

THROUGH THESE DOORS WALK ONLY THE FINEST PEOPLE – THE CITIZENS OF ESCAMBIA COUNTY. DECISIONS ARE MADE IN THIS ROOM AFFECTING THE DAILY LIVES OF OUR PEOPLE. DIGNIFIED CONDUCT IS APPRECIATED.

CHAMBER RULES

1. IF YOU WISH TO SPEAK, YOU WILL BE HEARD.
2. YOU MUST SIGN UP TO SPEAK. SIGN-UP SHEETS ARE AVAILABLE AT THE BACK OF THE ROOM.
3. YOU ARE REQUESTED TO KEEP YOUR REMARKS BRIEF AND FACTUAL.
4. BOTH SIDES ON AN ISSUE WILL BE GRANTED UNIFORM/MAXIMUM TIME TO SPEAK.
5. DURING QUASI-JUDICIAL HEARINGS (I.E., REZONINGS), CONDUCT IS VERY FORMAL AND REGULATED BY SUPREME COURT DECISIONS. VERBAL REACTION OR APPLAUSE IS NOT APPROPRIATE.

AGENDA

Board of County Commissioners
Regular Meeting – March 2, 2006 – 5:30 p.m.
Courthouse – Third Floor

1. Call to Order.

(PLEASE TURN YOUR CELL PHONE TO THE VIBRATE, SILENCE OR OFF SETTING)

2. Invocation – Reverend, Buford Lipscomb, Pastor, Liberty Church.
3. Pledge of Allegiance to the Flag.
4. Are there any items to be added to the agenda?

Recommendation: That the Board adopt the agenda as prepared **(or duly amended)**.

5. Proclamations – None.
6. Employee of the Month Proclamations.

Recommendation: That the Board adopt the two Proclamations commending and congratulating the following employees for being selected as Employees of the Month for March 2006:

- A. Mr. Stephen D. Boothe, Fire Lieutenant, Operations Division, Escambia County Fire Rescue, Community Services and Public Safety Agency; and
- B. Mr. Louis J. Crabtree, Database Administrator, Information Resources Department, Public Works and Land Management Agency.

AGENDA – BOARD OF COUNTY COMMISSIONERS

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7. Written Communication:

- A. January 29, 2006, communication from Van Milheim, President, Marcus Pointe Homeowners Association, concerning a project to erect community signage at the entrance to the Marcus Pointe residential community; and
- B. February 15, 2006, communication from Michael T. Peyton and Marianne P. Peyton, who are requesting that the County hold Mr. Dan Gilmore and Thomas Home Corporation responsible for damage to their property caused by retention ponds that have not been cleaned of collected sediment.

8. Did the Clerk's Office receive the proofs of publication for the Public Hearing(s) on the agenda and the Board's Weekly Meeting Schedule?

Recommendation: That the Board waive the reading of the legal advertisement(s) and accept, 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*.

9. **5:32 p.m. Public Hearing for consideration of adopting an Ordinance creating the Twin Spires Plantation Area Street Lighting MSBU.**

Recommendation: That the Board, at the 5:32 p.m. Public Hearing, adopt, and authorize the Chairman to sign, the Ordinance creating the Twin Spires Plantation Area Street Lighting Municipal Services Benefit Unit (MSBU), and all related documents, and make the following findings of fact:

- A. Lots in the District are specially benefited since street lighting not only increases the market value of an individual lot in the District, but also increases safety in the District surrounding individual lots and the ability of lot owners to use their individual lots after dark;

(Continued on Page 3)

9. Continued...

- B. The benefit from improved street lighting varies according to the relative size of the affected lots; residential lots benefit from improved street lighting uniformly because of the small variation in size throughout the District;
- C. The non-ad valorem special assessments levied represent a fair and reasonable apportionment of the cost of the special benefit received by each lot and do not represent a fair share of the cost of general governmental service provided to residents in the unincorporated areas of Escambia County; and
- D. Lots which do not receive a special benefit have been and shall be excluded from the non-ad valorem special assessment for street lighting.

10. **5:33 p.m. Public Hearing for consideration of adopting an Ordinance creating the Grande Lagoon Area Street Lighting MSBU.**

Recommendation: That the Board, at the 5:33 p.m. Public Hearing, adopt, and authorize the Chairman to sign, the Ordinance creating the Grande Lagoon Area Street Lighting Municipal Services Benefit Unit (MSBU), and all related documents, and make the following findings of fact:

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

11. **5:34 p.m. Second Public Hearing for consideration of adopting two separate Ordinances pertaining to the Barrancas Redevelopment Area.**

Recommendation: That the Board, at the 5:34 p.m. **Second** Public Hearing, take the following action concerning two separate Ordinances applicable to the Barrancas Redevelopment Area:

- A. Conduct the **second** of two Public Hearings to receive public input;
- B. Adopt an Ordinance amending Part III of the Escambia County Code of Ordinances (1999), the Escambia County Land Development Code, as amended, amending Article 6, Zoning Districts, Sections 6.00.02, 6.01.00, 6.05.05, 6.05.07, 6.05.09, 6.05.11, 6.05.13 and 6.05.14, to include Waterfront Mixed Use (WMU) Zoning District; providing for the establishment of the Waterfront Mixed Use Zoning District in Section 6.05.33; providing for the establishment of the RA-1(OL) Barrancas Redevelopment Area Overlay District and map in Section 6.07.04; establishing Permitted, Prohibited and Conditional uses and other land use regulations and controls for the Barrancas Redevelopment Area Overlay and WMU Zoning Districts; and providing for severability; providing for inclusion in the Code; and providing for an effective date;
- C. Adopt an Ordinance amending Part III of the Escambia County Code of Ordinances (1999), the Escambia County Land Development Code, as amended; providing for amendment to the Official Zoning Map for underlying districts in the Barrancas Redevelopment Overlay District; rezoning 237 parcels and one right-of-way in the Barrancas Redevelopment Area to new zoning classifications; providing for severability; providing for inclusion in the Code; and providing for an effective date; and
- D. Authorize the Chairman to sign and execute the two separate Ordinances, referenced above, applicable to the Barrancas Redevelopment Area.

12. **5:35 p.m. Public Hearing for consideration of a Petition to Vacate a portion of Environmental Place, as petitioned by Carl R. Ward and Lisa S. Ward.**

Recommendation: That the Board, at the 5:35 p.m. Public Hearing, take the following action concerning the Petition to Vacate the westerly “L”-shaped portion (320 feet by 42 feet, more or less, approximately 13,068 square feet, or 0.30 acres) of Environmental Place, located in Ellyson Industrial Park, extending west off Ely Road and south of Copter Road, as petitioned by Carl R. Ward and Lisa S. Ward:

- A. Approve the Petition to Vacate, subject to a full width utility and access Easement being retained over said right-of-way being vacated, with the understanding that the County will not be responsible for ownership nor maintenance of said Easement;
- 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.

13. **5:36 p.m. Public Hearing for consideration of a Petition to Vacate a portion of Meldum Avenue, as petitioned by Alexakos & Owens, LLC.**

Recommendation: That the Board, reschedule the 5:36 p.m. Public Hearing from March 2, 2006, to April 6, 2006, at 5:33 p.m., to consider the Petition to Vacate the easternmost 242.80 feet (60 feet by 242.80 feet, 14,568 square feet, or approximately 0.33 acres) of Meldum Avenue (formerly known as 4th Avenue), located east of Chaseville Street and south of Navy Boulevard, at the request of the Petitioner, Alexakos & Owens, LLC, due to the fact that the Petitioner did not have the *Notice of Public Hearing* published, as required by Chapter 336, Florida Statutes.

14. **5:37 p.m. Public Hearing for consideration AP-2006-01.**

Recommendation: That the Board, at the 5:37 p.m. Public Hearing, review the following Administrative Appeal, AP-2006-01, and uphold or overturn the February 9, 2006, Board of Adjustment (BOA) denial of the subject Appeal:

Case Number:	AP-2006-01
Location:	13870 Perdido Key Drive
Property Reference Number:	35-3S-32-1500-000-030
Project:	West Indies Village
Requested by:	Jessie W. Rigby, Esquire, Agent for Perdido Village, LLC

(Backup distributed to Commissioners, County Administrator, County Attorney and Clerk and is available for review in Room 114)

15. Reports:

Clerk of the Circuit Court;
Growth Management;
County Administrator; and
County Attorney.

16. Items added to the agenda.

17. Announcements.

18. Adjournment.

**BACKUP NOT INCLUDED WITH THE CLERK'S REPORT IS AVAILABLE FOR REVIEW IN
THE OFFICE OF THE CLERK TO THE BOARD
OLD COURTHOUSE ANNEX, ROOM 114**

REPORT OF CLERK OF THE CIRCUIT COURT & COMPTROLLER
March 2, 2006

I. CONSENT AGENDA

1. Recommendation Concerning Acceptance of Reports

Recommendation: That the Board accept, for filing with the Board's Minutes, the following three Reports prepared by the Clerk's Finance Department:

- A. Payroll Expenditures as of Payday February 24, 2006, in the amount of \$1,835,153.28; and
- B. The following two Disbursement of Funds:
 - (1) February 9, 2006, to February 15, 2006, in the amount of \$4,221,719.77; and
 - (2) February 16, 2006, to February 22, 2006, in the amount of \$20,379,788.35.

2. Recommendation Concerning Investment Report

Recommendation: That the Board accept, for filing with the Board's Minutes, the Investment Report for the month ended January 31, 2006, as prepared by the Clerk's Finance Department.

3. Recommendation Concerning Acceptance of Documents

Recommendation: That the Board accept, for filing with the Board's Minutes, the February 3, 2006, memorandum from Missy Sellers, Administrative Assistant, submitting the *2006 Santa Rosa Island Authority Standing Committee Assignments*.

4. Recommendation Concerning Minutes/Reports

Recommendation: That the Board take the following action concerning Minutes and Reports prepared by the Clerk to the Board's Office:

- A. Approve the Minutes of the Public Forum Work Session and Regular Board Meeting held February 16, 2006;
- B. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held February 16, 2006; and
- C. Accept, for filing with the Board's Minutes, the Report of the Committee of the Whole Workshop held February 13, 2006.

GROWTH MANAGEMENT REPORT

March 2, 2006

I. PUBLIC HEARINGS

1. Review of Rezoning Cases heard by the Rezoning Hearing Examiner on January 23, 2005.

RECOMMENDATION: That the Board take the following actions:

- A. Review and either adopt, modify, or overturn the Rezoning Hearing Examiner's recommendation for rezoning cases Z-2006-02 thru Z-2006-05 and Z-2006-07, Z-2006-08, Z-2006-10, Z-2006-11 or remand the cases back to the RHE; and
- B. Authorize the Chairman to sign the Orders of the Escambia County Board of County Commissioners for the rezoning cases that were reviewed.

Case No.:	Z-2006-02
Location:	598 North Fairfield Drive
Property Reference No.:	20-2S-31-2200-000-001
Property Size:	0.99 (+/-) acre
From:	SDD, Special Development District (non-cumulative), Low Density (3 du/acre)
To:	C-2, General Commercial and Light Manufacturing District, (cumulative) (25 du/acre)
FLU Category:	MU-2, Mixed Use 2
Commissioner District:	2
Requested by:	Patrick Heye, Agent for Fun Fitness and Dance Center Corp., Brigitte D. Heye, Owner
RHE Recommendation:	Approval
Staff Recommendation:	Approval
Speakers:	Brigitte Heye, Patrick Heye, Owners Karen Thompson, Presentation

Case No.:	Z-2006-03
Location:	1500 Tedder Road
Property Reference No.:	11-5N-31-3202-000-001
Property Size:	11.27 (+/-) acres
From:	VAG-1, Villages Agriculture Districts (5du/100 acres on one

acre parcels)
To: VAG-2, Villages Agriculture Districts
(1 d/u per five acres)
FLU Category: AG, Agriculture
Commissioner District: 5
Requested by: David C. Odom & David C. Odom Jr., Owners
RHE Recommendation: Approval
Staff Recommendation: Approval
Speakers: David C. Odem, Owner
Karen Thompson, Presentation
Rose Wilson

Case No.: Z-2006-04
Location: 6840 & 6812 Highway 29 North
Property Reference No.: 04-2N-31-1201-001-001 &
04-2N-31-1201-002-001
Property Size: 3.62 (+/-) acres
From: VM-1, Villages Mixed Residential/Commercial
District (Gross density for residential uses 4 d/u
per acre)
To: GBD, Gateway Business District
FLU Category: AA-13, Molino Activity Area
Commissioner District: 5
Requested by: J. Dan Gilmore, Agent for Dwayne & Kathan
Smith, Owners
RHE Recommendation: Denial
Staff Recommendation: Denial
Speakers: J. Dan Gilmore, Agent
Karen Thompson, Presentation

Case No.: Z-2006-05
Location: 10001 Holsberry Rd
Property Reference No.: 08-1S-30-1003-000-024
Property Size: 9.07 (+/-) acres
From: R-R, Rural Residential District
(cumulative), Low Density (2 du/acre), and R-2,
Single Family District (cumulative), Low
Density (7 du/acre)
To: R-3, One - Family and Two - Family District
(cumulative), Medium Density (10 du/acre)
And Location: 10000 Blk Holsberry Rd
Property Reference No.: 08-1S-30-1003-002-025
Property Size: 5.54 (+/-) acres
From: R-2, Single-Family District (cumulative), Low-
Medium Density (7 du/acre)

To: R-3, One - Family and Two - Family District
(cumulative), Medium Density (10 du/acre)
FLU Category: UR, Urban Residential
Commissioner District: 5
Requested by: Wiley C. "Buddy" Page, Agent for Harold &
Edith Sherrill, Owners
RHE Recommendation: Approval
Staff Recommendation: Approval
Speakers: Wiley C. "Buddy" Page, Agent
Doris Smith, Presentation
James E. Fowler

Case No.: Z-2006-07
Location: 9021 Westside Drive
Property Reference No.: 13-1S-30-1201-130-002
Property Size: 9.52 (+/-) acres
From: R-1, Single-Family District, Low Density (4
du/acre)
To: R-5, Urban Residential/Limited Office District
(cumulative), High Density (20 du/acre)
FLU Category: MU-1, Mixed Use 1
Commissioner District: 5
Requested by: Wiley C. "Buddy" Page, Agent for Norma Jean
Gilmore Hubbard, Owner
RHE Recommendation: Approval
Staff Recommendation: Approval
Speakers: Wiley C. "Buddy" Page, Agent
Doris Smith, Presentation
Ray Dodd
Peggy A. Winter
Doug Mangin
Vincent Christie
Annabelle Jones
Ralph Curtis
Melinda Harris
Edna Dot Christine
Peggy Curtis
John O. Perdue
Dixie Bowman
Richard Phelps
Kathy Phelps
Charles F. Sutley
Steven L. Pettitt
Sharon A. Pfeiffer
Brenda G. Scott
Thomas H. Sawyer

**Shirley Sawyer
Lora J. Steele
Mary Louise Winter
Henry Born
Eleanor L. Pettitt
Mike McMonigle
Phillip Folmar
Rubin Ruffin**

Case No.: **Z-2006-08**
Location: 4830 Mobile Hwy.
Property Reference No.: 15-2S-30-1000-000-037(only the portion zoned R-2)
Property Size: 0.92 (+/-) acre (2.68 total parcel)
From: R-2, Single-Family District (cumulative), Low-Medium Density (7 du/acre) and C-1, Retail Commercial District, (cumulative), (25 du/acre)
To: C-1, Retail Commercial District, (cumulative) (25 du/acre)
FLU Category: C, Commercial
Commissioner District: 2
Requested by: Mae Dean, Agent for Dean Realty Company
RHE Recommendation: **Approval**
Staff Recommendation: **Approval**
Speakers: **Mae Dean, Agent
Doris Smith, Presentation
Bobbie E. Sasser**

Case No.: **Z-2006-10**
Location: 7412 Pine Forest Road
Property Reference No.: 24-1S-31-1301-000-010
Property Size: 0.30(+/-) acre, revised from 0.42 (+/-) acres at RHE
From: R-6, Neighborhood Commercial and Residential District (cumulative), High Density (25 du/acre)
To: C-1, Retail Commercial District, (cumulative), (25 du/acre), revised from C-2 at RHE
FLU Category: C, Commercial
Commissioner District: 1
Requested by: Bobby B. Price & Gloria F. Price Owners
RHE Recommendation: **Approval of C-1**
Staff Recommendation: **Approval of C-1**

Speakers: **Bob Price, Jr., Owner**
Karen Thompson, Presentation
George A. Rogers
Randy Sherman

Case No.: **Z-2006-11**
Location: 7430 Pine Forest Road
Property Reference No.: 24-1S-31-1301-001-001
Property Size: 0.43 (+/-) acre
From: R-6, Neighborhood Commercial and Residential District (cumulative), High Density (25 du/acre)
To: C-2, General Commercial and Light Manufacturing District, (cumulative) (25 du/acre)
FLU Category: C, Commercial
Commissioner District: 1
Requested by: Bobby B. Price & Gloria F. Price, Owners
RHE Recommendation: **Approval**
Staff Recommendation: **Approval**
Speakers: **Bob Price, Jr., Owner**
Karen Thompson, Presentation

2. **5:45 p.m. – Thursday, March 2, 2006 Public Hearing** – Amendment to the Official Zoning Map.

RECOMMENDATION: That the Board adopt an ordinance to amend the Official Zoning Map to include the rezoning cases that were heard by the Rezoning Hearing Examiner on January 23, 2006, and approved during the previous agenda item and to provide for severability, inclusion in the code, and an effective date.

3. **5:46 p.m. – Thursday, March 2, 2006 Public Hearing**– Small Scale Comprehensive Plan Amendment 2006-02

RECOMMENDATION: That the Board adopt an ordinance of Escambia County, Florida, amending Part II of the Escambia County Comprehensive Plan, as amended; amending Chapter 7, “The Future Land Use Element”, as authorized by section 7.06; providing for a Small Scale Amendment (SSA 2006-02), to the Year 2020 Future Land Use Map, as amended, and as requested by Thomas G. Hammond Jr., E., Agent for Kambreon Properties, Inc., Owner, changing the Future Land Use of 4.92 +/- acres located at 1020 Detroit Boulevard, from Commercial (C) to Mixed Use –1 (MU-1); providing for a title, a copy on file; severability; and an effective date.

4. **5:47 p.m. – Thursday, March 2, 2006 Public Hearing**– LDC Article 13, Sections 13.00.05, 13.03.00, 13.00.05, 13.15.00 and 13.20.00

RECOMMENDATION: That the Board of County Commissioners review and adopt an ordinance amending Part III of The Escambia County Code of Ordinances (1999), The Escambia County Land Development Code, as amended; amending Article 13 “Santa Rosa Island Authority Development Regulations”, Section 13.00.05 “Flood Insurance Program”, Section 13.03.00 “Zoning Districts”, Section 13.15.00 “Building Heights”, and Section 13.20.00 “Floodplain Management on Pensacola Beach”, providing for severability, inclusion in the Code, and an effect date.

5. **5:48 p.m. – Thursday, March 2, 2006 Public Hearing** – Code of Ordinances section 58-2, Real Estate Disclosure for Pensacola Regional Airport

RECOMMENDATION: That the BCC reschedule the public hearing from March 02 at 5:48 p.m. to April 06, 2006 at 5:49 p.m. to consider an ordinance amending Part I of The Escambia County Code of Ordinances (1999), as amended, amending Section 58-2 “Airport Environs Real Estate Disclosure,” to include provisions for processing real estate disclosures near Pensacola Regional Airport as required by Article 11.

6. **5:49 p.m. – Thursday, March 2, 2006 Public Hearing** – LDC Article 4, 180 Day Tolling of Certain Development Orders on Perdido Key

RECOMMENDATION: That the Board review and adopt an ordinance amending Part III of The Escambia County Code of Ordinance (1999), The Escambia County Land Development Code, as amended; amending Article 4, “Subdivisions and Site plans”, providing for severability, inclusion in the Code, and an effective date.

7. **5:50 p.m. – Thursday, March 2, 2006 Public Hearing** – LDC Articles 2 & 6, Structure Height Limits of Buildings

RECOMMENDATION: That the Board review and adopt an ordinance amending Part III of The Escambia County Code of Ordinance (1999), the Escambia County Land Development Code, as amended, amending Article 2, Structure Height Modifications; Article 6, Zoning Districts; and several grammatical corrections. Providing for severability, inclusion in the Code, and an effective date.

8. **5:51 p.m. – Thursday, March 2, 2006 Public Hearing** - Articles 4, 7, 9 & 11 – Height and Land Use Restrictions near Pensacola Regional Airport

RECOMMENDATION: That the BCC reschedule the public hearing from March 02 at 5:51 p.m. to April 06, 2006 at 5:50 p.m. to consider an ordinance amending

Part III of The Escambia County Code of Ordinances (1999), The Escambia County Land Development Code, as amended, amending Articles 4, "Subdivisions and Site Plans"; 7, "Performance Standards"; 9, "Nonconforming Uses and Noncomplying Structures"; and 11, "Airport Environs" with regard to height and land use restrictions near Pensacola Regional Airport; providing for severability, inclusion in the Code, and an effective date.

9. 5:52 p.m. – Thursday, March 2, 2006 Public Hearing – Corrected Ordinance and Order for Rezoning Case SRIA Z-2005-01

RECOMMENDATION: That the Board takes the following actions recommended by the County Attorney's Office and the Planning and Zoning Staff:

- A. Ratify the scheduling and advertisement of the 5:52 p.m. public hearing on Thursday, March 2, 2006 for the corrected ordinance and order for rezoning case SRIA Z-2005-01 and;
- B. Authorize the Chairman to execute, for filing with the Department of State, a "Corrected" Ordinance to replace Ordinance 2005-58 that was mailed to the Department of State on December 12, 2005 and sign the "Corrected Order of the Escambia County Board of County Commissioners."

II. CONSENT AGENDA:

1. Scheduling of Public Hearings

- A. **5:45 p.m. – Thursday, April 6, 2006** – A public hearing to amend the Official Zoning Map to include the following Rezoning Cases heard by the Rezoning Hearing Examiner (RHE) on February 27, 2006 and approved by the Board during the previous agenda item:

Case No.:	Z-2006-12
Location:	8913 Westside Drive
Property Reference No.:	13-1S-30-1201-100-002
Property Size:	2.01 (+/-) acre
From:	R-1, Single-Family District, Low Density
To:	R-4, Multiple-Family District, (cumulative), Medium High Density
FLU Category:	MU-1, Mixed Use 1
Commissioner District:	5
Requested by:	Clinton Killingsworth, Clifford Killingsworth, and Robert O. Beasley, Owners

Case No.:	Z-2006-13
Location:	9113 West Hwy. 98
Property Reference No.:	23-2S-31-1101-000-030
Property Size:	4.23(+/-) acres

From: C-1, Retail Commercial District
(cumulative)
To: C-2, General Commercial and Light
Manufacturing District (cumulative)
FLU Category: C, Commercial
Commissioner District: 1
Requested by: Wiley C. "Buddy" Page, Agent for SAFE Mini
Storage of Hwy. 98 an Alabama, LLC, Owner

Case No.: **Z-2006-14**
Location: 1080 Hidden Terrace Road
Property Reference No.: 14-1N-30-2000-000-006
Property Size: 4.36 (+/-) acres
From: VR-2, Villages Rural Residential
District, Gross Density (1du/0.75
acre)
To: V-2, Villages Single-Family
Residential District, Gross
Density (2du/acre)
FLU Category: MU-6, Mixed Use 6, Area 1
Commissioner District: 5
Requested by: Wiley C. "Buddy" Page, Agent for Francisco R.
Abad, Owner

Case No.: **Z-2006-15**
Location: 1170 West Leonard Street
Property Reference No.: 18-2S-30-3001-002-001
Property Size: 5.36 (+/-) acres
From: R-2, Single-Family District (cumulative), Low-
Medium Density
To: C-2, General Commercial and Light
Manufacturing District (cumulative)
FLU Category: C, Commercial
Commissioner District: 3
Requested by: Jesse W. Rigby, Esq., Agent for Hope Lumber
and Supply Company, LP, Owner

Case No.: **Z-2006-16**
Location: 6 Halsey Drive
Property Reference No.: 50-2S-30-5010-034-018
Property Size: .26 (+/-) acres
From: R-2, Single-Family District (cumulative), Low
Medium Density Barrancas Redevelopment
District
To: C-2, General Commercial and Light
Manufacturing District, (cumulative) Barrancas
Redevelopment District

FLU Category: MU-1, Mixed Use 1
Commissioner District: 2
Requested by: Wiley C. "Buddy" Page, Agent for Thomas G. Holmes III, Owner

Case No.: Z-2006-17
Location: 9300 Baldrige Road
Property Reference No.: Northern (+/-) 224 feet of 14-1S-30-4101-004-001
Property Size: 1.83 (+/-) acres
From: R-6, Neighborhood Commercial and Residential District (cumulative), High Density
To: C-1, Retail Commercial District, (cumulative)
FLU Category: MU-1, Mixed Use 1
Commissioner District: 5
Requested by: Jesse W. Rigby, Esq., Agent for Robert D. Flurry, LLC, and Owner

Case No.: Z-2006-18
Location: 1600 Blk. East Nine-Mile Road
Property Reference No.: 14-1S-30-4101-002-002
Property Size: 2.5 (+/-) acres
From: R-4, Multiple-Family District (cumulative), Medium High Density
To: C-1, Retail Commercial District, (cumulative)
FLU Category: MU-1, Mixed Use 1
Commissioner District: 5
Location: 1600 Blk. East Nine-Mile Road
Property Reference No.: 14-1S-30-4101-003-002
Property Size: 1.09 (+/-) acres
From: R-4, Multiple-Family District (cumulative), Medium High Density
To: C-1, Retail Commercial District (cumulative)
FLU Category: MU-1, Mixed Use 1
Commissioner District: 5
Requested by: Jesse W. Rigby, Esq., Agent for AmSouth Bank, Owner

Case No.: Z-2006-19
Location: 1600 Blk. East Nine-Mile Road
Property Reference No.: 14-1S-30-4101-000-004
Property Size: 5.05 (+/-) acres
From: R-4, Multiple-Family District (cumulative), Medium High Density
To: C-1, Retail Commercial District (cumulative)
FLU Category: MU-1, Mixed Use 1

Commissioner District: 5
Requested by: Jesse W. Rigby, Esq., Agent for Juliette Hamilton Clark & Jane Hamilton Clark, Owners

Case No.: **Z-2006-20**
Location: 9310 Baldrige Road
Property Reference No.: Southern Portion of: 14-1S-30-4101-000-000
Property Size: 2.68 (+/-) acres
From: R-4, Multiple-Family District (cumulative),
Medium High Density
To: C-1, Retail Commercial District (cumulative)
FLU Category: MU-1, Mixed Use 1
Commissioner District: 5
Requested by: Jesse W. Rigby, Esq., Agent for Smyth R. Gill & F. Michael Rickels, Owners

Case No.: **Z-2006-21**
Location: 7841 Pine Forest Road
Property Reference No.: 13-1S-31-1100-004-042
Property Size: .75 (+/-) acres
From: C-1, Retail Commercial District (cumulative)
To: C-2, General Commercial and Light
Manufacturing District, (cumulative)
FLU Category: C, Commercial
Commissioner District: 1
Requested by: Francis M. & Brenda K. Cadem, Owners

Case No.: **Z-2006-22**
Location: 855 Highway 297-A
Property Reference No.: 16-1N-31-4401-000-000
Property Size: 19.31(+/-) acres
From: VR-1, Villages Rural Residential Districts,
gross density, (1du/ per 4 acres)
To: V-5, Villages Clustered Residential District,
Gross Density (4d/u acre), if sewerred and
clustered) Gross Density (1du/ acre, if
unsewered).
FLU Category: MU-6, Mixed Use 6, Area 3
Commissioner District: 5
Requested by: Katherine C. Wagg, Agent for William G. & Marcia R. Howard, Owners

- B. 5:46 p.m. – Thursday, April 6, 2006** – A public hearing to review and adopt an ordinance of Escambia County, Florida, amending Part III of the Escambia County Code of Ordinances (1999), the Land Development Code of Escambia County, Florida (Article 6), as amended; amending

section 6.05.00 to add or amend cross references to requirements of Article 11.

- C. 5:47 p.m. – Thursday, April 6, 2006-** A public hearing to review and approve the developmental plan for Beachside Resort and Conference Center, a Hotel and Planned Unit development.
- D. 5:48 p.m. – Thursday, April 6, 2006-** A public hearing to review and approve the developmental plan for Lillian’s Bayou Subdivision, a Planned Unit Development.
- E. 5:49 p.m. – Thursday, April 6, 2006-** A public hearing to review and adopt an ordinance amending Part I of The Escambia County Code of Ordinances (1999), as amended, amending Section 58-2 “Airport Environs Real Estate Disclosure,” to include provisions for processing real estate disclosures near Pensacola Regional Airport as required by Article 11.
- F. 5:50 p.m. – Thursday, April 6, 2006 –** A public hearing to review and adopt an ordinance amending Part III of The Escambia County Code of Ordinances (1999), The Escambia County Land Development Code, as amended, amending Articles 4, “Subdivisions and Site Plans”; 7, “Performance Standards”; 9, “Nonconforming Uses and Noncomplying Structures”; and 11, “Airport Environs” with regard to height and land use restrictions near Pensacola Regional Airport; providing for severability, inclusion in the Code, and an effective date.

**COUNTY ADMINISTRATOR'S REPORT
MARCH 2, 2006**

I. Technical/Public Service Consent Agenda

1. **Recommendation Concerning Scheduling a Public Hearing – Oakhills Estates Street Lighting MSBU – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board authorize a public hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on March 16, 2006, at 5:31 p.m., to consider the adoption of an Ordinance creating the Oakhills Estates Street Lighting MSBU.

2. **Recommendation Concerning Fourth Amendment to Lease Agreement – Pensacola Metro Lions – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board take the following action concerning a Lease Agreement with Pensacola Metro Lions Sight Program, Inc.:

- A. Approve the Fourth Amendment to the original Lease Agreement dated May 19, 1992, for the building located at 3103 N North "H" Street, for a three-year period beginning May 1, 2005, through April 30, 2008; and
- B. Authorize the Chairman to sign the amended Lease Agreement.

3. **Recommendation Concerning Disposition of Surplus Equipment – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board approve the Requests for Disposition of Surplus Equipment to be sold as surplus or appropriately disposed of, all of which are described on 29 requests as provided by various County Departments for the reasons stated on each.

4. **Recommendation Concerning Scheduling of Public Hearing – Vacate a Portion of Ayllon Avenue – Richard Duane, P.E., County Engineer**

RECOMMENDATION: That the Board schedule a public hearing for April 6, 2006, at 5:31 p.m., to consider the Petition to Vacate a portion of Ayllon Avenue (50 feet by approximately 300 feet = approximately 15,000 square feet or approximately 0.34 acres), located between the north right-of-way line of Carrera Street and the north right-of-way line of Mirella Street, as petitioned by The Retreat at Perdido Key, LLC.

5. Recommendation Concerning Final Plat – Blackberry Ridge – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board take the following action concerning recording of the Final Plat of Blackberry Ridge (a 64-lot, single-family, residential subdivision), located in the Beulah community, lying south of Frank Reeder Road and east of Beulah Road (County Road 99), owned and developed by H & L Land Development, Inc. Prior to recording, the County Engineer, County Surveyor, Planning and Zoning Director and the Clerk of the Circuit Court must sign the Final Plat, as set forth in Section 4.02.07.E, of the Escambia Land Development Code:

- A. Approve the Final Plat for recording;
- B. Approve the street names “Castleberry Boulevard and Patch Lane”;
- C. Accept the public road paving, drainage improvements, all public easements and Parcel “A” (0.79-acre retention pond), as depicted upon the Final Plat for permanent County maintenance; and
- D. Authorize the Chairman or Vice Chairman to execute a Two-Year Warranty Agreement for Streets and Drainage Improvements with Surety/Financial Security.

6. Recommendation Concerning Final Plat – Grand Cayman Phase 2 – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board take the following action concerning recording of the Final Plat of Grand Cayman Phase 2 (a 21-lot, single-family, residential subdivision), located in the Ensley community lying south of Detroit Boulevard and west of U.S. Highway 29, owned and developed by Leonard Jernigan Contractors, Inc. Prior to recording, the County Engineer, County Surveyor, Planning and Zoning Director and the Clerk of the Circuit Court must sign the Final Plat, as set forth in Section 4.02.07.E, of the Escambia Land Development Code:

- A. Approve the Final Plat for recording;
- B. Approve the street name “Tortuga Drive”;
- C. Accept the public road paving, together with drainage improvements, all public easements and Public Retention Pond (0.658 acres), as depicted upon the Final Plat for permanent County maintenance; and
- D. Authorize the Chairman or Vice Chairman to execute a Two-Year Warranty Agreement for Streets and Drainage Improvements Without Surety/Financial Security.

COUNTY ADMINISTRATOR'S REPORT

MARCH 2, 2006

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7. **Recommendation Concerning Community Action Program Committee, Inc.,
Appointee – George Touart, County Administrator**

RECOMMENDATION: That the Board confirm the appointment of Commissioner Marie Young to the Community Action Program Committee, Inc., Board of Directors, effective January 1, 2006, through December 31, 2006, as requested by Brenda Trimble, Executive Director, Community Action Program Committee, Inc.

II. Budget/Finance Consent Agenda

1. Recommendation Concerning Supplemental Budget Amendment #142 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #142, Capital Projects – New Road Construction (333), in the amount of \$277,250 to recognize an additional fund balance due to higher than anticipated tax receipts in Fiscal Year 2005 and to appropriate these funds for transportation programs such as resurfacing.

2. Recommendation Concerning Supplemental Budget Amendment #144 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #144, Local Option Sales Tax II Fund (351), in the amount of \$3,737,594 to recognize a transfer from the General Fund and to appropriate these funds for the One Stop building.

3. Recommendation Concerning Supplemental Budget Amendment #153 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #153, in the amount of \$63,300 to recognize revenues from the Escambia County Sheriff's Office Special Weapons and Tactics (SWAT) Security Night Vision Capabilities Grant (\$7,100) and the Domestic Security SWAT Bomb Capabilities Grant (\$56,200) for the Fiscal Year ending 9/30/06 and appropriating these funds in the BCC budget, Fund 110, Aids to Government Agency for use by the Sheriff.

4. Recommendation Concerning Supplemental Budget Amendment #155 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #155, Economic Development and Industrial Parks Fund (415), in the amount of \$399,354 to recognize the carryover of the HUD – Central Commerce Park Grant carry-over and to appropriate these funds for the current fiscal year.

5. Recommendation Concerning Budget Amendment #158 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board approve Budget Amendment #158, CDBG HUD Entitlement Fund (129), in the amount of \$428,333 to provide funds for the construction crew to perform work on Americans with disabilities Act (ADA) projects.

COUNTY ADMINISTRATOR'S REPORT

MARCH 2, 2006

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6. Recommendation Concerning Surplus and Sale of Real Property Located in the 7900 Block of Hayworth Street – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning the surplus and sale of real property located in the 7900 Block of Hayworth Avenue:

- A. Declare surplus its real property Account Number 030127500, Reference Number 22-1S-30-2401-040-005, acquired by foreclosure. A legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting bids by sealed bid;
- B. Authorize the sale of this property to the highest offer above the minimum bid of \$6,000 received from sealed bid in accordance with Section 46.134 of the Escambia County Code of Ordinances without further action of the Board; and
- C. Authorize the Chairman to sign all documents related to the sale.

7. Recommendation Concerning the Health Department's Contract – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning the Health Department Core Contract for Fiscal Year 2005/2006:

- A. Rescind Resolution R2005-207 approved on November 17, 2005, authorizing a contract between Escambia County and the Escambia County Health Department for the provision of certain medical services to correct the amount of the annual allocation; and
- B. Adopt a Resolution, as allowed by Florida Statutes, Chapter 154, authorizing a contract between Escambia County and the Escambia County Health Department for the operation of the Health Department for Fiscal Year 2005/2006.

8. Recommendation Concerning Reimbursement Health Care Costs – Roderick Powell, Human Resources Director

RECOMMENDATION: That the Board authorize payroll to reimburse \$178.20 to Mr. James Romero, Facilities Management, for health care premiums deducted retroactively from his paycheck after he returned from active duty with the Florida National Guard.

9. Recommendation Concerning Uniform Rental Service – Claudia Simmons, Purchasing Chief

RECOMMENDATION: That the Board take the following action concerning Uniform Rental Service:

- A. Award a three-year Contract to Unifirst Corporation, for “Uniform Rental Service”, PD 05-06.035, in accordance with the terms and conditions of the solicitation and annual appropriation of funds, for approximately \$100,000 per year. [Funding is available from various funds and cost centers]; and
- B. Authorize the expenditure to Unifirst Corporation for “Uniform Rental Service”, PD 05-06.035, in the amount of \$60,000 with funding coming from Road Department. [Fund 175, Transportation Trust Fund, Cost Center 260102]

10. Recommendation Concerning Purchase Order Contracts for Various Parks – Claudia Simmons, Purchasing Chief

RECOMMENDATION: That the Board approve issuing Purchase Order Contracts based on a “Piggy Back” off of the City of Jacksonville Contract #SC-0549-03, in accordance with Escambia County Code of Ordinance, Chapter 46, Article II, Section 46-44 Applications; Exemptions to Contract Connections, for a total of \$123,228.84 as follows:

- A. Civitan Park, replacement of playground equipment destroyed by Hurricane Ivan [Funding Source: Category “G” Ivan, Parks & Recreation Facilities, Fund 112, Cost Center 330467];
- B. Oakcrest Park, playground equipment [Funding Source: LOST II, Fund 351, Cost Center 350213];
- C. Dorie Miller Park, playground equipment [Funding Source: LOST II, Fund 351, Cost Center 350213];
- D. Davisville Park, playground equipment [Funding Source: LOST II, Fund 351, Cost Center 350213];
- E. Chimes Way Park, playground equipment [Funding Source: LOST II, Fund 351, Cost Center 350213]; and
- F. Navy Point Park, 10 station fitness course [Funding Source; CRA-Expendable Trust, Fund 683, Cost Center 220504].

11. Recommendation Concerning Engineering Services for Drainage Basin Studies – Claudia Simmons, Purchasing Chief

RECOMMENDATION: That the Board take the following action concerning PD 03-04.59, Engineering Services for Drainage Basin Studies:

A. Award continuing Contracts per:

The resulting “continuing Contract” shall provide for issuance of individual Task Orders based on specific scopes of work. Task Orders will be individually negotiated based on a “Fee Schedule” and any additional negotiated services required within the scope of work.

“Fee Schedules” for the continuing Contract shall be established based on the following:

- 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);

To the following firm:
Thompson Engineering, Inc.; and

B. Authorize the department(s) in conjunction with the Office of Purchasing to negotiate Task Orders according to F.S. 287.055 “Consultants’ Competitive Negotiation Act”, on a project-by-project basis.

12. Recommendation Concerning Large Machine Mowing Contract – Claudia Simmons, Purchasing Chief

RECOMMENDATION: That the Board award a three-year Contract to Gulf Star Contracting, for “Large Machine Mowing”, PD 05-06.034, in accordance with the terms and conditions of the solicitation and annual appropriation of funds, for approximately \$50,000. [Funding is available from Fund 401 (Solid Waste Fund), Cost Center 230314 and 230355.]

13. **Recommendation Concerning Amendment #1 to County-Wide Road Resurfacing Pricing Agreement – Claudia Simmons, Purchasing Chief**

RECOMMENDATION: That the Board take the following action concerning Amendment #1 to the County-Wide Road Resurfacing Pricing Agreement:

- A. Approve Amendment #1 relating to Contract PD 04-05.11, "County-Wide Road Resurfacing Pricing Agreement". This Amendment provides for the acceptance of price adjustments in accordance with "Section 15, Price Adjustment", of the Contract for the following previously-awarded contractors; additionally, it includes a Bituminous Materials Escalation Clause in accordance with the Florida Department of Transportation (FDOT) Specifications, and lastly, authorizes a one-year extension of the Contract through April 6, 2007:
1. APAC-Southeast, Inc.;
 2. E. J. Breneman, L.P.;
 3. Cutler Repaving, Inc.;
 4. North Florida Emulsions, Inc.;
 5. Panhandle Grading & Paving, Inc.;
 6. Pavement Technology, Inc.;
 7. Roads, Inc., of NWF; and
- B. Authorize the County Administrator to execute the Amendment on behalf of the Board.

14. **Recommendation Concerning Process to Acquire Waterfront Property for a Boat Ramp – Keith Wilkins, NESD Director**

RECOMMENDATION: That the Board authorize Neighborhood and Environmental Services staff to begin the process of contracting for appraisal in consideration of acquisition of the waterfront property located at Pinewood Lane North of Martin Marietta Materials, Inc., for the construction of a boat ramp. [Fund 110, Cost Center 305209 Florida Boating Improvement Fund]

COUNTY ADMINISTRATOR'S REPORT

MARCH 2, 2006

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III. For Discussion

1. **Recommendation Concerning a Multiple Award Contract for Auctioneering Services – Claudia Simmons, Purchasing Chief (REFERRED FROM FEBRUARY 16, 2006, BCC)**

(BACKUP TO BE DISTRIBUTED UNDER SEPARATE COVER)

COUNTY ATTORNEY'S REPORT
March 2, 2006

I. Discussion Agenda:

1. Recommendation Concerning U. S. Bank National Association f/k/a First Bank National Association Trust, Acting Solely in its capacity as Trustee for Equicredit Corporation Home Equity Loan Trust 1999-2 v. Bryan Keith Sims, et al. Case No. 2004-CA-446:

RECOMMENDATION: That the Board consider accepting a compromise settlement of \$430.00 in the above cited mortgage foreclosure case.