairman or Vice Chairman, and authorizing the Chairman or Vice Chairman to execute them at that time.

Speaker(s) – None.

10. 5:32 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, dropping the recommendation that the Board take the following action regarding the Petition to Vacate an unnamed right-of-way of varying width (approximately 10,750 square feet, or 0.25 acre), located in Bowling Green Subdivision, as petitioned by 1211, LLC:

1752

- A. Approve the Petition to Vacate;
- B. Accept the Hold/Harmless Agreement;
- C. Adopt the Resolution to Vacate; and
- D. Authorize the Chairman or Vice Chairman to accept the documents as of the day of delivery of the documents to the Chairman or Vice Chairman, and authorize the Chairman or Vice Chairman to execute them at that time.

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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

I. CONSENT AGENDA

1-7. 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:

1752

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

1752

A. Payroll Expenditures for Pay Date March 20, 2009, in the amount of \$2,187,977.27; and

B. The following two Disbursement of Funds:

(1) March 12, 2009, to March 18, 2009, in the amount of \$1,975,859.97; and

(2) March 19, 2009, to March 25, 2009, in the amount of \$3,863,889.16.

2. Accepting, for filing with the Board's Minutes, the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended September 30, 2008, as prepared by the Clerk of the Circuit Court & Comptroller's Finance Department, and audited by O'Sullivan Creel, LLP, Certified Public Accountants and Consultants.

1752

3. Adopting the Resolution (*R2009-52*) authorizing the write-off of \$194,761.50 in returned checks and accounts receivable in various funds of the County that have been determined to be uncollectible bad debts.

1752

4. Approving 11 forms, *Request for Disposition of Property*, indicating equipment to be sold as surplus and/or appropriately disposed of; the Requests were prepared by various County Bureaus and state the reasons for disposition/reinstatement.

1752

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

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

5. Approving, in accordance with State Retention Schedule GS1, *Records Disposition Document No. 415*, for disposition of Board of County Commissioners' records, Item 32a, Minutes: Official Meetings (Transcripts: Microfilmed on Rolls 443-449), for the period June 5, 2008, through December 11, 2008, since the permanent records have been scanned and/or microfilmed. 1752

6. Accepting, for filing with the Board's Minutes, the following documents provided to the Clerk to the Board's Office: 1752

A. The following Agreements approved by the Board on November 6, 2008:

(1) *The Agreement Between Escambia County and Bellomo-Herbert & Company, Inc., for Professional Services as Governed by Florida Statute 287.055 (PD 02-03.79)*, received in the Clerk to the Board's Office on March 6, 2009; and

(2) The following five Agreements received in the Clerk to the Board's Office on March 12, 2009:

(a) *The Agreement Between Escambia County and David W. Fitzpatrick, PE, PA, for Professional Services as Governed by Florida Statute 287.055 (PD 02-03.79)*;

(b) *The Agreement Between Escambia County and Southeastern Surveying and Mapping Corporation for Professional Services as Governed by Florida Statute 287.055 (PD 02-03.79)*;

(c) *The Agreement Between Escambia County and LandMark Engineering and Land Planning, Inc., for Professional Services as Governed by Florida Statute 287.055 (PD 02-03.79)*;

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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

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

6. Continued...

A. Continued...

(2) Continued...

(d) *The Agreement Between Escambia County and ValleyCrest Design Group for Professional Services as Governed by Florida Statute 287.055 (PD 02-03.79); and*

(e) *The Agreement Between Escambia County and Environmental and Geotechnical Specialists, Inc., for Professional Services as Governed by Florida Statute 287.055 (PD 02-03.79); and*

B. The following two *Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreements* recorded on March 26, 2009:

(1) The Lien Agreement with Sojourn Associates, LLC, as approved by the Board on November 20, 2008, and recorded in Official Records Book 6441, Pages 215 and 216; and

(2) The Lien Agreement with Terry L. Hale, as approved by the Board on February 21, 2008, and recorded in Official Records Book 6441, Pages 888 and 889.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

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

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

1752

- A. Approving the Minutes of the Joint City-County Meeting held March 17, 2009;
- B. Approving the Minutes of the Attorney-Client Sessions held at 8:30 a.m. and 3:30 p.m. on March 19, 2009;
- C. Approving the Minutes of the Public Forum Work Session and Regular Board Meeting held March 19, 2009;
- D. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held March 19, 2009, as follows:
 - 1. FOR INFORMATION: The agenda package for the 5:30 p.m., March 19, 2009, Regular Board Meeting was reviewed as follows:
 - A. Shirley L. Gafford, Program Coordinator, County Administrator's Office, County Attorney Rogers, Sandra Slay, Division Manager, Office of Environmental Enforcement, Joy D. Blackmon, Bureau Chief, Public Works Bureau, and Keith Wilkins, Deputy Bureau Chief, reviewed the agenda cover sheet;
 - B. Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services, reviewed the Clerk's Report;
 - C. T. Lloyd Kerr, Bureau Chief, Development Services Bureau, reviewed the Growth Management Report;

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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
- 1-7. Approval of Various Consent Agenda Items – Continued
7. Continued...
- D. Report of the March 19, 2009, Agenda Work Session – Continued
 1. Continued...
 - D. County Administrator McLaughlin, County Attorney Rogers, Shirley L. Gafford, Program Coordinator, County Administrator's Office, Joy D. Blackmon, Bureau Chief, Public Works Bureau, Amy Lovoy, Bureau Chief, Management and Budget Services Bureau, and Michael Hardin, Bureau Chief, Public Safety Bureau, reviewed the County Administrator's Report;
 - E. County Attorney Rogers reviewed the County Attorney's Report, with comments from Michael Hardin, Bureau Chief, Public Safety Bureau, regarding Item I-2; and
 - F. Commissioner Robinson reviewed his add-on items.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

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

7. Continued...

E. Accepting, for filing with the Board's Minutes, the Report of the Committee of the Whole (C/W) Workshop held March 12, 2009, as follows:

AGENDA NUMBER

1. Call To Order

Chairman Young called the Committee of the Whole (C/W) to order at 9:05 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 March 7, 2009, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule Month March 9, 2009 – March 13, 2009, Legal No. 221727.*

3. Pensacola Sports Association Update

A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Welcome to the Wide World of Sports Marketing*, presented by Ray Palmer, Executive Director, Pensacola Sports Association; and

B. Board Direction – None.

Speaker(s):

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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
- 1-7. Approval of Various Consent Agenda Items – Continued
- 7. Continued...
- E. Report of the March 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

4. Purchase of Property Located at 4423 Fairfield Drive for Sheriff's Substation

A. Discussion – The C/W discussed Purchase of Property Located at 4423 (West) Fairfield Drive for Sheriff's Substation, and the C/W:

- (1) Was advised by County Administrator McLaughlin that Escambia County Sheriff David Morgan has requested that the Board consider purchasing property located at 4423 (West) Fairfield Drive for the purpose of a (Precinct 3) Substation; furthermore, Sheriff Morgan has not followed the procurement process, as required by County Ordinance and has not provided the requested master listing/plan for potential Substation locations;
- (2) Was advised by Commissioner Robinson that he has concerns regarding the asking price, per square foot, for the property;
- (3) Was advised by Captain Gary Montee that the Sheriff is requesting assistance from the Board with regard to assessing the property and the acquisition process, i.e. obtaining appraisals and handling negotiations;
- (4) Upon inquiry from Commissioner Valentino, was advised by Captain Montee that the County does not own property in the Mobile Highway/Fairfield Drive area that would be suitable for a (Precinct 3) Substation;

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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

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

7. Continued...

E. Report of the March 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

4. Continued...

A. Continued...

- (5) Upon inquiry from Commissioner Robertson, was advised by David Wheeler, Deputy Bureau Chief, Public Works Bureau, that the cost to renovate the building (*located at 4423 [West] Fairfield Drive*) is estimated to be between \$350,000 and \$390,000;
- (6) Was advised by Commissioner Robertson that building a new facility on existing, County-owned property would cost less than the purchase of the property and renovation of the building (*located at 4423 [West] Fairfield Drive*);
- (7) Was advised by County Administrator McLaughlin that once a master plan that indicates, geographically, where the Sheriff would like his Substations to be located, staff will be able to research and identify County-owned properties that could accommodate the Sheriff's request(s);
- (8) Heard the request from Commissioner Young, with consensus from the Board, that the Sheriff provide a master plan (*as indicated by the County Administrator*) before moving forward (*with the acquisition of the property located at 4423 [West] Fairfield Drive*); 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

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

7. Continued...

E. Report of the March 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

4. Continued...

A. Continued...

(9) Was advised by County Administrator McLaughlin that staff will research the costs of building a new 3,000 square-foot facility on County-owned property, while working with the Sheriff to develop a master plan for his Substation concept; and

B. Board Direction – None.

5. Interfaith Housing Coalition – Journey Workforce Housing Update

A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Journey – A Master Planned Community*, presented by William D. Compton, Director of Housing, Interfaith Housing Coalition, and was advised by Randy Wilkerson, Executive Director, Neighborhood Enterprise Foundation, Inc., that the development of Journey has been intentionally slowed down due to the economy; and

B. Board Direction – None.

Speaker(s):

Carter Quina

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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
- 1-7. Approval of Various Consent Agenda Items – Continued
- 7. Continued...
- E. Report of the March 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

6. Escambia River Muzzleloaders

- A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Escambia River Muzzleloaders*, presented by Keith Wilkins, Deputy Bureau Chief, Neighborhoods and Community Services Bureau, and heard the request from Mr. Wilkins for Board direction concerning the proposed *Lease Agreement between Escambia County and Escambia River Muzzle Loaders, Inc., and ERML Sportsmens' Foundation, Inc.*; and
- B. Board Direction – The C/W recommends that the Board approve the Lease Agreement, as amended to reflect that the range will be closed on Thanksgiving.

Recommended 5-0

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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
- 1-7. Approval of Various Consent Agenda Items – Continued
- 7. Continued...
- E. Report of the March 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

7. Escambia Treating Redevelopment

- A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Proposed Mid-town Commerce Park*, presented by Keith Wilkins, Deputy Bureau Chief, Neighborhoods and Community Services Bureau, and the C/W:
 - (1) Heard the request from Mr. Wilkins for approval to move forward with the proposed *Memorandum of Understanding between Escambia County Board of County Commissioners and the City of Pensacola concerning the Redevelopment of Escambia Treating Company Superfund Site*; and
 - (2) Heard the request from Commissioner Robertson that the Memorandum of Understanding (MOU) reflect that the City of Pensacola share in the (*environmental and/or tort*) liability; and
- B. Board Direction – The C/W heard the request from Commissioner Valentino, with consensus from the Board, that staff move forward with the MOU.

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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

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

7. Continued...

E. Report of the March 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

8. Mahogany Mills Road Property Acquisition Costs

A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Boat Ramp Proposal: 1200 Mahogany Mill Road*, presented by Robert Turpin, Chief, Marine Resources Division, and the C/W:

- (1) Was advised by Mr. Turpin that the average of the two appraisals obtained is \$1.2 million, with the highest appraisal being \$1.275 million, and the seller's asking price is \$1,350,000, with an estimated closing cost of \$5,000, for a total of \$1,355,000;
- (2) Was advised by County Attorney Rogers that, in accordance with the County's Ordinance, the Board can exceed the average of the two required appraisals with a super-majority vote;
- (3) Upon inquiry from Commissioner Valentino, was advised by Mike Parker, owner of the property, that, if it starts the purchase process, he would reduce the asking price to \$1.2 million, plus closing costs; 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
- 1-7. Approval of Various Consent Agenda Items – Continued
- 7. Continued...
- E. Report of the March 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

8. Continued...

A. Continued...

(4) Heard a motion made by Commissioner Robertson, seconded by Commissioner Robinson, with consensus from the Board and no vote, to authorize staff to move forward with the acquisition process of the following three properties, as recommended by the Marine Advisory Committee:

- (a) 11860 Mobile Highway
- (b) Two parcels on Perdido River (Ruby's Fish Camp Road at Mobile Highway and 11790 Mobile Highway)
- (c) Three Seratine Drive parcels on Weekley Bayou (Perdido Bay)

B. Board Direction – The C/W recommends that the Board approve the acquisition of property located in the 1200 block of Mahogany Mill Road, for the purchase price of \$1.2 million, which is the average of the County's two appraisals, plus \$5,000 in closing costs.

Recommended 5-0

(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
- 1-7. Approval of Various Consent Agenda Items – Continued
- 7. Continued...
- E. Report of the March 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

9. Sign Ordinance Enforcement Update

- A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Signs, Signs Everywhere Signs!*, presented by Horace Jones, Division Manager, Long Range Planning, Development Services Bureau, and Sandra Slay, Division Manager, Office of Environmental Enforcement, the C/W:
 - (1) Was advised by Ms. Slay that staff has developed a four-stage strategy to remove all abandoned, dilapidated, unpermitted, and non-conforming signs in Escambia County, as follows:
 - (a) Stage I – Signs on right-of-way
 - (b) Stage II – Abandoned and Dilapidated Signs
 - (c) Stage III – Portable Signs
 - (d) Stage IV – Non-conforming and Unpermitted Signs
 - (2) Upon inquiry from Commissioner Robertson, was advised by County Attorney Rogers that the County's Sign Ordinance, in the 1990's, provided for a ten-year amortization period for non-conforming signs, which the Board extended, in 2007, for an additional six months;
 - (3) Was advised by Commissioner Robertson that he would support enforcing Code requirements on new signs;
 - (4) Heard the request from Commissioner White that staff proceed with Stage I and Stage II;

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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
- 1-7. Approval of Various Consent Agenda Items – Continued
- 7. Continued...
- E. Report of the March 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

9. Continued...

A. Continued...

(5) Was advised by T. Lloyd Kerr, Bureau Chief, Development Services Bureau, that, in accordance with Board direction, staff will amend the Sign Ordinance to remove the ten-year amortization period and pursue removal of dilapidated and unpermitted signs; and

(6) Heard the request from Commissioner White that staff address unpermitted signs that were erected from 1997 to present; and

B. Board Direction – The C/W heard the request from Commissioner Young that staff proceed with Stages I through III.

(Commissioner Valentino was absent during discussion of this item)

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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
- 1-7. Approval of Various Consent Agenda Items – Continued
- 7. Continued...
- E. Report of the March 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

- 10. Policy for Forgiveness of Liens Related to Purchase of Tax Deeds and
- 11. Forgiveness of Liens Related to Liens Created by the Order of the Environmental Enforcement Special Magistrate
 - A. Discussion – The C/W discussed Policy for Forgiveness of Liens Related to Purchase of Tax Deeds and Forgiveness of Liens Related to Liens Created by the Order of the Environmental Enforcement Special Magistrate, and the C/W:
 - (1) Was advised by County Attorney Rogers that, with regard to the forgiveness of liens created by the Order of the Environmental Enforcement Special Magistrate, the following options are viable:
 - (a) Keep the current Policy as is;
 - (b) Develop a policy/process which authorizes staff to screen requests for certain criteria before such requests are accepted as items to be brought before the Board for consideration; or
 - (c) Agree, by Policy, to not address these types of requests at all;
 - (2) Was further advised by County Attorney Rogers that, if the Board decides to continue to address requests for forgiveness of liens related to the purchase of Tax Deeds, the Policy can be amended to "beef up" issues concerning investors and Tax Deed sales; and

(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

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

7. Continued...

E. Report of the March 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

10&11. Continued...

A. Continued...

(3) Upon receiving consensus from the Board, was advised by County Administrator McLaughlin that he will draft an administrative screening process and provide a recommendation for the Board's consideration/refinement at the next C/W Workshop; and

B. Board Direction – None.

(Commissioner Valentino was absent during discussion of these items)

12. Ferry Service to Santa Rosa Island

A. Discussion – The C/W discussed Ferry Service to Santa Rosa Island, and the C/W:

(1) Was advised by W. A. "Buck" Lee, Executive Director, Santa Rosa Island Authority, that a letter was sent to Gulf Islands National Seashore endorsing ferry service from Pensacola to Fort Pickens, to Pensacola Beach, and back; furthermore, the infrastructure needed to accommodate ferry service to Pensacola Beach is in place; and

(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

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

7. Continued...

E. Report of the March 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

12. Continued...

A. Continued...

(2) Was advised by Commissioner Robertson that a funding source for the remaining infrastructure should be identified before moving forward with ferry service; and

B. Board Direction – None.

13. Parking Garage

A. Discussion – The C/W discussed the Parking Garage, and the C/W:

(1) Was advised by David Wheeler, Deputy Bureau Chief, Public Works Bureau, that, in accordance with the Interlocal Agreement between Escambia and the Pensacola Downtown Improvement Board (DIB), the DIB manages the (*Intendencia*) Parking Garage, and there are 101 spaces, on the roof level, designated to the DIB, that are specifically identified for leasing;

(2) Heard the request from Franklin D. Kimbrough, Executive Director, DIB, that the Board consider designating additional, covered parking spaces to the DIB for public use; and

(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
- 1-7. Approval of Various Consent Agenda Items – Continued
- 7. Continued...
- E. Report of the March 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

13. Continued...

A. Continued...

(3) Heard the request from Commissioner Robinson that 10 first-come, first-serve, covered spaces on the west end of the parking garage be designated to the DIB for public use; and

B. Board Direction – The C/W heard the request from Commissioner Young that the County Administrator work with Mr. Kimbrough regarding the details of the designation of the additional spaces.

14. Local Option Sales Tax Advisory Committee

A. Discussion – The C/W discussed the formation of a (*Citizens'*) Local Option Sales Tax Advisory Committee; and

B. Board Direction – The C/W heard a motion made by Commissioner Robinson, seconded by Commissioner White, with no vote, to move forward with the Committee.

(Commissioner Valentino was absent during discussion of this item)

(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
- 1-7. Approval of Various Consent Agenda Items – Continued
- 7. Continued...
- E. Report of the March 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

- 15. Escambia County's Top 22 Projects for Consideration on Federal Appropriations Forms Submittals for Congressman Jeff Miller, Senators Mel Martinez and Bill Nelson
 - A. Discussion – The C/W was advised by County Administrator McLaughlin that a draft of Escambia County's top 22 projects has been submitted to Washington, DC, for consideration by Federal Appropriations staffers for Congressman Jeff Miller and Senators Mel Martinez and Bill Nelson; and
 - B. Board Direction – None.
- 16. Proposed Stimulus Package Projects
 - A. Discussion – The C/W was advised by County Administrator McLaughlin that the *Proposed Escambia County's Potential Projects for Stimulus Funding* has been submitted to Tallahassee; 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
- 1-7. Approval of Various Consent Agenda Items – Continued
- 7. Continued...
- E. Report of the March 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

17. St. Michael's Cemetery Funding

- A. Discussion – The C/W discussed St. Michael's Cemetery Funding, and the C/W:
 - (1) Was advised by County Administrator McLaughlin that the City of Pensacola adopted a Resolution approving funding, in the amount of \$7,500, for St. Michael's Cemetery Foundation of Pensacola, Inc., and staff recommends that the Board match the City's funding, in the amount of \$7,500, to be paid from the 4th Cent Tourist Development Tax; and
 - (2) Upon inquiry from Commissioner Robertson, was advised by County Administrator McLaughlin that on November 6, 2008, the Board approved funding, in the amount of \$12,500 (*from the General Fund, Reserves for Operating, earmarked for maintenance and repairs at St. Michael's Cemetery, in anticipation of the 450th [Anniversary] Celebration*), with the caveat that the City of Pensacola will provide a \$12,500 match; 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
- 1-7. Approval of Various Consent Agenda Items – Continued
- 7. Continued...
- E. Report of the March 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

17. Continued...

- B. Board Direction – The C/W recommends that the Board approve funding, in the amount of \$12,500, to be paid from the 4th Cent Tourist Development Tax.

Recommended 3-1, with Commissioner White voting "no" and Commissioner Valentino absent

18. Interlocal Agreement with the City Concerning a \$0 Ton/Tip for Recyclables at the Perdido Landfill

- A. Discussion – The C/W discussed Interlocal Agreement with the City Concerning a \$0 Ton/Tip for Recyclables at the Perdido Landfill, and was advised by County Administrator McLaughlin that staff is in support of the proposed Interlocal Agreement with the City of Pensacola, which provides for no tipping fees for the City's recyclables at Perdido Landfill; however, staff is not in support of the City's request that the County purchase additional recycling containers; and
- B. Board Direction – None.

(Commissioner Valentino was absent during discussion of this item)

(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
- 1-7. Approval of Various Consent Agenda Items – Continued
- 7. Continued...
- E. Report of the March 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

19. Wedgewood Middle School Property Acquisition

- A. Discussion – The C/W heard the request from County Administrator McLaughlin for Board direction concerning the acquisition of the 52-acre Wedgewood Middle School property, for the Escambia County School Board's asking price of \$2.95 million; and
- B. Board Direction – The C/W heard the request from Commissioner Young, with consensus from the Board, that staff move forward with the acquisition of the property.

(Commissioner Valentino was absent during discussion of this item)

20. Adjourn

Chairman Young declared the C/W Meeting adjourned at 12:52 p.m.

GROWTH MANAGEMENT REPORT – T. Lloyd Kerr, Chief, Development Services Bureau

I. PUBLIC HEARINGS

1. Rezoning Cases

Motion made by Commissioner Robertson, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning Rezoning Case Z-2009-01:

1752

A. Overturning the Rezoning Hearing Examiner's (RHE) recommendation and approving C-2, on the basis that the 50/50 rule (*applies*) because the holding pond, which is zoned Commercial, according the (*Future*) Land Use Map, is not conducive to Residential zoning, and (*the parcel*) is compatible with the surrounding area because it is closer to more C-2 (*zoned parcels*), by far, than any other designation; 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-2009-01
- Location: 8895 Untreiner Avenue
- Property Reference Numbers: 10-1S-30-1101-091-001
10-1S-30-1101-102-001
10-1S-30-1101-095-001
- Property Size: 4.36 (+/-) acres
- From: R-5, Urban Residential / Limited Office District,
High Density (cumulative) (20 dwelling units per acre)
- To: C-2, General Commercial and Light
Manufacturing District (cumulative)
(25 dwelling units per acre)
- FLU Category: C, Commercial
- Commissioner District: 3
- Requested by: Wiley C. "Buddy" Page, Agent for Angus and
Wanda Brewton, Owners
- RHE Recommendation: Denial

(Continued on Page 32)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS

1. Continued...

B. Continued...

(1) Continued...

Speaker(s):

Wiley C. “Buddy” Page

For Information: The Board heard the request from Commissioner Robertson, with concurrence from Commissioner Robinson and Commissioner White, that the Escambia County Land Development Code be amended to reclassify C-2 Zoning into two categories, one which specifically disallows bars, lounges, and similar activities, and one which allows existing C-2 uses.

(Continued on Page 33)

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Continued...

Motion made by Commissioner Robertson, seconded by Commissioner Valentino, 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-2009-02:

1831

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

- (2) Case Number: Z-2009-02
- Location: 1332 Creighton Road
- Property Reference Numbers: 31-1S-30-2202-000-001
31-1S-30-2202-000-002
31-1S-30-2202-000-003
31-1S-30-2204-000-001
- Property Size: 2.3 (+/-) acres
- From: R-4, Multiple Family District, Medium High Density (cumulative) (18 dwelling units per acre), and C-1, Retail Commercial District (cumulative) (25 dwelling units per acre)
- To: C-1, Retail Commercial District, (cumulative) (25 dwelling units per acre)
- FLU Category: MU-1, Mixed Use 1
- Commissioner District: 4
- Requested by: Wiley C. "Buddy" Page, Agent for Woerner Investments, LLC, Owner
- RHE Recommendation: Approval

Speaker(s) – None.

For Information: Commissioner Robinson, Commissioner White, and Commissioner Robertson each disclosed the he had received ex parte communication; however, the communication would not affect his decision regarding this Case.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

2. 5:45 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, 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 2009-8*) to amend the Official Zoning Map to include Rezoning Cases Z-2009-01 and Z-2009-02.

1833

Speaker(s) – None.

II. CONSENT AGENDA

1. Scheduling of Public Hearings

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, scheduling the following two Public Hearings:

1833

- A. 5:45 p.m. – Thursday, April 16, 2009 – A Public Hearing to (*consider adopting an Ordinance*) repealing Ordinance (*Number*) 2008-65, in its entirety, and review a Comprehensive Plan Amendment (CPA), composed of one Ordinance and the attachments therein, and recommend approval of the Ordinance to amend Part II of the Escambia Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended; amending portions thereof as follows:

CPA PSFE – A Comprehensive Plan text amendment adding the Public School Facilities Element (PSFE) as Chapter 15, amending Chapter 13, “Intergovernmental Coordination Element”; amending Chapter 14, “Capital Improvement Element”; replacing Chapter 15, “Adoption,” with Chapter 15, “Public School Facilities Element,” and adding Chapter 16 “Adoption”

(Continued on Page 35)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

II. CONSENT AGENDA

1. Continued...

- B. 5:45 p.m. – Thursday, May 7, 2009 – A Public Hearing (*to consider adopting an Ordinance*) to amend the Official Zoning Map to include the following Rezoning Case heard by the Rezoning Hearing Examiner on March 23, 2009:

Case Number:	Z-2009-03
Location:	2800 East Olive Road
Property Reference Number:	17-1S-30-2101-003-119
Property Size:	0.36 (+/-) acre
From:	C-1, Retail Commercial District (cumulative) (25 dwelling units per acre)
To:	C-2, General Commercial and Light Manufacturing District (cumulative) (25 dwelling units per acre)
FLU Category:	MU-1, Mixed Use 1
Commissioner District:	4
Requested by:	Wiley C. "Buddy" Page, Agent for Interstate Pawn, Inc., Owner

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-5. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving Consent Agenda Items 1 through 5, as follows, with the exception of Items 2 and 3, which were held for separate votes:

1835

1. Taking the following action concerning the Memorandum of Understanding between Escambia County, Florida, the City of Gulf Breeze, Florida, the Florida Department of Environmental Protection, the School Board of Escambia County, Florida, and Coastal Environments, Inc., for the Deadman's Island Restoration Project:

1835

- A. Approving the Memorandum of Understanding establishing the parties' responsibilities in the "reefblk" assembly portion of the Deadman's Island Restoration Project; and

- B. Authorizing the Chairman to sign the Agreement.

2. See Page 37.

3. See Page 37.

4. Taking the following action concerning an application for transportation enhancement projects:

1835

- A. Approving re-submittal of an application for transportation enhancement projects for paved shoulders along Gulf Beach Highway (County Road 292A), between Bauer Road and Innerarity Point Road; and

- B. Adopting, and authorizing the Chairman to sign, a Resolution (*R2009-53*) in support of an application for transportation enhancement funding for paved shoulders along Gulf Beach Highway (County Road 292A).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

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

5. Taking the following action regarding Michigan Avenue/Saufley Field Road pedestrian sidewalks: 1835

A. Approving re-submittal of an application for the Transportation Enhancement Program for pedestrian sidewalks on Michigan Avenue/Saufley Field Road (State Road 296/County Road 296), from Denver Avenue to N.A.S. Saufley Field, on Saufley Field Road, for a total of 1.87 miles; and

B. Adopting, and authorizing the Chairman to sign, a Resolution (*R2009-54*) in support of an application for transportation enhancement funding for pedestrian sidewalks on Michigan Avenue/Saufley Field Road.

2-3. Approval of Two Consent Agenda Items

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robertson abstaining (*and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), approving Consent Agenda Items 2 and 3, as follows: 1835

2. Authorizing the scheduling of a Public Hearing for Thursday, April 16, 2009, at 5:32 p.m., to adopt an Ordinance establishing an Economic Development Ad Valorem Tax Exemption for Navy Federal Credit Union, for the Central Energy Plant and the Multi-Level Parking Deck (Building #2), for 100% of their expansion, for 10 years. 1835

3. Taking the following action concerning the Economic Development Agreement with Navy Federal Credit Union (funds are based on refund fees and taxes paid to the County by Navy Federal Credit Union, as set forth in Ordinance Number 2007-56): 1835

A. Approving to enter into an Economic Development Agreement with the Navy Federal Credit Union for economic development incentives; and

B. Authorizing the Chairman to sign the Agreement.

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA

1-22. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving Consent Agenda Items 1 through 22, as follows, with the exception of Item 3, which was held for a separate vote, as amended to drop Items 2 and 21 (Item 23 was also held for a separate vote):

1836

1. Approving payment to Election Systems & Software Inc., in the amount of \$41,220, for the installation of the elections equipment purchased in Fiscal Year 2008; there is no increase in the (*Supervisor of Elections'*) Budget; funds are available in Local Option Sales Tax III for this project.
2. Dropping the recommendation that the Board take the following action concerning the real property located at 3510 Mobile Highway, Account Number 063865000, Reference Number 33-2S-30-3008-000-000:
 - A. Authorize foreclosure, due to a Code Enforcement Lien, in the amount of \$2,847, recorded in Official Records Book 6260, at Page 1528, of the Public Records of Escambia County, Florida;
 - B. Authorize the County to bid for this property up to an amount 20% greater than the costs of the Lien and foreclosure when purchasing the Certificate of Title;
 - C. Authorize the sale of this property to the highest acceptable bidder, in accordance with Section 46-133 of the Escambia County Code of Ordinances, without further action of the Board; the current assessed value of the property is \$167,003; and
 - D. Authorize the Chairman to sign any documents related to this action.
3. See Page 45.

1836

1836

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-22. Approval of Various Consent Agenda Items – Continued

4. Adopting the Resolution (*R2009-56*) approving Supplemental Budget Amendment Number 178, Other Grants and Projects Fund (110), in the amount of \$40,000, to recognize revenue from the Florida Fish and Wildlife Conservation Commission and to appropriate these funds for reef monitoring. 1836
5. Adopting the Resolution (*R2009-57*) approving Supplemental Budget Amendment Number 180, Other Grants and Projects Fund (110), in the amount of \$10,000, to recognize proceeds from a State of Florida, Division of Emergency Management, Subgrant Agreement, and to appropriate these funds for the Community Emergency Response Team activities. 1836
6. Awarding an Indefinite Quantity, Indefinite Delivery, Unit Price Contract, PD 08-09.019, “Ferry Pass Zone 2 Phase 4,” to Starfish, Inc., of Alabama, for a total amount of \$1,960,690.71, for Ferry Pass road and sewer improvements (Fund 351, Local Option Sales Tax [LOST] II, Cost Center 210105, Object Code 56301, Project Number 05EN1784 – [*in the amount of*] \$328,376.00; Fund 352, LOST III, Cost Center 210107, Object Code 56301, Project Number 08EN0334 – [*in the amount of*] \$1,632,314.71). 1836
7. Awarding an Indefinite Quantity, Indefinite Delivery, Unit Price Contract, PD 08-09.031, “Hwy 97/Kingsfield Road Lane Widening,” to Roads, Inc., of NWF, for a total amount of \$855,117.15 (Fund 351, Local Option Sales Tax II, Cost Center 210105, Object Code 56301, Project Number 05EN1515). 1836
8. Awarding an Indefinite Quantity, Indefinite Delivery, Unit Price Contract, PD 08-09.028, “Ten Mile Creek East Stream Restoration,” to Florida Three Rivers RC&D, Inc., for a Base Bid total amount of \$282,108.45 (Fund 110, Other Grants and Projects, Cost Center 212413, Object Code 56301). 1836

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-22. Approval of Various Consent Agenda Items – Continued

9. Authorizing the County to piggyback off of the Troup County, Georgia, Contract, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Application; exemptions; and Section 46-64, Board Approval, and awarding a Purchase Order, in the amount of \$100,000, to Kimble's Food by Design, for commissary services at the Road Prison, PD 08-09.029, for a period of 36 months (Fund 175, Transportation Trust fund, Cost Center 290205). 1836
10. Authorizing the County to piggyback off of the State of Florida Contract #070-700-07-1, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Application; exemptions; and Section 46-64, Board Approval, and awarding a Purchase Order to Navistar Financial Corporation, c/o Bank of America, for one 2009 International Cab and Chassis, for the Road Department, with specified options, in the total amount of \$76,706, with funds available from Fund 175, Transportation Trust Fund, Cost Center 210402. 1836
11. Approving the Amendment to the Agreement with Sabre Communication, Inc., for "Radio Tower and Microwave Equipment for Gonzalez Microwave Site," PD 07-08.036, which amends the Table of Contents and includes Exhibit "E," "Application and Certificate for Payment on Contract" (Fund 001, General Fund, Cost Center 330403, Object Code 56401). 1836
12. Approving the Amendment to the Agreement with Southeastern Communication Service, Inc., for "Radio Tower and Microwave Equipment for Big Lagoon Microwave Site," PD 07-08.122, which amends the Table of Contents and includes Exhibit "E," "Application and Certificate for Payment on Contract" (Fund 001, General Fund, Cost Center 330403, Object Code 56401). 1836
13. Approving a Contract extension for PD 05-06.024, to Southern Tires, Inc., for an additional six months, in accordance with the terms and conditions of the Contract, which will provide sufficient time for another solicitation and Contract award (Fund 401, Solid Waste Fund, Cost Center 220604). 1836

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-22. Approval of Various Consent Agenda Items – Continued

14. Awarding Contract PD 08-09.022, "Sale of Recyclables Ferrous and Non-Ferrous Metal," to Southern Recycling, LLC, for a period of 12 months, with an option to extend for two additional, 12-month periods (Fund 401, Solid Waste Fund, Revenue Account 343409). 1836
15. Authorizing staff to initiate the acquisition process, by purchase or donation, of properties for rights-of-way and easements on Muscogee Road and County Road 97; this includes, but is not limited to, obtaining title commitments, Phase I Environmental Assessments, appraisals, and surveys, and conducting inspections as needed (Funding Source: Fund 351, Local Option Sales Tax II, Account 210105/56301/56101, Project 05EN1515). 1836
16. Taking the following action concerning the *Agreement for Submittal of Sewage and Wastewater Meter Readings by Owner*, with Emerald Coast Utilities Authority (ECUA): 1836
 - A. Approving the *Agreement for Submittal of Sewage and Wastewater Meter Readings by Owner*, with ECUA, for 357 South Baylen Street, establishing service subject to ECUA's sewer relief program; and
 - B. Authorizing the Chairman or Vice Chairman to execute all documents relating to the Agreement as required.
17. Approving, and authorizing the Chairman to sign, an extension of a Lease Agreement with Terhaar-Cronley Investment Partnership, for warehouse space for the Health Department, located at 3636 North "L" Street, from August 1, 2009, to July 31, 2014, at the rates of \$2,452 per month for the first year, \$2,526 for second and third years, and \$2,602 for the fourth and fifth years of the Lease; the Lease also contains an option to renew for an additional five years, as stated in Section 3 of the Lease Agreement. 1836

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-22. Approval of Various Consent Agenda Items – Continued

18. Taking the following action regarding the 2009-2010 *Agreement for Homeless Program Management Support* with the EscaRosa Coalition on the Homeless, Inc. (ECOH):

1836

A. Approving the 2009-2010 Agreement with ECOH, to provide \$20,000 in funding for Program Management Support (Fund 124/Escambia County Affordable Housing, Cost Center 220406); and

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

19. Taking the following action regarding the 2008 Community Development Block Grant (CDBG) Fire Protection Improvements Project:

1836

A. Approving the *Interlocal Agreement* with Emerald Coast Utilities Authority (ECUA), in the amount of \$175,000, providing for the 2008 Fire Protection Improvements Project, including installation of fire hydrants and associated water main upgrades, primarily within Census Tracts 14, 31, 32, 33, and 34, as financed with 2008 CDBG funds (Fund 129/2008 CDBG, Cost Center 220563);

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

C. Authorizing the Office of the Clerk of the Circuit Court to record the Interlocal Agreement in the Official Records of Escambia County.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-22. Approval of Various Consent Agenda Items – Continued

20. Taking the following action regarding approval of the Neighborhood Stabilization Program (NSP) Substantial Amendment to the 2008 Escambia County Annual Plan by the U.S. Department of Housing and Urban Development (HUD), and the award of \$4,565,918 in 2008 HUD funds (Grant Number B-08-UN-12-0005):

1836

- A. Acknowledging, for the Official Record, HUD approval of the Neighborhood Stabilization Program Substantial Amendment to the 2008 Escambia County Annual Plan, and accepting the award of HUD NSP funds, in the amount of \$4,565,918, as provided through Grant Number B-08-UN-12-0005;
- B. Ratifying the County Administrator's execution of the NSP Agreement as required by HUD;
- C. Approving the NSP Program Interlocal Agreement with the City of Pensacola, providing for cooperative implementation of the NSP Program in Escambia County, with respect to NSP-financed, first-time, home buyer activities, and providing NSP administrative support to the City for such services (NSP Program and administrative funds budgeted in Fiscal Year 2009; Fund 129/NSP, Cost Center to be assigned by Budget);
- D. Authorizing the Chairman or Vice Chairman to execute the Interlocal Agreement, and authorizing the Chairman, Vice Chairman, or County Administrator, as appropriate, to execute all Grant-related documents as required to receive and implement all aspects of the NSP Program; and
- E. Authorizing the Office of the Clerk of the Circuit Court to record the Interlocal Agreement in the Official Records of Escambia County.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-22. Approval of Various Consent Agenda Items – Continued

21. Dropping the recommendation that the Board authorize the County Administrator to execute the following Change Order (Funding Source: Fund 352, Local Option Sales Tax III, Parks Capital Improvements, Cost Center 210802, Project 09PR0073):

1836

Bureau: Neighborhoods and Community Services
Division: Recreation
Type: Labor and Materials for Electrical Repairs
Amount: \$87,000
Vendor: Greg Williams Electric, Inc.
Purchase Order Number: 290736
Change Order Number: 2
Original Award Amount: \$ 18,566
Cumulative Amount of Change Orders through Number 2: \$ 88,200
New Purchase Order Total: \$106,766

22. Taking the following action concerning traffic restrictions – speed limitations (funds are budgeted in Fund 175, Transportation Trust Fund, Cost Center 250701, and Account Code 53401, for sign installations.):

1836

- A. Adopting the Resolutions (*R2009-58, R2009-59, and R2009-60*) for the reduction in speed, from 30 miles per hour to 25 miles per hour, for the following roadway segments:
- (1) Brentco Road, from Condor Drive to Pelican Point Drive
 - (2) Condor Drive, from Brentco Road to Condor Drive
 - (3) Pelican Point Drive, from Condor Drive to terminus
- B. Authorizing the Chairman to sign the Resolutions for these roadways.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

3. Supplemental Budget Amendment Number 177

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting the Resolution (*R2009-55*) approving Supplemental Budget Amendment Number 177, General Fund (001), in the amount of \$10,744, to recognize reimbursements from auto insurance payments and to appropriate these funds for the Sheriff's Department vehicle activities.

1837

23. Dormitory Revenue Bonds

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting the Resolution (*R2009-61*) approving the issuance and sale of the not-exceeding \$15,000,000 Dormitory Revenue Bonds (University of West Florida Foundation, Inc., Project), Series 2009, by the Escambia County Housing Finance Authority.

1837

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1-4. Approval of Various Action Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Action Items 1 through 4, as follows:

1838

1. Scheduling a Public Hearing for April 16, 2009, at 5:36 p.m., to consider adopting an Ordinance establishing rate and insurance requirements for taxicabs and similar vehicle services operating in the unincorporated areas of Escambia County.
2. Scheduling a Public Hearing for April 16, 2009, at 5:37 p.m., to consider adopting an Ordinance establishing maximum prices for towing and storage services in Escambia County, including documentation requirements.

1838

1838

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

1-4. Approval of Various Action Items – Continued

3. Taking the following action concerning approval of the RICOH (*Americas Corporation*) *Master Agreement* with Escambia County and *Addendum: A*: 1838

A. Approving the RICOH *Master Agreement* with Escambia County and *Addendum: A*; and

B. Authorizing the Chairman to sign the *Master Agreement* and *Addendum: A*; and

C. Authorizing the execution of the necessary Purchase Order(s).

4. Accepting Mark Mustian, of Nabors Giblin & Nickerson, as the County's disclosure counsel, replacing David G. Tucker. 1838

II. FOR INFORMATION

1-3. Approval of Various Information Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Information Items 1 through 3, as follows, with the exception of Item 2, which was held for a separate vote:

1. Accepting the information concerning Billy E. Grantham and Helen F. Grantham vs. Escambia County wherein the District Court of Appeal denied the Granthams' Petition for Writ of Certiorari. 1838

2. See Page 47.

3. Accepting the information concerning State of Florida vs. Escambia County, Florida wherein the Attorney General's Office filed a motion for voluntary dismissal and the District Court of Appeal granted the dismissal. 1838

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Continued

II. FOR INFORMATION – Continued

2. Acceptance of Information

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried 4-0, with Commissioner White abstaining (*and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), accepting the information concerning Robert K. Mandel and Sharon F. Mandel v. Harry R. McNesby, Charlie Walker, Sotirios Thagouras and Steve Littlejohn (Case No.: 3:08-cv-49-RV/MD).

1839

ITEMS ADDED TO THE AGENDA – COMMISSIONER GROVER C. ROBINSON, IV

1. Proposed Amendment to Florida Statute 196.031(6)

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried 4-1, with Commissioner Young voting "no", taking the following action concerning the proposed amendment to Florida Statute 196.031(6), Homestead Exemption:

1840

- A. Approving to authorize the proposed amendment to Florida Statute 196.031(6), Homestead Exemption, to help close a loophole in the current Statute and to clarify criteria for properties that receive the homestead exemption qualification that are in need of repairs; and
- B. Approving to forward the proposed amendment to the Escambia County Lobbyist for delivery and discussion with the Northwest Florida Legislative Delegation.

ITEMS ADDED TO THE AGENDA – COMMISSIONER MARIE K. YOUNG

1. Scheduling of a Public Hearing

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, authorizing the scheduling of a Public Hearing for April 16, 2009, at 5:33 p.m., for the purpose of receiving public input on the proposed use of Grant funds associated with the "Recovery Act: Edward Byrne Memorial Justice Assistance Grant (JAG) Formula Program: Local Solicitation."

1842

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

ANNOUNCEMENTS – None.

ADJOURNMENT

There being no further business to come before the Board, Chairman Young declared the Regular Meeting of the Board of County Commissioners adjourned at 6:43 p.m.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

ATTEST:

Ernie Lee Magaha
Clerk of the Circuit Court & Comptroller



By: _____
Marie Young, Chairman

Deputy Clerk

Approved: April 16, 2009