

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD DECEMBER 10, 2009
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(4:32 p.m. – 6:29 p.m.)

Present: Commissioner Grover C. Robinson, IV, Chairman, District 4
Commissioner Kevin W. White, Vice Chairman, District 5
Commissioner Wilson B. Robertson, District 1
Commissioner Gene M. Valentino, District 2
Commissioner Marie K. Young, District 3
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

PUBLIC FORUM WORK SESSION

Chairman Robinson called the Public Forum Work Session to order at 4:32 p.m. and advised that there were no speakers.

1632

4:32 P.M. – PUBLIC FORUM ADJOURNED

5:32 P.M. – REGULAR BOARD MEETING CONVENED

REGULAR BCC AGENDA

1. Call to Order

Chairman Robinson called the Regular Meeting of the Board of County Commissioners to order at 5:32 p.m.

2. Invocation

Mrs. Shirley L. Gafford, Program Coordinator, County Administrator's Office, advised that Reverend Chad Kivette, Pastor, Beulah Free Will Baptist Church, would deliver the Invocation.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

3. Pledge of Allegiance to the Flag

Chairman Robinson 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 Robertson, and carried unanimously, adopting the agenda as prepared and duly amended *(to include Commissioner Valentino's add-on item concerning property acquisition for road right-of-way, Commissioner Robinson's add-on item concerning adoption of a Resolution [and the County Attorney's Report])*.

1735

5. Commissioners' Forum

A. District 3 – Commissioner Young expressed "Blessed Christmas" and "Healthy New Year" wishes to the citizens of Escambia County;

1737

B. District 2 – Commissioner Valentino advised that Jack Kenney, former District 4 County Commissioner, from 1971 to 1978, former ECUA (*Emerald Coast Utilities Authority*) Member, and former Channel 3 news anchorman, recently passed away in Costa Rica;

C. District 1 – Commissioner Robertson advised that his wife's mother passed away on Thanksgiving Day and expressed his appreciation to everyone for their gifts of cards, flowers, and condolences; and

D. District 4 – Commissioner Robinson advised that he toured the new One Stop Building, which will feature a green roof and will be energy efficient, and that he attended the Snowball Derby, which is an important event during the "shoulder" season of tourism, last weekend *(at Five Flags Speedway)*.

REGULAR BCC AGENDA – Continued

6. Proclamations/Special Recognition

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning Proclamations/Special Recognition:

1738

A. Adopting the following four Proclamations:

- (1) The Proclamation commending and congratulating Joe Anderson, Equipment Operator III, Public Works Bureau, on his retirement after 24 years of service;
- (2) The Proclamation commending and congratulating Sarah Barnes, Paramedic, Public Safety Bureau, on her retirement after 35 years of service;
- (3) The Proclamation commending and congratulating William Holmes, Road Corrections Officer, Corrections Bureau, on his retirement after 11 years of service; and
- (4) The Proclamation commending and congratulating Wayne McGlothren, Administrative Sergeant, Corrections Bureau, on his retirement after 31 years of service;

B. Taking the following action concerning the adoption/ratification of the following three Proclamations:

- (1) Adopting the Proclamation proclaiming support of the third annual “40 Days of Prayer and Fasting” for Pensacola, Century, and Escambia County;
- (2) Adopting the Proclamation proclaiming a commitment to partner with the U.S. Census Bureau to help ensure a full and accurate census count in 2010; and
- (3) Ratifying the Proclamation commending and congratulating Ms. Agnes Doering on her retirement from the Community Action Program after more than 33 years of dedicated Service; and

(Continued on Page 4)

REGULAR BCC AGENDA – Continued

6. Continued...

- C. Recognizing, with Certificates of Appreciation, James M. Messer, G. Thomas Smith, and Robert O. Beasley, for their years of dedicated service as Rezoning Hearing Examiners to Escambia County.

Speaker(s):

Joe Miller
Tina Joshua
Bob Canavello

7. Written Communication

A. Pensacola Ice Flyers

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving to grant the request and taking the following action, relative to the communication, dated November 30, 2009, from Tim Kerr, Pensacola Ice Flyers, concerning two upcoming home games:

1757

- (1) Waiving the imposed per ticket surcharge of \$1 for 5,000 tickets each for the January 8, 2010, and February 4, 2010, home games;
- (2) Because the January 8, 2010, home game is going to be another “Military Appreciation Night” in the Hangar, waiving the surcharge so the Ice Flyers organization can offer 5,000 tickets to active duty military in the Gulf Coast region for a charge of \$2 each; and
- (3) Because the February 4, 2010, home game is going to be “School Night” in the Hangar, waiving the surcharge so the Ice Flyers organization can distribute 5,000 tickets to the area school system, so school aged children around the area can experience the excitement of Ice Flyers hockey and raise the awareness of amateur hockey, figure skating and public ice skating opportunities at the Civic Center.

(Continued on Page 5)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

7. Continued...

B. Code Enforcement Lien – Lillian Williamson Owen

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving to waive the fines and collect the hard costs, in the amount of \$3,200, relative to the communication, dated September 25, 2009, from Lillian Williamson Owen concerning a Code Enforcement Lien against property located at 8059 Ira Drive.

1758

Speaker(s):

Lillian Owen

8. Proof of Publication

Motion made by Commissioner White, 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:

1800

A. The following eight Public Hearings on the agenda:

- (1) The 5:31 p.m. Public Hearing, advertised in the Pensacola News Journal on November 7, 14, 21, and 28, 2009, for consideration of adopting a Resolution establishing the Board's intent to use the Uniform Method of Collection for Non-Ad Valorem Special Assessments, as provided in Florida Statute 197.3632;
- (2) The 5:32 p.m. Public Hearing, advertised in The Escambia Sun-Press, LLC, on November 12, 2009, for consideration of the Petition to Vacate a 10-foot-wide alleyway in Block 1, Osceola Country Club Estates Subdivision, as petitioned by 1115 Properties, LLC;
- (3) The 5:33 p.m. Public Hearing, advertised in the Pensacola News Journal on November 28, 2009, for consideration of adopting an Ordinance establishing an EDATE for Genesis Property Holding, LLC;

(Continued on Page 6)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

8. Continued...

A. Continued...

- (4) The 5:34 p.m. Public Hearing, advertised in the Pensacola News Journal on November 28, 2009, for consideration of adopting an Ordinance establishing an EDATE for Woodlands Medical Specialists, PA;
- (5) The 5:45 p.m. Public Hearing, advertised in the Pensacola News Journal on November 25, 2009, for consideration of adopting an Ordinance amending the Official Zoning Map;
- (6) The 5:46 p.m. **second** Public Hearing, advertised in the Pensacola News Journal on November 25, 2009, for consideration of adopting an Ordinance amending LDC Articles 3 and 6;
- (7) The **first** 5:47 p.m. Public Hearing, advertised in the Pensacola News Journal on November 27, 2009, for consideration of adopting the Mid-West Optional Sector Plan Ordinance; and
- (8) The **second** 5:47 p.m. Transmittal Public Hearing, advertised in the Pensacola News Journal on November 27, 2009, for consideration of Comprehensive Plan Amendment – EAR Based Amendments; and

(Continued on Page 7)

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 December 7, 2009 – December 11, 2009 – Legal No. 1438322*, as published in the Pensacola News Journal on December 5, 2009, as follows:

December 7	9:00 a.m.	Option Sector Plan with MSCW and Development Group
December 7	1:00 p.m.	FL-AL TPO – Technical Coordinating Committee
December 7	3:30 p.m.	FL-AL TPO – Citizens Advisory Committee
December 7	5:00 p.m.	Merit System Protection Board Appeals Hearing
December 7	6:30 p.m.	Fire Services Citizens Advisory Committee
December 8	10:00 a.m.	FL-AL TPO – Bicycle/Pedestrians Advisory Committee
December 8	2:00 p.m.	Local Mitigation Strategy Board Workshop
December 8	5:00 p.m.	Housing Finance Authority
December 8	5:00 p.m.	Merit System Protection Board
December 9	9:00 a.m.	FL-AL Transportation Planning Organization
December 9	1:00 p.m.	Development Review Committee
December 9	3:00 p.m.	DCA CDBG Disaster Recovery Application Coordination
December 10	9:00 a.m.	Agenda Work Session
December 10	11:00 a.m.	BCC Information Technology Governance Council
December 10	3:00 p.m.	Mass Transit Advisory Committee
December 10	4:20 p.m.	Community Redevelopment Agency
December 10	4:30 p.m.	Board of County Commissioners Public Forum
December 10	5:30 p.m.	Board of County Commissioners Public Hearings & Reports
NEXT WEEK'S NOTE:		
December 14	8:30 a.m.	Planning Board
December 14	4:00 p.m.	West Florida Regional Planning Council
December 14	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, adopting the Resolution (*R2009-239*) establishing the Board's intent to use the Uniform Method of Collection for Non-Ad Valorem Special Assessments, as provided in Florida Statute 197.3632.

1801

Speaker(s) – None.

10. 5:32 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action regarding the Petition to Vacate a 10-foot-wide alleyway in Block 1, Osceola Country Club Estates Subdivision (280 feet x 10 feet = 2,800 square feet, or 0.06 acre), as petitioned by 1115 Properties, LLC:

1801

- A. Approving the Petition to Vacate;
- B. Accepting the Hold/Harmless Agreement;
- C. Adopting the Resolution (*R2009-240*) to Vacate; and
- D. Authorizing the Chairman or Vice Chairman to accept the documents as of the day of delivery of the documents to the Chairman or Vice Chairman, and authorizing the Chairman or Vice Chairman to execute them at that time.

Speaker(s) – None.

11. 5:33 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting an Ordinance (*Number 2009-42*) establishing an Economic Development Ad Valorem Tax Exemption (EDATE) for Genesis Property Holding, LLC, for 100% of their new business, for ten years.

1801

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

12. 5:34 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting an Ordinance (*Number 2009-43*) establishing an Economic Development Ad Valorem Tax Exemption (EDATE) for Woodlands Medical Specialists, PA, for 100% of their new business, for ten years.

1804

Speaker(s) – None.

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

I. CONSENT AGENDA

1-4. Approval of Various Consent Agenda Items

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

1807

1. Accepting, for filing with the Board's Minutes, the following seven Reports prepared by the Clerk of the Circuit Court & Comptroller's Finance Department:
 - A. Payroll Expenditures for Pay Date November 25, 2009, in the amount of \$2,154,124.79;
 - B. The following four Disbursement of Funds:
 - (1) November 5, 2009, to November 11, 2009, in the amount of \$101,241.38;
 - (2) November 12, 2009, to November 18, 2009, in the amount of \$2,867,714.43;
 - (3) November 19, 2009, to November 25, 2009, in the amount of \$3,708,159.42; and
 - (4) November 26, 2009, to December 2, 2009, in the amount of \$13,581,336.94; and
 - C. The Tourist Development Tax Collections Data for Fiscal Year 2009-2010, which includes the October 2009 returns received in the month of November 2009; the second month revenue collected reflects 13% of the Budget for the Fiscal Year.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1-4. Approval of Various Consent Agenda Items – Continued

2. Accepting, for filing with the Board's Minutes, Budget Comparison Reports for Fiscal Year 2008-2009, ending September 30, 2009, as follows:
 - A. Summarized, by fund, Budget to Actual Comparison as of September 30, 2009;
 - B. Detailed Expenditure Budget Comparison (Budget to Actual) as of September 30, 2009; and
 - C. Detailed Revenue Budget Comparison (Budget to Actual) as of September 30, 2009.
3. Accepting, for filing with the Board's Minutes, the following documents provided to the Clerk to the Board's Office:
 - A. The following four Agreements for Professional Services as Governed by Florida Statute 287.055 (PD 02-03.79), as received in the Clerk to the Board's Office on November 17, 2009:
 - (1) *Agreement Between Escambia County and Gulf Coast Architectural Group, as approved by the Board on May 1, 2007;*
 - (2) *Agreement Between Escambia County and Grimail Crawford, Inc., as approved by the Board on October 4, 2007;*
 - (3) *Agreement Between Escambia County and Goodwyn, Mills and Cawood, Inc., as approved by the Board on November 6, 2008; and*
 - (4) *Agreement Between Escambia County and CSA Group, Inc., as approved by the Board on December 11, 2008; and*
 - B. *The Northwest Florida Water Management District Governing Board Meeting Schedule for 2010 and the Northwest Florida Water Management District 2008 Annual Report, as provided by Robin K. Tucker, Executive Assistant, Northwest Florida Water Management District, and received in the Clerk to the Board's Office on November 30, 2009.*

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1-4. Approval of Various Consent Agenda Items – Continued

4. Taking the following action concerning Minutes and Reports prepared by the Clerk to the Board's Office:
 - A. Approving the Minutes of the Attorney-Client Session held November 19, 2009;
 - B. Approving the Minutes of the Regular Board Meeting held November 19, 2009;
 - C. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held November 19, 2009, as follows:
 1. FOR INFORMATION: The agenda package for the 5:30 p.m., November 19, 2009, Regular Board Meeting was reviewed as follows:
 - A. The agenda cover sheet was reviewed by Shirley L. Gafford, Program Coordinator, County Administrator's Office, and County Attorney Rogers;
 - B. The Clerk's Report was reviewed by Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services;
 - C. The County Administrator's Report was reviewed by Shirley L. Gafford, Program Coordinator, County Administrator's Office; Keith Wilkins, Deputy Bureau Chief, Neighborhoods and Community Services Bureau, Claudia Simmons, Purchasing Manager, Randy Wilkerson, Executive Director, Neighborhood Enterprise Foundation, Inc., David Wheeler, Deputy Bureau Chief, Public Works Bureau; and Kenneth Gordon, General Manager, Escambia County Area Transit;
 - D. The County Attorney's Report was reviewed by County Attorney Rogers; and
 - E. Wesley J. "Wes" Moreno, Deputy Bureau Chief, Public Works Bureau, addressed Commissioner Robinson's add-on item.

(Continued on Page 12)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

1-4. Approval of Various Consent Agenda Items – Continued

4. Continued...

D. Accepting, for filing with the Board's Minutes, the Report of the Committee of the Whole (C/W) Workshop held November 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 November 7, 2009, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule November 9, 2009 – November 13, 2009, Legal No. 1433361*.

3. Pensacola Bay Area Chamber of Commerce Report

A. Discussion – The C/W heard an overview from Charles Wood of the *Pensacola Bay Area Chamber of Commerce Annual Report 2008-2009*, which was also provided in hard copy; and

B. Board Direction – None.

Speakers:

Evon Emerson
Blaise Adams

(Continued on Page 13)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-4. Approval of Various Consent Agenda Items – Continued
- 4. Continued...
- C. Report of the November 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

4. Internet Hotel Bookings and Tourist Development Tax

A. Discussion – The C/W discussed Internet Hotel Bookings and Tourist Development Tax, and the C/W:

(1) Was advised by Edward A. Dion, Esquire, that the law firm of Nabors, Giblin & Nickerson, PA, on behalf of six Florida Counties, has filed suit against certain online travel companies (State of Florida, Office of the Attorney General, Department of Legal Affairs, v. Expedia, Inc., Orbitz, LLC, and Orbitz, Inc.), seeking a declaration of tourist development taxes due and enforcement of collection of those taxes, retroactive to the Year 2000; and

(2) Was advised by County Attorney Rogers that Mr. Dion is requesting that the Board consider becoming a party in the lawsuit, on a contingency basis; and

B. Board Direction – The C/W recommends that the Board approve that Escambia County will become a party in the lawsuit State of Florida, Office of the Attorney General, Department of Legal Affairs, v. Expedia, Inc., Orbitz, LLC, and Orbitz, Inc., filed in the Circuit Court for the Second Judicial Circuit in and for Leon County, Florida, on a contingency basis only.

Recommended 5-0

(Continued on Page 14)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-4. Approval of Various Consent Agenda Items – Continued
- 4. Continued...
- C. Report of the November 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

5. 4th Cent Tourist Development Tax Reimbursement for Oriskany

- A. Discussion – The C/W was advised by Commissioner Robinson that the Tourist Development Council requests that the Board approve reimbursing the 3rd Cent Tourist Development Tax (TDT) from the 4th Cent TDT, in the amount of \$5,000, for dollars expended to promote the USS Oriskany's Reunion event; and
- B. Board Direction – The C/W recommends that the Board approve reimbursing the 3rd Cent TDT from the 4th Cent TDT, in the amount of \$5,000, for the Oriskany expenses.

Recommended 5-0

6. Mooring Field Pilot Program – Florida Fish and Wildlife Conservation Commission

- A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was not provided in hard copy, concerning Mooring Field Pilot Program – Florida Fish and Wildlife Conservation Commission, presented by Robert Turpin, Manager, Marine Resources Division, Neighborhood and Community Services Bureau, and heard the request from Mr. Turpin for Board direction concerning a *Letter of Interest for Mooring Field Pilot Program*, which has to be submitted to the Florida Fish and Wildlife Conservation Commission by November 13, 2009; and

(Continued on Page 15)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-4. Approval of Various Consent Agenda Items – Continued
- 4. Continued...
- C. Report of the November 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

6. Continued...

B. Board Direction – The C/W recommends that the Board authorize staff to proceed with submitting the Letter of Interest for the Mooring Field Pilot Program to the Florida Fish and Wildlife Conservation Commission.

Recommended 5-0

7. Fishing Bridge

A. Discussion – The C/W discussed the operation of the new Pensacola Bay Fishing Bridge and concession building; and

B. Board Direction – The C/W recommends that the Board advertise for management of the new Pensacola Bay Fishing Bridge, as a County concession, with the qualified entity that offers the highest commission to be offered the management position.

Recommended 5-0

(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

1-4. Approval of Various Consent Agenda Items – Continued

4. Continued...

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

AGENDA NUMBER – Continued

8. Beach Renourishment Effort

A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Barrier Island Beach Maintenance Funding –Hurricane Gustav*, presented by Timothy Day, Environmental Program Manager, Neighborhoods and Community Services Bureau, and the C/W:

- (1) Heard the suggestion from Commissioner Robertson that the Board consider establishing a MSBU (*Municipal Services Benefit Unit*) for beachfront property owners, and/or use a portion of General revenue dollars to fund beach renourishment and maintenance;
- (2) Upon inquiry from Commissioner Valentino, was advised by Keith Wilkins, Deputy Bureau Chief, Neighborhoods and Community Services Bureau, that there are match and maintenance requirements for Federal Emergency Management Agency (FEMA)-funded disaster repairs, which requires that the County establish a comprehensive beach renourishment/management program and long term funding source(s);
- (3) Heard the request from Commissioner Robertson that staff survey Perdido Key and Pensacola Beach property owners concerning the establishment of a MSBU and/or 5th Cent Tourist Development Tax to fund beach renourishment and maintenance; 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

1-4. Approval of Various Consent Agenda Items – Continued

4. Continued...

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

AGENDA NUMBER – Continued

8. Continued...

A. Continued...

(4) Was advised by Commissioner White that he would not support a 5th Cent Tourist Development Tax; and

B. Board Direction – The C/W recommends that the Board direct staff to develop a Beach Renourishment Program, to consist of two parts; i.e., the capitalization program for the initial work and the ongoing maintenance and repair and identify multiple funding sources for each component (*relative to staff's request that the Board authorize staff to proceed to determine, through the [University of West Florida] Haas Center [for Business Research and Development], the economic costs/benefits of beach nourishment*).

Recommended 5-0

Speaker(s):

Richard Gentry

(Continued on Page 18)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-4. Approval of Various Consent Agenda Items – Continued
- 4. Continued...
- C. Report of the November 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

9. Habitat Conservation Plan

- A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Perdido Key Programmatic Habitat Conservation Plan (HCP) and Environmental Assessment (EA)*, presented by Timothy Day, Environmental Program Manager, Neighborhoods and Community Services Bureau, and Eric Schneider, Project Manager, Post, Buckley, Schuh & Jernigan (PBS&J); and
- B. Board Direction – The C/W recommends that the Board authorize staff to bring forward to the December 10, 2009, Regular Board Meeting, for adoption, the *(Perdido Key) Habitat Conservation Plan (HCP) and associated Environmental Assessment (EA) in its form (relative to staff's request that the Board authorize staff to bring the HCP/EA completed by PBS&J to the December 10, 2009, Meeting for ratification and forwarding to U. S. Fish and Wildlife for processing).*

Recommended 5-0

(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
- 1-4. Approval of Various Consent Agenda Items – Continued
- 4. Continued...
- C. Report of the November 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

10. The Public Participation Plan – Land Development Code Revisions

A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *LDC Re-Write – Goals and Objectives*, presented by T. Lloyd Kerr, Bureau Chief, Development Services Bureau, and the C/W:

(1) Was advised by Mr. Kerr that participants in the Land Development Code (LDC) rewrite will include a "Working Group," consisting of staff from several County Divisions who will be responsible for the preparation of the Code documents, as well as the following five "Advisory Groups":

- (a) Technical Advisory Group
- (b) Environmental Advisory Group
- (c) Aesthetic Advisory Group
- (d) Land Use Standards Advisory Group
- (e) Administrative Processes Advisory Group

(2) Upon inquiry from Commissioner Robinson, was advised by Mr. Kerr that each Advisory Group will consist of one appointee from each Commissioner as well as a balance of subject matter experts and others interested in devoting their time to monthly meetings regarding broad subject areas within the LDC; and

(Continued on Page 20)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

1-4. Approval of Various Consent Agenda Items – Continued

4. Continued...

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

AGENDA NUMBER – Continued

10. Continued...

A. Continued...

(3) Heard the request from Commissioner White that the Board advertise for appointees for each Advisory Group; and

B. Board Direction – None.

11. Allowance of Assisted Living Facilities in R3

A. Discussion – The C/W discussed Allowance of Assisted Living Facilities in R3, and the C/W:

(1) Heard the request from Commissioner Robinson that the Board consider allowing assisted living facilities in the R3 zoning category; and

(2) Was advised by Commissioner White that this issue would have to be addressed the Planning Board; and

B. Board Direction – The C/W recommends that the Board authorize staff to present to the Planning Board a request to consider an amendment to the Land Development Code to allow Assisted Living Facilities in the R-3, One-Family and Two-Family District (cumulative), Medium Density.

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

1-4. Approval of Various Consent Agenda Items – Continued

4. Continued...

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

AGENDA NUMBER – Continued

12. Parking of School Buses in Neighborhoods

A. Discussion – The C/W discussed Parking of School Buses in Neighborhoods, and the C/W:

- (1) Was advised by Commissioner Robinson that he has received two complaints concerning school buses being parked in residential neighborhoods, and heard his suggestion that school buses be prohibited from parking in urbanized subdivisions within a certain area;
- (2) Was advised by Commissioner Robertson that the School Board is currently addressing this issue; and
- (3) Heard the request from Commissioner Young that, before any action is taken concerning this issue, she be given an opportunity to contact "Transportation" in an effort to locate areas where school buses can be parked; and

B. Board Direction – None.

(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

1-4. Approval of Various Consent Agenda Items – Continued

4. Continued...

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

AGENDA NUMBER – Continued

13. Structures Demolished on Private Property

A. Discussion – The C/W discussed Structures Demolished on Private Property, and the C/W:

- (1) Was advised by Commissioner Robinson that he has concerns regarding the County's policy to maintain lots in which structures have been demolished and not replaced;
- (2) Was advised by Commissioner Young that she would not support a change in the County's policy that would allow previously maintained lots to be returned to a natural state; and
- (3) Was advised by Sandra Slay, Office of Environmental Enforcement, the County requires maintenance of the area in which a structure has been demolished; furthermore, if a portion of a lot is in an undeveloped, natural state, there is no requirement for that portion to be maintained; and

B. Board Direction – None.

(Continued on Page 23)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-4. Approval of Various Consent Agenda Items – Continued
- 4. Continued...
- C. Report of the November 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

14. Escambia Treating Memorandum of Understanding for Redevelopment

- A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Escambia Treating Superfund Site Redevelopment MOU*, presented by Keith Wilkins, Deputy Bureau Chief, Neighborhoods and Community Services Bureau, and the C/W:
 - (1) Heard the request from Mr. Wilkins for Board direction concerning certain privately-owned parcels adjacent to the Superfund Site;
 - (2) Heard the suggestion from Commissioner Robertson that the County acquire any and all parcels contiguous to the Site, proceed with a Memorandum of Understanding (MOU) with the City of Pensacola, and advertise a RFP (*Request for Proposals*) to assist with commercial development of the Site; and
 - (3) Upon inquiry from Commissioner Robinson, was advised by County Attorney Rogers that, if the parcels (*identified in the PowerPoint Presentation*) go through the tax deed process and the property is not purchased, the properties would eventually escheat to the County, which would assist in protecting the County from any environmental liability; 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
- 1-4. Approval of Various Consent Agenda Items – Continued
- 4. Continued...
- C. Report of the November 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

14. Continued...

- B. Board Direction – The C/W recommends that the Board approve proceeding with the Escambia Treating Superfund Site Redevelopment MOU with the State of Florida.

Recommended 5-0

- 15. The City of Pensacola Environmental Services Memorandum of Understanding
 - A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Environmental Services MOU for City of Pensacola and Escambia County*, presented by Keith Wilkins, Deputy Bureau Chief, Neighborhoods and Community Services Bureau; and
 - B. Board Direction – The C/W recommends that the Board approve a MOU (*Memorandum of Understanding*), as outlined in the PowerPoint Presentation.

Recommended 5-0

(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

1-4. Approval of Various Consent Agenda Items – Continued

4. Continued...

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

AGENDA NUMBER – Continued

16. County Legislative Request

A. Discussion – The C/W discussed County Legislative Request, and the C/W:

(1) Heard a review from Richard Gentry of the draft *Board of County Commissioners 2010 Legislative Requests*, and heard the request from Mr. Gentry that the Board consider the following issues as the County's Legislative requests are being prioritized:

(a) The RTFA (*Regional Transportation Finance Authority*); and

(b) The impact on pari-mutuel wagering facilities if the Seminole Indians submit a proposal between now and the start of the Regular Legislative Session;

(2) Heard comments from Commissioner Robinson concerning duplication of services by State and Local agencies, reconstruction/resurfacing of Olive Road, and Homestead extensions after storms; 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
- 1-4. Approval of Various Consent Agenda Items – Continued
- 4. Continued...
- C. Report of the November 12, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

- 17. Out-of-County Travel – National Mixed Incoming Housing Development Group – St. Louis Missouri
 - A. Discussion – The C/W discussed Out-of-County Travel – National Mixed Incoming (*sic*) Housing Development Group – St. Louis Missouri; and
 - B. Board Direction – The C/W recommends that the Board approve out-of-County travel for Commissioner Grover C. Robinson, IV, to attend a series of meetings with the principals from McCormack Baron Salazar, the National Mixed-Income Housing Development Group, in St. Louis, Missouri, on Monday, November 16, 2009, and Tuesday, November 17, 2009.

Recommended 5-0

- 18. Adjourn

Chairman Young declared the C/W Workshop adjourned at 12:31 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-2009-05:

1807

- A. Adopting the Planning Board’s (PB) recommendation for approval of ID-1; and
- B. Authorizing the Chairman to sign the Order of the Escambia County Board of County Commissioners for the Rezoning Case that was reviewed, as follows:

- (1) Case Number: Z-2009-05
- Location: 5717 North “W” Street
- Property Reference Number: 44-1S-30-1105-000-004
- Property Size: 1.95 (+/-) acres
- From: R-6, Neighborhood Commercial and Residential District, High Density (cumulative) (25 dwelling units per acre), and ID-1, Light Industrial District (cumulative) (no residential uses allowed) (0 dwelling units per acre)
- To: ID-1, Light Industrial District (cumulative) (no residential uses allowed) (0 dwelling units per acre)
- FLU Category: C, Commercial
- Commissioner District: 3
- Requested by: Thomas J. Gilliam, Jr., Agent for Nettie H. Barron, Owner
- PB Recommendation: Approval, based on staff’s findings

Speaker(s) – None.

(Continued on Page 28)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Continued...

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, dropping the recommendation that the Board take the following action concerning Rezoning Case Z-2009-06:

1809

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

- (2) Case Number: Z-2009-06
- Location: 7595 Scenic Highway
- Property Reference Number: 08-1S-29-2000-000-200
- Property Size: 1.98 (+/-) acres
- From: R-1, Single-Family District, Low Density Residential (4 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: E. George Rothbauer, Agent for James M. McKelvey, Jr., Owner
- PB Recommendation: Denial, based on staff's findings

Speaker(s) – None.

(Continued on Page 29)

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 Robertson, and carried 4-1, with Commissioner Young voting "no," taking the following action concerning Rezoning Case Z-2009-07:

1809

- A. Adopting the Planning Board’s (PB) recommendation for approval of 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:

- (3) Case Number: Z-2009-07
- Location: 7753 North Davis Highway
- Property Reference Number: 18-1S-30-4208-000-000
- Property Size: 1.74 (+/-) acres
- From: C-1, Retail Commercial District (cumulative)
(25 dwelling units per acre)
- To: C-2, General Commercial and Light
Manufacturing District (cumulative)
(25 dwelling units per acre)
- FLU Category: MU-1, Mixed Use 1
- Commissioner District: 3
- Requested by: Wiley C. “Buddy” Page, Agent for
AMSDR Investment, Inc., Owner
- PB Recommendation: Approval, based on staff’s findings, amending
the sixth criteria as follows: The proposed
amendment would result in a logical and
orderly development pattern.

Speaker(s) – None.

(Continued on Page 30)

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-2009-08:

1811

A. Adopting the Planning Board’s (PB) recommendation for approval of 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:

- (4) Case Number: Z-2009-08
- Location: 7011 Pine Forest Road
- Property Reference Number: 24-1S-31-3401-000-000
- Property Size: 1.83 (+/-) acres
- From: C-1, Retail Commercial District (cumulative)
(25 dwelling units per acre)
- To: C-2, General Commercial and Light
Manufacturing District (cumulative)
(25 dwelling units per acre)
- FLU Category: C, Commercial
- Commissioner District: 1
- Requested by: Thomas G. Hammond, Jr., Agent for
Service Lumber & Roofing Supply, Inc., Owner
- RHE Recommendation: Approval, based on staff’s findings

Speaker(s) – None.

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 Valentino, and carried unanimously, adopting an Ordinance (*Number 2009-44*) to amend the Official Zoning Map to include Rezoning Cases (*Z-2009-05, Z-2009-07, and Z-2009-08*), heard by the Planning Board on October 26, November 9, and November 23, 2009, and approved during the previous agenda item; and to provide for severability, inclusion in the Code, and an effective date.

1811

Speaker(s) – None.

CHAIRMAN ROBINSON RELINQUISHED THE CHAIR TO COMMISSIONER WHITE

3. 5:46 p.m. **Second** Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, adopting an Ordinance (*Number 2009-45*) amending Part III of the Escambia County Code of Ordinances (1999), the Land Development Code, amending Article 3, "Definitions," Section 3.02.00, to define mobile vending units; and Article 6, "Zoning Districts," Section 6.04.17, to establish the operation of mobile vending units as permitted uses in the R-6, C-1, C-2, ID-1, ID-2, C-1PK, CC-PK, CG-PK, and PRPK zoning districts, and to include additional restrictions for operation of mobile vending units, with the *Errata Sheet*, which should read, "on Page 2, Lines 3 through 5 (*Lines 5 through 6*), that the mobile vending unit shall not be placed within a County right-of-way, parking space, driveway, or sidewalk."

1812

Speaker(s) – None.

VICE CHAIRMAN WHITE RELINQUISHED THE CHAIR TO COMMISSIONER ROBINSON

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

4. **First 5:47 p.m. Public Hearing**

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving that the substance of this Ordinance be considered at the *second* 5:47 p.m. Public Hearing, relative to the relative to the recommendation that the Board adopt the Mid-West Optional Sector Plan Ordinance.

1813

Speaker(s):

J. Dan Gilmore

For Information: The Board heard Commissioner Robertson disclose that he owns property within the Sector Plan (*area*); however, he was advised by the County Attorney that, because the portion of property is small, he can vote on this issue, but that he should declare an interest.

5. **Second 5:47 p.m. Transmittal Public Hearing**

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving transmittal to DCA for consideration, the EAR-based amendments, as reflected in the revised Ordinance, including the Optional Sector Plan with the revised Map, relative to the recommendation that the Board take the following action concerning Comprehensive Plan Amendment – Evaluation & Appraisal Report (EAR) Based Amendments:

1815

- A. Repeal the Escambia County Comprehensive Plan: 2000, Ordinance Number 93-20, in its entirety;
- B. Review the Comprehensive Plan Amendment – EAR Based Amendments to replace Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended; and

(Continued on Page 33)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

5. Continued...

C. Approve transmittal of recommended approval to the Department of Community Affairs.

Speaker(s):

J. Dan Gilmore

For Information: The Board heard Commissioner Robertson disclose that he owns property within the Sector Plan (*area*); however, he was advised by the County Attorney that, because the portion of property is small, he can vote on this issue, but that he should declare an interest.

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

1822

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-11. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 11, as follows:

1. Adopting, and authorizing the Chairman to sign, a Resolution (*R2009-241*) canceling taxes and the following two Tax Certificates on Account Number 02-1426-100, as it is a road right-of-way:

Taxes for the current year	\$134.56
Taxes for 2008 (Tax certificate 2009-1147.000)	\$156.82
Taxes for 2007 (Tax certificate 2008-787.000)	\$156.88

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-11. Approval of Various Consent Agenda Items – Continued

2. Taking the following action concerning the State Road 95 (U.S. 29) widening, joint-use pond Agreement (Holsberry Pond) between the State of Florida Department of Transportation (FDOT) and Escambia County:
 - A. Adopting the Resolution (*R2009-242*) authorizing execution of the joint-use pond Agreement relating to Holsberry Pond;
 - B. Approving, subject to Legal sign-off, the FDOT joint-use pond Agreement (*FPID #218603-1-32-01*) specifying the rights and obligations of FDOT and Escambia County as related to a portion of the State Road 95 (U.S. 29) Widening Project; and
 - C. Authorizing the Chairman or Vice Chairman to sign the Resolution and Agreement.
3. Taking the following action concerning the authorization of staff to acquire property, by donation, for rights-of-way and easements on Haupert Lane:
 - A. Authorizing staff to negotiate and resolve any matters related to, or associated with, the acquisition of rights-of-way and easements concerning drainage and roadway improvements for Haupert Lane Paving and Drainage project, gather information, and conduct inspections as needed, to allow the Board's acceptance of the real property;
 - B. Authorizing payment of documentary stamps because the property is being acquired for governmental use, which is for improvement and maintenance of the County drainage and road system; the County benefits from the acquisition of these properties because these improvements will improve the quality of life for the citizens of Escambia County by providing a safe and efficient roadway and drainage system;
 - C. Authorizing the payment of incidental expenditures associated with the acquisition of these properties, which includes, but is not limited to, title searches, legal document preparation fees, and recording of documents; and

(Continued on Page 35)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-11. Approval of Various Consent Agenda Items – Continued

3. Continued...

D. Authorizing the Chairman or Vice Chairman to accept the Deeds or Easements as of the day of delivery of the Deeds or Easements to the Chairman or Vice Chairman, and authorizing the Chairman or Vice Chairman to acknowledge the Board's acceptance at that time.

4. Approving to appoint Commissioner Gene M. Valentino to serve as Chair, and Commissioner Marie Young to serve as Vice Chair, of the Community Redevelopment Agency; the terms will begin December 10, 2009, and will coincide with the appointment of the Chair and Vice Chair of the Board of County Commissioners.

5. Taking the following action concerning the *Short-Term License Agreement* between Escambia County Board of County Commissioners and Daley Environmental Services, Inc.:

A. Approving the *Short-Term License Agreement* for Daley Environmental Services, Inc., to install three, temporary groundwater monitoring wells at the County's Mobile Highway Landfill and provide access, for a period of two years, to conduct a routine groundwater sampling, at no cost to the County; and

B. Authorizing the Chairman to sign the Agreement.

6. Approving the *Special Event Permit Application* for a limited waiver of the noise restrictions, imposed by the Escambia County Noise Abatement Ordinance, to extend the time for the New Year's Eve fireworks display being held by the Pensacola Beach Chamber of Commerce, located at the Portofino Island Resort Pier, Pensacola Beach, from 11:59 p.m., December 31, 2009, to 12:12 a.m., January 1, 2010.

7. Approving the *Special Event Permit Application* for a limited waiver of the noise restrictions, imposed by the Escambia County Noise Abatement Ordinance, to extend the time for the New Year's Eve fireworks display being held by the Pensacola Beach Chamber of Commerce, located at the Casino Beach Fishing Pier, Pensacola Beach, from 11:59 p.m., December 31, 2009, to 12:20 a.m., January 1, 2010.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-11. Approval of Various Consent Agenda Items – Continued

8. Approving the street name "Garden Ridge Road" for an unnamed, private road that runs north off of the 900 Block of Turnbuckle Trail and 630 feet east of Ebb Tide Drive.
9. Taking the following action concerning a partial release of the Code Enforcement Lien against 3438 Wiggins Lane:
 - A. Authorizing a partial release of the Code Enforcement Lien against 3438 Wiggins Lane, recorded in Official Records Book 6004, at Pages 574 and 613, of the Public Records; and
 - B. Authorizing the Chairman to execute the Partial Release.
10. Approving the 2010 Board of County Commissioners' Meeting/Committee of the Whole Meeting Schedule, as submitted.
11. Confirming Commissioner Grover C. Robinson, IV's, 2009-2010 annual appointments to Board and Committees on which Commissioners serve, effective December 10, 2009, as follows:

BOARDS/COMMITTEES

Area Agency on Aging (1) – Commissioner Robertson

Area Housing Commission (1) – Commissioner Young

Arts Council (1) – Commissioner Valentino

Bay Area Chamber of Commerce Board of Directors (1) – Commissioner Robinson

(Note: The Chamber Bylaws require the Chairman or Chairman's designee serve on this Board.)

Bay Area Resource Council (2) – Commissioner Robinson and Commissioner White

Citizens Environmental Committee (1) – Commissioner Valentino

Community Action Program Committee, Inc. – Commissioner Young (2009-2012)

(Note: Appointments to this Committee are made by Community Action, not by BCC Chairman)

Community Drug & Alcohol Commission (1) – Commissioner Robertson

Community Enterprise Investments, Inc. (1) – Commissioner Young

(Continued on Page 37)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-11. Approval of Various Consent Agenda Items – Continued

11. Continued...

BOARDS/COMMITTEES – Continued

Council on Aging (1) – Commissioner Young

(Note: Appointments to this Committee are made by Council on Aging, not by BCC Chairman; appointments are for two years – Commissioner Young [2009-2011]; Commissioner Young was reappointed in June 2009)

Downtown Improvement Board (1) – Commissioner Robinson

Early Learning Council (1) – Commissioner Valentino

Extension Council-Escambia County (1) – Commissioner White

Fire Hydrant Committee (2) – Commissioner Young and Commissioner White

Florida-Alabama Transportation Planning Organization (All five Commissioners)

(Note: Formerly Transportation Planning Organization/Metropolitan Planning Organization)

Investment Advisory Committee (1) – Commissioner Valentino

(Note: Originally filled by the Finance Committee Chairman; since elimination of the Finance Committee, this appointment was added to this list.)

Juvenile Justice Council (1) – Commissioner Robinson

(Note: Chairman or Designee)

Military Affairs Committee (1) – Commissioner White

Northwest Florida Regional Transportation Planning Organization (3) – Commissioner Robinson 2013, Commissioner Valentino (2010), and Commissioner White (2013)

(Note: The Florida-Alabama TPO makes appointments to this organization; appointees serve a four-year term [COMMISSIONER ROBINSON AND COMMISSIONER WHITE WERE APPOINTED AT THE MARCH 11, 2009, TPO MEETING])

Pensacola-Escambia Development Commission (2) – Commissioner White (2008-2010) and Commissioner Robertson (2009-2011) (Note: Each Commissioner is appointed for staggered two-year terms.)

Public Safety Coordinating Council-Escambia County (1) – Commissioner Young

Resource, Conservation & Development Council (1) – Commissioner White

Tourism Administration & Convention Committee (1) – Commissioner Valentino

Tourist Development Council (1) – Commissioner Robinson

Value Adjustment Board (2) – Commissioner Valentino and Commissioner White (Please Note: Section 194.015, F.S., revised the membership of the Committee effective September 1, 2008)

West Florida Regional Planning Council (2) – Commissioner Robertson and Commissioner Young

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

II. BUDGET/FINANCE CONSENT AGENDA

1-27. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 27, as follows, with the exception of Items 4, 6, and 22, which were held for separate votes:

1823

1. Approving Budget Amendment Request Number 46, General Fund (001), in the amount of \$80,000, to cover additional personnel costs associated with unemployment compensation for the Board of County Commissioners, Sheriff, and Clerk to the Board (*Clerk of Courts*) for Fiscal Year 2009-2010.
2. Adopting the Resolution (*R2009-243*) approving Supplemental Budget Amendment Number 47, Other Grants and Projects Fund (110), in the amount of \$34,708, to recognize Grant funds from the Florida Department of State and appropriate these funds for the Escambia County Supervisor of Elections to be used exclusively for elections for federal office.
3. Adopting the Resolution (*R2009-244*) approving Supplemental Budget Amendment Number 48, CRA Expendable Trust Fund (151) and the General Fund (001), to recognize a decrease, in the amount of \$15,098, in the General Fund Transfer to the Community Redevelopment Agency-Tax Increment Finance (CRA-TIF) Districts in Escambia County, and appropriate this decrease among the County's five CRA-TIF Districts; this adjustment reflects the difference in the amount budgeted for the five County TIF Districts, the City of Pensacola TIF District, and the amount collected from property taxes.
4. See Page 48.
5. Adopting the Resolution (*R2009-246*) approving Supplemental Budget Amendment Number 57, Other Grants and Projects Fund (110), in the amount of \$122,470, to recognize funding from the Florida Department of Law Enforcement and to appropriate these funds in accordance with the Edward Byrne Memorial Justice Assistance Grant for the Child Advocacy Unit Program.
6. See Page 47.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-27. Approval of Various Consent Agenda Items – Continued

7. Taking the following action concerning PD 08-09.106, Architectural Services for the Molino School Renovations (Funding: Fund 351, Local Option Sales Tax II, Cost Center 110224, Object Code 56201, Project Number 09PF0035, Old Molino School):
 - A. Approving the following Selection/Negotiation Committee ranking for Architectural Services for the Molino School Renovations, PD 08-09.106:
 - (1) DAG Architects
 - (2) Quina Grundhoefer Architects
 - (3) Bullock-Tice Associates
 - (4) Bay Design Associates Architects
 - B. Awarding a Contract for Architectural Services for the Molino School Renovations, PD 08-09.106, to DAG Architects, in the amount of \$214,580.
8. Awarding a one-year extension for Contract PD 06-07.096, for \$40,000 per year, effective December 31, 2009, to First Florida Insurance Brokers for insurance brokerage services, for Property, Boiler and Machinery, Crime, and Excess Workers' Compensation Insurance, for Escambia County, Florida, under the same terms and conditions for Fiscal Year 2009-2010 (Funding: Fund 501, Internal Service Fund, Cost Center 140835, Account 54501).
9. Authorizing the County to Piggyback off the State of Florida, Term Contract Number 360-240-06-1, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, and awarding a Purchase Order to Mohawk Carpets/Lees Carpets, in the amount of \$240,232.42, for the purchase of carpet for the Escambia County Central Office Complex (*PD 09-10.009*) (Funding: Fund 351, Local Option Sales Tax II, Cost Center 110261, Project Number 05AD0029, One Stop Building, Object Code 56201).
10. Awarding PD 08-09.107, Ogden-Hartung Area Drainage Improvements Contract, to Gulf Equipment Corporation, per the terms and conditions of the solicitation, for the amount of \$402,565 (Funding: Fund 352, Local Option Sales Tax III, Object Code 56301, Project Code 09EN0131, Cost Center 210107).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-27. Approval of Various Consent Agenda Items – Continued

11. Terminating, without cause, the following Contracts, under the terms and conditions of PD 02-03.79, Professional Services as Governed by Florida Statute 287.055:

Boyer-Singleton & Associates, Inc.	BCC Approved October 4, 2007
Dynamic Industries, Inc.	BCC Approved March 1, 2005
EDAW, Inc.	BCC Approved October 2, 2003
Engineering Services Company, LLC	BCC Approved November 6, 2008
Weidner Surveying/Mapping	BCC Approved October 2, 2003
PB Americans, Inc.	BCC Approved October 1, 2009
Pope Environmental Consulting & Services	BCC Approved September 7, 2006
Quality Engineering Surveying and Inspections, LLC	BCC Approved February 19, 2009
Solin and Associates, Inc.	BCC Approved October 16, 2003
Traffic Solutions, LLC	BCC Approved October 1, 2009
Woolpert, Inc.	BCC Approved April 6, 2006
University of Florida, IFAS, West Florida Research and Education Center	BCC Approved July 22, 2004

12. Taking the following action concerning the award of Task-Order-Based Continuing Contracts:

A. Awarding Task-Order-Based Continuing Contracts to Townes + Architects, P.A., Beck Disaster Recovery, Inc., Dell Consulting, Inc., Environmental Consulting & Technology, Inc., Cardno TBE, Greenhorne & O'Mara, Inc., Gulf Breeze Consulting, Inc., Heffernan Holland Morgan Architecture, P.A., John R. Oglesby Consulting Engineer, NOVA Engineering and Environmental, LLC, and Premier Engineering Group, LLC, per PD 02-03.79, Professional Services as Governed by Florida Statute 287.055 (A&E Services), on a "Maximum Ceiling" basis fee schedule, as follows:

- ◆ Maximum Overhead – 168%
- ◆ Maximum Profit – 12%
- ◆ Maximum FCCM – 1.50%
- ◆ Maximum Multiplier – 301.66% (providing no single item above is exceeded)
- ◆ Existing hourly rates for each firm (based on an audited or auditable financial package)

(Continued on Page 41)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-27. Approval of Various Consent Agenda Items – Continued

12. Continued...

B. Authorizing the Division(s), in conjunction with the Office of Purchasing, to negotiate Task Orders according to Florida Statutes 287.055, "Consultants' Competitive Negotiation Act" (A&E Services), on a project-by-project basis.

13. Taking the following action concerning the Florida Department of Health, Bureau of Emergency Medical Services (EMS), EMS County Grant Application for 2009-2010, in the amount of \$52,496 (Funding: Fund 110, Other Grants and Projects, Revenue Account 334221, Cost Center 330318):

A. Adopting the Resolution (*R2009-248*) certifying that the monies received from the EMS Trust Fund, as the Escambia County Emergency Medical Services' Award, shall be used to improve and expand the County's pre-hospital EMS system and shall not be used to supplant existing EMS budget allocations in any manner; and

B. Approving, and authorizing the Chairman to sign, the *EMS County Grant Application and Request for Grant Fund Distribution*.

14. Taking the following action concerning the Community Development Block Grant (CDBG)-funded *Neighborhood Renewal Initiative Agreement* with BBYSA, Inc. (Funding: Fund 129/2006, CDBG, Cost Center 221403):

A. Awarding a Neighborhood Renewal Initiative Project matching Grant, in the maximum amount of \$5,000, for specific benefit of the BBYSA, Inc. (*Brent Baseball Park Improvement Project*), located in the Palafox Community Redevelopment Area; 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

1-27. Approval of Various Consent Agenda Items – Continued

15. Taking the following action concerning the Community Development Block Grant (CDBG)-funded *Neighborhood Renewal Initiative Agreement* with Bayou Davenport Neighborhood Watch, Inc. (Funding: Fund 129/2006, CDBG, Cost Center 221403):
 - A. Awarding a Neighborhood Renewal Initiative Project matching Grant, in the maximum amount of \$1,446, for specific benefit of the Bayou Davenport Neighborhood Watch, Inc. (*Bayou Davenport Neighborhood Watch Awareness Project*), located in the Warrington Community Redevelopment Area; and
 - B. Authorizing the Chairman or Vice Chairman to execute the Agreement and all related documents as required to implement the project.

16. Taking the following action concerning the Community Development Block Grant (CDBG)-funded *Neighborhood Renewal Initiative Mini-Grant Agreement* with Englewood Neighborhood Improvement Corporation (Funding: Fund 129/2006, CDBG, Cost Center 221403):
 - A. Awarding a Neighborhood Renewal Initiative Mini-Grant, in the maximum amount of \$471.50, for specific benefit of the Englewood Neighborhood Improvement Corporation (*Englewood Neighborhood Watch Project*), located in the Englewood Redevelopment Area;
 - B. Authorizing the Chairman to execute the Agreement and all related documents as required to implement the project.

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-27. Approval of Various Consent Agenda Items – Continued

17. Taking the following action concerning the Escambia Consortium 2009 HOME Investment Partnerships Program (HOME) Community Housing Development Organization (CHDO) Operating Expense Agreement with AMR at Pensacola, Inc. (AMR) (Funding: Fund 147/2008 HOME, Cost Center 220501, and 2009 HOME, Cost Center 220408):
 - A. Approving to enter into the *CHDO Operating Expense Agreement* with AMR, subject to Legal sign-off, to provide \$22,000 in combined 2008 and 2009 HOME Program CHDO Operating Expense support, to assist AMR in developing the capacity to further expand participation in the State Housing Initiatives Partnership (SHIP) New Construction Program, the HOME CHDO Rental Development Program, the Hurricane Housing Recovery Program (HHRP), and related affordable home ownership and rental housing activities; and
 - B. Authorizing the Chairman or Vice Chairman to execute the CHDO Operating Expense Project Agreement and all related documents as required to implement the Agreement and provisions thereof.

18. Taking the following action concerning the Escambia Consortium 2009 HOME Investment Partnerships Program (HOME) Community Housing Development Organization (CHDO) Operating Expense Agreement with Community Enterprise Investments, Inc. (CEII) (Funding: Fund 147/2009 HOME, Cost Center 220408):
 - A. Approving to enter into the *CHDO Operating Expense Agreement* with CEII, subject to Legal sign-off, to provide \$65,000 in 2009 HOME Program CHDO Operating Expense support to assist CEII in developing the capacity to further expand participation in the State Housing Initiatives Partnership (SHIP) New Construction Program, the HOME CHDO Rental Development Program, the Hurricane Housing Recovery Program (HHRP), the Neighborhood Stabilization Program (NSP), and related affordable home ownership and rental housing activities; and
 - B. Authorizing the Chairman or Vice Chairman to execute the CHDO Operating Expense Project Agreement and all related documents as required to implement the Agreement and provisions thereof.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-27. Approval of Various Consent Agenda Items – Continued

19. Taking the following action concerning the Escambia Consortium 2009 HOME Investment Partnerships Program (HOME) Community Housing Development Organization (CHDO) Project Development Expense Agreement with Circle, Inc. (Circle) (Funding: Fund 147/2008 HOME, Cost Center 220501, and 2009 HOME, Cost Center 220408):

- A. Approving to enter into the *CHDO Project Development Expense Agreement* with Circle, subject to Legal sign-off, to provide \$55,000 in 2008 and/or 2009 HOME Program CHDO support, to assist Circle in developing affordable rental and homeownership units in Escambia County, specifically targeting Escambia County's designated Community Redevelopment Areas; and
- B. Authorizing the Chairman or Vice Chairman to execute the CHDO Agreement and all related documents as required to implement the Agreement and provisions thereof.

20. Ratifying the following (*December 10, 2009*) action of the Community Redevelopment Agency (CRA) concerning the Commercial Facade, Landscape, and Infrastructure Grant Program:

- A. Approving the following seven Commercial Facade, Landscape, and Infrastructure Grant Program Cancellation of Liens since the Grant recipients have met their Grant requirements:

<u>Property Owner's Name</u>	<u>Property Address</u>	<u>Lien Amount</u>
D & D Cycles, Inc.	2400 Fernwood Avenue	\$10,000
Navy Park Partnership James E. Mooney and Ann H. Mooney	3960 Navy Boulevard	\$10,000
Larry N. Kendrick	201-205 North Navy Boulevard	\$ 5,850
Steven E. Melei	4000 North Palafox Street	\$ 9,750
Rydon, Inc.	3627 Mobile Highway	\$ 8,474
Kerr Treehouse Day Care and Learning Center	1002 North Navy Boulevard	\$ 5,777
	3912 Barrancas Avenue	\$ 5,001

- B. Authorizing the Chairman to sign and execute the Cancellation of Liens.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-27. Approval of Various Consent Agenda Items – Continued

21. Ratifying the following (*December 10, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 206 Lakewood Road:

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Crystal J. Bryars, owner of residential property located at 206 Lakewood Road, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$6,000, representing an in-kind match through the Barrancas Tax Increment Financing (TIF), Fund 151, Cost Center 220519, Object Code 58301, for the following improvements:

Install a new central heating and air conditioning system, sanitary sewer connections, and electrical rewiring

B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

22. See Page 48.

23. Ratifying the following (*December 10, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 209 Ruberia Avenue:

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Lewis J. Rice, owner of residential property located at 209 Ruberia Avenue, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$1,075, representing an in-kind match through the Barrancas Tax Increment Financing (TIF), Fund 151, Cost Center 220519, Object Code 58301, for the following improvements:

Sanitary sewer connections

B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-27. Approval of Various Consent Agenda Items – Continued

24. Ratifying the following (*December 10, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 1228 West Bobe Street:

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Michael C. Smith and Gwendolyn F. Smith, owners of residential property located at 1228 West Bobe Street, Pensacola, Florida, in the Englewood Redevelopment Area, each in the amount of \$1,991, representing an in-kind match through the Englewood Tax Increment Financing (TIF), Fund 151, Cost Center 220520, Object Code 58301, for the following improvements:

Sanitary sewer connections

B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

25. Ratifying the following (*December 10, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Commercial Facade Grant Funding and Lien Agreements (*for property located*) at 2400 North “L” Street:

A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding and Lien Agreements between Escambia County CRA and Smitty’s Pool Hall, Inc., owner of commercial property located at 2400 North “L” Street, Pensacola, Florida, in the Englewood Redevelopment Area, each in the amount of \$887.50, representing an in-kind match through the Englewood Tax Increment Financing (TIF), Fund 151, Cost Center 220520, Object Code 58301 for the following improvements:

Sanitary sewer connections

B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-27. Approval of Various Consent Agenda Items – Continued

26. Taking the following action concerning the request from the State of Florida Department of Transportation to Escambia County for acceptance of the proposal to functionally classify Hilburn Road from Burgess Road to Creighton Road as an “Urban Minor Arterial” roadway:

A. Approving the State of Florida Department of Transportation, *Application for Functional Classification Change* for Hilburn Road from “not currently functionally classified” to “Urban Minor Arterial”; and

B. Authorizing the Chairman to sign the Application.

27. Approving the conceptual plans and roadway cross sections of the Olive Road Corridor Studies, from Palafox Street to Scenic Highway, for submittal to the State of Florida Department of Transportation; these studies included engineering assessments, turning movements, and traffic analyses to assess the existing problems; the conceptual plans will be presented to the State of Florida Department of Transportation in order to solicit their final approval before beginning the design phase.

6. Supplemental Budget Amendment Number 65

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting the Resolution (*R2009-247*) approving Supplemental Budget Amendment Number 65, Other Grants and Projects Fund (110), in the amount of \$272,792, to recognize funding from the Florida Department of Law Enforcement and to appropriate these funds for surveillance equipment at Pensacola Junior College, Drug Court implementation, and gang prosecution at the State Attorney’s Office.

1824

For Information: The Board heard Commissioner Robinson disclose that he is President of the Pensacola Junior College Foundation; however, because it is an unpaid position for a not-for-profit (*entity*), he is not precluded from voting.

CHAIRMAN ROBINSON RELINQUISHED THE CHAIR TO COMMISSIONER WHITE

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

4&22. Approval of Two Consent Agenda Items

Motion made by Commissioner Valentino, seconded by Commissioner Robertson, and carried 4-0, with Commissioner Robinson abstaining (*and filing Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), approving Consent Agenda Items 4 and 22, as follows:

4. Adopting the Resolution (*R2009-245*) approving Supplemental Budget Amendment Number 56, General Fund (001), in the amount of \$200,000, to recognize funding from the Health Facilities Authority and to appropriate these funds to offset funding allocations associated with the Escambia Community Clinics. 1824

22. Ratifying the following (*December 10, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Commercial Facade Grant Funding and Lien Agreements (*for property located*) at 2001 North “E” Street: 1824
 - A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding and Lien Agreements between Escambia County CRA and Lakeview Center, Inc., owner of commercial property located at 2001 North “E” Street, Pensacola, Florida, in the Englewood Redevelopment Area, each in the amount of \$10,000, representing an in-kind match through the Englewood Tax Increment Financing (TIF), Fund 151, Cost Center 220520, Object Code 58301 for the following improvements:

Restoration of architectural features to the existing building
 - B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

VICE CHAIRMAN WHITE RELINQUISHED THE CHAIR TO COMMISSIONER ROBINSON

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1. Case Number 2009-CO-025935-A

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, authorizing the County Attorney's Office to appeal a County Court decision dismissing a County Code Enforcement citation, issued to Ertle Britt for illegal burning, in Case Number 2009-CO-025935-A.

1825

ITEMS ADDED TO THE AGENDA – COMMISSIONER GENE M. VALENTINO

1. Acquisition of Property

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, taking the following action, as amended to add Item D, concerning the authorization of staff to acquire property, by donation, for right-of-way on Innerarity Point Road, for the Innerarity Point Road MSBU (*Municipal Services Benefit Unit*) (Funding Source: Fund 177, "MSBU," Account 140963 /56101):

1826

- A. Authorizing staff to negotiate and resolve any matters related to, or associated with, the acquisition of property, by donation, for right-of-way for roadway improvements for the Innerarity Point Road MSBU project (*the Innerarity Island Causeway Road Paving MSBU*), and to gather information and conduct inspections as needed to allow the Board's acceptance of the real property;
- B. Authorizing the payment of incidental expenditures associated with the acquisition of these properties, which includes, but is not limited to, title searches, legal document preparation fees, and recording of documents;
- C. Authorizing the Chairman or Vice Chairman to accept the Quit Claim Deeds as of the day of delivery of the Quit Claim Deeds to the Chairman or Vice Chairman, and authorizing the Chairman or Vice Chairman to acknowledge the Board's acceptance at that time; and
- D. Approving to condition acceptance of the Quit Claim Deeds on receipt, from the owners, of the disclosure of beneficial interest required by Section 286.23, Florida Statutes.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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

1. Adoption of a Resolution

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting, and authorizing the Chairman to sign, a Resolution (R2009-249) supporting the creation of a full traffic interchange at 9th Avenue and Interstate 10, which will enhance public access to retail, medical facilities, institutions of higher learning, and air transportation services, as well as, assist with potential economic development in Escambia County.

1827

ANNOUNCEMENTS

1. FOR INFORMATION: The Board was advised by Commissioner Young that the Pensacola High School Tigers will play (*against Tampa Jefferson in the Class 3A State semifinal*) tomorrow night (*December 11, 2009*), at Tiger Stadium.

1828

ADJOURNMENT

There being no further business to come before the Board, Chairman Robinson declared the Regular Meeting of the Board of County Commissioners adjourned at 6:29 p.m.

1829

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

ATTEST:

Ernie Lee Magaha
Clerk of the Circuit Court & Comptroller

By: _____
Grover C. Robinson, IV, Chairman



Deputy Clerk

Approved: January 7, 2010