

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.

PLEASE NOTE THAT ALL BCC MEETINGS ARE RECORDED AND TELEVISED

AGENDA

Board of County Commissioners
Regular Meeting – August 4, 2011 – 5:30 p.m.
Governmental Complex – First Floor

1. Call to Order.

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

2. Invocation – Commissioner White.
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. Commissioners' Forum.
6. Centenarian Proclamation.

Recommendation: That the Board adopt a Proclamation honoring and congratulating Mrs. Myrtle Sue Reynolds Norris for reaching the age of 100.

7. Proclamations.

Recommendation: That the Board take the following action concerning the adoption of the following two Proclamations:

A. Adopt the Proclamation proclaiming August 8-14, 2011, as "Protector of the Environments/Fats, Oils, and Grease Week" in Escambia County; and

B. Adopt the Proclamation commending and congratulating A.J. Franklin for attaining the standard of excellence to achieve the rank of Eagle Scout.

8. Written Communication:

- A. December 10, 2010 - Communication from William H. Geiger and Cereza D. Geiger requesting that the Board forgive a Code Enforcement Lien against property located at 7245 Bruner Street.

Recommendation: That the Board review and consider lien relief request made by Mr. William H. and Cereza D. Geiger against property located at 7245 Bruner Street.

On June 18, 2009, the Board amended the "Guidelines for Relief from Environmental (Code) Enforcement Special Magistrate Liens" Policy, Section III, H2. Staff was instructed to review all requests for forgiveness of Environmental (Code) Enforcement Liens to determine if the request met the criteria for forgiveness, in accordance with the Board's policy.

After reviewing the request for forgiveness of Liens, staff made the determination that the request does not fall within any of the criteria that would allow the County Administrator to deny relief, in accordance with the Board's Policy, "Guidelines for Relief from Environmental (Code) Enforcement Special Magistrate Liens" Policy, Section III, H2.

Mr. William H. and Cereza D. Geiger have no other recourse but to appeal before the Board under Written Communication.

- B. July 19, 2011 - Email communication from Tanya Adams requesting that the Board reduce the fines relative to a Code Enforcement Lien against property located at 803 Lucerne Avenue.

Recommendation: That the Board review and consider lien relief request made by Ms. Tanya R. Adams against property located at 803 Lucerne Avenue.

On June 18, 2009, the Board amended the "Guidelines for Relief from Environmental (Code) Enforcement Special Magistrate Liens" Policy, Section III, H2. Staff was instructed to review all requests for forgiveness of Environmental (Code) Enforcement Liens to determine if the request met the criteria for forgiveness, in accordance with the Board's Policy.

After reviewing the request for forgiveness of Liens, staff made the determination that the request does not fall within any of the criteria that would allow the County Administrator to deny relief, in accordance with the Board's Policy, "Guidelines for Relief from Environmental (Code) Enforcement Special Magistrate Liens" Policy, Section III, H2.

Ms. Tanya Adams has no other recourse but to appeal before the Board under Written Communication.

- C. July 22, 2011 - Email communication from Don Brantley requesting that the Board forgive the fines relative to a Code Enforcement Lien against property located at 2400 Block Johnson Avenue.

Recommendation: That the Board review and consider lien relief request made by Donald Brantley against property located at 2400 Block Johnson Avenue.

On June 18, 2009, the Board amended the "Guidelines for Relief from Environmental (Code) Enforcement Special Magistrate Liens" Policy, Section III, H2. Staff was instructed to review all requests for forgiveness of Environmental (Code) Enforcement Liens to determine if the request met the criteria for forgiveness, in accordance with the Board's policy.

After reviewing the request for forgiveness of Liens, staff made the determination that the request does not fall within any of the criteria that would allow the County Administrator to deny relief, in accordance with the Board's Policy, "Guidelines for Relief from Environmental (Code) Enforcement Special Magistrate Liens" Policy, Section III, H2.

Due to extenuating circumstances, Mr. Donald Brantley has made a request to be placed on the August 4, 2011, Board of County Commissioner's Meeting, under written communication.

9. 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.

10. 5:31 p.m. Public Hearing for consideration of adopting an Ordinance to amend or repeal various provisions of the Escambia County Code of Ordinances concerning firearms preemption.

Recommendation: That the Board, at the 5:31 p.m. Public Hearing, adopt an Ordinance amending or repealing various provisions of the Escambia County Code of Ordinances to ensure compliance with Section 790.33, Florida Statutes, as amended by House Bill 45 (2011).

11. 5:32 p.m. Public Hearing for consideration of adopting an Ordinance establishing an EDATE for The Lewis Bear Company for 23% of its business expansion for up to 10 years.

Recommendation: That the Board, at the 5:32 p.m. Public Hearing, adopt an Ordinance establishing an Economic Development Ad Valorem Tax Exemption (EDATE) for The Lewis Bear Company for 23% of its business expansion for up to 10 years.

12. Reports:

CLERK & COMPTROLLER'S REPORT

Backup Not Included With The Clerk's Report Is Available For Review In
The Office Of The Clerk To The Board
Escambia County Governmental Complex, Suite 130

I. Consent

1. Recommendation Concerning Acceptance of Reports Prepared by the Clerk of the Circuit Court & Comptroller's Finance Department

That the Board accept, for filing with the Board's Minutes, the following six Reports prepared by the Clerk of the Circuit Court & Comptroller's Finance Department:

A. Payroll Expenditures for Pay Date July 22, 2011, in the amount of \$2,212,010.57;

B. The following two Disbursement of Funds:

(1) July 14, 2011, to July 20, 2011, in the amount of \$9,374,084.76; and

(2) July 21, 2011, to July 27, 2011, in the amount of \$2,044,541.89;

C. The Budget Comparison Reports for the first nine months, or 75%, of Fiscal Year 2011, as follows:

(1) Summarized, by fund, Budget to Actual Comparison as of June 30, 2011; and

(2) Actual Revenue and Expenditure Comparison to the prior Fiscal Year as of June 30, 2011; and

D. The Tourist Development Tax Collections Data for the June 2011 returns received in the month of July 2011 **(to be distributed under separate cover)** .

2. Recommendation Concerning Disposition of Records

That the Board approve Records Disposition Document No. 458, for disposition of Board of County Commissioners' Records, Item 32a, Minutes: Official Meetings (Transcripts: Microfilmed on Rolls 471 and 472), for the period January 6, 2011, through March 17, 2011, in accordance with State Retention Schedule GS1, since the permanent records have been scanned and/or microfilmed.

3. Recommendation Concerning Write-Off of Accounts Receivable

That the Board take the following action concerning write-off of accounts receivable:

A. Adopt the Resolution authorizing the write-off of \$113.82 in returned checks and accounts receivable in various funds of the County that have been determined to be uncollectible bad debts; and

B. Adopt the Resolution authorizing the write-off of \$792,428.56 in accounts receivable that have been recorded in the Emergency Medical Services (EMS) Fund of the County and have been determined to be uncollectible bad debts.

4. Recommendation Concerning Acceptance of Documents Provided to the Clerk to the Board's Office

That the Board accept, for filing with the Board's Minutes, the July 18, 2011, News Release, entitled, "Escambia County Lifts Burn Ban" (enacted by the June 15, 2011, Order of Prohibition [Fire Safety]), as received in the Clerk to the Board's Office on July 18, 2011.

5. Recommendation Concerning Minutes and Reports Prepared by the Clerk to the Board's Office

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 Regular Board Meeting held July 21, 2011;

B. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held July 21, 2011; and

C. Accept, for filing with the Board's Minutes, the Report of the Committee of the Whole Workshop held July 14, 2011.

GROWTH MANAGEMENT REPORT

I. Public Hearings

1. Recommendation Concerning the Review of the Rezoning Cases heard by the Planning Board on July 11, 2011:

That the Board take the following action concerning the rezoning cases heard by the Planning Board on July 11, 2011:

- A. Review and either adopt, modify, or overturn the Planning Board's recommendations for Rezoning Cases Z-2011-10, Z-2011-11, Z-2011-12 and Z- 2011-13 or remand the cases back to the Planning Board; and
- B. Authorize the Chairman to sign the Orders of the Escambia County Board of County Commissioners for the rezoning cases that were reviewed.

1. Case No.: Z-2011-10
Location: 10100 Aileron Ave
Property Reference No.: 24-2S-31-4105-000-000
Property Size: 5.88 (+/-) acres
From: SDD, special development district,
(non-cumulative) low density
(3 du/acre)

To: ID-1, light industrial district (cumulative) (no residential uses allowed)
FLU Category: C, Commercial
Commissioner District: 1
Requested by: Wiley C. "Buddy" Page, Agent for Patrick and Carolyn Brown, Owner
Planning Board Recommendation: Approval
Speakers: Wiley C. "Buddy" Page, Agent
Lawrence Taylor

2. Case No.: Z-2011-11
Location: 4410 N Palafox St
Property Reference No.: 08-2S-30-7001-004-001
Property Size: 1.75 (+/-) acres
From: C-1 Retail Commercial district (cumulative)
To: ID-CP, Commerce Park District (cumulative)(no residential uses allowed)
FLU: MU-U, Mixed Use Urban
Commissioner District: 3

Requested by: Paul Jansen, Owner
Planning Board Approval
Recommendation:
Speakers: Paul Jansen, Owner

3. Case No.:

Z-2011-12

Location: 1950 Mathison Rd
Property Reference No.: 21-2N-31-3301-019-001
Property Size: 5.59 (+/-) acres
From: VR-1, Villages Rural Residential Districts Gross Density (1 du/4 acres)
To: VR-2, Villages Rural Residential Districts Gross Density (1 du/.75 acres)
FLU: RC, Rural Community
Commissioner District: 5
Requested by: Bryan Madril, Agent for Peggy Jackson, owner
Planning Board Approval
Recommendation:
Speakers: Bryan Madril, Agent

4. Case No.:

Z-2011-13

Location: 9015 Fowler Ave
Property Reference No.: 10-1S-30-1101-124-002
Property Size: .96 (+/-) acres
From: R-5, Urban Residential/Limited Office District, (cumulative) High Density (20 du/acre)
To: C-2, General Commercial and Light Manufacturing District, (cumulative) (25 du/acre)
FLU: MU-U, Mixed-Use Urban
Commissioner District: 5
Requested by: Wiley C. "Buddy" Page, Agent for Charles Holt, Owner
Planning Board Denial
Recommendation:
Speakers: Wiley C. "Buddy" Page, Agent
Charles Holt, Owner
Clifton Arnold
Gwen Butler

2. 5:45 p.m. A Public Hearing for Consideration for Adopting an Ordinance Amending the Official Zoning Map

That the Board adopt an Ordinance to amend the Official Zoning Map to include the rezoning cases heard by the Planning Board on July 11, 2011 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. A Public Hearing Concerning the review of an LDC Ordinance Article 6, Motorized Commercial Recreational Uses

That the Board review and adopt an Ordinance to the Land Development Code (LDC) amending Article 6, Section 6.05.22.B. to add motorized commercial recreational uses (with a minimum lot size of 20 acres) as a permitted use in the VAG zoning districts, and add golf courses, tennis centers, swimming clubs and customary attendant facilities and accessory buildings as permitted uses in the VAG zoning districts. Amending Article 6, Section 6.05.22.D.2, to remove golf courses, tennis centers, swimming clubs and customary attendant facilities and accessory buildings as conditional uses in the VAG zoning districts.

This hearing serves as the second of two required public hearings before the Board of County Commissioners (BCC) as set forth in LDC Section 2.08.04(b) and F.S. 125.66(4)(b).

4. 5:47 p.m. A Public Hearing Concerning the review of an LDC Ordinance Article 6 "Uses and Parking of Recreational Vehicles

That the Board review an Ordinance to the Land Development Code (LDC) amending Article 6 "General Provisions", Section 6.04.04 to redefine "uses and parking of recreational vehicles."

5. 5:48 p.m. A Public Hearing Concerning the review and transmittal of the proposed Comprehensive Plan Amendment, Future Land Use Element

That the Board approve for transmittal the proposed Comprehensive Plan Amendment, Future Land Use Element herein, amending Part II of the Escambia County Code of Ordinances , the Escambia County Comprehensive Plan:2030; Amending Chapter 7, "The Future Land Use Element," to add Policy 5.4.6, establishing a process for protection and management of regionally significant natural resources within the Optional Sector Plan; Amending Policy 5.6.1 to delete certain requirements regarding conservation areas from the detailed specific area plans boundary determination analysis.

II. Action Item

1. Recommendation Concerning the recording of the Final Plat of Robert's Ridge Subdivision

That the Board take the following actions concerning recording of the Final Plat of Robert's Ridge, (a 61 lot single family residential subdivision), located in the Cantonment Community on West Robert's Road, lying west of U.S. Highway 29. The Subdivision is owned and developed by West Robert's, LLC. Prior to recording, the County Engineer, County Surveyor, Development Services 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 County Land Development Code. Also, prior to recording the County Surveyor must sign the Final Plat as set forth in Chapter 177.081 (1) Florida Statutes;

A. Approve the final plat for recording;

B. Approve the street names "Redford Drive" and "Deniro Court";

C. Accept all public easements, drainage improvements within public easements/public parcels, as depicted upon the final plat for permanent County maintenance subject to the transfer of the stormwater system to operation and maintenance phase through the water management district. The cost of maintenance for drainage improvements are to be funded through the establishment of a stormwater management MSBU (Municipal Services Benefit Unit); and

D. Authorize the Chairman or Vice Chairman to execute a Two Year Warranty Agreement without Surety and a Hold Harmless Agreement.

III. Consent Agenda

1. Recommendation Concerning the Scheduling of Public Hearings

That the Board authorize the scheduling of the following Public Hearings:

Thursday September 1, 2011

1. 5:45 p.m. - A Public Hearing to amend the Official Zoning Map to include the following Rezoning Cases to be heard by the Planning Board on August 8, 2011.

Case No.: Z-2011-14

Location: 1991 W Detroit Blvd

Property Reference No.: 13-1S-31-1100-001-004

Property Size: 8.69 (+/-) acres

From: R-2/R-3

To: R-6, Neighborhood Commercial and Residential District (cumulative), High Density (25 du/acre)

FLU Category: MU-U, Mixed Use Urban

Commissioner District 3

Requested by: Jean McPhee, Agent for Nicole Zubon, Owner

Case No.: Z-2011-15

Location: 2240 W Detroit Blvd

Property Reference No.: 12-1S-31-3102-001-003

Property Size: 3.17 (+/-) acres

From: C-1 Retail Commercial District (cumulative) (25 du/acre)

To: C-2, General Commercial and Light Manufacturing District (cumulative) (25 du/acre)

FLU Category: C, Commercial

Commissioner District 5

Requested by: Harold Pridgen, Owner

2. 5:46 p.m. - A Public Hearing - LDC Ordinance - Article 6 "Uses and Parking of Recreational Vehicles"

3. 5:47 p.m. - A Public Hearing - LDC Ordinance - Article 6 "Firearm Regulations"

COUNTY ADMINISTRATOR'S REPORT

I. Technical/Public Service Consent Agenda

1. Recommendation Concerning the Requests for Disposition of Property for the Development Services Department - T. Lloyd Kerr, AICP, Development Services Department Director

That the Board approve ten Request for Disposition of Property Forms for the Development Services Department, Building Inspections Division, for property which is described and listed on the forms, with the reasons for disposition stated on each, with the items to be disposed of as indicated.

2. Recommendation Concerning the Request for Disposition of Property for the Human Resources Department - Ron Sorrells, Human Resources Department Director

That the Board approve the Request for Disposition of Property Form for the Human Resources Department for property which is described and listed on the Disposition Form, with Department and reason for disposition stated.

3. Recommendation Concerning the Request for Disposition of Property for the Public Safety Department - Michael D. Weaver, Public Safety Department Director

That the Board approve the two Request for Disposition of Property Forms for the Public Safety Department, for property which is no longer in service, has been damaged beyond repair and/or is obsolete, and is to be auctioned as surplus or properly disposed of, all of which is described and listed on the Disposition Forms noting the reason for disposal.

4. Recommendation Concerning Escambia County Board of Adjustment Appointment - At-Large Position - Charles R. "Randy" Oliver, County Administrator

That the Board appoint CDR John N. Lund, USN (ret.), to the Escambia County Board of Adjustment at-large position, effective August 4, 2011, through April 5, 2012, to fill the unexpired term of Mr. Tom Bell, who resigned.

5. Recommendation Concerning Escambia-Pensacola Human Relations Commission Reappointment/Appointment - Charles R. "Randy" Oliver, County Administrator

That the Board take the following action concerning reappointment/appointment to the Escambia-Pensacola Human Relations Commission, as requested by Dr. Calvin Avant, Executive Director:

A. Waive the Board's Policy, Section I, Part B 1. (D), Appointment Policy and Procedures, and reappoint Ebbin a. Spellman, effective August 17, 2010, through August 17, 2013; and

B. Appoint Robert C. Allen, P.A., effective August 4, 2011, through November 6, 2014, to fill the unexpired term of Janice E. Monks, who resigned, plus an additional three-year term.

II. Budget/Finance Consent Agenda

1. Recommendation Concerning Request that the Board Approve the Federal Elections Activities Grant Funding for the Office of the Supervisor of Elections - David H. Stafford, Supervisor of Elections

That the Board take the following action concerning Federal Elections Activities Grant Funds from the Department of State:

A. Certify that the County will match State Grant funds with \$5,336.32 from the Supervisor of Elections' Fiscal Year 2011/2012 Budget; and

B. Authorize the Chairman to sign the Certificate Regarding Matching Funds.

In order to receive the Federal Elections Activities funds, the Legislature has required that the Chairman of the Board of County Commissioners certify that the County will match the State funds with a 15% County match. Both the State funds and the County matching funds must be held in a separate account to be used solely for activities relating to Federal Elections. The required match for this Grant is \$5,336.32. The match is included in the Supervisor of Elections' Fiscal Year 2011/2012 Budget under Cost Center 550101 and various Object Codes.

2. Recommendation Concerning Supplemental Budget Amendment #253 - Amy Lovoy, Management and Budget Services Department Director

That the Board adopt the Resolution approving Supplemental Budget Amendment #253, General Fund (001) in the amount of \$60,238, to recognize reimbursements from "off-duty" employment expenses associated with the Sheriff's Officers, and to appropriate these funds back to the Sheriff's Budget to offset these expenses.

3. Recommendation Concerning Supplemental Budget Amendment #254 - Amy Lovoy, Management and Budget Services Department Director

That the Board adopt the Resolution approving Supplemental Budget Amendment #254, Escambia Affordable Housing Fund (124) and the General Fund (001) in the amount of \$2,471,081, to recognize proceeds from the Florida Department of Community Affairs (DCA), and to appropriate these funds to support Grant-funded activities that are currently under construction in Escambia County and the City of Pensacola.

4. Recommendation Concerning Design Services for Ensley - Caro Area, Pittman Area and Areas East of Old Palafox - Amy Lovoy, Management and Budget Services Department Director

That the Board award a Lump Sum Contract to HDR Engineering, Inc., per PD 10-11.044, Design Services for Ensley - Caro Area, Pittman Area and Areas East of Old Palafox, for roadway and drainage improvements, in the amount of \$462,165.17.

[Funding: Fund 352, LOST III, Cost Center 210107, Object Code 56301, Project #08EN0313]

5. Recommendation Concerning Gasoline and Diesel Fuel - Amy Lovoy, Management and Budget Services Department Director

That the Board award a one-year Contract with two, one-year options to Cougar Oil, Inc., for Gasoline and Diesel Fuel, PD 10-11.059, for approximately \$7,000,000 per year, in accordance with the terms and conditions of the solicitation and annual appropriations.

[Funding: Fund 501, Internal Service Fund, Cost Center 210407, Object Code 55201]

6. Recommendation Concerning Security Services for Various County Buildings - Amy Lovoy, Management and Budget Services Department Director

That the Board award an Indefinite Quantity, Indefinite Delivery Contract, PD 10-11.043, for Security Services for Various County Buildings for a period of 12 months, with renewal options for 4 additional 12-month periods, up to a maximum of 60 months, to Securitas Security Services USA, Inc., with estimated annual expenditures for the County Government Complex-\$33,000, Court Administration-\$215,000, and \$60,000 for Community Corrections.

[Funding: County Government Complex: Fund 001, General Fund, Cost Center 110201, Object Code 53401; Court Administration: Fund 115, Article V Fund, Cost Center 410505, Object Code 53401; Corrections Department: Fund 114, Misdemeanor Probation Fund, Cost Center 290305, Object Code 53401]

7. Recommendation Concerning Custodial Services for County Buildings PD 10-11.049 - Amy Lovoy, Management and Budget Services Department Director

That the Board award a three-year Contract to American Facility Services, Inc., for Custodial Services for County Buildings, PD 10-11.049, in accordance with the terms and conditions of the solicitation and annual appropriation of funds, for approximately \$617,000 per year for the Facilities Maintenance Division, \$30,000 for the Roads Division and \$38,000 for the Solid Waste Department.

[Funding: Facilities Management-Custodial: Fund 001, General Fund, Cost Center 210603, Object Code 53401; Roads and Bridges-Administration: Fund 175, Transportation Trust Fund, Cost Center 210401, Object Code 53401; Solid Waste-Administration: Fund 401, Solid Waste Fund, Cost Center 230301, Object Code 53401; Solid Waste-Operations: Fund 401, Solid Waste Fund, Cost Center 230304, Object Code 53401; Solid Waste-Palafox Transfer Station: Fund 401, Solid Waste Fund, Cost Center 230307, Object Code 53401]

8. Recommendation Concerning Change Order to Purchase Order #111184 to E. B. Morris General Contractors, Inc., for the Sanchez Court Rental Rehabilitation/Mitigation Project - Keith Wilkins, REP, Community & Environment Department Director

That the Board approve and authorize the County Administrator to execute the following Change Order #1, which will increase the Purchase Order amount to incorporate Alternate #2 to provide and install impact windows; Alternate #4 to provide and install new air conditioning condensing units and amenities; Alternate #3A to construct gabled front porch elevations for all street facing rental units; and the additional Builder's Risk Insurance Premium associated with the additional work summarized as follows:

Department:	Community & Environment
Division:	Neighborhood Enterprise Foundation, Inc.
Type:	Addition
Amount:	\$352,212.75
Vendor:	E. B. Morris General Contractors, Inc.
Project Name:	Sanchez Court Rental Rehabilitation/Mitigation Project (Service Area #4)
Contract:	PD 10-11.015
PO #:	111184
Change Order #:	1
Original Award Amount:	\$1,442,218.00
Cumulative Amount of Change Orders Through CO#1:	\$ 352,212.75
New P. O. Amount:	\$1,794,430.75

[Funding: Fund 110, Other Grants and Projects/CDBG Disaster Recovery Grants, Cost Center 220436 and Fund 124/Affordable Housing, Cost Center 220442]

9. Recommendation Concerning Community Development Block Grant (CDBG) Disaster Recovery Enhancement Funds (DREF) Application - Keith Wilkins, REP, Community & Environment Department Director

That the Board take the following action concerning the State of Florida Department of Community Affairs (DCA) Community Development Block Grant (CDBG) Disaster Recovery Enhancement Funds (DREF) Application:

A. Acknowledge for the Official Record submission of the Community Development Block Grant (CDBG) Disaster Recovery Enhancement Funds (DREF) Application to the Florida Department of Community Affairs (DCA), in the maximum amount of \$2,363,081, to enhance ongoing construction projects for the benefit of the citizens of Escambia County and the City of Pensacola, including: DCA Service Area #1/Lakewood Sanitary Sewer Improvements, DCA Service Area #4/Sanchez Court Rehabilitation/Mitigation Project, and DCA Service Area #5/Centralized Replacement Homeless Housing/Services Facility;

B. Ratify the Chairman's execution of the Grant Application and related forms, as required for submission of the CDBG Disaster Recovery Enhancement Funds Application to DCA; and

C. Authorize the Chairman or County Administrator as appropriate to execute Grant award documents, Agreements, related forms and any other documents as may be required to process, receive and fully implement the Disaster Recovery Enhancement Funds Grant.

[Funding: Fund and Cost Center to be assigned by OMB upon Grant Award]

10. Recommendation Concerning Approval of the Escambia Consortium 2010-2014 Consolidated Plan and 2011 Annual Action Plan - Keith Wilkins, REP, Community & Environment Department Director

That the Board take the following action concerning approval of the Escambia Consortium 2010-2014 Consolidated Plan and the 2011 Annual Action Plan:

A. Approve the Escambia Consortium 2010-2014 Consolidated Plan providing goals, objectives and strategies for housing, community development and fair housing activities, during the period October 1, 2010, through September 30, 2015;

B. Approve the Escambia Consortium 2011 Annual Action Plan for Housing and Community Development, including the Escambia County 2011 Annual Plan, detailing use of 2011 Community Development Block Grant (CDBG) funds, in the amount of \$1,883,282; 2011 HOME Investment Partnerships Act (HOME) funds, in the amount of \$1,576,794; and 2011 Emergency Shelter Grant Program (ESG) funds, in the amount of \$91,599; and

C. Authorize the County Administrator to execute all Escambia Consortium 2010-2014 Consolidated Plan and 2011 Annual Action Plan Forms, Certifications and related documents, as required to submit the Plans to the U.S. Department of Housing and Urban Development (HUD), and authorize the County Administrator or Chairman, as appropriate, to execute documents required to receive and implement the 2011 CDBG, 2011 HOME, and 2011 ESG Programs.

[Funding: Fund 129/CDBG, Fund 147/HOME, and Fund 110/ESG—Cost Centers to be assigned]

(A complete copy of the Consolidated Plan is available at the County's website at

http://www.myescambia.com/Bureaus/CommunityServices/Plans_Reports.html.)

(A complete copy of the entire Annual Action Plan is available for review in the County Administrator's Office or on the County's website at

http://www.myescambia.com/Bureaus/CommunityServices/Plans_Reports.html.)

11. Recommendation Concerning Change Order to PO# 111389 to Cardno TBE for the Iron Triangle Property - Keith Wilkins, REP, Community & Environment Department Director

That the Board approve and authorize the County Administrator to execute the following Change Order #1, relating to Phase II Environmental Site Assessment for property located in the 3000 Block of Palafox Street, also known as the Iron Triangle:

Department:	Community & Environment
Division:	Community Redevelopment Agency
Type:	Addition
Amount:	\$104,562.00
Vendor:	Cardno TBE
Project Name:	Iron Triangle
Contract:	PD 06-07.038
PO No.:	111389
CO No.:	1
Original Award Amount:	\$5,320.00
Cumulative Amount of Change Orders through CO #1	\$104,562.00
New Contract Total:	\$109,882.00

Funding Source: Fund 110, Other Grants and Projects, Cost Center 220342, EPA Brownfield Redevelopment, Object Code 53101]

12. Recommendation Concerning Change Order to PO# 111119 to Cardno TBE for 3300 Mobile Highway - Keith Wilkins, REP, Community & Environment Department Director

That the Board approve and authorize the County Administrator to execute the following Change Order #3, relating to Phase II Environmental Site Assessment for property located at 3300 Mobile Highway:

Department:	Community & Environment
Division:	Community Redevelopment Agency
Type:	Addition
Amount:	\$37,911.00
Vendor:	Cardno TBE
Project Name:	3300 Mobile Highway
Contract:	PD 06-07.038
PO No.:	111119
CO No.:	3
Original Award Amount:	\$3,500.00
Cumulative Amount of Change Orders through CO #3	\$45,291.00
New Contract Total:	\$48,791.00

[Funding Source: Fund 110, Other Grants and Projects, Cost Center 220342, EPA Brownfield Redevelopment, Object Code 53101]

13. Recommendation Concerning Authorization to Submit 2013 Fiscal Year Rollover Attestation Grant Application for the Restoration of Escambia County Old Courthouse Phase IV - Joy D. Blackmon, P.E., Public Works Department Director

That the Board take the following action regarding the submission of the 2013 Fiscal Year Rollover Attestation and Application for the 2012 Recommended Special Category Projects for the Restoration of the Escambia County Old Courthouse Phase IV:

A. Approve the submission of the 2013 Fiscal Year Rollover Attestation and Application to the Florida Department of State;

B. Adopt and authorize the Chairman to sign the Resolution authorizing or affirming;

1. The submission of the 2013 Fiscal Year Rollover Attestation and Application for the Recommended 2012 Special Category Grant Application to the Florida Department of State; and

2. The availability of \$350,000 as local matching funds for the Historical Resources Grants-In-Aid Grant, should the Grant be awarded; and

C. Authorize the County Administrator to sign all documents required to receive and implement the Grant.

Meeting in regular session on May 24, 2007, the Board approved the submission of a Historical Grant Application for the Restoration of Escambia County Old Courthouse Phase IV, for the State's Fiscal Year 2008-2009 submission period. Due to the State not allocating Grant funds, Rollover Applications were subsequently submitted. The Florida Department of State informed the County that no funding was provided for Fiscal Year 2010-2011 and required the County to submit a new Application. On August 19, 2010, the Board approved submitting the new Application to the Florida Department of State for Fiscal Year 2011-2012. Since no funding was approved by the State for Fiscal Year 2011-2012, the State will allow a rollover of our Grant Application to Fiscal Year 2012-2013, if we submit the Attestation and Application. As in previous years, it is unlikely that funding will be made available, but when the funds do become available the County would like to take advantage of the Grant.

[A dollar-for-dollar local match of \$350,000 will be required if the Grant is awarded. This is required to be allocated and obligated if awarded.]

14. Recommendation Concerning Change Order to Roads, Inc., of NWF on Contract PD 10-11.028 "Various Road Materials Pricing Agreement" - Joy D. Blackmon, P.E., Director, Public Works Department

That the Board approve and authorize the County Administrator to execute the following Change Order #2:

Department:	Public Works
Division:	Infrastructure Branch/Engineering
Type:	Addition
Amount:	\$7,134.70
Vendor:	Roads, Inc., of NWF
Project Name:	Resurfacing (Hot In Place)
Contract:	PD 10-11.28 "Various Road Materials Pricing Agreement"
PO No.:	111238
Change Order No.:	2
Original Award Amount:	\$400,000.00
Cumulative Amount of Change Orders through this CO:	\$ 52,134.70
New Contract Total:	\$452,134.70

Meeting in regular session on May 5, 2011, the Board approved issuance of a Purchase Order to Roads, Inc., of NWF, in an amount not to exceed \$400,000, on Contract PD 10-11.028 "Various Road Materials Pricing Agreement", for Fiscal Year 2010-2011, to provide hot mix asphalt to Escambia County for use in the Hot-In-Place Recycling Program. Roads, Inc., of NWF was providing asphalt to Cutler Repaving, Inc., who was repaving portions of Leonard Street, Klondike Road, Eight Mile Creek Road, Beulah Road, Cross Street and Bridlewood Road. In accordance with Escambia County Code of Ordinances Chapter 46-86, Amendments/Changes After Award, Board approval is required to award Change Orders that have reached or exceeded \$50,000.

Change Order #1, effective June 15, 2011, added \$45,000 worth of asphalt to add "E" Street from Texar Drive to Cervantes Street to the list of roads being repaved under this Contract. Change Order #2 is necessary to cover cost overruns for asphalt that occurred while paving "E" Street from Texar Drive to Cervantes Street.

[Funding Source: Fund 352, "Local Option Sales Tax III", Cost Center 210107, Object Code 56301, Project No. 08EN0208, "Resurfacing"]

COUNTY ATTORNEY'S REPORT

I. For Action

1. Recommendation Concerning an Administrative Claim filed by Jared Braxton Phillips.

That the Board authorize a settlement of an administrative claim filed by Mr. Phillips in which the County will pay to Mr. Phillips the sum of \$30,000 in exchange for a General Release and Hold Harmless Agreement in favor of Escambia County and Lawrence Vieitez, former Road Corrections Officer.

2. Recommendation Concerning 3816 and 3818 Frontera Circle

That the Board take the following action:

A. Authorize the County Attorney's Office to settle two code enforcement actions involving 3816 Frontera Circle and 3818 Frontera Circle. The owner of these two properties has offered to convey title to Escambia County in exchange for a dismissal of the pending code enforcement actions.

B. Pursuant to the settlement agreement, accept the donation of the properties located at 3816 Frontera Circle and 3818 Frontera Circle.

3. Recommendation Concerning Scheduling a Public Hearing to Consider a Redistricting Ordinance

That the Board authorize the following:

A. Schedule a Special Board meeting to be held on Tuesday, September 6, 2011 at 5:30 p.m.; and

B. Authorize the scheduling of a public hearing at 5:31 p.m. to consider a Redistricting Ordinance; and

C. Authorize the advertising of the ordinance, map(s), and legal description(s); and

D. Authorize staff to comply with all other legal requirements for adoption and notice of a redistricting scheme; and

E. Authorize staff to take reasonable additional steps to inform the public of the process and changes.

II. For Information

1. Recommendation Concerning Status on RFP of Outside Legal Counsel for Oil Spill Related Issues

That the Board be made aware that the outside counsel selection committee has narrowed the potential firms to two options:

A. Beasley, Allen, Crow, Methvin, Portis & Miles, P.C. and McDonald, Fleming, Moorhead, Ferguson, Green, Smith & DeKozan;

OR

B. Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A., Weitz & Luxenberg, P.C., Baron & Budd, P.C., Beggs & Lane, RLLP, Morgan & Morgan, P. A., and Hinkle and Foran, P.A.

However, current discussions between Escambia County and BP are continuing without immediate need for outside counsel. When the need arises, a recommendation will be brought to the Board for action. Until that time, the blackout period continues.

13. Items added to the agenda.
14. Announcements.
15. Adjournment.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1162

Proclamations Item #: 6.

BCC Regular Meeting

Meeting Date: 08/04/2011

Issue: Centenarian Proclamation - Mrs. Myrtle Sue Reynolds Norris

From: Charles R. (Randy) Oliver

Organization: County Administrator's Office

CAO Approval:

RECOMMENDATION:

Centenarian Proclamation.

Recommendation: That the Board adopt a Proclamation honoring and congratulating Mrs. Myrtle Sue Reynolds Norris for reaching the age of 100.

BACKGROUND:

Centenarians are a living link to our history and are valued members of the community. By recognizing the significant achievements and outstanding service of the Centenarians of Escambia County, we will contribute to the attainment of community vision by creating awareness and value for our citizens.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

Board approval is required by Board Policy Section I, A(6).

IMPLEMENTATION/COORDINATION:

N/A

Attachments

Cen. Proc. - Myrtle Norris

PROCLAMATION

WHEREAS, the Board of County Commissioners recognizes that a Centenarian is a person who has attained the age of 100 years or more of life, and the community is enriched by Centenarians. It is a great distinction for Mrs. Myrtle Sue Reynolds Norris to celebrate 100 years of life; and

WHEREAS, Mrs. Myrtle Sue Reynolds Norris was born on August 4, 1911, in Franklin, Alabama, to Stephen and Hattie Reynolds. At the age of six, she and her family moved to the farming community of Booneville, Alabama, and lived on a small farm. She attended McCullough School and later attended junior colleges in Brewton, Alabama and Pensacola, Florida; and

WHEREAS, she married Oliver C. Norris, Sr., and raised five children: Clifford, Carol, Jerry, Don, and Janet and for many years taught kindergarten at Brent Baptist Church and Ensley First Baptist Church; and

WHEREAS, after the passing of her husband in 1979, Mrs. Norris began a new career as caregiver for "little old ladies" many of whom were younger than she, until she retired at age 90. Her greatest wish was to be able to live out her days in her own special house on Homewood Road. She lived there until past her 98th birthday; and

WHEREAS, Mrs. Norris is quite proud of her long-time relationship with her church, Ensley First Baptist and her Sunday School class. Her fondest activity was the monthly gathering of a special group of ladies who called themselves the "Angels", and she was the "Head Angel"; and

WHEREAS, Centenarians are among the fastest-growing segment of our population and create a link to our history. She lauds the spirit, inspiration, and endurance represented by one of our oldest residents and is a valued member of our community.

NOW, THEREFORE, BE IT PROCLAIMED, that the Board of County Commissioners of Escambia County, Florida, honors and congratulates Mrs. Myrtle Sue Reynolds Norris on reaching the age of 100 and extends best wishes to her for continued good health and happiness.

**BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA**

Kevin W. White, Chairman, District Five

Wilson B. Robertson, Vice Chairman, District One

Gene M. Valentino, District Two

Marie Young, District Three

Grover C. Robinson, IV, District Four

ATTEST: **Ernie Lee Magaha**
 Clerk of the Circuit Court

Deputy Clerk

Adopted: August 4, 2011



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1197

Proclamations Item #: 7.

BCC Regular Meeting

Meeting Date: 08/04/2011

Issue: Adoption of Proclamations

From: Charles R. (Randy) Oliver

Organization: County Administrator's Office

CAO Approval:

RECOMMENDATION:

Proclamations.

Recommendation: That the Board take the following action concerning the adoption of the following two Proclamations:

A. Adopt the Proclamation proclaiming August 8-14, 2011, as "Protector of the Environments/Fats, Oils, and Grease Week" in Escambia County; and

B. Adopt the Proclamation commending and congratulating A.J. Franklin for attaining the standard of excellence to achieve the rank of Eagle Scout.

BACKGROUND:

Various bureaus, outside agencies, special interest groups, civic and religious organizations in recognition of specific events, occasions, people, etc., request Proclamations. Information provided on the Proclamation is furnished by the requesting party and placed in the proper acceptable format for BCC approval by the County Administration staff. Board approval is required by Board Policy Section I, A (6)

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

N/A

Attachments

Proclamations

PROCLAMATION

WHEREAS, Emerald Coast Utilities Authority's (ECUA) "Protector of the Environment" Program, awards and recognizes Escambia County's commercial restaurants and food service establishments, which implement and enforce Kitchen Best Management Practices and reduce the amount of Fats, Oils and Grease (FOG) from entering into the ECUA sewer lines; and

WHEREAS, the FOG Program provides a grease-control initiative designed to decrease and eliminate sewer overflows, backups, odors and the introduction of grease or foreign materials into the sanitary sewer lines, 24 hours a day, 7 days a week; and

WHEREAS, when residents and businesses comply with the instructional directives of the FOG Program, the results will dramatically improve and potentially lower excessive maintenance costs, benefitting the residents and businesses of Escambia County; and

WHEREAS, through the FOG Program, Escambia County will be an environmentally cleaner and safer community in which residents can live and work; and

WHEREAS, the members of the FOG Program staff engage in continuous, specialized training and education to enhance their environmental skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of the Emerald Coast Utilities Authority employees by designating "Protector of the Environment/ Fats, Oils and Grease Week".

NOW, THEREFORE, BE IT PROCLAIMED, that the Board of County Commissioners of Escambia County, Florida, hereby proclaims the week of August 8-14, 2011, as

"PROTECTOR OF THE ENVIRONMENT/FATS, OILS AND GREASE WEEK"

in Escambia County and encourages the community to observe this week with appropriate programs and activities.

**BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA**

Kevin W. White, Chairman
District Five

Wilson B. Robertson, Vice Chairman
District One

Gene M. Valentino, District Two

Marie Young, District Three

Grover C. Robinson, IV, District Four

ATTEST: Ernie Lee Magaha
Clerk of the Circuit Court

Deputy Clerk

Adopted: August 4, 2011

PROCLAMATION

WHEREAS, the Boy Scouts of America is an organization dedicated to providing opportunities for young men to develop leadership skills, build character, participate in citizenship and excel in personal fitness. Scouts are encouraged to make a lifetime of ethical and moral choices by the Boy Scouts of America instilling the values of the Scout Oath and Law; and

WHEREAS, by demonstrating proficiency in specific skill sets, a Scout is able to advance through the ranks of Tenderfoot, Second Class, First Class, Star, Life and Eagle, with Eagle Scout being the highest advancement in Scouting. Among other requirements, to earn the rank of Eagle Scout a scout must demonstrate leadership skills and a willingness to participate in community service by implementing and coordinating a public service project; and

WHEREAS, Mr. A.J. Franklin, a member of Troop 433, Pensacola, Florida, chose as his public service project, to refurbish the handicapped parking lot at the Zion Hope Primitive Baptist Church, located at 201 West Leonard Street; and

WHEREAS, Mr. Franklin worked diligently for three days to complete the project; and

WHEREAS, as a result of Mr. Franklin's efforts, the Zion Hope Primitive Baptist Church now has a newly-refurbished, designated, handicapped parking area which is not only functional but also enhances the aesthetics of the church as well; and

WHEREAS, on July 21, 2011, Mr. A.J. Franklin was awarded the rank of Eagle Scout by the Boy Scouts of America.

NOW, THEREFORE, BE IT PROCLAIMED, that the Board of County Commissioners of Escambia County, Florida, commends and congratulates Mr. A.J. Franklin on achieving the rank of Eagle Scout.

**BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA**

Kevin W. White, Chairman
District Five

Wilson B. Robertson, Vice Chairman
District One

Gene M. Valentino, District Two

Marie Young, District Three

Grover C. Robinson, IV, District Four

**ATTEST: Ernie Lee Magaha
Clerk of the Circuit Court**

Deputy Clerk

Adopted: August 4, 2011



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1171

Written Communication Item #: 8. A.

BCC Regular Meeting

Meeting Date: 08/04/2011

Issue: Environmental (Code) Enforcement Lien Relief – 7245 Bruner Street

From: Gordon Pike

Organization: Corrections

CAO Approval:

RECOMMENDATION:

December 10, 2010 - Communication from William H. Geiger and Cereza D. Geiger requesting that the Board forgive a Code Enforcement Lien against property located at 7245 Bruner Street.

Recommendation: That the Board review and consider lien relief request made by Mr. William H. and Cereza D. Geiger against property located at 7245 Bruner Street.

On June 18, 2009, the Board amended the “Guidelines for Relief from Environmental (Code) Enforcement Special Magistrate Liens” Policy, Section III, H2. Staff was instructed to review all requests for forgiveness of Environmental (Code) Enforcement Liens to determine if the request met the criteria for forgiveness, in accordance with the Board’s policy.

After reviewing the request for forgiveness of Liens, staff made the determination that the request does not fall within any of the criteria that would allow the County Administrator to deny relief, in accordance with the Board’s Policy, “Guidelines for Relief from Environmental (Code) Enforcement Special Magistrate Liens” Policy, Section III, H2.

Mr. William H. and Cereza D. Geiger have no other recourse but to appeal before the Board under Written Communication.

BACKGROUND:

November 12, 2005, the Office of Environmental Enforcement received a complaint on 7245 Bruner Street for overgrowth, trash, debris, and deteriorated structure.

Certified notice of violations were mailed to owner, Estate Everett Nelson on February 13, 2006, and returned unclaimed. Another certified notice of violation was mailed to Everett Nelson, Sr., C/O Linda Duke, 20611 Kicking Bear Ct., Mufreesboro, TN 37127, and was received and signed for by Trey Duke.

Owner failed to abate violations and a case was prepared for Special Magistrate. Hearing was held on April 5, 2007, and owner was found to be in violation. Fines were assessed at \$100.00 per day starting April 21, 2007, if violations are not abated. \$1,100.00 court cost was awarded to the County.

On October 26, 2007, Escambia County Environmental Enforcement abated the violations at a

cost to the County of \$4,790.00. Certification of cost was recorded in Official Records Book 6322, Page 1236, against the property located at 7245 Bruner Street, for the amount of \$24,690.00.

The fines of \$100.00 per day started 4/12/2007 and ended 10/26/2007, with a total of \$18,800.00. Court cost awarded was \$1,100.00 and abatement cost was \$4,790.00.

William H. And Cereza Geiger purchased the property through a Tax Deed sale on October 5, 2009.

Attached is a copy of his letter along with the bullets from the Case.

BUDGETARY IMPACT:

The itemized costs shown in the Code Enforcement Lien are:

- A. Abatement Cost: \$4,790.00
 - B. Administrative Cost: \$1,100.00
 - C. Daily Fines: \$18,800.00
- < 2,205.79 >

TOTAL: \$24,690.00

LEGAL CONSIDERATIONS/SIGN-OFF:

If approved by the Board, the County Attorney's Office will prepare the Release.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

Upon execution, the Release will be sent to the Escambia County Clerk of the Court for recording.

Attachments

7245 Bruner Street



Office of Environmental Enforcement



Escambia County Central Office Complex
3363 West Park Place
Pensacola, Florida 32505
Phone: 850.595-1820
Fax: 850.595-1840
Sandra Slay, Division Manager

Property Address: 7245 Bruner St
Property Owner: Estate of Everett Nelson
Original Complaint: Overgrowth, deteriorated structure, trash & debris
EE Case #: CE05110280

- 11/12/05 Complaint recorded
- 02/09/06 Escambia County Tax Collector's website listed the owner as the Estate of Everett Nelson, Sr.
- 02/13/06 Certified letter / Notice of Violation / sent to Everett Nelson Sr, Estate of, 7245 Bruner St, Pensacola, FL 32526
- 03/01/06 Certified letter / Notice of Violation / returned "Unclaimed"
- 08/07/06 Title search revealed the title vested in Everett Nelson and Eliza Nelson.
- 10/09/06 Escambia County Property Appraiser's website listed the owner as Estate of Everett Nelson, Sr C/O Linda Duke 20611 Kicking Bear CT, Mufreesboro, TN 37127
- 10/12/06 Certified letter / Revised Notice of Violation / sent to Everett Nelson, Sr, Estate of , C/O Linda Duke, 20611 Kicking Bear Ct, Mufreesboro, TN, 37127
- 10/21/06 Certified letter / Revised Notice of Violation / returned signed by Trey Duke
- 03/22/07 Certified letter / Special Magistrate hearing / sent to Estate of Everett Nelson, Sr, C/O Linda Duke, 20611 Kicking Bear Ct, Mufreesboro, Tn 37127
- 04/05/07 Special Magistrate hearing / \$100.00 per day commencing 4/21/07 if not complied by – Lien of \$1,100.00 awarded to Escambia County
- 04/09/07 Certified letter / Order / sent to Everett Nelson, Sr, Estate of C/O Linda Duke, 20611 Kicking Bear Ct, Mufreesboro, Tn, 37127
- 04/10/07 Order recorded in Official Records Book 6123 Page 263
- 04/11/07 Certified letter / Special Magistrate hearing / returned signed by Trey Duke
- 04/20/07 Certified letter / Order / returned signed by Trey Duke
- 08/06/07 Certified letter / Final Notice / sent to Estate of Everett Nelson, Sr, C/O Linda Duke, 20611 Kicking Bear Ct, Mufreesboro, TN 37127
- 08/13/07 Certified letter / Final Notice / returned "No such number – Unable to forward"
- 10/26/07 Property abated by County contractor at a cost of \$4,790.00
- 11/08/07 Certified letter / Certification of Cost / sent to Estate of Everett Nelson, Sr, C/O Linda Duke, 20611 Kicking Bear Ct, Mufreesboro, TN 37127
- 11/21/07 Certified letter / Certification of Cost / returned signed by Trey Duke
- 05/01/08 Certification of Cost Order signed by Special Magistrate

➤ 05/02/08 Certification of Cost Order recorded in Official Records Book
6322 Page 1236

Lien amount	\$ 1,100.00
Fines (4/21/07 – 10/26/07 @ \$100.00 per day)	\$18,800.00
County Abatement Fees	\$ 4,790.00
Less Tax Deed sale overage	<u>< 2,205.79 ></u>
TOTAL	\$22,484.21

This amount does not include the Clerk's recording fees.

Charlotte J. Rhodes

From: Maryline Avila [mavila@escambiaclerk.com]
Sent: Monday, January 24, 2011 8:16 AM
To: Charlotte J. Rhodes
Subject: RE: 7245 Bruner St

Yes the amount paid to Code Enforcement was \$2,205.79 Check#9000011281

-----Original Message-----

From: Charlotte J. Rhodes [mailto:cjrhodes@co.escambia.fl.us]
Sent: Friday, January 21, 2011 2:54 PM
To: Maryline Avila
Subject: 7245 Bruner St

7245 Bruner Street was sold at tax deed sale on 10/5/09. Was any amount of money applied to the Code Enforcement Lien? The account # 101555000 Certificate # 04603.

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity.

Instead, contact this office by phone or in person.

22,484.21

Sandra F Slay

From: Charlotte J. Rhodes
Sent: Friday, January 07, 2011 9:26 AM
To: Sandra F Slay
Subject: FW: Request for Lien forgiveness

Stephen's response.

-----Original Message-----

From: Stephen G. West
Sent: Friday, January 07, 2011 9:24 AM
To: Charlotte J. Rhodes
Cc: Brenda J. Spencer
Subject: RE: Request for Lien forgiveness

Charlotte:

The circumstances described in the attachments do not fall within any of the criteria that would allow the County Administrator to deny relief, so you should arrange for this to be submitted to the BCC.

That said, the letter does not present any compelling arguments and misrepresents several facts. Generally, the new owners assert that the various code enforcement notices were defective because they were sent to the previous owner/violator at an incorrect address/street number. However, the return receipts reflect that the notices were actually received. So an error in the street number would be irrelevant.

-----Original Message-----

From: Charlotte J. Rhodes
Sent: Friday, January 07, 2011 8:36 AM
To: Stephen G. West
Cc: Brenda J. Spencer; Susan W. Hendrix; Sandra F Slay
Subject: Request for Lien forgiveness

See attached letter requesting lien forgiveness and bullets of the case.

William H. Geiger

From: William H. Geiger [whgeiger@cox.net]
Sent: Monday, September 20, 2010 2:52 PM
To: 'Sandra-Slay@co.escambia.fl.us'
Cc: 'RockwellAccounting@cox.net'
Subject: Build Code Violation Enforcement Lien

Re: Vacant Land, 7245 Bruner St.
Board of County Commissioners Letter, Dated 19-Aug-2010

Dear Ms. Slay,

We request an extension of time to complete our research necessary to respond to the lien enforcement action contemplated by the county.

At the moment we are completing an appeal that addresses the punitive fines contained in this lien for building violations for which we are not culpable.

The property offered at the tax deed sale was characterized as "vacant land", so we overlooked the magistrates order that quantified the punitive extent of building code violations, because such a lean was unexpected.

We further note that the estate of Everett Nelson may have never received the code violation and lien notices as the mailing address to which they were sent is not valid.

If this finding is true, then due process, regarding the fines and related abatement action, was not available to either party.

We are willing to pay the balance of the cost of abatement that the county has sustained, as this action most likely has enhanced the property's utility.

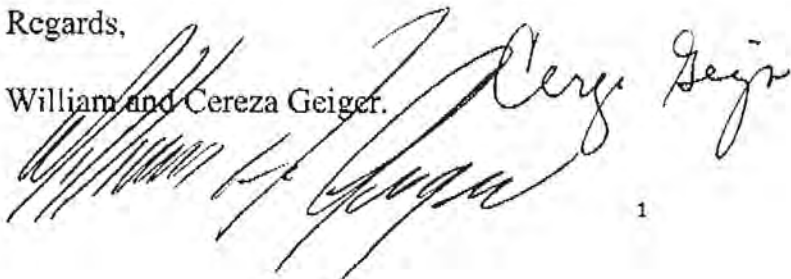
However, we feel that it is unjust and unfair for the county to impose punitive fines on the innocent, as apparently neither we nor the previous owners were made aware of the violations.

A more detailed response will be forthcoming by month end or sooner if you so dictate.

Thank you for your kind consideration and assistance in this matter,

Regards,

William and Cereza Geiger.



1

To: Ms. Sandra F. Slay
Title: Manager,
Environmental Enforcement
Division, Escambia County,
Address: 3363 West Park Place,
Pensacola, FL 32505
Telephone: 850-595-1824
E-mail: SFSLAY@co.escambia.fl.us
Subject: Building Code Enforcement Lien, Case No. CE 05-11-0280
on Vacant Land at 7245 Bruner St., Pensacola Florida 32506
Tax Deed File No.: 09-187, Tax Account No.: 101555000
Property Identification No.: 372S311311000001

Date: 03-Dec-2010
From: William H Geiger and
Cereza D, Geiger
Address: 1771 Brightleaf Cir.,
Cantonment, FL 32533
Telephone: 850-469-8030
E-mail: whgeiger@cox.net

References: At Letter End

Dear Ms. Slay,

We respectfully request forgiveness of the subject code enforcement lien addressed in BOCC letter [1], so that the foreclosure action contemplated by the county may be avoided. We believe that this lien, and its attendant financial burden, for which we are not culpable, arose from a failure to notify the estate of the then deceased title holder, of the code violations and impending lien documented in magistrate orders [2] & [3]. At the moment, continued presence of this lien is preventing the planned development of affordable housing at this site. The requested forgiveness will assist us in removing the cloud from title to the subject property, conveyed to us by Escambia County at its Tax Deed Sale conducted on 5-Oct-2009 [4] & [5]

At the time of sale, the property was advertised as "vacant land", so we were under the belief that magistrate orders [2] & [3] would not apply, for the following reasons:

- 1) They address code violations of a dwelling on a property characterized as "vacant land" by the county when presented for sale by auction.
- 2) They represented another lien on the property held by the same county that was supposed to be selling the property to recoup unpaid taxes only,
- 3) All monies due the county were not incorporated into the minimum amount required to open bidding (see [4]), even though the impending sale would convey, in fact, an obligation to pay the county an amount far more than the minimum bid reflected.
- 4) Online access to the property records containing tax, lien and ownership histories was not available thirty days (30) prior to the Tax Deed Sale. At both websites of the Property Appraiser's Office and that of Janet Holley Tax

Collector's Office, property records were red-marked, advising that access was denied due to the a pending tax deed sale.

Not until 19-Aug-2010, more than 10 months later, were we informed [1] by the Board of County Commissioners of the outstanding lien [3] on the property . Shortly thereafter, we requested a time extension [6] to complete research of the matter, which was granted. The results of this effort are presented in the paragraphs that follow:

The fines, court costs and abatement fees imposed are identified in Special Magistrates Order [2] arising from the property owners failure to correct code violations cited in Special Magistrate Order [3]. On the dates of these actions, the property was owned by the then deceased Everett Nelson, Sr. Both orders were apparently sent via unregistered mail to the following addresses:

Order	Mailing Address
[2]	Everett Nelson, Sr. Estate of 20611 Kicking Bear Court Murfreesboro, Tennessee 37127
[3]	Everett Nelson, Sr. Estate of C/O Linda Duke 20611 Kicking Bear Court Murfreesboro, Tennessee 37127

Neither of these addresses are valid for a variety of reasons. According to Property Sales Records of Rutherford County, Tennessee [7] and a subsequent email communication [8] with the addressee Linda Duke, the following facts are known:

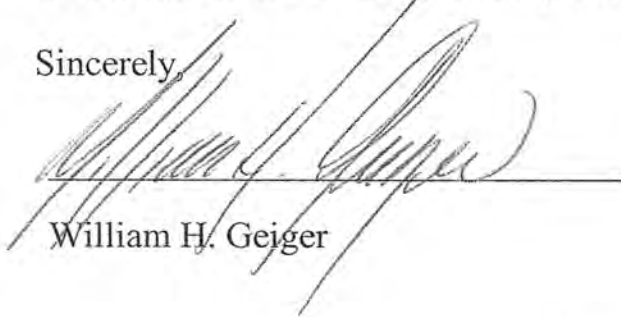
- 1) 20611 Kicking Bear Court is an invalid street address; however,
- 2) 2611 Kicking Bear Court is valid, and it was the residence of a Lynda N. and Tray H. Duke between 07-Sep-2004, when it was purchased by them, and 30-Mar-2007, when they sold it to a William N. Peirce. Six (6) days later the Magistrate issued the first Order [3] on 5-Apr-2007. This was followed by issuance of the second order [2] on 1-May-2008, to the same invalid address, 392 days later.
- 3) In a subsequent email communications [8] with Lynda Duke, she admitted to being a granddaughter of the late Everett Nelson, Sr., but denied ever serving as the executor of his estate. So, even if she had received the magistrate's orders, she was not authorized nor obligated to respond to them.

Based on these findings it is unlikely that the orders [2] & [3], and any other related notices, were ever delivered to (nor served on) the parties responsible for the maintenance and disposition of the subject property. This fact is made apparent by the failure of the estate executer to take corrective action over a

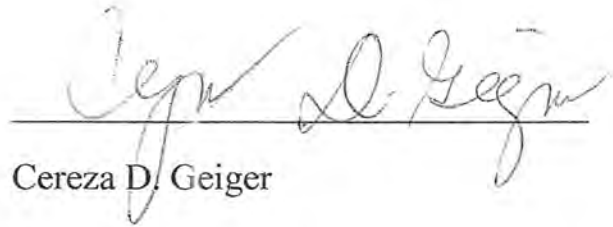
protracted period of time. On this basis, due process remains unfulfilled, and the lien appears to be unenforceable.

We would like to thank county officials, Mses. Slay and Taylor, for their kind assistance and patients in this matter. We look forward to receiving a favorable decision from the Board of County Commissioners.

Sincerely,



William H. Geiger



Cereza D. Geiger

Attachments

References: Description (Documents Attached)

- [1] Board of County Commissioners Letter, dated 19-Aug-2010, from Dian Taylor, gave notice of lien presence, requested payment of same, presented installment payment options, and expressed intent to institute foreclosure proceedings if payment is not made.
- [2] Clerk of the Circuit Court, Tax Deed Properties for Sale, Listing Excerpt for 5-Oct-2009
- [3] Clerk of the Circuit Court, Tax Deed, File No. 09-187, Property Identification No.: 372S311311000001, Tax Account No. 101555000, Dated 5-Oct-2009
- [4] Special Magistrates Order to Impose Fines of \$18,800, Court Costs of \$1,100 and Abatement Fees of \$4,790, Dated 01-May-2008, Recorded in OR Book 6322, on Page 1239, and Mailed to an Invalid Address.
- [5] Initial E-mail Response from William and Cereza Geiger, requesting time extension to complete research and prepare a request for lien forgiveness, was sent on 20-Sep-2010. A Subsequent acknowledgement from Sandra F. Slay was received on 21-Sep-2010
- [6] Special Magistrates Order to Correct Code of Ordinance Violations 30-230 (a), (b), (c), (d) & (e)., Dated 10-Apr-2007, Recorded in OR Book 6123, on Page 218 & 263 (certified), and Mailed to an Invalid Address.
- [7] Sales Records for Kicking Bear Ct., Murfreesboro, TN 37127,

Property Assessor, Rutherford County, Tennessee

- [8] E-mail messages from William H. Geiger sent on 14-Oct-2010,
and reply from Lynda Duke received on 14-Oct-2010



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida
P.O. Box 1591
Pensacola, Fl. 32597-1591

[1]

August 19, 2010

WILLIAM H & CEREZA GEIGER
1771 BRIGHTLEAF CIR
CANTONMENT, FL 32533

Re: **7245 BRUNER ST**

Dear Mr. & Mrs. Geiger,

Our review of public records revealed that the above referenced property in which you may hold an interest is encumbered by the following lien held by Escambia County:

A Code Enforcement Lien dated April 10, 2007, recorded in OR Book 6123 at page 263 of the Escambia County Public Records.

In order to assist people in satisfying their obligations, the Escambia County Board of County Commissioners authorized these liens to be paid by an installment payment plan.

At your first opportunity, please contact our office 595-4996. We will assist you in arranging an installment payment plan so the lien can be satisfied.

Please note that if you opt not to enter into an installment payment plan or the balance of the lien is not paid within 30 days of the date of this letter, the County may institute a foreclosure lawsuit to recover the amount due.

Sincerely,

A handwritten signature in cursive script that reads "Dianne Taylor".

Dianne Taylor
Escambia County BOCC
Management & Budget Bureau
Property Lien Program Coordinator

Amended Code Enforcement Lien

[2]

THE OFFICE OF ENVIRONMENTAL ENFORCEMENT
SPECIAL MAGISTRATE
IN AND FOR ESCAMBIA COUNTY, FLORIDA

ESCAMBIA COUNTY, FLORIDA

vs.

Case No.: CE 05-11-0280
Location: 7245 Bruner Street
PR# 372S31-1311-000-001

Everett Nelson, Sr. Estate of
20611 Kicking Bear Court
Mufreesboro, Tennessee 37127

ORDER

THIS CAUSE was brought before the Office of the Environmental Enforcement Special Magistrate on Petitioner's Certification of Costs, pursuant to the Special Magistrate's Order of April 5, 2007; and the Special Magistrate having found the Respondent in violation of Escambia County Code of Ordinances Sec. 30-203 (a), (b), (c), (d) & (e). Escambia County made certain repairs to bring the property into compliance and that the repairs were reasonable and necessary.

THEREFORE, the Special Magistrate being otherwise fully advised of the premises; it is hereby ORDERED, pursuant to Section 30-35 of the Escambia County Code of Ordinances, that the following itemized costs shall be added to the fines imposed by the Order of Special Magistrate dated April 5, 2007.

<u>Itemized</u>	<u>Cost</u>
a. Fines (4/21/2007-10/26/2007=188 days X \$100.00 per day)	\$ 18,800.00
b. Court Costs	\$ 1,100.00
c. County Abatement Fees	\$ 4,790.00
Total:	\$ 24,690.00

DONE AND ORDERED at Escambia County, Florida on this 1st day of May, 2008.



Special Magistrate
Office of Environmental Enforcement

Recorded in Public Records 04/10/2007 at 04:16 PM OR Book 6123 Page 263,
Instrument #2007033932, Ernie Lee Magaha Clerk of the Circuit Court Escambia
County, FL Recording \$27.00

[3]

Recorded in Public Records 04/10/2007 at 04:02 PM OR Book 6123 Page 218,
Instrument #2007033919, Ernie Lee Magaha Clerk of the Circuit Court Escambia
County, FL Recording \$27.00

**THE OFFICE OF ENVIRONMENTAL ENFORCEMENT
SPECIAL MAGISTRATE
IN AND FOR THE
COUNTY OF ESCAMBIA, STATE OF FLORIDA**

ESCAMBIA COUNTY, FLORIDA

Vs.

Case No.: CE 05-11-0280
Location: 7245 Bruner Street
PR# 372S31-1311-000-001

Everett Nelson, Sr. Estate of
C/O Linda Duke
20611 Kicking Bear Court
Mufreesboro, Tennessee 37127

ORDER

This CAUSE having come before the Office of Environmental
Enforcement Special Magistrate on the Petition of the Environmental Enforcement
Officer for alleged violation of the ordinances of the County of Escambia, State of
Florida, and the Special Magistrate having considered the evidence before him in the
form of testimony by the Enforcement Officer and the respondent or representative,
N/A as well as evidence submitted and after consideration of the
appropriate sections of the Escambia County Code of Ordinances, the Special Magistrate
finds that a violation of the Code of Ordinances LDC 30-203 (a) (b)
(c) (e) (d)
has occurred and continues.



"CERTIFIED TO BE A TRUE COPY
OF THE ORIGINAL ON FILE IN THIS OFFICE
WITNESS MY HAND AND OFFICIAL SEAL
ERNIE LEE MAGAHA, CLERK
CIRCUIT COURT AND COUNTY COURT
ESCAMBIA COUNTY, FLORIDA"
BY: [Signature] D.C.
DATE: 04-10-2007

THEREFORE, The Special Magistrate being otherwise fully advised in the premises; it is hereby ORDERED that: Estate
Gunette Nelson
shall have until 4/20/07, 2007 to correct the violation and to bring the violation into compliance. Corrective action shall include: _____

ASatement of Conditions in Notice of
Violation

If you fail to fully correct the violation within the time required, you will be assessed a fine of \$ 100 per day, commencing 4/20/2007, 2007. This daily fine shall continue until this violation is abated and the violation brought into compliance or until as otherwise provided by law. Immediately upon your full correction of this violation, you should contact the Escambia County Environmental Enforcement Office in writing to request that they immediately inspect the property to make an official determination of whether the violation has been abated and brought into compliance.

If the violation is not abated within the specified time period, then the County may elect to abate the violation for you and the reasonable cost of such will be assessed against you and will constitute a lien on the property.

Costs in the amount of \$1,100.00 are hereby awarded in favor of Escambia County as the prevailing party against Estate of Gunette Nelson

This fine shall be forwarded to the Board of County Commissioners. Under the authority of 162.09(1), F.S. and Sec. 30-34(d) of the Code of Ordinances, the Board of County Commissioners may make all reasonable repairs necessary to bring the property into compliance if the violator does not correct the violation by a specified date.

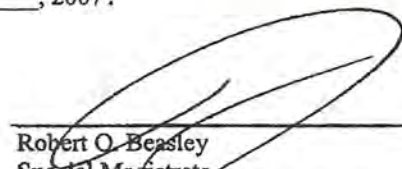
The costs of such repairs shall be certified to the Special Magistrate and may be added to any fines imposed pursuant to this order.

All monies owing hereunder shall constitute a lien on all your real and personal property including any property involved herein, which lien can be enforced by foreclosure and as provided by law.

You have the right to appeal orders of the Special Magistrate to the Circuit Court of Escambia County. If you wish to appeal, you must give notice of such in writing to both the Environmental Enforcement Division at 6708 Plantation Road Pensacola, Florida 32504 and the Escambia County Circuit Court Clerk at the M.C. Blanchard Judicial Building, 190 Governmental Center, Pensacola, Florida 32501, no later than 30 days from the date of the Order. Failure to timely file a written Notice of Appeal will waive your rights to appeal.

Jurisdiction is retained to enter such further orders as may be appropriate and necessary.

DONE AND ORDERED at Escambia County, Florida on the 5th day of April, 2007.



Robert O. Beasley
Special Magistrate
Office of Environmental Enforcement

Ernie Lee Magaha ,Clerk of the Circuit Court

Escambia County, Florida

Tax Deed Properties For Sale

(Listing Excerpt for 5-Oct-2009)

Account	Certificate Number	Reference	Sales Date	Status	Opening Bid Amount
10155500 0	4603	372S311311000001	Oct 5 2009	Sold \$7,000.00 WILLIAM H GEIGER OR CEREZA GEIGER	**\$4,725.72

Legal Description	Surplus Balance	Property Address	View Images
BEG AT INTER OF N LI OF S1/ 2 OF NW1/4 OF NE1/4 & E R/W LI OF US HWY 95 SLY ALG SD R/W TO PT 50 FT S AND PARL TO N LI OF SD S1/2 & POB CONT SLY ALG SD R/W 47 FT E 171 FT N 94 FT W 96 FT S 50 FT W 100 FT TO POB OR 80 P 707 OR 879 P 783 OR 336 P 278 OR 4768 P 426		7245 BRUNER ST	

[47]

[5]

5

This instrument was prepared by:
Ernie Lee Magaha, Clerk of the Circuit Court
Escambia County Courthouse
Pensacola, Florida

Tax Deed File No. 09-187
Property Identification No. 372S311311000001
Tax Account No. 101555000

TAX DEED

State of Florida
County of Escambia

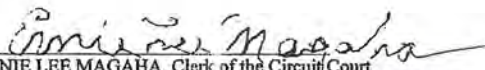
The following Tax Sale Certificate Numbered 04603 issued on June 1, 2007 was filed in the office of the tax collector of this County and application made for the issuance of a tax deed, the applicant having paid or redeemed all other taxes or tax sale certificates on the land described as required by law to be paid or redeemed, and the costs and expenses of this sale, and due notice of sale having been published as required by law, and no person entitled to do so having appeared to redeem said land; such land was on the 5th day of October 2009, offered for sale as required by law for cash to the highest bidder and was sold to: **WILLIAM H GEIGER and CEREZA GEIGER, 1771 BRIGHTLEAF CIR CANTONMENT FL 32533,** being the highest bidder and having paid the sum of his bid as required by the Laws of Florida.

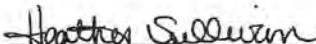
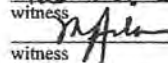
Now, on this 5th day of October 2009, in the County of Escambia, State of Florida, in consideration of the sum of (\$7,000.00) SEVEN THOUSAND AND 00/100 Dollars, being the amount paid pursuant to the Laws of Florida does hereby sell the following lands, including any hereditaments, buildings, fixtures and improvements of any kind and description, situated in the County and State aforesaid and described as follows:

BEG AT NE COR OF JOSEPH POL GRANT S 14 DEG E ALG E LI OF GRANT 3960 FT S 76 DEG W 660 FT FOR POB CONTINUE SAME COURSE 189 FT S 14 DEG E 200 FT S 76 DEG W 75 FT S 14 DEG E 130 FT N 76 DEG E 264 FT N 14 DEG W 330 FT TO POB DB 363 P 121 OR 223 P 165

** Property previously assessed to: EST OF NELSON EVERETT SR

SECTION 37, TOWNSHIP 2 S, RANGE 31 W


ERNIE LEE MAGAHA, Clerk of the Circuit Court
Escambia County, Florida


witness Heather Sullivan

witness Maryline Avila



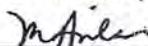
State of Florida
County of Escambia

On this 6th day Oct 2009 before me Maryline Avila personally appeared Ernie Lee Magaha, Clerk of the Circuit Court in and for the State and this County known to me to be the person described in, and who executed the foregoing instrument, and acknowledged the execution of this instrument to be his own free act and deed for the use and purposes therein mentioned.

Witness my hand and official seal date aforesaid.



ERNIE LEE MAGAHA, Clerk of the Circuit Court

By: 
Maryline Avila, Deputy Clerk

[6]

William H. Geiger

From: William H. Geiger [whgeiger@cox.net]
Sent: Tuesday, September 21, 2010 10:17 AM
To: 'Sandra F Slay'
Subject: RE: Building Code Enforcement Lien

Good morning Sandra,
Thank you, and Dianna as well. for your understanding in this matter
Soon, we will submit the letter you request.
Regards,
Bill

From: Sandra F Slay [mailto:SFSLAY@co.escambia.fl.us]
Sent: Tuesday, September 21, 2010 7:48 AM
To: William H. Geiger
Cc: Dianne D. Taylor; Charlotte J. Rhodes
Subject: RE: Building Code Enforcement Lien

Good Morning Mr. Geiger,

I've copied Dianne Taylor on this e-mail. Her department is the one that actually processes the foreclosure.

Once you have completed your research please forward me a letter requesting lien forgiveness. I'll need the following information: your name, address and contact number, your e-mail will also work as contact information.

I'll need a short letter stating what you are requesting from the Board, such as lien forgiveness. Escambia County does have a lien forgiveness process we must follow and I'll process your request as quickly as possible.

If you have any questions please let me know.

Thank you,
Sandra

From: William H. Geiger [mailto:whgeiger@cox.net]
Sent: Monday, September 20, 2010 9:12 PM
To: Sandra F Slay
Subject: Building Code Enforcement Lien

From: William H. Geiger [mailto:whgeiger@cox.net]
Sent: Monday, September 20, 2010 2:52 PM

Subject: Building Code Enforcement Lien

Re: Vacant Land, 7245 Bruner St.
Board of County Commissioners Letter, Dated 19-Aug-2010

Dear Ms. Slay,

We request an extension of time to complete our research necessary to respond to the lien enforcement action contemplated by the county.

At the moment we are completing an appeal that addresses the punitive fines contained in this lien for building violations for which we are not culpable.

The property offered at the tax deed sale was characterized as "vacant land", so we overlooked the magistrates order that quantified the punitive extent of building code violations, because such a lean was unexpected.

We further note that the estate of Everett Nelson may have never received the code violation and lien notices as the mailing address to which they were sent is not valid.

If this finding is true, then due process, regarding the fines and related abatement action, was not available to either party.

We are willing to pay the balance of the cost of abatement that the county has sustained, as this action most likely has enhanced the property's utility.

However, we feel that it is unjust and unfair for the county to impose punitive fines on the innocent, as apparently neither we nor the previous owners were made aware of the violations.

A more detailed response will be forthcoming by month end or sooner if you so dictate.

Thank you for your kind consideration and assistance in this matter,

Regards,

William and Cereza Geiger.

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

[7]

Exhibit I

Rutherford County - Property Assessor

Sales on Kicking Bear Ct., TN 37127

	ACCOUNTNO	RECPTNO	PARCELNB	IMPVAC	BOOK	PAGE	GRANTEE	Sale_Date	SALEP	STREET NO	STREETDIR	STREETNAME	STREETSUF	BLTASSF	
Select	R0075647	CNV-546422	125E A 00400	Improved	574	278	BARNES CHRISTOPHER L ETUX LISA	05-31-1996	53000	2603		KICKING BEAR	CT	3140	
Select	R0075645	6612511	125E A 00200		661	2511	BOLES RANDALL SCOTT ETUX PAM	08-30-2006	310000	2606		KICKING BEAR	CT	2718	
Select	R0075648	CNV-S105971	125E A 00500	Improved	498	859	BRUCE ROGER A ETUX CAROL	03-05-1993	35000	2607		KICKING BEAR	CT	2798	
Select	R0075645	CNV-581741	125E A 00200	Improved	537	420	BURROW M ANDREW ETUX LAURA	11-03-1994	32500	2605		KICKING BEAR	CT	2718	
1	Select	R0075649	CNV-S111103	125E A 00600	Improved	426	378	DUKE TREY H III ETUX LYNDA N	09-07-2004	280000	2611		KICKING BEAR	CT	2753
Select	R0075646	7511366	125E A 00300		751	1366	HARRISON JOHN CHARLES ETUX TRACEY HILL	05-30-2007	397500	2602		KICKING BEAR	CT	3398	
Select	R0075645	CNV-S98605	125E A 00200	Improved	523	625	INDIAN HILLS VENTURE %CHARLES W HOLDEN	04-15-1994	2650000	2606		KICKING BEAR	CT	2718	
Select	R0075646	CNV-581742	125E A 00300		463	850	JONES RICKY L ETUX LORI	05-30-1991	47900	2602		KICKING BEAR	CT	3398	
Select	R0075648	CNV-S98686	125E A 00500	Improved	545	558	KELLER JAMES P ETUX KAREN	03-28-1995	200000	2607		KICKING BEAR	CT	2798	
Select	R0075649	CNV-S111659	125E A 00600	Improved	524	207	MCGRATH RICHARD J ETUX ANNE	06-02-1998	233000	2611		KICKING BEAR	CT	2753	
Select	R0075650	CNV-546424	125E A 00700	Improved	572	62	MELTON BRIAN D ETUX MELANIE	03-10-1999	199000	2615		KICKING BEAR	CT	2636	
Select	R0075650	CNV-581745	125E A 00700	Improved	536	774	OAKS ROGER D ETUX DEBORAH	10-27-1994	211900	2615		KICKING BEAR	CT	2636	
Select	R0075650	CNV-S98687	125E A 00700	Improved	525	489	OLD SOUTH PROPERTIES INC	05-13-1994	32500	2615		KICKING BEAR	CT	2636	
2	Select	R0075649	7292595	125E A 00600		729	2595	PRICE WILLIAM N	03-30-2007	321000	2611		KICKING BEAR	CT	2753
Select	R0075646	CNV-546421	125E A 00300	Improved	147	2916	RYEL JACK AND BLANCHE RYEL	03-27-2002	280000	2602		KICKING BEAR	CT	3398	
Select	R0075647	CNV-581743	125E A 00400	Improved	404	94	TAYLOR GARY W	04-29-1988	52500	2603		KICKING BEAR	CT	3140	
Select	R0075648	CNV-546423	125E A 00500	Improved	654	195	TERRETTE GAROLD E ETUX BETTY	06-29-1999	220000	2607		KICKING BEAR	CT	2798	
Select	R0075648	CNV-581744	125E A 00500	Improved	530	395	THOMPSON JAMES R ETUX MARTHA	08-17-1998	220000	2607		KICKING BEAR	CT	2798	
Select	R0075649	CNV-S112234	125E A 00600		552	746	VAUGHAN STEVEN D %CHARLES W HOLDEN	07-14-1995	32500	2611		KICKING BEAR	CT	2753	
Select	R0075645	CNV-546420	125E A 00200	Improved	594	374	WDE STEVEN P ETUX JANA	03-26-1997	211900	2606		KICKING BEAR	CT	2718	
Select	R0075649	CNV-S112029	125E A 00600		570	253	YU PAUL UI ETUX CHU LEE YU	03-29-1996	230000	2611		KICKING BEAR	CT	2753	

Tray H. & Lynda N. Duke
 2611 Kicking Bear Ct.
 [1] Purchased 07-Sep-2004
 [2] Sold 30-Mar-2007

[8]

William H. Geiger

From: dukefamily@united.net
Sent: Thursday, October 14, 2010 10:15 AM
To: William H. Geiger
Subject: Re: Estate of Everett Nelson Sr.

I am NOT the executor of this estate, never was, never will be. He was my grandfather, but Everett had 20+ other grandchildren also, so take my name off your email and do not contact me again.

Lynda>

Hi Linda,

>
>
>
> If you were the executor of the subject estate, please contact me.
>
>
>
> Addresses shown in the court records include:
>
>
>
> for Everett, Ruth, Eliza and Mary Nelson
>
> 7245 Bruner St., Pensacola, FL 32506
>
>
> for executor Linda Duke,
>
> 2611 Kicking Bear Ct., Murfreesboro, TN 37127
>
>
>
> Regards,
>



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1170

Written Communication Item #: 8. B.

BCC Regular Meeting

Meeting Date: 08/04/2011

Issue: Environmental (Code) Enforcement Lien Relief – 803 Lucerne Avenue

From: Gordon Pike

Organization: Corrections

CAO Approval:

RECOMMENDATION:

July 19, 2011 - Email communication from Tanya Adams requesting that the Board reduce the fines relative to a Code Enforcement Lien against property located at 803 Lucerne Avenue.

Recommendation: That the Board review and consider lien relief request made by Ms. Tanya R. Adams against property located at 803 Lucerne Avenue.

On June 18, 2009, the Board amended the “Guidelines for Relief from Environmental (Code) Enforcement Special Magistrate Liens” Policy, Section III, H2. Staff was instructed to review all requests for forgiveness of Environmental (Code) Enforcement Liens to determine if the request met the criteria for forgiveness, in accordance with the Board’s Policy.

After reviewing the request for forgiveness of Liens, staff made the determination that the request does not fall within any of the criteria that would allow the County Administrator to deny relief, in accordance with the Board’s Policy, “Guidelines for Relief from Environmental (Code) Enforcement Special Magistrate Liens” Policy, Section III, H2.

Ms. Tanya Adams has no other recourse but to appeal before the Board under Written Communication.

BACKGROUND:

September 24, 2009, the Office of Environmental Enforcement received a complaint on 803 Lucerne Avenue for no trash service, overgrowth, trash, debris, inoperable vehicle, and nuisance conditions.

Notice of violations were sent certified mail to owners and was returned marked “Unable to forward” on October 2, 2009.

November 2, 2009, officer requested another certified Notice of Violation be mailed. Return receipt was delivered signed for by Mark Dowdall.

December 4, 2009, notice of violation was issued to the tenant, Terrell Southall.

Reinspection conducted on December 3, 2010, and citation was issued to tenant, in the amount of \$100.00.

Owner failed to abate violations and case was prepared for Special Magistrate. Certified Notice of Hearing was sent certified mailed on March 9, 2010. Notice of Hearing was received and signed for by Joseph Adams.

Hearing was held on April 6, 2010, and owner was found to be in violation. Fines were assessed at \$50.00 per day starting April 23, 2010, if violations are not abated. \$1,100.00 court cost was awarded to the County.

Order was recorded in Official Records Book 6580, Page 1622-1626.

County abated violation on August 14, 2010.

On March 17, 2011, Ms. Adams submitted a lien forgiveness request for her father (owner/violator). Request was denied due to County policy and County Administrator Charles R. "Randy" Oliver sent Ms. Adams a denial letter on March 29, 2011.

On April 15, 2011, Ms. Adams filed a Quit Claim Deed in her name in hopes to possibly circumvent the Board of County Commissioner's Policy, OR Book 6710 and Page 1005. The incorrect legal description was listed on this deed which in turn clouded the title to 800 Lucerne which is owned by the county.

Contact was made with Ms. Adams and title issue was discussed with her. She was informed by Sandra Slay, Division Manager for Environmental Enforcement, she needed to correct the cloud on the title she caused against a County-owned property. To date cloud remains.

On June 6, 2011, Ms. Adams filed a new deed recorded in OR Book 6728, Page 205, that appears to have the correct description to 803 Lucerne Avenue.

Attached is a copy of her letter along with the bullets from the case.

BUDGETARY IMPACT:

The itemized costs shown in the Code Enforcement for Lien:

Cost

A. Administrative Cost: \$1,100.00

B. Daily Fines: \$5,650.00

C. Abatement Fees: \$450.00

TOTAL: \$7,200.00

LEGAL CONSIDERATIONS/SIGN-OFF:

If approved by the Board, the County Attorney's Office will prepare the Release.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

Upon execution, the Release will be sent to the Escambia County Clerk of the Court for recording.

Attachments

803 Lucerne Avenue

Email from Owner



Office of Environmental Enforcement



Escambia County Central Office Complex
3363 West Park Place
Pensacola, Florida 32505
Phone: 850.595-1820
Fax: 850.595-1840
Sandra Slay, Division Manager

Property Address: 803 Lucerne Avenue
Property Owner: Joseph W. Adams
Original Complaint: Trash, nuisance conditions, overgrowth and inoperable vehicles
EE Case #: CE090900232

- 09/24/09 Complaint recorded
- 09/24/09 Inspection reveals trash & debris, inoperable vehicle, overgrowth and nuisance conditions
- 09/25/09 Notice of Violation was sent Certified Mail and returned October 2, 2009 marked "Vacant, unable to forward". Letter sent regular mail also returned with same mark.
- 03/23/10 Chris Jones Property Appraisers shows owners listed as Joseph W Adams
- 10/22/09 Second Notice of Violation sent certified mail and regular mail to owner at 704 Lucerne Avenue. This notice included mandatory residential waste along with prior violations.
- 11/02/09 Certified letter was received and signed for by Mark Dowdall on October 30, 2009.
- 12/4/2009 Notice of violation was issued to the tenant, Terrell Southall, for above violations.
- 02/03/10 Reinspection reveals violations remain. A citation was issued to the tenant, Terrell Southall in the amount of \$100.00.
- 02/17/10 Reinspection conducted reveals all violations remain.
- 02/17/10 Request for Special Magistrate made.
- 03/09/10 Certified letter / Special Magistrate hearing / sent to Joseph W. Adams, 704 Lucerne Avenue, Pensacola, Florida 32505.
- 03/16/10 Certified letter / Special Magistrate hearing was delivered on March 16, 2010 and signed for by Joseph Adams. Copy of Hearing Notice was posted on property by officer.
- 04/06/10 Special Magistrate hearing / \$50.00 per day commencing 04/23/10 if not in compliance – Lien of \$1,100.00 awarded to Escambia County
- 04/24/10 Certified letter / Order / sent to Joseph W Adams, Pensacola, FL 32505
- 04/15/10 Order recorded in Official Records Book 6580 Page 1622-1626
- 04/26/10 Re-inspection reveals the violations remain
- 08/14/10 County abated violations

Lien amount

Court Cost	\$1,100.00
Fines (\$50.00 per day 04/23/10-08/14/10)	\$5,650.00
County Abatement Fees	<u>\$450.00</u>
TOTAL	\$7,200.00

This amount does not include the Clerk's recording fees.

NOTE: A Quit Claim Deed was filed on April 15, 2011 in the name of Tanya R. Adams, daughter of Joseph W. Adams.

April 29, 2011

Office of Environmental Enforcement
Attn: Sandra Slay
3363 West Park Place
Pensacola, FL 32505

Re: Case # CE 09-09-00232
803 Lucerne Avenue

Dear Ms. Slay:

Because of my father's failing health and his inability to take care of the property located on 803 Lucerne Avenue, I am the new owner of the property. As the new owner, I have already taken on other debt from this property, because of the previous owners neglect, and am paying those. It is my understanding that there is a lien from your agency against the property at this time for yard clean-up.

As the new owner of the property, I am fixing the property up to make it an asset to the neighborhood and will make sure that it is maintained, so it is not unsightly again. Even though I was not the person who incurred the lien, I do understand that the lien is attached to the property and must be paid. As a person of faith, I am willing to honor that debt, but would like to ask if it could be reduced for me.

I would so greatly appreciate it if we could come to some type of agreement and reduce (if not do away completely) with the fines. I understand that the court costs and the abatement fees cannot be waived, I would also like to request a monthly payment plan. The reduction of the lien will help me to fix up the property.

I thank you so much for your time and attention to this matter. I can be reached at (423) 741-0176 (cell) or (423) 207-4468 (home). I look forward to hearing from you and hope that we can come to some type of arrangement.

Sincerely,

Tanya R. Adams
P. O. Box 8893
Gray, TN 37615

*6/8/11
The proper quit claim document has been filed
for this property now. So, I am resubmitting
this request.
Thank you,
Tanya Adams*

Sandra F Slay

From: Stephen G. West
Sent: Tuesday, June 14, 2011 2:19 PM
To: Sandra F Slay
Cc: Brenda J. Spencer
Subject: 803 Lucerne

Sam:

There is a new deed from Joseph Adams to Tanya Adams recorded in the public records on June 6, 2011, OR Book 6728 at page 205, that appears to have the correct description to 803 Lucerne. In light of this, Ms. Adams request does not technically fall within any of the criteria that would allow Randy to deny relief. So you can send it to the Board. However, like the first deed, this one was likely executed only to circumvent the BCC policy against granting relief to the owner/violator. I doubt that the Board would indulge this. In any case, our office would be obligated to point this out. Also, Ms. Adams has not taken any steps to remove the cloud from the County's title to the adjacent parcel that she created by including the wrong description in the first deed. I would expect that a condition of any relief would be to have Ms. Adams first remove the cloud from the County's title.

-----Original Message-----

From: Sandra F Slay
Sent: Tuesday, June 14, 2011 10:51 AM
To: Stephen G. West
Subject: FW:

Steve,

You've reviewed this request once and denied it because Ms. Adams father was the owner/violator. She then quit deeded the property to herself and put the information from the wrong deed on the one she deeded.

She sent another letter and hand wrote that she's corrected the deed and would like to resubmit her request.

Thanks
Sam

-----Original Message-----

From: code_copier@myescambia.com [mailto:code_copier@myescambia.com]
Sent: Tuesday, June 14, 2011 10:36 AM
To: Sandra F Slay
Subject:

This E-mail was sent from "MPC5000" (Aficio MP C5000).

Scan Date: 06.14.2011 11:35:47 (-0400)
Queries to: code_copier@myescambia.com

Sandra F Slay

From: Stephen G. West
Sent: Wednesday, May 11, 2011 10:06 AM
To: Sandra F Slay
Cc: Brenda J. Spencer
Subject: Lucerne Avenue

Sam:

The quit claim deed from Joseph Adams to Tanya Adams may likely have been an attempt to circumvent the Board's policy against granting relief to the owner/violator named in code enforcement liens. The fact that it is a quit claim deed and only nominal consideration was paid would support that assumption. However, that's a determination the Board would otherwise have to make.

However, there's much more to the story. Ms. Adams is seeking relief from the lien against 803 Lucerne, but the property described in the quit claim deed is not 803 Lucerne Avenue. Rather, the property described in the quitclaim deed is 800 Lucerne Avenue, which Mr. Adams apparently owned at one time. Ironically, the County acquired 800 Lucerne Avenue in 1995 by the tax deed recorded in OR Book 3719 at page 880. So Ms. Adams has created an encumbrance on the County's title to 800 Lucerne, and Mr. Adams is still the owner of 803 Lucerne Avenue.

Randy can again deny relief for the same reason. However, this should probably be brought to the Board's attention, not for lien relief but to make it aware of the encumbrance on 800 Lucerne. I expect that our recommendation would be to demand that Mr. and Ms. Adams clean up the mess they've made, at their expense, or have the Board authorize our office file suit. You may wish to discuss with Randy how he would like to proceed.

-----Original Message-----

From: Sandra F Slay
Sent: Wednesday, May 11, 2011 7:16 AM
To: Stephen G. West
Subject: FW:

Please review Ms. Adams new request. It was denied because her father owned it now she quit deeded the property to herself.

Thanks
Sam

-----Original Message-----

From: Sandra F Slay
Sent: Tuesday, May 10, 2011 3:13 PM
To: 'Liz Carew'; Shirley L. Gafford; Susan W. Hendrix
Subject: FW:

-----Original Message-----

From: Sandra F Slay
Sent: Tuesday, May 10, 2011 3:13 PM
To: 'Liz Carew'; Shirley L. Gafford; Susan W. Hendrix
Subject: FW:

March 17, 2011

Office of Environmental Enforcement
Attn: Sandra Slay
3363 West Park Place
Pensacola, FL 32505

Re: Case # CE 09-09-00232
803 Lucerne Avenue

Dear Ms. Slay,

I am writing on behalf of my father, Joseph W. Adams, who is the owner of the property at 803 Lucerne Avenue. My seventy-five year old father is very ill. His memory is failing, he has limited mobility, and is very trusting, and a prime candidate for some of these people who would take advantage of the elderly. Because of this, he was taken advantage of by some young people who told him that they would rent the property.

Unfortunately, these young people did not pay him the rent and also did not take care of the property. They are the reason for its unkempt appearance. Those tenants are now gone.

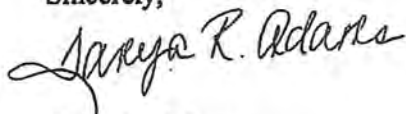
I am helping him take care of his affairs now. I will be fixing up the property to make it an asset to the neighborhood and assure you that I will make sure it is maintained, so it is not unsightly again. I will also make sure that the lien is paid.

I would so greatly appreciate it if we could come to some type of agreement and reduce (if not do away completely) with the fines since he is on a limited income. I understand that the court costs and the abatement fees cannot be waived. I also request a monthly payment plan for him.

I can be reached at (423) 741-0176 (cell) or (423) 207-4468 (home). I look forward to hearing from you and hope that we can come to some type of arrangement.

Thank you so very much for your time and attention to this matter.

Sincerely,



Tanya R. Adams
P. O. Box 8893
Gray, TN 37615.

/tra

cc: Gene Valentino, Commissioner

QUIT CLAIM DEED

STATE OF FLORIDA
COUNTY OF ESCAMBIA

KNOW ALL MEN BY THESE PRESENTS, That JOSEPH W. ADAMS, for and in consideration of the sum of TEN DOLLARS(\$10.00), and other valuable considerations, receipt whereof is hereby acknowledged, to remise, release, and quit claim unto TANYA R. ADAMS, her heirs, executors, administrators and assigns forever, the following described property, situated in Escambia County, State of Florida to wit:

The East half of the following described property: Begin at the Northwestern corner of Lot 20, Block 8, Wildwood, a subdivision in Section 46, Township 1 South, Range 30 West and Section 10, Township 2 South, Range 30 West, Escambia County, Fl., according to plat of said subdivision recorded in Plat Book 4, Pages 47 and 47-A of the Public records of Escambia County, Florida, and the Easterly line of Gulf Power Company Right of Way, and Southerly Right of Way line of Lucerne Avenue, thence run Westerly along the Southerly Right of Way line of Lucerne Avenue, to the Northeasterly corner of Lot 19, Block 8, of said Wildwood Subdivision, thence Southerly along the Easterly line of said Lot 19 to Southeasterly corner of said Lot 19, thence Easterly to the Southwesterly corner of said Lot 20, thence Northerly to the Northwestern corner of said Lot 20 and point of beginning of this description said property being subject to Easement to Gulf Power Company for Gulf Power Company Right of Way.

Parcel ID#

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining, free from all exemptions and right of homestead.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 15th day of March, 2011.

Signed, sealed and delivered in our presence

[Signature]
[Signature]
[Signature]

[Signature]
JOSEPH W. ADAMS

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 15th day of March 2011, by Joseph W. Adams, who produced identification of FLDL and did not take an oath.

Prepared By:

Joseph W. Adams
704 Lucerne Avenue
Pensacola, FL 32505
Return to:
Tanya R. Adams
P.O. Box 8893
Gray, TN 37615

[Signature]
Notary Public





Charles R. "Randy" Oliver, CPA PE
County Administrator

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

221 Palafox Place, Suite 420
Pensacola, Florida 32502

Telephone (850) 595-4900
Toll Free (866) 730-9152
Telefax (850) 595-4908
(Suncom) 695-4900

March 29, 2011

Tanya R. Adams
P.O. Box 8893
Gray, TN 37615

Re: Your Request for Relief from a County Code Enforcement Lien Against Property
Located at 803 Lucerne Avenue

Dear Ms. Adams:

In accordance with Section III, H2, of the Escambia County Board of County Commissioners Policy Manual, I have reviewed your request for relief from the County code enforcement lien described in your letter dated March 17, 2011. Regrettably, I must deny your request for relief for the following reasons:

- In accordance with Section III, H2., A.2., relief is not available to the violator and/or owner named in the code enforcement lien.

If you have any questions or require any additional information, please contact Gordon Pike, Department Director, Code Enforcement, or Sandra Slay, Division Manager, Code Enforcement at 471-6162.

Very truly yours,

A handwritten signature in blue ink that reads "Charles R. Oliver".

Charles R. "Randy" Oliver, CPA PE
County Administrator

cc: Gordon Pike, Department Director
Sandra Slay, Division Manager

From: Aretta Green
Sent: Tuesday, July 26, 2011 2:56 PM
To: Sandra F Slay
Subject: FW: IMPORTANT: Better Clarification on 803 Lucerne Ave & a Local Contact on the matter

From: tanyaadams@aol.com [mailto:tanyaadams@aol.com]
Sent: Tuesday, July 19, 2011 11:55 PM
To: Aretta Green
Subject: IMPORTANT: Better Clarification on 803 Lucerne Ave & a Local Contact on the matter

Hello Ms. Young,

Mr. Tosone Harbin, my uncle, said that he would be happy to speak with you regarding this matter. He is familiar with the situation. Tosone Harbin can be reached at 850-432-6904. He said that he will also come to the Board meeting and represent me and my interests since I am unable to attend since I live in Tennessee and am unable to get off work to come back to Florida again. Please let him know when there is the hearing so he can come.

I also wanted to add to my request the evidence that as the new owner of this property, I have paid the back taxes and fines on it. I am pasting below the record of the taxes paid on this property from the Tax Collector's web site that shows that I have been the payer. I paid the first set of back taxes in February. It was then that he gave the property to me, but I wasn't able to get to Florida to file the quitclaim until March. It was when I arrived in March that I found out, on the night before I went to file, that there had been this lien placed against the property. I did go ahead with filing, but then later discovered through the Office of Environmental Enforcement, that I had filed with the wrong property description.

After, researching the properties further, I found that the quitclaim that I filed with the wrong property description was the adjacent lot that my father owned, but was too drunk to know that he had lost it due to unpaid taxes and now was owned by the County. So, I had to clear up the cloud on that title and then file the quitclaim again with the correct description. All of this delayed my quitclaim and so the proximity to my finally filing the quitclaim and my request seemed so close. Also, the fact that I was told I couldn't even get a hearing on this matter until the property was in my name and that the Board wouldn't even hear my requests as long as it was in my father's name still. I was told initially that it was something that he'd have to clean up and not the new owner. I now know differently, but I feel that since I had first requested on behalf of him that the Board just denied me summarily.

Let me explain why I had to do the initial request on behalf of him. He is so ill because of the drinking that he doesn't even have the will to do anything. He will start, but then gets drunk instead. He's smart and has his mental capacity, but he would rather get drunk than take care of any of his business. He rightly gave my inheritance to me early, because he is aware of this fact, and knew that he'd just lose the property if he didn't give it to me now. I am trying to get him professional help, because he has physically gone down hill behind all of this. He cannot walk very well and he slurs his words. I am making sure his personal bills, apart from this house, (which is mine) are paid and he seems to listen to me, so hopefully I can get him to agree to accepting help with the alcoholism as well. I even paid off the lien on his home at 704 Lucerne Avenue.

I'm just tapped out financially at his point and need some kind of relief. Please can you present this item again to the Board with this email to give more details about my situation and help me get some sort of reduction on this lien. \$7200 is just too much for me to bear and I'm thinking I may lose my inheritance and ruin my good name if I'm not able to pay, and I really don't want that to happen. Just a reduction maybe to \$3600 is all I'm asking.

Please email me or call me and let me know if you will present this to the Board again. Thank you so much for your time and attention.

Sincerely,

Tanya Adams
 P O Box 8893
 Johnson City, TN 37615
 H - 423-207-4468
 C - 423-741-0176

**Tax
Record**

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Owner
Name
2 of 2

Last Update: 7/20/2011 12:14:56 AM ET

Ad Valorem Taxes and Non-Ad Valorem Assessments

The information contained herein does not constitute a title search and should not be relied on as such.

Account Number	Tax Type	Tax Year
04-2266-000	REAL ESTATE	2010

Payment History					
Year	Folio	Date Paid	Receipt	Amount Billed	Amount Paid
2010	152331	6/23/2011	127417.0001	\$769.27	\$909.33
	Owner Name	ADAMS JOSEPH W			
	Paid By	TANYA R ADAMS			

Year	Folio	Date Paid	Receipt	Amount Billed	Amount Paid
2009	152015	2/13/2011	9200665.0001	\$792.50	\$931.40
	Owner Name	ADAMS JOSEPH W			
	Paid By	TANYA R ADAMS			



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1169

Written Communication Item #: 8. C.

BCC Regular Meeting

Meeting Date: 08/04/2011

Issue: Environmental (Code) Enforcement Lien Relief – 2400 Blk. Johnson Avenue

From: Gordon Pike

Organization: Corrections

CAO Approval:

RECOMMENDATION:

July 22, 2011 - Email communication from Don Brantley requesting that the Board forgive the fines relative to a Code Enforcement Lien against property located at 2400 Block Johnson Avenue.

Recommendation: That the Board review and consider lien relief request made by Donald Brantley against property located at 2400 Block Johnson Avenue.

On June 18, 2009, the Board amended the “Guidelines for Relief from Environmental (Code) Enforcement Special Magistrate Liens” Policy, Section III, H2. Staff was instructed to review all requests for forgiveness of Environmental (Code) Enforcement Liens to determine if the request met the criteria for forgiveness, in accordance with the Board’s policy.

After reviewing the request for forgiveness of Liens, staff made the determination that the request does not fall within any of the criteria that would allow the County Administrator to deny relief, in accordance with the Board’s Policy, “Guidelines for Relief from Environmental (Code) Enforcement Special Magistrate Liens” Policy, Section III, H2.

Due to extenuating circumstances, Mr. Donald Brantley has made a request to be placed on the August 4, 2011, Board of County Commissioner’s Meeting, under written communication.

BACKGROUND:

On April 15, 2004, the Office of Environmental Enforcement received a complaint for overgrowth on a holding pond.

A notice of violation was sent to listed owner via regular and certified mail. Certified notice of violation was received and signed for by Sandra Boner.

On May 5, 2004, our office received a letter from Etheridge Property Management stating they were not the owners of the property in question.

A memo was sent to the County Legal Department for review and to determine the true owner of property. Our office received an email from Stephen West, County Attorney’s Office, stating the owners of property were Donald and Robyn Brantley and they were to be noticed.

May 28, 2004, a notice of violation was sent regular and certified mail to Mr. and Ms. Brantley. Certified notice was received and signed for by Donald Brantley.

August 26, 2004, title search was ordered and revealed title was vested in Donald and Robyn Brantley.

December 10, 2004, violations remains and property was scheduled for Special Magistrate. Mr. Brantley received notice for court sent certified mail.

December 28, 2004, hearing was held and owners were found to be in violation. Owners were ordered to remove overgrowth with a deadline of 1/10/05. \$675 was awarded to the County for court cost and a \$25.00 per day fine was issued.

October 28, 2005, Escambia County foreclosed on property.

Attached is a copy of his letter along with the bullets from the case.

BUDGETARY IMPACT:

The itemized costs shown in the Code Enforcement Lien are:

A. Administrative Cost: \$675.00

B. Daily Fines: \$7,225.00

TOTAL: \$7,900.00

LEGAL CONSIDERATIONS/SIGN-OFF:

If approved by the Board, the County Attorney's Office will prepare the Release.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

Upon execution, the Release will be sent to the Escambia County Clerk of the Court for recording.

Attachments

2400 Blk. E Johnson Avenue



Office of Environmental Enforcement



Escambia County Central Office Complex
 3363 West Park Place
 Pensacola, Florida 32505
 Phone: 850.595-1820
 Fax: 850.595-1840
 Sandra Slay, Division Manager

Property Address: 2400 Blk E Johnson
Property Owner: Etheridge Property Mgt.
Original Complaint: Overgrown holding pond
EE Case #: CE04-04-0229

- 04/15/04 Received complaint for overgrown holding pond.
- 04/21/04 Notice of violation sent certified mail and regular mail. Certified mail returned signed for by Sandra Boner.
- 05/05/04 Received letter from Etheridge Property Management stating they were not the owners of holding pond.
- 05/04/04 Memo sent to county legal for review of true ownership. See attachments.
- 05/18/04 E-mail from Stephen West stating to notice Donald and Robyn Brantley with notice of violation.
- 05/28/04 Notice of Violation sent to owners regular and certified mail. Notice received and signed for by Donald Brantley.
- 08/26/04 Title search ordered and shows title vested in Donald S. Brantley and Robyn S. Brantley.
- 12/10/04 Violations remain. Scheduled for Special Magistrate.
- 12/28/04 Hearing held and owners were found to be in violation. Ordered to remove all overgrowth. \$25.00 per day fines, \$675.00 court cost and a dead line of 1/10/05 to abate violations.
- 10/27/05 County filed foreclosure on property.

Lien amount	<u>Cost</u>
Court Cost	\$675.00
Daily Fines (\$25.00 per day 1/11/05-10/27/05)	<u>\$7,225.00</u>
TOTAL	\$7,900.00

This amount does not include the Clerk's recording fees or interest.

Sandra F Slay

From: Don Brantley [donbrantley2@att.net]
Sent: Friday, July 22, 2011 7:22 AM
To: Sandra F Slay
Subject: Lien against Cambridge mills Holding Pond 3

Sandra,

Thank you for helping me with getting things in order to appear before the County Commissioners two weeks from today. If anything about this email doesn't meet the Boards standards to be put on the agenda, which should be on August 4, 2011, please let me know.

I would like to thank the Board for allowing me to present my request before them this 21 day of July 2011.

To reiterate my situation let me begin with I learned of this lien in the amount of \$675.00 beginning on January 11,2005. Last week as the title was being searched in order to sell my Monther-in-law's House.

My wife's mother died 2 years ago. She had no money to pay for her care at a local nursing home, so she borrowed \$100,000 from Regions bank as a home equity loan. My wife and her sisters had to rent the house in-order to pay the bank. A couple of months ago they realized they were losing money every month, as well as the renters announced they would be moving out. None of them could pick up the slack. They would loose the house. One sister is a retiring school teacher and has lost most of her pension to the economy. The other is retired and tries to live on her Social Security. My wife and I were the well to do side of the family developing and building in Escambia County. However, 3 years ago I had a lung removed and have not been able to work since. Also I am, 30 months behind in my house payments and may be foreclosed on at any time. Plus my subdivision Lakes of Carrington was foreclosed on by First National Bank because the two builders who had all the lots under-contract went broke, didn't pay me and I couldn't pay the bank. Links of Carrington, my Golf Course Community North of Cantoment was foreclosed on last Tuesday by the contractor. Presently my only income is SSDI.

This \$20,000 my wife was going to get from the sale of her mothers house will have to last us till I don't know when. I am currently in Vocational rehab trying to find something I can do to put food on the table, not to mention paying utilities, insurance etc. I can only work a couple of hours per day and with the present job market, Vocational rehab cannot find me a job. They are thinking about paying for me to get my real estate license, but that may be jumping out of the frying pan into the

fire. I do own a couple of out parcels, but they are in jeopardy to the creditors due to deficiency's after the foreclosures.

I am telling you all this because the \$7200.00, due to the \$25.00 per day charge is all we have to live on. Plus remember the situation was just 3 months before

this lien was issued, I lost my house in hurricane Ivan, I mean down to a vacant lot. My office was in my home and even though I signed for the certified

letter, things were so upside down, I have no recollection of ever seeing it. If I had I would have taken it to my attorney for council on how to handle it. We were already not paying the taxes, which I am sure you understand, and at some point the county said they were foreclosing on me due to non payment of taxes. This was great because all I ever wanted was for the county to accept the pond for maintenance. Back when the Cambridge Mills was approved by the county, Cindy Anderson gave us a letter saying the county would accept the pond. Then they didn't because it didn't have a positive outflow. The county should have said that to begin with because it was designed and approved without

a positive outflow.

I tried to maintain it, but a neighbor would call every other week and complain to code enforcement and I would clean it up and the code enforcement officer would approved it then the county came out and re-cleaned it and charged me. This would have never happened if the county had accepted it when complete, or rejected it when designed. I sure didn't want to own a holding pond.

Regardless, I spent a lot of money keeping it up and legal fees from my attorney

trying to get the county to accept it. At one point I offered to put the gate and ramp in, but Richard ? said he still wouldn't accept it. I could have paid to do that then but now I really can't afford \$7200.00. Please forgive me of the penalty. This is truly a hardship situation. Also I forgot to mention that just a few months ago 2 lots I still owned in White Cedar Gardens were sold for the tax deeds even though they were worth currently \$40,000 each, I just didn't have the money to keep them.

Over the years I have done many things for Escambia County above the call of duty. A few of them are listed below:

1. I connected Olive Road to Nine Mile road by developing and constructing Cody

Rd. The county paid a part of this, but when I asked the county to help with the entire expense, they refused to do it.

2. I recently gave the county approx. 25' X 150' on the corner of Olive and Cody so the county could add a turn lane. I didn't ask the county to pay anything for this valuable corner, but asked for help with the White cedar taxes

which includes the Cody road property. They would not help. As stated above I lost \$80,000 in lots to tax liens.

3. I had completed White Cedar Gardens several years ago, and was ready to begin selling lots. The county spent 1 1/2 years debating whether to extent I 110 North through White Cedars. I had to pay the Bank \$25,000 per month losing \$450,000 in interest to the bank. I continued to ask the county to make a decision so I could sell lots or the county could buy the property. They took their time, and gave me nothing for my loss.

I was born in Escambia County and lived here all my life. My Dad built and developed for 25 years before I did. I have spent my life promoting Escambia County. I am simply asking for a little help from the county.

Please Forgive the penalty portion of the Lien

Sincerely
Don Brantley

Sandra F Slay

From: Becky L. Azelton
Sent: Thursday, July 21, 2011 10:19 AM
To: Sandra F Slay
Subject: FW: 2400 blk Johnson Ave

This is the one that will be coming to PF tonight. Thanks

From: Cheri D. Cook
Sent: Wednesday, July 13, 2011 2:07 PM
To: Becky L. Azelton
Cc: Melissa A. Reber
Subject: FW: 2400 blk Johnson Ave

Becky,

Per your request.

Cheri

From: Brenda Robinson [mailto:brobinson@escambiaclerk.com]
Sent: Wednesday, July 13, 2011 1:33 PM
To: Melissa A. Reber; Brenda Robinson
Cc: Dianne D. Taylor; Cheri D. Cook
Subject: RE: 2400 blk Johnson Ave

Melissa –

I am sorry. But, I was not waiting on Steve's response. I am waiting to find out how much is owed on this lien. I had already spoken with Steve regarding this matter before I ever spoke with you. It had already been determined that the lien needed to be paid in order for Brantley's other properties to be released from the lien. As I attempted to explain yesterday, this particular code enforcement lien was not foreclosed. So, it needs to be paid. However, I cannot "advise" the title company on how much is owed on the lien when I can not seem to get my hands on any information as to what is due. Does anyone know how much the County spent in connection with this parcel of property as it relates to the code enforcement lien?

Brenda B. Robinson
Director - Judicial Services
Official Records Division
Clerk of the Circuit Court & Comptroller
Escambia County, Florida
(850)595-3937
(850) 595-4827 (fax)

From: Melissa A. Reber [mailto:MAREBER@co.escambia.fl.us]
Sent: Wednesday, July 13, 2011 1:10 PM
To: Brenda Robinson

Cc: Dianne D. Taylor; Cheri D. Cook
Subject: FW: 2400 blk Johnson Ave

Brenda:

Steve West's response is below. Does this help so you can advise the title company?

Melissa Reber, Abatement Officer
Escambia County Florida
Environmental Enforcement Division
Escambia County Central Office Complex
3363 West Park Place
Pensacola, FL 32505
PH: 850.595.1836; Cell: 850.554.2760
FX: 850.595.1840

From: Stephen G. West
Sent: Wednesday, July 13, 2011 1:02 PM
To: Melissa A. Reber
Cc: Brenda J. Spencer
Subject: RE: 2400 blk Johnson Ave

Melissa:

The Nixon Firm did not foreclose any code enforcement liens. So the 2004 code enforcement lien is still unsatisfied, and it encumbers all of the property of the violator even if the violation parcel is now with the County.

From: Melissa A. Reber
Sent: Wednesday, July 13, 2011 12:07 PM
To: Stephen G. West
Cc: Brenda Robinson; Dianne D. Taylor
Subject: 2400 blk Johnson Ave

Steve:

We have a title company calling Brenda in Official Records regarding a piece of property they are attempting to do a closing on. It appears the property they are trying to close on may be encumbered by a couple of old Nuisance Abatement Liens. The history is there a holding pond owned by Donald and Robyn Brantley. We took the property to court on two occasions which resulted in cleaning it one time and placing the lien for that clean-up (BK 4865 PG 1800) We then took it to court again in 2004 and getting an Order (BK 5554 PG 1685) which had \$675.00 in court costs however, we did not clean it this time because Nixon and Assoc. foreclosed on it in 2005 and the County took Certificate of Title.

The question is: Since we took title of the holding pond with the two liens on it are the liens gone? Nixon & Assoc. never did or recorded a release of lien they are still showing in the Official Records. I understand that since the County now owns it we are not responsible for the lien but don't those liens still encumber the other properties that the Brantley's owned at the time we placed those liens? And in particular the property they are currently trying to sell? Below you will see a re-cap from Dianne Taylor. Brenda is waiting on your advise before she advises the title company. Thanks

Melissa Reber, Abatement Officer
Escambia County Florida
Environmental Enforcement Division
Escambia County Central Office Complex
3363 W
Pensacola, FL 32505

PH: 850.595.1836; Cell: 850.554.2760
FX: 850.595.1840

From: Dianne D. Taylor
Sent: Wednesday, July 13, 2011 11:43 AM
To: Melissa A. Reber
Cc: 'Brenda Robinson'
Subject: 2400 blk Johnson Avenue

Melissa,

Attached is the information concerning another lien, a Code Enforcement lien CE-04-04-0229. This lien was not included in the 2005 Nixon & Associates foreclosure [suit 1 property 10] on the above property so I believe Brantley owes you on the CE Lien. However, you need to check with Steve. The time-frame and information is below.

3/7/2002 Nuis Abate lien [4865/1800] CE-01-07-0432
1/4/2005 CE Lien [5554/1685] CE-04-04-0229
4/20/2005 Lis Pendens CE-01-07-0432
9/16/2005 Final Judgment [5729/622] CE-01-07-0432

Dianne Taylor
Escambia County BOCC
Management & Budget Services Department
221 Palafox Place
Pensacola, FL 32502
Voice: 850-595-4996
Email: dianne_taylor@co.escambia.fl.us

Florida has a very broad public records law. Under Florida law, both the content of emails and email addresses are public records. If you do not want the content of your email or your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in person.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Donald S. and
 Robyn S. Brentley
 4161 Madura Dr.
 Gulf Breeze, FL 32561
 #980 04-04-0229

2. Article Number

(Transfer from service label)

7003 2260 0000 2667 3561

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Handwritten Signature]*

- Agent
 Addressee

B. Received by (Printed Name)

Don Brentley

C. Date of Delivery

6/7/04

D. Is delivery address different from item 1?

- Yes
 No

If YES, enter delivery address below:

3. Service Type

- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

- Yes

US
CERTIFIED MAIL - RECEIPT
 (Domestic Mail Only - No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com

OFFICIAL USE

GULF BREEZE FL 32561

Postage	\$ 6.37
Certified Fee	2.30
Return Receipt Fee (Endorsement Required)	1.75
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 10.42

7003 2260 0000 2667 3561

FL 32506-5506
 05/28/2004 USPS

Sent To: *Brentley*
 Street, Apt. No., or PO Box No.: *4161 Madura Dr*
 City, State, ZIP+4: *Gulf Breeze, FL 32561*

PS Form 3800, June 2002



Department of Solid Waste Management
Environmental Code Enforcement Division

1190 W. Leonard St.
Pensacola, Florida 32501
Phone: 850.595.3515
Fax: 850.595.3407



R. Mark Triplett, P.E., DEE Director

May 28, 2004

Return Receipt Requested # 7003 2260 0000 2667 3561
Re: Case CE04-04-0229.

Donald S. and Robyn S. Brantley
4161 Madura Dr.
Gulf Breeze, FL 32561

FILE COPY

Dear Donald S. and Robyn S. Brantley:

NOTICE OF VIOLATION(S)

This letter is to advise you of the violation(s) for which you are responsible and to seek your cooperation in resolving this matter. An investigation conducted on **April 20, 2004 at PR # 161S30-4106-000-020 also known as 2400 Blk. Johnson Ave.** (See attached legal description), reveals that a violation(s) of State Statute(s)/Escambia County Ordinance(s) LDC 4.06.13 and **Sec. 30-203(e)** exists at the described location.

Continuing Obligation LDC 4.06.13
Method of abating

Continue to maintain all approved elements of an approved site plan, including landscape, appearance and other site development performance standards

Nuisance Conditions Sec. 30-203(e) The existence of overgrowth on any residentially or commercially classified lands, except on lands classified agricultural, or on undeveloped and uncleared land in its natural vegetative state, or on land in which the property owner is in the process of restoring to its natural vegetative state and for which there are no plans to build upon and upon which no building structures or signs of such structures exist above ground. Such property shall be subject to the following:

- The minimum parcel size shall be one acre or more; and
- The parcel may not be located in a platted or unplatted residential subdivision; and
- The property owner must execute a good faith affidavit attesting to his intent to restore the subject property to its natural vegetative state. This affidavit shall be recorded with the clerk of the circuit court and subsequent development of the parcel shall not be commenced until any overgrowth on the property has been cleared pursuant to this article

Method of abating nuisances Sec. 30-204(d)

Removal of all overgrowth and continue a scheduled maintenance

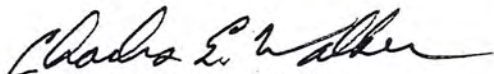
We request that you contact Officer Reber at 595-3523 with Environmental Code Enforcement within five (5) days after receiving this letter to arrange corrective action to be taken. Please be advised this letter is part of our investigative procedures according to State Statute(s)/Escambia County Ordinances(s). We look forward to your cooperation in completing this investigation. Failure to abate the violation(s) within ten (10) calendar days of receipt of this certified notice will result in legal action by Escambia County Environmental Code Enforcement, including but not limited to clean up of the property, demolition of deteriorated or dilapidated building(s) and the imposition of a lien for any cost incurred to the County for these actions.

Donald S and Robyn S. Brantley
CECE04-04-0229
May 28, 2004
Page 2 of 2

You should abate or contest the violation(s) in writing within *ten (10) days* of receipt of this notice. Mail request, ***“Return Receipt”***, to the attention of **Charles E. Walker, Chief, Department of Solid Waste Management, Environmental Code Enforcement Division, 1190 W. Leonard Street, Pensacola, Florida 32501.**

Sincerely,

Melissa Reber #980
Environmental Code Enforcement Officer



Charles E. Walker, Chief
Environmental Code Enforcement Division

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA, IN AND FOR ESCAMBIA COUNTY
CIVIL ACTION

ERNEE LEE MAGAHA
CLERK OF CIRCUIT COURT
ESCAMBIA COUNTY, FL

2005 APR 13 P 3:39

CIRCUIT CIVIL DIVISION
FILED & RECORDED

ESCAMBIA COUNTY, FLORIDA,
A political subdivision of the State of Florida,
Plaintiff,

Case Number: 2005 CA 689

vs.

Division: B

CERTAIN LANDS upon which nuisance
abatement liens are delinquent,

Defendant(s).

ERNEE LEE MAGAHA
CLERK OF CIRCUIT COURT
ESCAMBIA COUNTY, FL
2005 APR 20 P 12:08
CIRCUIT CIVIL DIVISION
FILED & RECORDED

NOTICE OF LIS PENDENS

TO THE DEFENDANTS AND TO ALL OTHERS WHOM IT MAY CONCERN:

YOU ARE HEREBY NOTIFIED of the institution of the above-styled action by the above-named Plaintiff against you, seeking to foreclose delinquent special assessments on the following described property located in Escambia County, Florida, to-wit:

(See Descriptions contained in Exhibit "A" Attached hereto)

The relief sought as to such property is for the foreclosure of nuisance abatement liens.

YOU WILL PLEASE GOVERN YOURSELF ACCORDINGLY.

Dated this 8th day of APRIL, 2005.


VICTOR H. VESCHIO, ESQ.
Nixon Firm, LLC
Joyner Jordan-Holmes, P.A.
3105 W. Waters Avenue, #204
Tampa, Florida 33614
PH (813) 933-7722 or 866-220-2400
FBN: 0136794
Attorneys for Plaintiff

Foreclosure

E X H I B I T A

PROPERTY NUMBER 1

County Account Number: 11-2631-000

- a) Legal Description: W 206 FT OF S 460 FT N 560 FT OF LT 7 BLK A PENSACOLA HIGHLANDS PLAT DB 102 P 178 OR 4762 P 1182 SEC 9/17/T 1N R 31 LESS OR 1574 P 308 WALKER LESS OR 1900 P 827 WALKER.
- b) Property Address: 242 Madrid Road
- c) Record Title Holder (Owner): First Union National Bank

PROPERTY NUMBER 2

County Account Number: 06-0129-000

- a) Legal Description: LOT 12, ROOSEVELT SUBDIVISION, BEING A PORTION OF LOT 3 OF A SUBDIVISION OF LOT 1, IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ACCORDING TO A MAP OF SAID ROOSEVELT SUBDIVISION RECORDED IN PLAT BOOK 2, AT PAGE 62 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA

Property Address: 2923 Mission Road, Pensacola, FL 32505

PROPERTY NUMBER 3

County Account Number: 06-2410-000

- a) Legal Description: BEGIN 15 FEET SOUTH OF NE CORNER OF S ½ OF LOT 9, CONTINUE SOUTH 61', WEST 100' NORTH 26' WEST 42', N 50', E 142' TO A POINT OF BEGINNING; SECTION 17, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA.
- b) Property Address: 1201 W. Cross Street; Pensacola, Florida
- c) Record Title Holder (Owner): Estate of William Dortch, Will Dortch and Lelia May Dortch

PROPERTY NUMBER 4

County Account Number: 05-2200-108

- a) Legal Description: LOT 4, VALENCIA ARMS, A SUBDIVISION OF A PORTION OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 30 EAST, ESCAMBIA COUNTY, FLORIDA, ACCORDING TO PLAT BOOK 7, PAGE 99, PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.
- b) Property Address: 829 Massachusetts Avenue
- c) Record Title Holder (Owner): Bobby L. Hayes, Jr. and Kasandra L. Hayes

PROPERTY NUMBER 5

County Account Number: 08-1387-000

- a) Legal Description: LOT 17, BLOCK 2, DURSCHLAG'S SUBDIVISION, IN SECTIONS 50 AND 51, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ACCORDING TO PLAT RECORDED IN PLAT BOOK 1, PAGE 44 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.
- b) Property Address: 10 Runyan Street
- c) Record Title Holder (owner): Rosia Lee K. Nelson

PROPERTY NUMBER 6

County Account Number: 13-2215-750

- a. Legal Description: LOT 22, BLOCK 134, EAST KING TRACT, CITY OF PENSACOLA, BELMONT TRACT,, ESCAMBIA COUNTY, FLORIDA.
- b. Property Address: 2300 Block N. Baylen Street

Record Title Holder (owner): Liza Manuel

PROPERTY NUMBER 7

County Account Number: 02-0538-000

- a. Legal Description: ALL OF BLOCK 12 AND # ½ OF ELEANOR AVENUE ADJOINING ON WEST, LESS AND EXCEPT THE SOUTH 70 FEET OF THE NORTH 140 FEET OF THE EAST 130 FEET, AND LESS AND EXCEPT THE SOUTH 210 FEET AND THE E ¼ OF ELEANOR AVENUE ADJOINING THE SOUTH 210 FEET.
- b. Property Address: 8800 Block N. Doris Avenue, SW corner of Doris/Caro Street

Record Title Holder (owner): Jo Ellen Peters

PROPERTY NUMBER 8

County Account Number: 06-2867-500

- a. Legal Description: SOUTH 90 FEET OF LOTS 14 AND 15, BLOCK 41, ENGLEWOOD HEIGHTS, ACCORDING TO PLAT RECORDED IN DEED BOOK 59, PAGE 107 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.
- b. Property Address: 1004 W. Hatton Street
- c. Record Title Holder (owner): Leroy Henderson and Mattie L. Henderson

PROPERTY NUMBER 9

County Account Number: 06-1481-000

- a. Legal Description: LOT 15, BLOCK 55, HAZELHURST, A SUBDIVISION OF LOT 4, AND PART OF LOTS 3 & 5, IN SECTION 17, AND LOTS 3 & 4, SECTION 31, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, AS MORE PARTICULARLY DESCRIBED IN O.R. BOOK 2701, PAGE 569, PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.
- b. Property Address: 2708 W. Bobe Street

Record Title Holder (owner): Donald L. Kent and Shirley Ann Kent

PROPERTY NUMBER 10

County Account Number: 02- 2098-200

- a. Legal Description: PARCEL "B" CAMBRIDGE MILLS, AS RECORDED IN PLAT BOOK 15, PAGES 20 AND 20A OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA.
- b. Property Address: 2400 Block Johnson Avenue

Record Title Holder (owner): Donald S. Brantley and Robyn S. Brantley

PROPERTY NUMBER 11

County Account Number: 09-0795-300

- a. Legal Description: A portion of Section 16, Township 1 South, Range 31 West, Escambia County, Florida, as more

particularly described as follows: BEG AT SW COR OF SE
¼ OF SEC 16 N 1 DEG 75 MIN W 238 FT TO NLY R/W LI OF US
HWY 90 S 60 DEG 30 MIN E ALG SD R/W 2961 61/100 FT N 0
DEG 50 MIN E 115816/100 FT TO POB CONT N 0 DEG 50 MIN E
207 72/100 FT N 89 DEG 10 MIN W 208 72/100 FT S 0 DEG
50 MIN W 208 72/100 FT S 89 DEG 10 MIN E 208 72/100 FT
TO POB OR 1215 P 583 OR 4278 P 688 CASE #98-136-CP-03,
ESCAMBIA COUNTY, FLORIDA.

- b. Property Address: 7501 Jamesville Road, Pensacola, FL
32526

Record Title Holder (owner): Jimmie W. Lee

PROPERTY NUMBER 12

County Account Number: 06-0479-000

- a. Legal Description: Lot 7, Block R, Re-subdivision of a
Portion of Oakcrest Unit No. 2, a subdivision of a
portion of Section 16, Township 2 South, Range 30 West,
Escambia County, Florida, as recorded in Plat Book 3,
Page 82 of the Public Records of Escambia County,
Florida.
- b. Property Address: 202 Opal Avenue
- c. Record Title Holder (owner): Mark Vigo

From: "Stephen West" <stephen_west@co.escambia.fl.us>
Subject: Cambridge Mills Subdivision
To: Melissa Reber <melissa_reber@co.escambia.fl.us>

Thu 4:17 PM

Melissa:

I have reviewed the information you provided regarding the holding pond at Cambridge Mills subdivision. Please use the information in the Tax Collector's database and serve Donald and Robyn Brantley with the Notice of Violation. Even though the Brantley's attempted to convey the pond to the homeowners' association, the conveyance was never accepted. The affidavit you provided confirms this. As a result, the Brantleys remain the owner's of the holding pond.

Memorandum

Department of Solid Waste Management
Environmental Code Enforcement Division
1190 W. Leonard St.
Pensacola, Florida 32501
Phone: 850.595.3537



To: Steven West
Assistant County Attorney

From: Melissa Reber #980 *Melissa Reber*
Environmental Enforcement Officer

Thru: Charles E. Walker, Chief
Environmental Enforcement Division

Re: Code Enforcement Case Review

Date: May 4, 2004

I submit for your review and opinion on ownership involving a holding pond for the Cambridge Mills Homeowners Association (HOA) located in the 2400 Blk. E. Johnson Ave. I have attached ownership and official records information as well.

April 15, 2004 Complaint received regarding overgrown holding pond

April 20, 2004 Initial investigation revealed minor overgrowth in this holding pond. Pond is dry. conversation with Chris Curb in Engineering to see if he had any history on the pond. He advised he is well aware the pond does function well, he said very well however there was a punch list given to the developer advising the County would not except till items were done. Chris Curb advised the Engineering file contains much correspondence on this pond.

April 21, 2004 Certified letter sent to owner of record with Tax Collectors Office as well as certified copy to Ethridge Property Management, property managers for Cambridge Mills HOA. Official Records show a deed from Donald S. Brantley (Developer) to Cambridge Mills HOA recorded in Official Records in September 2003 deeding this holding pond over. December 2003 an Affidavit was recorded in Official Records by Cambridge Mills HOA basically contesting the deed from Mr. Brantley. Phone call to Ethridge Properties to determine if they maintain the holding pond. Representative advised they do not and explained their position. I told her that I had to notice who I show as owner of record and they would have to handle the deed matter through civil action

April 30, 2004 Received a call from Ethridge Properties advising that they received my letter and went to the Property Appraisers Office presented the Affidavit and that the records will be changed back to Mr. Brantley.

May 4, 2004 Tax collectors records now reflect Donald S. Brantley however Property Appraisers Office Still show Cambridge Mills HOA as owner.





Department of Solid Waste Management
Environmental Code Enforcement Division

1190 W. Leonard St.
Pensacola, Florida 32501
Phone: 850.595.3515
Fax: 850.595.3407



R. Mark Triplett, P.E., DEE Director

4/21/2004

Return Receipt Requested # 7003 2260 0007 4225 0411
Re: Case CE04-04-0229

Cambridge Mills Homeowners Association, Inc.
8401 Millstream Dr.
Pensacola, FL 32514

Dear Gentlemen/Ladies:

FILE COPY

NOTICE OF VIOLATION(S)

This letter is to advise you of the violation(s) for which you are responsible and to seek your cooperation in resolving this matter. An investigation conducted on April 20, 2004 at PR # 161S30-4106-000-020 also known as 2400 Blk. Johnson Ave. (See attached legal description), reveals that a violation(s) of State Statute(s)/Escambia County Ordinance(s) No. Sec. 30-203(e) exists at the described location.

Nuisance Conditions Sec. 30-203(e) The existence of overgrowth on any residentially or commercially classified lands, except on lands classified agricultural, or on undeveloped and uncleared land in its natural vegetative state, or on land in which the property owner is in the process of restoring to its natural vegetative state and for which there are no plans to build upon and upon which no building structures or signs of such structures exist above ground. Such property shall be subject to the following:

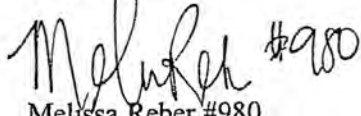
- The minimum parcel size shall be one acre or more; and
 - The parcel may not be located in a platted or unplatted residential subdivision; and
 - The property owner must execute a good faith affidavit attesting to his intent to restore the subject property to its natural vegetative state. This affidavit shall be recorded with the clerk of the circuit court and subsequent development of the parcel shall not be commenced until any overgrowth on the property has been cleared pursuant to this article
- Method of abating nuisances Sec. 30-204(d)
Removal of all overgrowth

We request that you contact Officer Reber at 595-3523 with Environmental Code Enforcement within five (5) days after receiving this letter to arrange corrective action to be taken. Please be advised this letter is part of our investigative procedures according to State Statute(s)/Escambia County Ordinances(s). We look forward to your cooperation in completing this investigation. Failure to abate the violation(s) within ten (10) calendar days of receipt of this certified notice will result in legal action by Escambia County Environmental Code Enforcement, including but not limited to clean up of the property, demolition of deteriorated or dilapidated building(s) and the imposition of a lien for any cost incurred to the County for these actions.

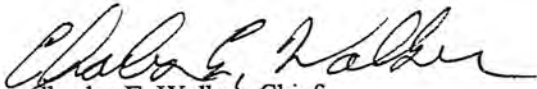
Cambridge Mills Homeowners Association, Inc.
CECE04-04-0229
April 21, 2004
Page 2 of 2

You should abate or contest the violation(s) in writing within ten (10) days of receipt of this notice. Mail request, "Return Receipt", to the attention of **Charles E. Walker, Chief, Department of Solid Waste Management, Environmental Code Enforcement Division, 1190 W. Leonard Street, Pensacola, Florida 32501.**

Sincerely,



Melissa Reber #980
Environmental Code Enforcement Officer



Charles E. Walker, Chief
Environmental Code Enforcement Division

Cc: RR# 7003 2260 0007 4225 0428
Etheridge Property Management
3298 Summit Blvd.
Pensacola, FL 32503

PREPARED BY:
Stephen R. Moorhead, Esquire
McDonald, Fleming, Moorhead, Ferguson,
Green, Smith, Blankenship & Heath, LLP
4300 Bayou Boulevard, Suite 13
Pensacola, FL 32503

DEED DOC STAMPS PD @ ESC CO \$ 0.70
09/11/03 ERNIE LEE WAGNER, CLERK
By: [Signature]

WARRANTY DEED

STATE OF FLORIDA
COUNTY OF ESCAMBIA

KNOW ALL MEN BY THESE PRESENTS: THAT **DONALD S. BRANTLEY and ROBYNS. BPANTLEY, husband and wife**, hereinafter called Grantors, for and in consideration of the sum of Ten and No/100 Dollars, the receipt whereof is hereby acknowledged, do bargain, sell and convey the below described property, situate, lying and being in the County of Escambia, State of Florida, unto **CAMBRIDGE MILLS HOMEOWNERS' ASSOCIATION, INC.**, a Florida not-for-profit corporation, whose mailing address is 8401 Millstream Drive Pensacola, FL 32514 and whose federal identification number is _____, hereinafter called Grantee, its administrators, successors and assigns:

Parcel "B", Cambridge Mills, as recorded in Plat Book 15 at Page 20 and 20A of the public records of Escambia County, Florida.

(Property ID No.: 16-1S-30-4106-000-020)

And Grantors do hereby fully warrant the title to the property and will defend the same against the lawful claims of all persons whomsoever. Subject to taxes for the current year and restrictions and reservations of record which are not hereby reimposed.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 3rd day of September 2003.

Witnesses:

[Signature]
Printed name of witness Stephen R. Moorhead

[Signature]
DONALD S. BRANTLEY

[Signature]
Printed name of witness REBECCA HALLETT

[Signature]
ROBYNS. BRANTLEY

[Signature]
Printed name of witness Stephen R. Moorhead

[Signature]
Printed name of witness REBECCA HALLETT

AFFIDAVIT

RCD Dec 05, 2003 08:04 am
Escambia County, Florida

ERNIE LEE MAGAHA
Clerk of the Circuit Court
INSTRUMENT 2003-179922

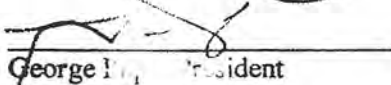
State of Florida

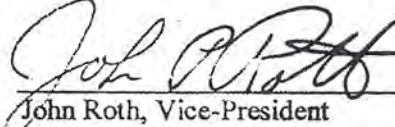
County of Escambia


Before the undersigned authority, this date personally appeared the Board members of the Cambridge Mills Homeowners Association (the HOA), President George Pape, Vice-President John Roth, and Treasurer/Secretary Michael Hamlin, who being duly sworn on oath deposes and says:

1. That the Board, at its October 29, 2003 meeting, reviewed a letter dated October 3, 2003 as authored by Mr. Donald Brantley and Mr. Stephen Moorhead.
2. That the letter accompanied a recorded quitclaim deed (Book #, Page #) that attempted to transfer property ownership of the retention pond property (parcel ID# 16-1S-30-4106-000-020) owned by Mr. Brantley to the HOA.
3. That the HOA at no time gave permission to Mr. Brantley or his agent to record such a document and that the HOA does not recognize this quitclaim deed as having any contractual or legal value whatsoever.
4. That the HOA, upon review of the recorded plat, realizes that the retention pond property is to remain private, and that this property was not to be dedicated to the HOA as per the entrance island.
5. That the HOA does not have any desire or interest or legal responsibility to provide maintenance on this private property nor does the HOA have any interest in ownership of the property.

Further affirms saith naught.

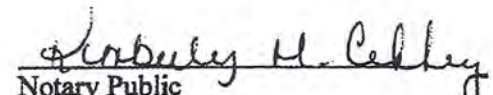

George Pape, President


John Roth, Vice-President

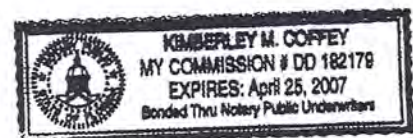

Michael Hamlin, Trsr./Secr.

State of Florida
County of Escambia

Sworn to and subscribed before me this 30th day of November, 2003 by George Pape, John Roth, and Michael Hamlin, who presented driver's licenses as identification and who did take an oath.


Notary Public

Prepared by and return
original documents to:
Kim Co
Ethereal Property Management
3298 Sunset Blvd., Suite 4
Pensacola, FL 32503

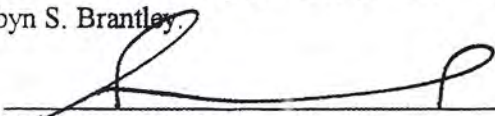


OR BK 5237 PG1254
Escambia County, Florida
INSTRUMENT 2003-145333

RCD Sep 11, 2003 10:37 am
Escambia County, Florida

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 3 day of September, 2003, by Robyn S. Brantley.



NOTARY PUBLIC

Personally Known
OR
 Produced Identification
Type of Identification Produced _____



Stephen R. Moorhead
MY COMMISSION # DD126253 EXPIRES
October 23, 2006
BONDED THRU TROY FAIN INSURANCE, INC

ERNIE LEE MAGAHA
Clerk of the Circuit Court
INSTRUMENT 2003-145333



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1163

Public Hearings Item #: 10.

BCC Regular Meeting

Meeting Date: 08/04/2011

Issue: 5:31 p.m. Public Hearing for the Firearms Preemption Ordinance

From: Ryan E. Ross, Assistant County Attorney

Organization: County Attorney's Office

CAO Approval:

RECOMMENDATION:

5:31 p.m. Public Hearing for consideration of adopting an Ordinance to amend or repeal various provisions of the Escambia County Code of Ordinances concerning firearms preemption.

Recommendation: That the Board, at the 5:31 p.m. Public Hearing, adopt an Ordinance amending or repealing various provisions of the Escambia County Code of Ordinances to ensure compliance with Section 790.33, Florida Statutes, as amended by House Bill 45 (2011).

BACKGROUND:

During its 2011 session, the Florida Legislature approved, and Governor Scott signed, House Bill 45, which amends Section 790.33, Florida Statutes. Section 790.33 preempts the regulation of firearms to the state government. Through House Bill 45, the Legislature has confirmed its intent to entirely preempt the field of regulating firearms and ammunition, and has established penalties for local government officials who adopt or enforce any local regulation of firearms and ammunition. In response to House Bill 45, local governments throughout Florida have amended or repealed ordinances regulating the possession, sale, or use of firearms. Accordingly, this ordinance amends or repeals various provisions of the Escambia County Code of Ordinances to ensure compliance with Section 790.33, as amended by House Bill 45.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

This ordinance was drafted by Assistant County Attorney Ryan E. Ross and was advertised in the July 23, 2011, Saturday edition of the Pensacola News Journal.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

N/A

Attachments

Ordinance

ORDINANCE NUMBER 2011-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, AMENDING AND REPEALING CERTAIN CODE SECTIONS TO ENSURE COMPLIANCE WITH THE STATE PREEMPTION OF LOCAL FIREARM REGULATIONS; AMENDING CHAPTER 10, ARTICLE II, SECTION 10-54 BY REPEALING THE PROHIBITION ON HUNTING BIRDS WITH A FIREARM ON SANTA ROSA ISLAND; AMENDING CHAPTER 26, ARTICLE II, SECTION 26-39 BY REPEALING ESCAMBIA COUNTY'S EMERGENCY POWER TO REGULATE THE SALE OF FIREARMS; AMENDING CHAPTER 42, ARTICLE III, SECTION 42-66 TO ESTABLISH AN EXEMPTION FROM NOISE RESTRICTIONS FOR THE DISCHARGE OF FIREARMS; REPEALING CHAPTER 72, ARTICLE II, SECTION 72-51 PROHIBITING THE DISCHARGE OF FIREARMS ACROSS COUNTY-MAINTAINED ROADS AND OPEN RECREATIONAL AREAS, IN ITS ENTIRETY; AMENDING CHAPTER 74, ARTICLE II, SECTION 74-36 BY REPEALING THE PROHIBITION ON CARRYING OR DISCHARGING FIREARMS IN COUNTY PARKS AND RECREATIONAL AREAS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the 2011 Florida Legislature has approved, and Governor Scott has signed, House Bill 45, which amends Section 790.33, Florida Statutes; and

WHEREAS, through House Bill 45, the Legislature has confirmed its intent to entirely preempt the field of regulating firearms and ammunition; and

WHEREAS, the Legislature has established penalties for local government officials who adopt or enforce any local regulation of firearms and ammunition; and

WHEREAS, the Escambia County Board of County Commissioners desires to amend or repeal certain provisions of the Escambia County Code of Ordinances to ensure compliance with the Section 790.33, as amended by House Bill 45.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:

SECTION 1. SANTA ROSA ISLAND BIRD SANCTUARY.

Chapter 10, Article II, Section 10-54 of the Escambia County Code of Ordinances is hereby amended as follows:

Section 10-54. Hunting, killing, maiming or trapping prohibited.

It shall be unlawful to hunt, kill, maim or trap; ~~hunt with a sling shot, gun or attempt in any manner to shoot or otherwise~~ to injure or molest birds or any waterfowl; or to rob or otherwise molest the nests of birds nesting or located on those parts of Santa Rosa Island within the jurisdiction of the county. However, this prohibition shall not restrict the possession or discharge of a firearm within the Santa Rosa Island Bird Sanctuary, provided that such activity is otherwise permissible under state law.

SECTION 2. COMPREHENSIVE EMERGENCY MANAGEMENT PLAN.

Chapter 26, Article II, Section 26-39 of the Escambia County Code of Ordinances is hereby amended as follows:

Section 26-39. Comprehensive emergency management plan.

In order to ~~insure~~ ensure the health, safety, and welfare of the community for the duration of each state of emergency declared in the county pursuant to this article, the board of county commissioners authorizes the creation of ~~an~~ the county peacetime emergency plan to include provisions to be administered by the emergency management office which shall:

(7) Suspend or limit the sale, dispensing, or transportation of alcoholic beverages, ~~firearms,~~ explosives, and combustibles.

SECTION 3. PROHIBITED NOISES.

Chapter 42, Article III, Section 42-66 of the Escambia County Code of Ordinances is hereby amended as follows:

Section 42-66. Exemptions.

Sounds caused by the following are exempt from the prohibitions set out in sections 42-64 and are in addition to the exemptions specifically set forth in section 42-65:

(i) Firearms. Noise caused by the discharge of firearms. However, this exemption shall not be construed to authorize the discharge of any firearm in contravention of state law.

SECTION 4. PUBLIC DISCHARGE OF FIREARMS.

REPEALER. Chapter 72, Article II, Section 72-51, Discharge of firearms on, over, across county-maintained roads, etc., and open recreational areas, is hereby repealed in its entirety.

SECTION 5. PARKS AND RECREATION AREAS.

Chapter 74, Article II, Section 74-36 of the Escambia County Code of Ordinances is hereby amended as follows:

Section 74-36. Rules and regulations.

The following rules and regulations shall apply to all beaches, parks, parkways, playgrounds, piers, recreational areas, recreational centers, and the Old Pensacola Bay Bridge, all of which shall be collectively be designated in this article as "parks and recreational areas." It shall be unlawful for any person or corporation to do any of the acts specified in this section within the limits of such parks and recreational areas, or

other facilities and properties owned or operated by the county for park and recreational purposes:

(9) The carrying or discharging of any ~~firearms~~, firecrackers, rockets, torpedoes or any fireworks are prohibited, except by special written permits granted by the county administrator or his designee.

SECTION 6. **SAVINGS PROVISION.**

The Board of County Commissioners' intent is to repeal any ordinance, in whole or in part, that regulates firearms and ammunition, including the purchase, sale, transfer, taxation, manufacture, ownership, possession, storage, and transportation thereof. Any ordinance not otherwise expressly amended or repealed through this act that regulates firearms and ammunition shall be deemed as repealed and shall not be enforced.

SECTION 7. **SEVERABILITY.**

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 8. **INCLUSION IN THE CODE.**

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall be codified as required by Section 125.68, Fla. Stat. (2009); and that the sections, subsections and other provisions of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 9. EFFECTIVE DATE.

This Ordinance shall become effective upon filing with the Department of State.

DONE AND ENACTED THIS _____ DAY OF _____, 2011.

BOARD OF COUNTY COMMISSIONERS
ESCAMBA COUNTY, FLORIDA

Kevin W. White, Chairman

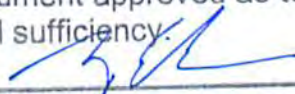
ATTEST: ERNIE LEE MAGAHA
Clerk of the Circuit Court

Deputy Clerk

(Seal)

Enacted: _____
Filed with Department of State: _____
Effective: _____

This document approved as to form
and legal sufficiency.

By: 
Title: ASST. COUNTY ATTORNEY
Date: JULY 25, 2011



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1111

Public Hearings Item #: 11.

BCC Regular Meeting

Meeting Date: 08/04/2011

Issue: 5:32 p.m. Public Hearing-Ordinance Establishing an EDATE for The Lewis Bear Company

From: Charles R. (Randy) Oliver

Organization: County Administrator's Office

CAO Approval:

RECOMMENDATION:

5:32 p.m. Public Hearing for consideration of adopting an Ordinance establishing an EDATE for The Lewis Bear Company for 23% of its business expansion for up to 10 years.

Recommendation: That the Board, at the 5:32 p.m. Public Hearing, adopt an Ordinance establishing an Economic Development Ad Valorem Tax Exemption (EDATE) for The Lewis Bear Company for 23% of its business expansion for up to 10 years.

BACKGROUND:

On May 6, 2010 the Board adopted a Resolution establishing the Board's intent to adopt an Ordinance for an Economic Development Ad Valorem Tax Exemption (EDATE) for The Lewis Bear Company for up to 10 years.

The Lewis Bear Company, headquartered in Pensacola, Florida, has plans to expand their existing warehousing capabilities in Northwest Florida. This expansion will result in an estimated \$3.5M capital investment, retention of 8-10 current employees as well as an additional 2-3 newly created jobs. The Lewis Bear Company currently employs 110 individuals with an average wage of \$55,077, which is more than 150% of the average wage of the Pensacola Metropolitan Statistical Area.

BUDGETARY IMPACT:

The Property Appraiser's Office estimates loss of revenue for the current Fiscal Year for this specific EDATE to be \$26,117.

LEGAL CONSIDERATIONS/SIGN-OFF:

Ordinance was reviewed by the County Attorney's Office for form and legal sufficiency.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

A copy of the Ordinance will be filed with the Escambia County Property Appraiser's Office. The original will be filed with the Department of State.

Attachments

Lewis Bear Ordinance

Economic Development Ad Valorem Property Tax Exemption Chapter 196.1995, Florida Statutes

DR-418
R. 12/99

To be filed with the Board of County Commissioners, the governing boards of the municipality, or both, no later than March 1 of the year the exemption is desired to take effect.

1. Business Name and Mailing Address: The Lewis Bear Company, 6120 Enterprise Drive, Pensacola, Florida 32505
2. Please give name and telephone number of Owner or Person in charge of this Business.
Name Lewis Bear, Jr. Telephone Number 850-434-8612
3. Exact Location (Legal Description and Street Address) of Property for which this return is filed: 6120 Enterprise Drive, Pensacola, Florida
4. Date you began, or will begin, business at this facility: September 2004
5. a. Description of the improvements to real property for which this exemption is requested: 35,000 SF warehouse expansion
- b. Date of commencement of construction of improvements: August 30, 2010

CLASS OR ITEM	AGE	DATE OF PURCHASED	ORIGINAL COST	TAXPAYER'S ESTIMATE OF Condition			TAXPAYER'S ESTIMATE OF FAIR MARKET VALUE	Condition	APPRAISER'S USE ONLY
				Good	Avg	Poor			

- b. Average Value of inventory on hand: _____
- c. Any additional personal property not listed above for which an exemption is claimed must be returned on form DR-405 (Tangible Personal Property Tax Return) and a copy attached to this form.
7. Do you desire exemption as a "New Business" or as an "Expansion of an Existing Business"
8. Describe Type or Nature of Your Business: Beer distributor
9. Trade Level (Check as many as apply) Retail Wholesale Manufacturing Professional Service Office Other
10. a. Number of full-time employees to be employed in Florida 110
- b. If an expansion of an existing business:
 - (1) Net increase in employment 13 or 12 %
 - (2) Increase in productive output resulting from this expansion 34 %
11. Sales factor for the facility requesting exemption:

Total sales in Florida from this facility-one (1) location only 55,628,625 divided by

Total sales everywhere from this facility-one (1) location only 55,628,625 = 100 %
12. For office space owned and used by a corporation newly domiciled in Florida:
 - a. Date of incorporation in Florida: _____
 - b. Number of full-time employees at this location: _____

I hereby request the adoption of an ordinance granting an exemption from ad valorem taxation on the above property pursuant to Section 196.1995, Florida Statutes. I agree to furnish such other reasonable information as the Board of County Commissioners, the governing authority of the municipality, or the Property Appraiser may request in regard to the exemption requested herein. I hereby certify that the information and valuation stated above by me is true, correct, and complete to the best of my knowledge and belief. (If prepared by someone other than the taxpayer, his declaration is based on all information of which he has any knowledge.)

DATE: 4/15/11 SIGNED: _____ (Preparer)

SIGNED: W. M. Bear (Taxpayer) _____ (Preparer's Address)

TITLE: Vice President _____ (Preparer's Telephone Number)

Property Appraiser's Use Only

- I. Total revenue available to the county or municipality for the current fiscal year from ad valorem tax sources: \$95,137,582
 - II. Revenue lost to the county or municipality for the current fiscal year by virtue of exemptions previously granted under this section: \$1,948,904
 - III. Estimate of the revenue which would be lost to the county or municipality during the current fiscal year if the exemption applied for were granted and the property for which the exemption is requested would otherwise have been subject to taxation: \$26,117
 - IV. Estimate of the taxable value lost to the county or municipality if the exemption applied for was granted:

Improvements to real property \$3,661,551 Personal Property \$82,602
 - V. I have determined that the property listed above meets the definition, as defined by Section 196.012(15) or (16), Florida Statutes, as a New Business , an "Expansion of an Existing Business" , or Neither .
 - VI. Last year for which exemption may be applied 2021
- DATE: June 1, 2011 SIGNED: Jenny Smith (Property Appraiser)

Application to be filed not later than March 1

ORDINANCE NUMBER 2011-____

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA ENCOURAGING ECONOMIC DEVELOPMENT IN THE COUNTY; ESTABLISHING AN EXEMPTION FROM CERTAIN ESCAMBIA COUNTY AD VALOREM TAXATION FOR THE LEWIS BEAR COMPANY, AN EXPANDING BUSINESS, PURSUANT TO SECTION 196.1995, FLORIDA STATUTES; PROVIDING FOR SHORT TITLE; PROVIDING FOR THE GRANTING OF AND LEGISLATIVE INTENT FOR AN EXEMPTION AS AN EXPANSION OF AN EXISTING BUSINESS PURSUANT TO SECTION 196.1995(8), FLORIDA STATUTES; PROVIDING FOR CERTAIN COUNTY AD VALOREM TAX INFORMATION RELATING TO THE GRANTING OF SUCH EXEMPTION; PROVIDING AN EXPIRATION DATE OF TEN YEARS FOR SUCH EXEMPTION; PROVIDING A FINDING OF FACT THAT THE LEWIS BEAR COMPANY MEETS THE DEFINITION IN SECTION 196.012(16), FLORIDA STATUTES, OF THE EXPANSION OF AN EXISTING BUSINESS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 196.1995, Florida Statutes, as amended, and Chapter 90, Article IV, Division 2, Sections 90-146 through 90-153 of the Escambia County Code of Ordinances authorizes Escambia County to grant certain economic development ad valorem tax exemptions (EDATES) for an expanding business established in the County meeting certain statutory requirements; and

WHEREAS, the Lewis Bear Company is such a business, which has made application to the County for an economic development ad valorem tax exemption for twenty three percent (23%) of the assessed value of certain improvements to real property and to tangible personal property of the Lewis Bear Company, located at 6120 Enterprise Drive, Pensacola, Florida; and

WHEREAS, the Board of County Commissioners finds that the granting of this economic development ad valorem tax exemption to the Lewis Bear Company, is in the best interests of the health, safety, and welfare of the citizens of Escambia County.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:

Section 1. Short Title.

This ordinance shall be known as County Ordinance 2011-____ "Economic Development Ad Valorem Tax Exemption, the Lewis Bear Company".

Section 2. Grant and Legislative Intent.

After consideration of the report of the Escambia County Property Appraiser and the request of the Lewis Bear Company, filed with the Board of County Commissioners on April 15, 2011, and in accordance with the procedures set forth in Chapter 90, Article IV, Division 2, Sections 90-146 through 90-153 of the Escambia County Code of Ordinances, "Economic Development Ad Valorem Tax Exemption Regulations of Escambia County, Florida" (Ordinance No. 92-43), the Board of County Commissioners hereby grants and establishes for a period of ten (10) years, effective for calendar year 2012, an exemption from County ad valorem taxation as provided for in Section 196.1995(7), Florida Statutes, as amended, of twenty three percent (23%) of the assessed value of certain improvements to real property and to tangible personal property of the Lewis Bear Company, more particularly described in "Exhibit A" attached hereto and incorporated by reference.

It is the intent of this ordinance that this exemption shall be given for express purpose of facilitating the expansion of an existing business, as defined in Section 196.012(16), Florida Statutes. It is the further intent of this ordinance that the exemption hereby granted to the Lewis Bear Company, shall be solely on the account of and for the use and benefit of said business.

Section 3. Ad Valorem Tax Revenues.

Pursuant to Section 196.1995(9), Florida Statutes, as amended, the following has been determined by the Property Appraiser:

- a. Total Revenue available to the County for the current fiscal year from ad valorem tax sources is \$95,137,582.00.
- b. Revenue lost to the County for the current fiscal year by virtue of exemptions previously granted under this section is \$1,948,904.00.
- c. Estimate of revenue, which would be lost to the County during the current fiscal year, if the exemption applied for were granted had the property for which the exemption is requested otherwise been subject to taxation is \$26,117.00.
- d. Estimate of the taxable value lost to the County if the exemption applied for were granted:
 - (1) Improvements to real property \$3,661,551.00.
 - (2) Tangible personal property \$82,602.00.

Section 4. Expiration Date.

The Economic Development Ad Valorem Tax Exemption granted to the Lewis Bear Company, an expansion of an existing business, shall be for a period of ten (10) years and shall expire on December 31, 2021, at 12:01 a.m.

Section 5. Finding of Fact.

The Board of County Commissioners of Escambia County, Florida finds that the Lewis Bear Company, is an expansion of an existing business, as defined by Section 90-148, Escambia County Code of Ordinances and Section 196.012(16), Florida Statutes, as amended.

Section 6. Rating.

The Board of County Commissioners of Escambia County, Florida finds that the Lewis Bear Company, an expansion of an existing business qualifies for a twenty three percent (23%) County ad valorem tax exemption for ten (10) years based upon receiving three (3) out of thirteen (13) points under the criteria found in Section 90-147, Escambia County Code of Ordinances. The Lewis Bear Company accumulated three (3) points under the Capital Investment category, zero (0) points under the Number of Employees category, and zero (0) points under the Wage Rate category for a total of three (3) points. As a result, the Lewis Bear Company shall receive a twenty three percent (23%) ad valorem tax exemption for a period of ten (10) years.

Section 7. Severability.

If any section, subsection, paragraph, sentence, clause, phrase, or portion of this Ordinance is for any reason found void, invalid, unlawful, or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, independent, and severable provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

Section 8. Inclusion in the Code.

It is the intention of the Board of County Commissioners that the provisions of this ordinance shall become and be made a part of the Escambia County Code; and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

Section 9. Effective Date.

This ordinance shall become effective upon filing with the Department of State.

DONE AND ENACTED this ____ day of _____, 2011.

**BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA**

Kevin W. White, Chairman

**ATTEST: ERNIE LEE MAGAHA
Clerk of the Circuit Court**

By: _____
Deputy Clerk

(Seal)

Enacted: _____
Filed with Department of State: _____
Effective: _____

This document approved as to form
and legal sufficiency.

By: Justin Aual

Title: ACF

Date: 7/11/11

Escambia County Property Appraiser
391S300200061003 - Full Legal Description

BEG AT NE COR MARCUS POINTE VILLAS PB 15 P 55 S 57 DEG 05 MIN 56 SEC W ALG N LI OF S/D 771 20/100 FT S 17 DEG 30 MIN 26 SEC E ALG E LI OF 635 03/100 TO N R/W LI RAMBLER TERR (66 FT R/W) S 73 DEG 09 MIN 48 SEC W ALG N R/W LI 147 66/100 FT DEPART N R/W LI N 16 DEG 57 MIN 38 SEC W 149 86/100 FT S 73 DEG 07 MIN 09 SEC W 299 93/100 FT S 16 DEG 59 MIN 07 SEC E 700 04/100 FT TO PT ON R/W LI MARCUS POINTE BLVD (80 FT R/W) PT BEING ON CURVE CONCAVE SW RADIUS 412 97/100 SWLY ALG ARC OF CURVE AND N R/W LI 148 51/100 FT (CH BRG S 03 DEG 46 MIN 49 SEC W CH DIST 147 71/100 FT) TO PT OF CURVE CONT ALG N R/W LI S 72 DEG 47 MIN 53 SEC W 96 36/100 FT TO INTER OF N R/W LI AND W LI OF GULF POWER EASEMENT (225 FT R/W) N 04 DEG 23 MIN 35 SEC W ALG W LI OF EASEMENT 1638 35/100 FT N 57 DEG 28 MIN 36 SEC E 1119 81/100 FT TO W R/W LI BURLINGTON NORTHERN RR (100 FT R/W) S 15 DEG 47 MIN 17 SEC E ALG W R/W LI 529 75/100 FT TO POB OR 4773 P 467 ALSO PORTION OF VAC R/W ADJ PROPERTY OR 4707 P 846 LESS OR 6096 P 1129 CTY RD R/W

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued


1-8. Approval of Various Consent Agenda Items – Continued

3. Taking the following action concerning a *Memorandum of Agreement Between Escambia County, Florida, and Coastal Reef Builders, Inc., Relating to Sediment Materials*:

A. Approving the Memorandum of Agreement (MOA) allowing Coastal Reef Builders, Inc., to contribute suitable sediment materials (*at no cost*) to the County for the purposes of enhancing the County's shoreline and prevention of natural erosion; and

B. Authorizing the Chairman to execute the MOA, without further action of the Board.

4. Taking the following action concerning economic development incentives for the Lewis Bear Company, an economic development prospect:

 A. Adopting a Resolution (*R2010-76*) establishing the Board's intent to adopt an Ordinance for an Economic Development Ad Valorem Tax Exemption (EDATE) for the Lewis Bear Company, for up to 10 years; and

B. Authorizing the Chairman to execute the Resolution.

5. Approving the *Request for Disposition of Property* indicating that three vehicles, no longer of use to the Board of County Commissioners for fire-rescue purposes, be disposed of through sealed bid or auction, with proceeds of such sale to be recognized in Fund 143 (Fire Protection Fund).

6. Approving three forms, *Requests for Disposition of Property*, listing 14 Dell computers to be auctioned as surplus or properly disposed of, which are all described with the Agency and reason stated.

7. Approving two *Requests for Disposition of Property* forms listing five items to be auctioned as surplus or properly disposed of, which are all described with the Agency and reason stated, as submitted by the Tax Collector's Office and the Clerk of the Circuit Court and Comptroller's Office.



ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

◆ AUDITOR ◆ ACCOUNTANT ◆ EX-OFFICIO CLERK TO THE BOARD ◆ CUSTODIAN OF COUNTY FUNDS ◆

AI-1165 **Clerk & Comptroller's Report** **Item #: 12. 1.**

BCC Regular Meeting

Meeting Date: 08/04/2011
Issue: Acceptance of Reports
From: Doris Harris
Organization: Clerk & Comptroller's Office

Recommendation:

Recommendation Concerning Acceptance of Reports Prepared by the Clerk of the Circuit Court & Comptroller's Finance Department

That the Board accept, for filing with the Board's Minutes, the following six Reports prepared by the Clerk of the Circuit Court & Comptroller's Finance Department:

- A. Payroll Expenditures for Pay Date July 22, 2011, in the amount of \$2,212,010.57;
- B. The following two Disbursement of Funds:
 - (1) July 14, 2011, to July 20, 2011, in the amount of \$9,374,084.76; and
 - (2) July 21, 2011, to July 27, 2011, in the amount of \$2,044,541.89;
- C. The Budget Comparison Reports for the first nine months, or 75%, of Fiscal Year 2011, as follows:
 - (1) Summarized, by fund, Budget to Actual Comparison as of June 30, 2011; and
 - (2) Actual Revenue and Expenditure Comparison to the prior Fiscal Year as of June 30, 2011; and
- D. The Tourist Development Tax Collections Data for the June 2011 returns received in the month of July 2011 **(to be distributed under separate cover)**.

Attachments

20110804 CR I-1



EXECUTIVE ADMINISTRATION / LEGAL DIVISION
 ACCOUNTING DIVISION
 APPEALS DIVISION
 ARCHIVES AND RECORDS
 CENTURY DIVISION
 CHILD SUPPORT
 CLERK TO THE BOARD
 COUNTY CIVIL
 COUNTY CRIMINAL
 COURT DIVISION
 CIRCUIT CIVIL
 CIRCUIT CRIMINAL
 DOMESTIC RELATIONS
 FAMILY LAW

ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT & COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

◊ AUDITOR ◊ ACCOUNTANT ◊ EX-OFFICIO CLERK TO THE BOARD ◊ CUSTODIAN OF COUNTY FUNDS ◊

FINANCE
 JURY ASSEMBLY
 GUARDIANSHIP
 HUMAN RESOURCES
 JUVENILE DIVISION
 MARRIAGE
 MENTAL HEALTH
 MANAGEMENT INFORMATION SYSTEMS
 OFFICIAL RECORDS
 OPERATIONAL SERVICES
 PROBATE DIVISION
 TRAFFIC DIVISION
 TREASURY

Escambia County, Florida
 Payroll Expenditures of the
 Board of County Commissioners

Pay Date: July 22, 2011

Check No: 50020290 - 50020291	\$475.99
Direct Deposits:	\$1,202,273.47
Total Deductions and Matching Costs:	\$1,009,261.11
Total Expenditures:	\$2,212,010.57

2011 JUL 21 A 8:32
 ERNIE LEE MAGAHA
 CLERK OF CIRCUIT COURT
 ESCAMBIA COUNTY, FL.



EXECUTIVE ADMINISTRATION/LEGAL DIVISION
 ACCOUNTING DIVISION
 APPEALS DIVISION
 ARCHIVES AND RECORDS
 CENTURY DIVISION
 CHILD SUPPORT
 CLERK TO THE BOARD
 COUNTY CIVIL
 COUNTY CRIMINAL
 COURT DIVISION
 CIRCUIT CIVIL
 CIRCUIT CRIMINAL
 DOMESTIC RELATIONS
 FAMILY LAW

ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT & COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

♦ AUDITOR ♦ ACCOUNTANT ♦ EX-OFFICIO CLERK TO THE BOARD ♦ CUSTODIAN OF COUNTY FUNDS ♦

FINANCE
 JURY ASSEMBLY
 GUARDIANSHIP
 HUMAN RESOURCES
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 MANAGEMENT INFORMATION SYSTEMS
 OFFICIAL RECORDS
 OPERATIONAL SERVICES
 PROBATE DIVISION
 TRAFFIC DIVISION
 TREASURY

Escambia County, Florida
 Disbursement of Funds From:

07/14/11 to 07/20/11

DISBURSEMENTS

Computer check run of:

<u>07/20/11</u>	\$ <u>4,014,570.03</u>
<u>L-Vendor</u>	\$ <u>0.00</u>

Hand-Typed Checks:

\$ 152,960.53

Disbursement By Wire:

Debt Service Payment	\$ <u>0.00</u>
Elected Official	\$ <u>0.00</u>
Preferred Governmental Claims	\$ <u>41,163.81</u>
Dental Insurance	\$ <u>0.00</u>
Credit Card Purchases	\$ <u>0.00</u>
Other Veolia Transportation	\$ <u>0.00</u>
Civic Center	\$ <u>66,328.92</u>
Bank of America - Land Purchase	\$ <u>99,061.47</u>
FL Tourism - Deep Water Horizon Oil Spill	
Investments	\$ <u>5,000,000.00</u>

2011 JUL 21 A 10:58
 THE BOARD OF
 COUNTY COMMISSIONERS
 ESCAMBIA COUNTY, FL.

Total Disbursement by Wire

\$ 5,206,554.20

TOTAL DISBURSEMENTS

\$ 9,374,084.76

The detailed backup to this Report is available for review in the Clerk's Finance Department. If you have any questions, please call Cheryl Maher, Clerk's Finance Division at (850) 595-4841.

Pursuant to Chapter 136.06 (1), Florida Statutes, the Disbursement Report will be filed with the Board's Minutes.



EXECUTIVE ADMINISTRATION/LEGAL DIVISION
 ACCOUNTING DIVISION
 APPEALS DIVISION
 ARCHIVES AND RECORDS
 CENTURY DIVISION
 CHILD SUPPORT
 CLERK TO THE BOARD
 COUNTY CIVIL
 COUNTY CRIMINAL
 COURT DIVISION
 CIRCUIT CIVIL
 CIRCUIT CRIMINAL
 DOMESTIC RELATIONS
 FAMILY LAW

ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT & COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

◆ AUDITOR ◆ ACCOUNTANT ◆ EX-OFFICIO CLERK TO THE BOARD ◆ CUSTODIAN OF COUNTY FUNDS ◆

FINANCE
 JURY ASSEMBLY
 GUARDIANSHIP
 HUMAN RESOURCES
 JUVENILE DIVISION
 MARRIAGE
 MENTAL HEALTH
 MANAGEMENT INFORMATION SYSTEMS
 OFFICIAL RECORDS
 OPERATIONAL SERVICES
 PROBATE DIVISION
 TRAFFIC DIVISION
 TREASURY

Escambia County, Florida
 Disbursement of Funds From:

07/21/11 to 07/27/11

DISBURSEMENTS

Computer check run of:

<u>07/27/11</u>	\$ <u>1,790,086.32</u>
<u>L-Vendor</u>	\$ <u>92,613.96</u>

Hand-Typed Checks:

\$ 0.00

Disbursement By Wire:

Debt Service Payment	\$ <u>0.00</u>
Elected Official	\$ <u>0.00</u>
Preferred Governmental Claims	\$ <u>0.00</u>
Dental Insurance	\$ <u>51,206.81</u>
Credit Card Purchases	\$ <u>38,896.30</u>
Aero Training & Rental, Inc	\$ <u>71,738.50</u>

Total Disbursement by Wire

\$ 161,841.61

TOTAL DISBURSEMENTS

\$ 2,044,541.89

The detailed backup to this Report is available for review in the Clerk's Finance Department. If you have any questions, please call Cheryl Maher, Clerk's Finance Division at (850) 595-4841.

Pursuant to Chapter 136.06 (1), Florida Statutes, the Disbursement Report will be filed with the Board's Minutes.

THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS
 ESCAMBIA COUNTY, FLORIDA
 2011 JUL 28 A 8:08
 824/2011
 CR 1-1B (2)



EXECUTIVE ADMINISTRATION/LEGAL DIVISION
 ACCOUNTING DIVISION
 APPEALS DIVISION
 ARCHIVES AND RECORDS
 CENTURY DIVISION
 CHILD SUPPORT
 CLERK TO THE BOARD
 COUNTY CIVIL
 COUNTY CRIMINAL
 COURT DIVISION
 CIRCUIT CIVIL
 CIRCUIT CRIMINAL
 DOMESTIC RELATIONS
 FAMILY LAW

ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

* AUDITOR • ACCOUNTANT • EX-OFFICIO CLERK TO THE BOARD • CUSTODIAN OF COUNTY FUNDS *

FINANCE
 JURY MANAGEMENT
 GUARDIANSHIP
 HUMAN RESOURCES
 JUVENILE DIVISION
 MARRIAGE
 MENTAL HEALTH
 MANAGEMENT INFORMATION SYSTEMS
 OFFICIAL RECORDS
 ONE STOP
 OPERATIONAL SERVICES
 PROBATE DIVISION
 TRAFFIC DIVISION
 TREASURY

MEMORANDUM

TO: Honorable Board of County Commissioners

FROM: Ernie Lee Magaha
 Clerk of the Circuit Court & Comptroller

By: *Patricia L. Sheldon*
 Patricia L. Sheldon, CPA, CGFO, CPFO, CPFIM
 Administrator for Financial Services
 Clerk of the Circuit Court & Comptroller

DATE: July 26, 2011

SUBJECT: Budget Comparison Reports through June 30, 2011

2011 JUL 27 A 7:59
 CLERK OF THE BOARD OF COUNTY COMMISSIONERS
 CLERK OF CIRCUIT COURT
 ESCAMBIA COUNTY, FL.

RECOMMENDATION:

That the Board accepts, for filing with the Board's Minutes, Budget Comparison Reports for the first nine months, or 75%, of Fiscal Year 2011 as follows:

1. Summarized, by fund, Budget to Actual Comparison as of June 30, 2011.
2. Actual Revenue and Expenditure Comparison to the prior fiscal year as of June 30, 2011.

PLS/nac

Budget to Actual Summary Report
For the fiscal year 2011
as of June 30, 2011
9 months or 75% of Fiscal Year

8/4/2011
CR I-1C (1)

Fund # Fund Name	BUDGET ACTIVITY			Total Revenue		Total Expenditures		Difference
	BUDGET as originally published	Re-Budgets and Budget Amendments	Amended Budget	2011 Actual Revenue	Percent Realized To Date	2011 Actual Expenditures	Percent Expended To Date	Gain/(Use) of Fund Balance ¹
001 General Fund	\$ 174,228,334	\$ 14,970,465	\$ 189,198,799	\$ 133,794,302	71%	\$ 122,739,614	65%	\$11,054,688
101 Esc. County Restricted	269,109	1,385,653	1,654,762	243,754	15%	251,709	15%	(7,955)
102 Economic Development	2,594,460	3,035,973	5,630,433	2,427,399	n/a	1,308,440	23%	1,118,959
103 Code Enforcement	2,227,264	1,365,076	3,592,340	1,774,436	49%	1,456,992	41%	317,444
104 Mass Transit	9,079,695	109,565	9,189,260	6,831,007	74%	5,449,922	59%	1,381,085
106 Mosquito Control	35,000	58,488	93,488	28,014	30%	49,454	53%	(21,440)
108 Tourist Promotion	5,316,250	5,554,930	10,871,180	5,422,368	50%	3,852,853	35%	1,569,515
110 Grants Fund	8,551,476	13,602,152	22,153,628	3,114,009	14%	4,650,918	21%	(1,536,909)
112 Disaster Recovery	0	5,161,081	5,161,081	590,966	11%	5,065,781	98%	(4,474,815)
114 Misdemeanor Probation	2,357,564	(39,195)	2,318,369	1,882,874	81%	1,629,852	70%	253,022
115 Article V	3,028,327	2,895,379	5,923,706	2,120,750	36%	1,773,497	30%	347,253
116 Development Review Fees	250,647	47,678	298,325	230,110	77%	163,273	55%	66,837
117 Perdido Key Beach Mouse	0	129,105	129,105	801	n/a	0	n/a	801
120 SHIP	4,197,855	3,200	4,201,055	80,982	2%	647,222	15%	(566,240)
121 Law Enforcement Trust	0	391,017	391,017	386,721	n/a	231,219	n/a	155,502
124 Affordable Housing Grant	1,731,341	59,415	1,790,756	27,205	2%	241,586	13%	(214,381)
129 CDBG/HUD	7,859,974	1,896,565	9,756,539	3,022,841	31%	3,069,214	31%	(46,373)
130 Handicapped Parking	19,000	255,133	274,133	23,502	9%	54,090	20%	(30,588)
131 Family Mediation	108,000	14,180	122,180	747	1%	3,828	3%	(3,081)
143 Fire Protection Fund	11,599,582	690,604	12,290,186	10,744,727	87%	8,642,808	70%	2,101,919
145 E-911	1,282,500	1,478,701	2,761,201	607,379	22%	1,030,665	37%	(423,286)
146 HUD-CDBG Housing Rehab	50,000	13,015	63,015	238	0%	(8,835)	-14%	9,073
147 HUD-Home Fund	4,751,513	405,465	5,156,978	1,122,117	22%	1,108,576	21%	13,541
151 Community Redevelopment	3,036,775	3,982,314	7,019,089	957,327	14%	1,760,515	25%	(803,188)
152 Southwest Sector	0	4,382,578	4,382,578	117,879	3%	215,829	5%	(97,950)

Budget to Actual Summary Report
For the fiscal year 2011
as of June 30, 2011
9 months or 75% of Fiscal Year

8/4/2011
CR I-1C (1)

Fund # Fund Name	BUDGET ACTIVITY			Total Revenue		Total Expenditures		Difference
	BUDGET as originally published	Re-Budgets and Budget Amendments	Amended Budget	2011 Actual Revenue	Percent Realized To Date	2011 Actual Expenditures	Percent Expended To Date	Gain/(Use) of Fund Balance ¹
167 Bob Sikes Toll	2,707,500	878,773	3,586,273	2,658,050	74%	1,807,733	50%	850,317
175 Transportation Trust	19,932,650	4,824,025	24,756,675	16,098,190	65%	15,452,296	62%	645,894
177 StreetLighting and Road MSBU	718,641	174,190	892,831	835,096	94%	405,442	45%	429,654
181 Master Drainage	59,422	1,388,325	1,447,747	53,543	4%	409,799	28%	(356,256)
203 Debt Service	10,360,809	78,811	10,439,620	6,031,783	58%	3,501,656	34%	2,530,127
320 FTA Grants	0	4,044,833	4,044,833	478,504	12%	488,461	12%	(9,957)
333 New Road Construction	0	463,676	463,676	2,175	0%	209,256	45%	(207,081)
350 LOST I	0	80,105	80,105	153	n/a	80,105	n/a	(79,952)
351 LOST II	0	24,933,231	24,933,231	550,468	2%	5,326,569	21%	(4,776,101)
352 LOST III	31,430,568	64,383,514	95,814,082	25,564,568	27%	24,057,999	25%	1,506,569
401 Solid Waste	19,941,580	6,912,555	26,854,135	11,529,292	43%	12,941,670	48%	(1,412,378)
406 Inspections	2,912,434	1,951,022	4,863,456	1,404,134	29%	1,909,897	39%	(505,763)
408 EMS	13,561,934	7,535,785	21,097,719	10,948,298	52%	7,156,105	34%	3,792,193
409 Civic Center	6,602,079	389,079	6,991,158	4,608,297	66%	5,332,765	76%	(724,468)
501 Internal Service Fund	26,514,915	5,219,197	31,734,112	14,809,901	47%	9,146,618	29%	5,663,283
TOTALS	\$ 377,317,198	\$ 185,105,658	\$ 562,422,856	\$ 271,124,907	48%	\$ 253,615,393	45%	

¹ This amount represents the affect on overall fund balance for each particular fund. If the amount is positive, it is adding to accumulated fund balance. If the amount is negative it indicates that current year revenue was not sufficient to meet current year expenditures and therefore fund balance is used.

Comparison of Actual Revenues & Expenditures to Prior Fiscal Year
For the fiscal year 2011
as of June 30, 2011
9 months or 75% of Fiscal Year

Fund #	Fund Name	Actual Revenue Oct - June Fiscal 2011	Actual Revenue Oct - June Fiscal 2010	Incr / -Dec from Fiscal 2010	Actual Expenditures Oct - June Fiscal 2011	Actual Expenditures Oct - June Fiscal 2010	Incr / -Dec from Fiscal 2010
001	General Fund	\$ 133,794,302	\$ 134,325,940	0%	\$ 122,739,614	\$ 116,777,538	5%
101	Esc. County Restricted	243,754	225,889	8%	251,709	145,089	73%
102	Economic Development	2,427,399	954,857	154%	1,308,440	879,700	49%
103	Code Enforcement	1,774,436	2,008,807	-12%	1,456,992	1,518,440	-4%
104	Mass Transit	6,831,007	6,434,284	6%	5,449,922	4,928,436	11%
106	Mosquito Control	28,014	27,830	1%	49,454	27,021	83%
108	Tourist Promotion	5,422,368	3,177,911	71%	3,852,853	3,004,428	28%
110	Grants Fund	3,114,009	2,327,651	34%	4,650,918	2,706,584	72%
112	Disaster Recovery	590,966	(317,741)	-286%	5,065,781	225,284	n/a
114	Misdemeanor Probation	1,882,874	1,747,244	8%	1,629,852	1,601,975	2%
115	Article V	2,120,750	1,795,372	18%	1,773,497	1,878,638	-6%
116	Development Review Fees	230,110	205,657	12%	163,273	199,184	-18%
117	Perdido Key Beach Mouse	801	334	140%	-	0	100%
120	SHIP	80,982	798,156	-90%	647,222	3,057,425	-79%
121	Law Enforcement Trust	386,721	177,678	118%	231,219	402,350	-43%
124	Affordable Housing Grant	27,205	10,902	150%	241,586	54,273	345%
129	CDBG/HUD	3,022,841	3,366,576	-10%	3,069,214	2,902,260	6%
130	Handicapped Parking	23,502	20,608	14%	54,090	6,427	742%
131	Family Mediation	747	475	57%	3,828	3,758	2%
143	Fire Protection Fund	10,744,727	10,893,665	-1%	8,642,808	7,619,810	13%
145	E-911	607,379	644,547	-6%	1,030,665	382,953	169%

Comparison of Actual Revenues & Expenditures to Prior Fiscal Year
For the fiscal year 2011
as of June 30, 2011
9 months or 75% of Fiscal Year

Fund #	Fund Name	Actual Revenue Oct - June Fiscal 2011	Actual Revenue Oct - June Fiscal 2010	Incr/ -Dec from Fiscal 2010	Actual Expenditures Oct - June Fiscal 2011	Actual Expenditures Oct - June Fiscal 2010	Incr/ -Dec from Fiscal 2010
146	HUD-CDBG Housing Rehab	238	395	-40%	(8,835)	0	100%
147	HUD-Home Fund	1,122,117	1,239,669	-9%	1,108,576	1,269,678	-13%
151	Community Redevelopment	957,327	987,397	-3%	1,760,515	1,030,799	71%
152	Southwest Sector	117,879	137,007	-14%	215,829	276,169	-22%
167	Bob Sikes Toll	2,658,050	2,159,684	23%	1,807,733	612,996	195%
175	Transportation Trust	16,098,190	14,448,843	11%	15,452,296	14,329,210	8%
177	StreetLighting and Road MSBU	835,096	665,482	25%	405,442	391,541	4%
181	Master Drainage	53,543	61,360	-13%	409,799	158,465	159%
203	Debt Service	6,031,783	11,835,237	-49%	3,501,656	10,639,425	-67%
320	FTA Grants	478,504	60,626	689%	488,461	72,901	570%
333	New Road Construction	2,175	1,962	11%	209,256	0	100%
350	LOST I	153	2,368	-94%	80,105	0	100%
351	LOST II	550,468	4,770,008	-88%	5,326,569	8,116,295	-34%
352	LOST III	25,564,568	21,222,528	20%	24,057,999	25,635,348	-6%
401	Solid Waste	11,529,292	14,012,059	-18%	12,941,670	10,483,903	23%
406	Inspections	1,404,134	1,451,731	-3%	1,909,897	1,858,179	3%
408	EMS	10,948,298	10,905,578	0%	7,156,105	5,861,755	22%
409	Civic Center	4,608,297	4,605,556	0%	5,332,765	5,945,067	-10%
501	Internal Service Fund	14,809,901	7,451,615	99%	9,146,618	7,395,112	24%
	TOTALS	\$ 271,124,907	\$ 264,845,747	2%	\$ 253,615,393	\$ 242,398,416	5%



ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

◆ AUDITOR ◆ ACCOUNTANT ◆ EX-OFFICIO CLERK TO THE BOARD ◆ CUSTODIAN OF COUNTY FUNDS ◆

AI-1161 **Clerk & Comptroller's Report** **Item #: 12. 2.**

BCC Regular Meeting

Meeting Date: 08/04/2011
Issue: Records Disposition
From: Doris Harris
Organization: Clerk & Comptroller's Office

Recommendation:

Recommendation Concerning Disposition of Records

That the Board approve Records Disposition Document No. 458, for disposition of Board of County Commissioners' Records, Item 32a, Minutes: Official Meetings (Transcripts: Microfilmed on Rolls 471 and 472), for the period January 6, 2011, through March 17, 2011, in accordance with State Retention Schedule GS1, since the permanent records have been scanned and/or microfilmed.

Background:

N/A

Attachments

Records Disposition Doc 458

RECORDS DISPOSITION DOCUMENT

NO. 458

PAGE 1 OF 1 PAGES

1. AGENCY NAME and ADDRESS

HONORABLE ERNIE LEE MAGAHA
 CLERK OF THE CIRCUIT COURT AND COMPTROLLER
 190 GOVERNMENTAL CENTER
 PENSACOLA, FL 32502

2. AGENCY CONTACT (Name and Telephone Number)

JANICE MCELROY
 ARCHIVES AND RECORDS DIVISION
 (CLERK TO THE BOARD)
 (850) 595 - 4149 Ext.

3. NOTICE OF INTENTION: The scheduled records listed in Item 5 are to be disposed of in the manner checked below (specify only one).

- a. Destruction b. Microfilming and Destruction c. Other _____

4. SUBMITTED BY: I hereby certify that the records to be disposed of are correctly represented below, that any audit requirements for the records have been fully justified, and that further retention is not required for any litigation pending or imminent.

ERNIE LEE MAGAHA

Escambia County Florida Clerk of the Circuit Court & Comptroller

Signature

Name and Title

Date

5. LIST OF RECORD SERIES

a. Schedule No.	b. Item No.	c. Title	d. Retention	e. Inclusive Dates	f. Volume In Cubic Feet	g. Disposition <u>Action and</u> <u>Date</u> Completed After Authorization
GS1	32a	MINUTES: OFFICIAL MEETINGS (TRANSCRIPTS: MICROFILMED ON ROLLS 471 and 472)		1/6/2011 - 3/17/2011	3.0	

6. DISPOSAL AUTHORIZATION: Disposal for the above listed records is authorized. Any deletions or modifications are indicated.

Custodian/Records Management Liaison Officer

Date

7. DISPOSAL CERTIFICATE: The above listed records have been disposed of in the manner and on the date shown in column g.

Signature

Date

Name and Title

Witness



ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

◆ AUDITOR ◆ ACCOUNTANT ◆ EX-OFFICIO CLERK TO THE BOARD ◆ CUSTODIAN OF COUNTY FUNDS ◆

AI-1167 **Clerk & Comptroller's Report** **Item #: 12. 3.**
BCC Regular Meeting
Meeting Date: 08/04/2011
Issue: Write-Off Accounts Receivable
Organization: Clerk & Comptroller's Office

Recommendation:

Recommendation Concerning Write-Off of Accounts Receivable

That the Board take the following action concerning write-off of accounts receivable:

- A. Adopt the Resolution authorizing the write-off of \$113.82 in returned checks and accounts receivable in various funds of the County that have been determined to be uncollectible bad debts; and
 - B. Adopt the Resolution authorizing the write-off of \$792,428.56 in accounts receivable that have been recorded in the Emergency Medical Services (EMS) Fund of the County and have been determined to be uncollectible bad debts.
-

Attachments

20110804 CR I-3



EXECUTIVE ADMINISTRATION/LEGAL DIVISION
 ACCOUNTING DIVISION
 APPEALS DIVISION
 ARCHIVES AND RECORDS
 CENTURY DIVISION
 CHILD SUPPORT
 CLERK TO THE BOARD
 COUNTY CIVIL
 COUNTY CRIMINAL
 COURT DIVISION
 CIRCUIT CIVIL
 CIRCUIT CRIMINAL
 DOMESTIC RELATIONS
 FAMILY LAW

ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT & COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

♦AUDITOR♦ACCOUNTANT♦EX-OFFICIO CLERK TO THE BOARD♦CUSTODIAN OF COUNTY FUNDS♦

FINANCE
 JURY ASSEMBLY
 GUARDIANSHIP
 HUMAN RESOURCES
 JUVENILE DIVISION
 MARRIAGE
 MENTAL HEALTH
 MANAGEMENT INFORMATION SYSTEMS
 OFFICIAL RECORDS
 OPERATIONAL SERVICES
 PROBATE DIVISION
 TRAFFIC DIVISION
 TREASURY

MEMORANDUM

TO: Honorable Board of County Commissioners

FROM: Ernie Lee Magaha
 Clerk of the Circuit Court & Comptroller

By: Patricia L. Sheldon
 Patricia L. Sheldon, CPA, CGFO, CPFO, CPFIM
 Administrator for Financial Services
 Clerk of the Circuit Court & Comptroller

DATE: July 7, 2011

SUBJECT: Write Off Accounts Receivables

RECOMMENDATION:

That the Board adopt the Resolution authorizing the write off of **\$113.82** in returned checks and account receivables in various funds of the County that have been determined to be uncollectible bad debts.

DISCUSSION:

This Resolution allows an accounting transaction to be recorded and in no way should be construed to be a forgiveness of the debt. This Resolution includes write offs of returned checks and other receivables from various receivable accounts as detailed in the attached listing. All phases of the collection process have been attempted and have been determined to be uncollectible.

PLS/nac

Attachment

2011 JUL 15 P 2:29
 CLERK OF THE CIRCUIT COURT
 ESCAMBIA COUNTY, FL
 ERNIE LEE MAGAHA

RESOLUTION R2011-

WHEREAS, certain returned checks and other receivables totaling \$113.82 are owed to the various funds of Escambia County for services furnished to the persons named on the list which is attached hereto (Attachment "A") and made a part hereof by reference and have been determined to be uncollectible bad debts.

WHEREAS, diligent efforts have been made to collect the amounts as shown on the attached list.

NOW THEREFORE, it is resolved by the Board of County Commissioners of Escambia County, Florida, that:

These accounts shall be written off as uncollectible bad debts. The above designations have been made solely to enable the Clerk of the Circuit Court and Comptroller to carry out his duties in accordance with generally accepted accounting principles. Escambia County does not waive any rights it may have to collect any of the above-referenced accounts receivable, including but not limited to use of a collection agency under contract to Escambia County.

BE IT FURTHER RESOLVED, that all past efforts to designate these delinquent accounts receivable as bad debts are hereby ratified and approved.

BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA

By: _____
Kevin W. White
Chair

ATTEST:

ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT & COMPTROLLER

By: _____
Deputy Clerk

Adopted:

8/4/2011
CR I-3A



INTER-OFFICE MEMORANDUM

TO: Lorraine Hudson, Treasury/Payroll Supervisor

FROM: Ernie Lee Magaha
Clerk of the Circuit Court

By: Harold W. Coats
Harold W. Coats

DATE: July 7, 2011

SUBJECT: Returned Checks and Receivables Write-Off
Ended 06/30/11

The following is a list of all outstanding returned checks greater than 120 days old and uncollectible receivables at June 30, 2011.

<u>Name</u>	<u>Date of Return</u>	<u>Fund</u>	<u>Amount</u>
Gosnell, Jennifer A.	02/03/2011	001	\$ 73.00
Graham, Patrick W.	01/13/2011	151	\$ 40.82
Total Checks			\$ 113.82
Total Receivables			\$ 0.00

Grand Total	\$ 113.82
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EXECUTIVE ADMINISTRATION/LEGAL DIVISION
 ACCOUNTING DIVISION
 APPEALS DIVISION
 ARCHIVES AND RECORDS
 CENTURY DIVISION
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 CIRCUIT CRIMINAL
 DOMESTIC RELATIONS
 FAMILY LAW

ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT & COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

♦ AUDITOR ♦ ACCOUNTANT ♦ EX-OFFICIO CLERK TO THE BOARD ♦ CUSTODIAN OF COUNTY FUNDS ♦

FINANCE
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 OFFICIAL RECORDS
 OPERATIONAL SERVICES
 PROBATE DIVISION
 TRAFFIC DIVISION
 TREASURY

MEMORANDUM

TO: Honorable Board of County Commissioners

FROM: Ernie Lee Magaha
 Clerk of the Circuit Court & Comptroller

By: Patricia L. Sheldon
 Patricia L. Sheldon, CPA, CGFO, CPFO
 Administrator for Financial Services
 Clerk of the Circuit Court & Comptroller

DATE: July 25, 2011

SUBJECT: Write off Accounts Receivable

CLERK OF THE BOARD OF
 COUNTY COMMISSIONERS
 2011 JUL 26 P 12:32
 ERNIE LEE MAGAHA
 CLERK OF CIRCUIT COURT
 ESCAMBIA COUNTY, FL.

RECOMMENDATION:

That the Board adopts the attached Resolution authorizing the write off of \$792,428.56 in receivables that have been recorded in the Emergency Medical Services (EMS) Fund of the County and have been determined to be uncollectible bad debts.

DISCUSSION:

This Resolution allows an accounting transaction to be recorded and in no way should be construed to be a forgiveness of the debt. This Resolution includes write offs from EMS Ambulance Billings as explained in the attached memorandum from the Department. Per the Department's memorandum, these accounts have been passed through all phases of the collection process and have been determined to be uncollectible.

PLS/JC/nac

Attachment

RESOLUTION R2011-

WHEREAS, certain accounts totaling \$792,428.56 are owed to the Emergency Medical Service Fund of Escambia County for services furnished as delineated in Attachment "A" and made a part hereof by reference; and

WHEREAS, diligent efforts have been made to collect the amounts as shown on the attached list.

NOW THEREFORE, it is resolved by the Board of County Commissioners of Escambia County, Florida, that:

These accounts receivable shall be written off as uncollectible bad debts. The above designations have been made solely to enable the Clerk of the Circuit Court and Comptroller to carry out his duties in accordance with generally accepted accounting principles. Escambia County does not waive any rights it may have to collect any of the above-referenced accounts receivable, including but not limited to use of a collection agency under contract to Escambia County.

BE IT FURTHER RESOLVED, that all past efforts to designate these delinquent accounts receivable as bad debts are hereby ratified and approved.

BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA

By: _____
Kevin W. White
Chairman of the Board

ATTEST:

ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

By: _____
Deputy Clerk

Adopted:



Board of County Commissioners • Escambia County, Florida

Joe Scialdone, EMS Billing
Public Safety Department

INTEROFFICE MEMORANDUM

TO: Joyce Collins, Accountant I
Escambia County Clerk's Office

THRU: Trisha K. Pohlmann, Manager
Business Operations Division

FROM: Joe Scialdone, Billing Supervisor
EMS Billing Department

DATE: May 31, 2011

RE: Bad Debt Write-off (2nd Qtr FY 2010-11)

Enclosed are the accounts from the specified period for processing as bad debt. These accounts have been through all phases of the billing and collection cycles, to include all primary and secondary insurance filing, private pay processing, pre-collection letter(s), and/or referral to our secondary collection agency. All avenues for collection have been exhausted and we are confident these accounts are truly uncollectible, and any further action would be unproductive.

As always, your assistance in processing these write-offs for action by the Board of County Commissioners is appreciated.

Please advise Trisha Pohlmann once it has been included in the Board agenda for its action.

TOTAL WRITE-OFF FOR APPROVAL: \$ 792,428.56

jc
7/25/11

6575 North W Street • Pensacola, Florida 32505-1714

Telephone (850) 471-6400 • Fax (850) 471-6455

www.myescambia.com

8/4/2011
CR I-3B

ESCAMBIA COUNTY EMS
2nd Quarter FY 2011 Write-Off

Date of Service	Run #	PT Name	Requested Write-Off Amount
2008-10-19	Run 27,460		198.89
2008-12-28	Run 33,770		245.00
2009-02-05	Run 3,211		90.00
2009-03-07	Run 6,059		481.00
2009-09-10	Run 24,704		222.00
2009-10-26	Run 29,172		20.00
2009-11-06	Run 30,193		100.00
2009-12-21	Run 34,302		555.00
2009-12-26	Run 34,700		565.00
2009-12-30	Run 35,041		755.00
2009-12-31	Run 35,134		565.00
2010-01-09	Run 759		765.00
2010-01-14	Run 1,233		645.00
2010-01-19	Run 1,699		825.00
2010-01-22	Run 1,952		605.00
2010-01-27	Run 2,414		346.05
2010-02-01	Run 2,849		450.00
2010-02-03	Run 2,986		540.00
2010-02-03	Run 3,038		10.00
2010-02-07	Run 3,351		185.00
2010-02-10	Run 3,675		36.15
2010-02-10	Run 3,691		685.00
2010-02-16	Run 4,219		35.48
2010-02-23	Run 4,884		100.00
2010-02-25	Run 5,106		100.00
2010-03-04	Run 5,736		13.38
2010-03-05	Run 5,877		655.00
2010-03-07	Run 6,072		382.12
2010-03-08	Run 6,129		50.00
2010-03-08	Run 6,123		735.00
2010-03-10	Run 6,426		75.00
2010-03-11	Run 6,508		81.66
2010-03-13	Run 6,657		143.00
2010-03-13	Run 6,693		150.00
2010-03-13	Run 6,704		660.00
2010-03-14	Run 6,795		150.00
2010-03-14	Run 6,719		383.54
2010-03-14	Run 6,723		100.00
2010-03-19	Run 7,278		150.00
2010-03-21	Run 7,417		76.27
2010-03-21	Run 7,439		79.55
2010-03-22	Run 7,487		100.00
2010-03-24	Run 7,657		560.00
2010-03-25	Run 7,824		150.00
2010-03-27	Run 8,028		555.00
2010-03-27	Run 7,996		565.00
2010-03-29	Run 8,106		535.00
2010-03-31	Run 8,425		652.65
2010-04-02	Run 8,596		695.00
2010-04-02	Run 8,626		115.00
2010-04-02	Run 8,560		150.00
2010-04-03	Run 8,805		203.89

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-04-04	Run 8,668		625.00
2010-04-06	Run 8,934		107.00
2010-04-06	Run 8,987		695.00
2010-04-07	Run 9,098		100.00
2010-04-09	Run 9,238		489.00
2010-04-12	Run 9,552		565.00
2010-04-12	Run 9,511		665.00
2010-04-14	Run 9,727		150.00
2010-04-14	Run 9,702		39.55
2010-04-16	Run 9,936		247.42
2010-04-16	Run 9,908		775.00
2010-04-16	Run 9,929		555.00
2010-04-17	Run 9,968		555.00
2010-04-19	Run 10,213		199.00
2010-04-20	Run 10,276		615.00
2010-04-21	Run 10,462		500.00
2010-04-23	Run 10,596		555.00
2010-04-24	Run 10,730		110.00
2010-04-24	Run 10,567		725.00
2010-04-24	Run 10,747		110.00
2010-04-25	Run 10,839		20.00
2010-04-26	Run 10,890		145.00
2010-04-27	Run 11,041		121.00
2010-04-27	Run 10,983		125.00
2010-04-28	Run 11,087		150.00
2010-04-29	Run 11,239		42.85
2010-04-29	Run 11,199		133.00
2010-04-30	Run 11,343		500.00
2010-05-01	Run 11,362		109.00
2010-05-03	Run 11,527		565.00
2010-05-03	Run 11,575		191.00
2010-05-03	Run 11,564		525.00
2010-05-04	Run 11,629		64.22
2010-05-04	Run 11,664		595.00
2010-05-05	Run 11,721		715.00
2010-05-05	Run 11,768		585.00
2010-05-06	Run 11,896		100.00
2010-05-06	Run 11,863		585.00
2010-05-06	Run 11,881		994.78
2010-05-07	Run 11,972		123.00
2010-05-07	Run 11,996		333.36
2010-05-07	Run 11,906		625.00
2010-05-07	Run 11,971		530.00
2010-05-07	Run 11,990		655.00
2010-05-08	Run 12,043		585.00
2010-05-09	Run 12,111		48.22
2010-05-09	Run 12,162		103.23
2010-05-09	Run 12,090		100.00
2010-05-09	Run 12,150		615.00
2010-05-09	Run 12,121		111.00
2010-05-10	Run 12,187		665.00
2010-05-10	Run 12,259		665.00
2010-05-11	Run 12,171		655.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-05-11	Run 12,297		695.00
2010-05-13	Run 12,518		150.00
2010-05-14	Run 12,869		550.00
2010-05-14	Run 12,681		755.00
2010-05-14	Run 12,723		755.00
2010-05-14	Run 12,648		315.00
2010-05-14	Run 12,642		615.00
2010-05-14	Run 12,643		745.00
2010-05-15	Run 12,741		645.00
2010-05-16	Run 12,831		150.00
2010-05-16	Run 12,840		535.00
2010-05-17	Run 12,882		765.00
2010-05-17	Run 12,881		605.00
2010-05-17	Run 12,958		53.56
2010-05-18	Run 12,982		785.00
2010-05-18	Run 12,875		675.00
2010-05-19	Run 13,113		123.00
2010-05-19	Run 13,115		775.00
2010-05-20	Run 13,235		85.71
2010-05-20	Run 13,203		190.50
2010-05-20	Run 13,216		80.13
2010-05-20	Run 13,236		605.00
2010-05-20	Run 13,173		685.00
2010-05-20	Run 13,217		39.48
2010-05-21	Run 13,310		20.00
2010-05-21	Run 13,275		203.55
2010-05-21	Run 13,279		131.00
2010-05-21	Run 13,331		735.00
2010-05-22	Run 13,413		705.00
2010-05-22	Run 13,441		555.00
2010-05-22	Run 13,415		20.00
2010-05-22	Run 13,614		745.00
2010-05-22	Run 13,395		83.01
2010-05-23	Run 13,636		785.00
2010-05-23	Run 13,464		565.00
2010-05-23	Run 13,449		555.00
2010-05-23	Run 13,494		87.05
2010-05-23	Run 13,517		545.00
2010-05-23	Run 13,522		725.00
2010-05-24	Run 13,890		691.00
2010-05-24	Run 13,576		775.00
2010-05-24	Run 13,582		545.00
2010-05-24	Run 13,726		625.00
2010-05-24	Run 13,580		160.00
2010-05-24	Run 13,661		150.00
2010-05-25	Run 13,680		100.00
2010-05-25	Run 13,670		96.79
2010-05-26	Run 13,798		535.00
2010-05-26	Run 13,911		735.00
2010-05-27	Run 13,978		42.50
2010-05-27	Run 14,009		106.00
2010-05-28	Run 14,173		90.54
2010-05-28	Run 14,041		150.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-05-28	Run 14,045		50.00
2010-05-28	Run 14,030		535.00
2010-05-29	Run 14,225		555.00
2010-05-29	Run 14,058		665.00
2010-05-29	Run 14,056		43.00
2010-05-29	Run 14,257		150.00
2010-05-29	Run 14,284		150.00
2010-05-30	Run 14,338		95.14
2010-05-30	Run 14,081		530.00
2010-05-31	Run 14,407		48.97
2010-05-31	Run 14,631		565.00
2010-05-31	Run 14,107		735.00
2010-05-31	Run 14,369		241.71
2010-06-01	Run 14,476		565.00
2010-06-01	Run 14,447		561.00
2010-06-01	Run 14,558		111.00
2010-06-02	Run 14,596		236.99
2010-06-03	Run 14,699		550.00
2010-06-03	Run 14,552		635.00
2010-06-03	Run 14,706		117.00
2010-06-03	Run 14,646		771.00
2010-06-04	Run 14,726		545.00
2010-06-04	Run 14,745		157.25
2010-06-04	Run 14,859		395.00
2010-06-04	Run 14,847		319.97
2010-06-05	Run 14,747		635.00
2010-06-05	Run 14,749		585.82
2010-06-05	Run 14,756		253.67
2010-06-05	Run 14,765		815.00
2010-06-05	Run 14,901		855.00
2010-06-05	Run 14,890		479.57
2010-06-06	Run 14,972		150.00
2010-06-06	Run 14,982		720.00
2010-06-06	Run 14,987		135.00
2010-06-06	Run 15,016		111.00
2010-06-06	Run 14,954		990.00
2010-06-07	Run 15,091		695.00
2010-06-07	Run 14,776		100.00
2010-06-07	Run 15,067		675.00
2010-06-07	Run 15,094		86.42
2010-06-08	Run 15,201		437.09
2010-06-08	Run 15,144		20.00
2010-06-08	Run 15,210		755.00
2010-06-08	Run 15,177		150.00
2010-06-09	Run 15,220		745.00
2010-06-09	Run 15,226		335.24
2010-06-09	Run 15,173		416.00
2010-06-09	Run 15,281		705.00
2010-06-09	Run 15,235		531.66
2010-06-09	Run 15,239		470.00
2010-06-10	Run 15,361		745.00
2010-06-10	Run 15,325		710.00
2010-06-10	Run 15,390		440.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-06-10	Run 15,308		170.47
2010-06-11	Run 15,590		50.00
2010-06-11	Run 15,559		77.62
2010-06-11	Run 15,414		100.00
2010-06-11	Run 15,394		110.00
2010-06-11	Run 15,417		166.45
2010-06-11	Run 15,573		459.20
2010-06-12	Run 15,630		150.00
2010-06-12	Run 15,610		545.00
2010-06-12	Run 15,456		213.23
2010-06-12	Run 15,606		100.00
2010-06-12	Run 15,631		300.00
2010-06-13	Run 15,642		92.62
2010-06-13	Run 15,662		765.00
2010-06-13	Run 15,673		545.00
2010-06-13	Run 15,499		100.00
2010-06-14	Run 15,696		735.00
2010-06-14	Run 15,545		190.99
2010-06-14	Run 15,713		64.22
2010-06-14	Run 15,748		223.44
2010-06-14	Run 15,677		725.00
2010-06-14	Run 15,746		785.00
2010-06-14	Run 15,766		745.00
2010-06-14	Run 15,692		150.00
2010-06-15	Run 15,787		100.00
2010-06-15	Run 15,790		269.97
2010-06-15	Run 15,809		319.00
2010-06-15	Run 15,871		685.00
2010-06-16	Run 15,902		655.00
2010-06-16	Run 15,912		755.00
2010-06-16	Run 15,943		100.00
2010-06-16	Run 17,285		595.00
2010-06-16	Run 15,920		555.00
2010-06-16	Run 15,889		135.00
2010-06-16	Run 17,284		735.00
2010-06-17	Run 16,008		531.66
2010-06-17	Run 15,974		38.13
2010-06-17	Run 15,984		150.00
2010-06-17	Run 15,991		84.36
2010-06-17	Run 16,004		115.00
2010-06-17	Run 16,007		109.00
2010-06-17	Run 16,013		150.00
2010-06-18	Run 16,343		95.47
2010-06-18	Run 16,129		695.00
2010-06-18	Run 16,137		100.00
2010-06-18	Run 16,111		204.31
2010-06-18	Run 16,115		100.00
2010-06-18	Run 16,155		64.22
2010-06-18	Run 16,094		555.00
2010-06-18	Run 16,145		720.00
2010-06-18	Run 16,101		705.00
2010-06-18	Run 16,110		671.00
2010-06-18	Run 16,125		109.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-06-18	Run 16,142		560.00
2010-06-18	Run 16,100		53.56
2010-06-18	Run 16,039		755.00
2010-06-18	Run 16,034		575.00
2010-06-18	Run 16,045		565.00
2010-06-18	Run 16,160		150.00
2010-06-18	Run 16,349		65.57
2010-06-19	Run 16,248		595.00
2010-06-19	Run 16,250		150.00
2010-06-19	Run 16,146		715.00
2010-06-19	Run 16,223		895.00
2010-06-19	Run 16,141		535.00
2010-06-19	Run 16,211		725.00
2010-06-19	Run 16,192		665.00
2010-06-19	Run 16,355		645.00
2010-06-19	Run 16,156		715.00
2010-06-19	Run 16,191		677.88
2010-06-19	Run 16,216		106.00
2010-06-19	Run 16,362		98.25
2010-06-20	Run 16,279		645.00
2010-06-20	Run 16,278		675.00
2010-06-20	Run 16,300		595.00
2010-06-20	Run 16,234		150.00
2010-06-20	Run 16,231		150.00
2010-06-20	Run 16,213		645.00
2010-06-20	Run 16,257		845.00
2010-06-20	Run 16,268		187.00
2010-06-20	Run 16,243		641.00
2010-06-21	Run 16,460		775.00
2010-06-21	Run 16,473		755.00
2010-06-21	Run 16,325		100.00
2010-06-21	Run 16,322		589.77
2010-06-21	Run 16,319		465.60
2010-06-21	Run 16,452		80.92
2010-06-21	Run 16,370		605.00
2010-06-21	Run 16,367		523.23
2010-06-21	Run 16,394		555.00
2010-06-21	Run 16,411		109.00
2010-06-21	Run 16,440		665.00
2010-06-21	Run 16,457		565.00
2010-06-22	Run 16,486		150.00
2010-06-22	Run 16,493		715.00
2010-06-22	Run 16,479		735.00
2010-06-22	Run 16,496		60.00
2010-06-22	Run 16,503		715.00
2010-06-22	Run 16,488		100.00
2010-06-22	Run 16,500		50.00
2010-06-22	Run 16,541		755.00
2010-06-22	Run 16,644		655.00
2010-06-22	Run 16,519		535.00
2010-06-22	Run 16,647		715.00
2010-06-22	Run 16,649		575.00
2010-06-22	Run 16,443		565.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-06-22	Run 16,425		745.00
2010-06-23	Run 16,580		755.00
2010-06-23	Run 16,616		575.00
2010-06-23	Run 16,629		98.79
2010-06-23	Run 17,131		595.00
2010-06-23	Run 16,600		615.00
2010-06-23	Run 16,582		150.00
2010-06-23	Run 16,668		755.00
2010-06-23	Run 16,544		611.00
2010-06-23	Run 16,581		615.00
2010-06-23	Run 16,583		585.00
2010-06-23	Run 16,653		615.00
2010-06-23	Run 16,663		665.00
2010-06-23	Run 16,672		705.00
2010-06-24	Run 16,675		71.11
2010-06-24	Run 16,705		150.00
2010-06-24	Run 16,740		595.00
2010-06-24	Run 16,700		765.00
2010-06-24	Run 16,729		635.00
2010-06-24	Run 16,721		555.00
2010-06-24	Run 16,696		605.00
2010-06-24	Run 16,726		775.00
2010-06-24	Run 16,739		426.00
2010-06-24	Run 16,703		565.00
2010-06-24	Run 16,954		595.00
2010-06-24	Run 16,690		655.00
2010-06-24	Run 16,618		725.00
2010-06-24	Run 16,962		575.00
2010-06-24	Run 16,693		68.36
2010-06-24	Run 16,951		20.00
2010-06-24	Run 16,945		800.00
2010-06-24	Run 16,680		100.00
2010-06-24	Run 16,677		605.00
2010-06-24	Run 16,678		745.00
2010-06-24	Run 16,691		685.00
2010-06-24	Run 16,741		327.00
2010-06-24	Run 16,955		91.92
2010-06-24	Run 16,957		655.00
2010-06-24	Run 16,960		535.00
2010-06-24	Run 16,952		87.57
2010-06-24	Run 16,747		735.00
2010-06-25	Run 16,783		545.00
2010-06-25	Run 16,811		735.00
2010-06-25	Run 16,734		641.00
2010-06-25	Run 16,745		291.14
2010-06-25	Run 16,774		625.00
2010-06-25	Run 16,779		685.00
2010-06-25	Run 16,990		82.30
2010-06-25	Run 16,989		645.00
2010-06-25	Run 16,985		545.00
2010-06-25	Run 16,976		665.00
2010-06-25	Run 16,971		100.00
2010-06-25	Run 16,981		163.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-06-25	Run 16,983		257.87
2010-06-25	Run 16,993		705.00
2010-06-25	Run 16,972		675.00
2010-06-25	Run 16,755		100.00
2010-06-26	Run 16,835		695.00
2010-06-26	Run 16,809		635.00
2010-06-26	Run 16,823		145.00
2010-06-26	Run 16,824		407.36
2010-06-26	Run 16,851		655.00
2010-06-26	Run 16,868		545.00
2010-06-26	Run 16,836		585.00
2010-06-26	Run 16,837		695.00
2010-06-26	Run 16,852		353.08
2010-06-26	Run 16,860		765.00
2010-06-26	Run 17,016		150.00
2010-06-27	Run 16,934		90.54
2010-06-27	Run 17,142		105.66
2010-06-27	Run 16,853		621.00
2010-06-27	Run 16,930		585.00
2010-06-27	Run 16,873		575.00
2010-06-27	Run 16,891		100.00
2010-06-27	Run 16,897		565.00
2010-06-27	Run 16,877		735.00
2010-06-27	Run 16,901		691.00
2010-06-27	Run 16,859		815.00
2010-06-27	Run 16,921		685.00
2010-06-27	Run 16,896		545.00
2010-06-27	Run 16,939		575.00
2010-06-27	Run 17,052		971.00
2010-06-27	Run 17,119		765.00
2010-06-27	Run 16,870		89.17
2010-06-28	Run 17,104		545.00
2010-06-28	Run 17,066		735.00
2010-06-28	Run 17,089		450.00
2010-06-28	Run 17,064		79.55
2010-06-28	Run 17,150		535.00
2010-06-28	Run 17,057		595.00
2010-06-28	Run 17,075		555.00
2010-06-28	Run 17,087		685.00
2010-06-28	Run 16,927		755.00
2010-06-28	Run 17,084		715.00
2010-06-28	Run 16,918		555.00
2010-06-28	Run 17,083		575.00
2010-06-28	Run 17,068		605.00
2010-06-28	Run 16,911		440.00
2010-06-28	Run 17,036		90.54
2010-06-28	Run 17,038		705.00
2010-06-28	Run 17,078		555.00
2010-06-28	Run 17,079		150.00
2010-06-28	Run 17,081		91.92
2010-06-28	Run 17,085		685.00
2010-06-28	Run 17,092		565.00
2010-06-28	Run 17,093		565.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-06-28	Run 17,170		791.00
2010-06-28	Run 17,056		605.00
2010-06-29	Run 17,758		101.65
2010-06-29	Run 17,762		665.00
2010-06-29	Run 17,185		705.00
2010-06-29	Run 17,180		715.00
2010-06-29	Run 17,156		545.00
2010-06-29	Run 17,098		755.00
2010-06-29	Run 17,162		685.00
2010-06-29	Run 17,177		771.00
2010-06-29	Run 17,205		735.00
2010-06-29	Run 17,096		685.00
2010-06-29	Run 17,135		605.00
2010-06-29	Run 17,166		585.00
2010-06-29	Run 17,182		715.00
2010-06-29	Run 17,186		575.00
2010-06-29	Run 17,196		105.00
2010-06-29	Run 17,095		701.00
2010-06-29	Run 17,178		129.00
2010-06-30	Run 17,778		665.00
2010-06-30	Run 17,780		72.49
2010-06-30	Run 17,767		765.00
2010-06-30	Run 17,768		665.00
2010-06-30	Run 17,769		545.00
2010-06-30	Run 17,770		695.00
2010-06-30	Run 17,784		715.00
2010-06-30	Run 17,209		725.00
2010-06-30	Run 17,230		450.00
2010-06-30	Run 17,252		585.00
2010-06-30	Run 17,207		795.00
2010-06-30	Run 17,210		705.00
2010-06-30	Run 17,260		765.00
2010-06-30	Run 17,775		725.00
2010-07-01	Run 17,269		655.00
2010-07-01	Run 17,305		555.00
2010-07-01	Run 17,261		339.00
2010-07-01	Run 17,265		655.00
2010-07-01	Run 17,318		150.00
2010-07-01	Run 17,337		675.00
2010-07-01	Run 17,331		715.00
2010-07-01	Run 17,292		150.00
2010-07-01	Run 17,341		605.00
2010-07-01	Run 17,263		100.00
2010-07-01	Run 17,313		117.00
2010-07-01	Run 17,384		152.12
2010-07-01	Run 17,325		540.00
2010-07-01	Run 17,322		150.00
2010-07-01	Run 17,309		545.00
2010-07-01	Run 17,319		150.00
2010-07-01	Run 17,320		651.00
2010-07-01	Run 17,328		755.00
2010-07-01	Run 17,342		745.00
2010-07-01	Run 17,368		555.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-07-01	Run 17,379		555.00
2010-07-02	Run 17,742		805.00
2010-07-02	Run 17,746		133.75
2010-07-02	Run 17,453		765.00
2010-07-02	Run 17,345		610.00
2010-07-02	Run 17,392		100.00
2010-07-02	Run 17,432		150.00
2010-07-02	Run 17,388		150.00
2010-07-02	Run 17,376		585.00
2010-07-02	Run 17,438		575.00
2010-07-02	Run 17,400		835.00
2010-07-02	Run 17,370		715.00
2010-07-02	Run 17,393		585.00
2010-07-02	Run 17,428		665.00
2010-07-02	Run 17,437		37.55
2010-07-02	Run 17,439		139.00
2010-07-02	Run 17,466		111.00
2010-07-03	Run 17,473		575.00
2010-07-03	Run 17,509		565.00
2010-07-03	Run 17,472		845.00
2010-07-03	Run 17,494		79.55
2010-07-03	Run 17,497		595.00
2010-07-03	Run 17,449		223.44
2010-07-03	Run 17,460		665.00
2010-07-03	Run 17,468		605.00
2010-07-03	Run 17,542		795.00
2010-07-03	Run 17,566		610.00
2010-07-03	Run 17,557		735.00
2010-07-03	Run 17,532		585.00
2010-07-03	Run 17,496		100.00
2010-07-03	Run 17,550		625.00
2010-07-03	Run 17,531		635.00
2010-07-03	Run 17,747		293.00
2010-07-03	Run 17,553		625.00
2010-07-03	Run 17,561		751.00
2010-07-04	Run 17,634		545.00
2010-07-04	Run 17,593		635.00
2010-07-04	Run 17,590		715.00
2010-07-04	Run 17,622		605.00
2010-07-04	Run 17,608		585.00
2010-07-04	Run 17,603		42.00
2010-07-04	Run 17,606		685.00
2010-07-04	Run 17,598		150.00
2010-07-04	Run 17,585		685.00
2010-07-04	Run 17,632		771.00
2010-07-04	Run 17,633		585.00
2010-07-04	Run 17,574		645.00
2010-07-04	Run 17,560		805.00
2010-07-04	Run 17,567		665.00
2010-07-04	Run 17,586		595.00
2010-07-04	Run 17,617		291.67
2010-07-04	Run 17,619		535.00
2010-07-05	Run 17,722		20.00

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ESCAMBIA COUNTY EMS
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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-07-05	Run 17,688		555.00
2010-07-05	Run 17,676		151.00
2010-07-05	Run 17,647		565.00
2010-07-05	Run 17,685		555.00
2010-07-05	Run 17,682		605.00
2010-07-05	Run 17,674		595.00
2010-07-05	Run 17,681		150.00
2010-07-05	Run 17,683		665.00
2010-07-05	Run 17,653		695.00
2010-07-05	Run 17,661		575.00
2010-07-05	Run 17,678		675.00
2010-07-05	Run 17,684		725.00
2010-07-05	Run 17,793		1,015.00
2010-07-05	Run 17,657		675.00
2010-07-06	Run 17,847		575.00
2010-07-06	Run 17,853		561.80
2010-07-06	Run 17,811		745.00
2010-07-06	Run 17,801		735.00
2010-07-06	Run 17,828		585.00
2010-07-06	Run 17,736		595.00
2010-07-06	Run 17,880		825.00
2010-07-06	Run 17,836		731.00
2010-07-06	Run 17,825		565.00
2010-07-06	Run 17,830		150.00
2010-07-06	Run 17,820		585.00
2010-07-06	Run 17,866		150.00
2010-07-06	Run 17,863		625.00
2010-07-06	Run 17,815		47.49
2010-07-06	Run 17,803		109.00
2010-07-07	Run 17,869		150.00
2010-07-07	Run 17,963		575.00
2010-07-07	Run 17,899		685.00
2010-07-07	Run 17,908		202.50
2010-07-07	Run 17,904		150.00
2010-07-07	Run 17,898		565.00
2010-07-07	Run 17,960		298.37
2010-07-07	Run 17,874		715.00
2010-07-07	Run 17,888		755.00
2010-07-07	Run 17,868		715.00
2010-07-07	Run 17,943		725.00
2010-07-07	Run 17,928		150.00
2010-07-07	Run 17,956		745.00
2010-07-07	Run 17,886		695.00
2010-07-07	Run 17,887		725.00
2010-07-07	Run 17,901		530.00
2010-07-07	Run 17,915		316.71
2010-07-07	Run 17,923		665.00
2010-07-07	Run 17,930		565.00
2010-07-07	Run 17,937		575.00
2010-07-08	Run 18,101		80.92
2010-07-08	Run 18,094		795.00
2010-07-08	Run 18,072		565.00
2010-07-08	Run 18,026		725.00

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ESCAMBIA COUNTY EMS
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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-07-08	Run 18,017		775.00
2010-07-08	Run 17,964		640.00
2010-07-08	Run 18,063		545.00
2010-07-08	Run 17,957		72.49
2010-07-08	Run 18,007		625.00
2010-07-08	Run 18,048		785.00
2010-07-08	Run 17,959		440.00
2010-07-08	Run 17,994		565.00
2010-07-08	Run 18,010		610.00
2010-07-08	Run 18,019		665.00
2010-07-08	Run 18,033		825.00
2010-07-08	Run 18,040		725.00
2010-07-08	Run 18,045		855.00
2010-07-08	Run 18,049		575.00
2010-07-08	Run 18,062		6.98
2010-07-08	Run 17,949		535.00
2010-07-09	Run 18,404		735.00
2010-07-09	Run 18,406		620.00
2010-07-09	Run 18,111		277.00
2010-07-09	Run 18,123		150.00
2010-07-09	Run 18,065		815.00
2010-07-09	Run 18,066		605.00
2010-07-09	Run 18,079		530.00
2010-07-09	Run 18,112		725.00
2010-07-09	Run 18,124		80.73
2010-07-09	Run 18,138		565.00
2010-07-09	Run 18,186		695.00
2010-07-09	Run 18,157		695.00
2010-07-09	Run 18,160		805.00
2010-07-09	Run 18,139		535.00
2010-07-09	Run 18,168		295.72
2010-07-09	Run 18,107		100.00
2010-07-09	Run 18,061		117.82
2010-07-09	Run 18,158		141.00
2010-07-10	Run 18,420		10.43
2010-07-10	Run 18,167		565.00
2010-07-10	Run 18,166		595.00
2010-07-10	Run 18,163		535.00
2010-07-10	Run 18,209		130.00
2010-07-10	Run 18,267		283.23
2010-07-10	Run 18,283		645.00
2010-07-10	Run 18,207		540.00
2010-07-10	Run 18,266		535.00
2010-07-10	Run 18,249		67.79
2010-07-10	Run 18,194		755.00
2010-07-10	Run 18,253		785.00
2010-07-10	Run 18,281		665.00
2010-07-10	Run 18,191		233.90
2010-07-10	Run 18,201		755.00
2010-07-10	Run 18,208		540.00
2010-07-10	Run 18,215		755.00
2010-07-10	Run 18,290		535.00
2010-07-10	Run 18,291		590.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-07-10	Run 18,294		590.00
2010-07-11	Run 18,376		605.00
2010-07-11	Run 19,415		615.00
2010-07-11	Run 19,414		715.00
2010-07-11	Run 19,419		535.00
2010-07-11	Run 19,418		805.00
2010-07-11	Run 18,427		590.00
2010-07-11	Run 18,256		755.00
2010-07-11	Run 18,271		55.74
2010-07-11	Run 18,812		550.00
2010-07-11	Run 18,302		715.00
2010-07-11	Run 18,358		100.00
2010-07-11	Run 18,328		86.42
2010-07-11	Run 18,341		695.00
2010-07-11	Run 18,334		25.00
2010-07-11	Run 18,365		605.00
2010-07-11	Run 18,339		545.00
2010-07-11	Run 18,289		585.00
2010-07-11	Run 18,287		535.00
2010-07-11	Run 18,255		715.00
2010-07-11	Run 18,279		735.00
2010-07-11	Run 18,309		555.00
2010-07-11	Run 18,809		595.00
2010-07-12	Run 18,385		595.00
2010-07-12	Run 18,484		604.45
2010-07-12	Run 18,487		585.00
2010-07-12	Run 18,461		675.00
2010-07-12	Run 18,465		745.00
2010-07-12	Run 19,795		845.00
2010-07-12	Run 18,436		715.00
2010-07-12	Run 18,480		725.00
2010-07-12	Run 18,529		595.00
2010-07-12	Run 18,444		311.51
2010-07-12	Run 18,455		595.00
2010-07-12	Run 18,457		595.00
2010-07-12	Run 18,488		430.01
2010-07-12	Run 18,502		555.00
2010-07-12	Run 18,503		605.00
2010-07-12	Run 18,536		785.00
2010-07-12	Run 18,388		645.00
2010-07-12	Run 18,530		755.00
2010-07-12	Run 18,369		775.00
2010-07-12	Run 18,382		615.00
2010-07-12	Run 18,370		113.05
2010-07-13	Run 18,570		78.97
2010-07-13	Run 18,548		440.00
2010-07-13	Run 18,507		755.00
2010-07-13	Run 18,544		715.00
2010-07-13	Run 18,560		545.00
2010-07-13	Run 18,545		555.00
2010-07-13	Run 18,541		535.00
2010-07-13	Run 18,573		555.00
2010-07-13	Run 18,605		645.00

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ESCAMBIA COUNTY EMS
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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-07-13	Run 18,636		695.00
2010-07-13	Run 18,614		685.00
2010-07-13	Run 18,609		690.00
2010-07-13	Run 18,620		685.00
2010-07-13	Run 18,583		715.00
2010-07-13	Run 18,596		725.00
2010-07-13	Run 18,612		735.00
2010-07-13	Run 18,627		585.00
2010-07-13	Run 18,637		80.92
2010-07-13	Run 18,516		725.00
2010-07-13	Run 18,587		100.00
2010-07-13	Run 18,585		107.00
2010-07-14	Run 18,713		695.00
2010-07-14	Run 18,702		561.97
2010-07-14	Run 18,684		555.00
2010-07-14	Run 18,691		715.00
2010-07-14	Run 18,711		615.00
2010-07-14	Run 18,699		550.00
2010-07-14	Run 18,648		194.57
2010-07-14	Run 18,732		565.00
2010-07-14	Run 18,653		745.00
2010-07-14	Run 18,661		875.00
2010-07-14	Run 18,669		565.00
2010-07-14	Run 18,688		635.00
2010-07-14	Run 18,696		775.00
2010-07-14	Run 18,733		705.00
2010-07-14	Run 18,607		745.00
2010-07-14	Run 18,731		160.00
2010-07-14	Run 18,734		735.00
2010-07-15	Run 18,826		316.71
2010-07-15	Run 18,746		565.00
2010-07-15	Run 18,828		535.00
2010-07-15	Run 18,694		585.00
2010-07-15	Run 18,741		725.00
2010-07-15	Run 18,743		575.00
2010-07-15	Run 18,747		835.00
2010-07-15	Run 18,749		143.00
2010-07-15	Run 18,753		605.00
2010-07-15	Run 18,845		615.00
2010-07-15	Run 18,764		82.30
2010-07-15	Run 18,759		785.00
2010-07-15	Run 18,782		555.00
2010-07-15	Run 18,774		625.00
2010-07-15	Run 18,760		885.00
2010-07-15	Run 18,762		67.98
2010-07-15	Run 18,778		352.57
2010-07-16	Run 18,862		735.00
2010-07-16	Run 18,885		150.00
2010-07-16	Run 18,873		150.00
2010-07-16	Run 18,854		815.00
2010-07-16	Run 18,853		68.36
2010-07-16	Run 18,911		535.00
2010-07-16	Run 18,866		575.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-07-16	Run 18,898		113.00
2010-07-16	Run 18,886		605.00
2010-07-16	Run 18,857		143.00
2010-07-16	Run 18,844		83.00
2010-07-16	Run 18,856		765.00
2010-07-16	Run 18,867		615.00
2010-07-16	Run 18,896		150.00
2010-07-16	Run 18,904		550.00
2010-07-16	Run 18,837		705.00
2010-07-16	Run 19,126		94.33
2010-07-16	Run 18,941		80.92
2010-07-16	Run 18,830		89.17
2010-07-16	Run 18,846		100.00
2010-07-16	Run 18,909		585.00
2010-07-17	Run 18,965		905.00
2010-07-17	Run 18,981		725.00
2010-07-17	Run 18,972		82.30
2010-07-17	Run 18,966		605.00
2010-07-17	Run 19,000		655.00
2010-07-17	Run 18,985		545.00
2010-07-17	Run 18,937		595.00
2010-07-17	Run 18,918		685.00
2010-07-17	Run 18,934		735.00
2010-07-17	Run 18,943		530.00
2010-07-17	Run 19,031		555.00
2010-07-17	Run 19,022		695.00
2010-07-17	Run 18,995		535.00
2010-07-17	Run 18,997		565.00
2010-07-17	Run 18,996		565.00
2010-07-17	Run 19,030		555.00
2010-07-17	Run 19,007		150.00
2010-07-18	Run 19,042		695.00
2010-07-18	Run 19,026		735.00
2010-07-18	Run 19,133		81.65
2010-07-18	Run 19,066		575.00
2010-07-18	Run 19,017		815.00
2010-07-18	Run 19,008		605.00
2010-07-18	Run 19,059		755.00
2010-07-18	Run 19,096		545.00
2010-07-18	Run 19,003		85.05
2010-07-18	Run 19,109		705.00
2010-07-18	Run 19,020		835.00
2010-07-18	Run 19,075		695.00
2010-07-18	Run 19,076		150.00
2010-07-18	Run 19,099		635.00
2010-07-18	Run 19,116		745.00
2010-07-19	Run 19,171		520.00
2010-07-19	Run 19,318		785.00
2010-07-19	Run 19,226		150.00
2010-07-19	Run 19,186		550.00
2010-07-19	Run 19,152		665.00
2010-07-19	Run 19,155		745.00
2010-07-19	Run 19,165		715.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-07-19	Run 19,177		635.00
2010-07-19	Run 19,178		141.00
2010-07-19	Run 19,237		745.00
2010-07-19	Run 19,082		565.00
2010-07-19	Run 19,135		765.00
2010-07-19	Run 19,142		575.00
2010-07-19	Run 19,227		595.00
2010-07-19	Run 19,197		79.55
2010-07-19	Run 19,089		655.00
2010-07-19	Run 19,090		725.00
2010-07-19	Run 19,093		535.00
2010-07-20	Run 19,281		111.15
2010-07-20	Run 19,252		535.00
2010-07-20	Run 19,283		595.00
2010-07-20	Run 19,261		705.00
2010-07-20	Run 19,308		715.00
2010-07-20	Run 19,207		545.00
2010-07-20	Run 19,264		655.00
2010-07-20	Run 19,284		715.00
2010-07-20	Run 19,272		545.00
2010-07-20	Run 19,246		150.00
2010-07-20	Run 19,248		238.04
2010-07-20	Run 19,269		755.00
2010-07-20	Run 19,203		815.00
2010-07-20	Run 19,208		815.00
2010-07-20	Run 19,241		835.00
2010-07-20	Run 19,251		545.00
2010-07-20	Run 19,274		615.00
2010-07-20	Run 19,280		150.00
2010-07-20	Run 19,299		725.00
2010-07-20	Run 19,294		720.00
2010-07-21	Run 19,392		115.00
2010-07-21	Run 19,393		565.00
2010-07-21	Run 19,345		705.00
2010-07-21	Run 19,351		725.00
2010-07-21	Run 19,362		433.88
2010-07-21	Run 19,369		755.00
2010-07-21	Run 19,355		655.00
2010-07-21	Run 19,390		645.00
2010-07-22	Run 19,453		150.00
2010-07-22	Run 19,433		575.00
2010-07-22	Run 19,403		590.00
2010-07-22	Run 19,476		150.00
2010-07-22	Run 19,427		575.00
2010-07-22	Run 19,498		635.00
2010-07-22	Run 19,450		150.00
2010-07-22	Run 19,428		705.00
2010-07-22	Run 19,441		100.00
2010-07-22	Run 19,490		595.00
2010-07-22	Run 19,489		765.00
2010-07-22	Run 19,487		665.00
2010-07-22	Run 19,398		705.00
2010-07-22	Run 19,513		595.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-07-22	Run 19,380		645.00
2010-07-22	Run 19,521		725.00
2010-07-22	Run 19,449		79.55
2010-07-22	Run 19,492		755.00
2010-07-22	Run 19,439		100.16
2010-07-22	Run 19,462		496.45
2010-07-23	Run 19,483		545.00
2010-07-23	Run 19,504		835.00
2010-07-23	Run 19,620		299.31
2010-07-23	Run 19,535		555.00
2010-07-23	Run 19,582		665.00
2010-07-23	Run 19,571		785.00
2010-07-23	Run 19,554		585.00
2010-07-23	Run 19,607		615.00
2010-07-23	Run 19,630		735.00
2010-07-23	Run 19,518		625.00
2010-07-23	Run 19,782		735.00
2010-07-23	Run 19,598		565.00
2010-07-23	Run 19,798		190.20
2010-07-24	Run 19,643		875.00
2010-07-24	Run 19,660		795.00
2010-07-24	Run 19,649		765.00
2010-07-24	Run 19,651		82.10
2010-07-24	Run 19,659		715.00
2010-07-24	Run 19,695		595.00
2010-07-24	Run 19,606		100.00
2010-07-24	Run 19,591		615.00
2010-07-24	Run 19,639		545.00
2010-07-24	Run 19,619		675.00
2010-07-24	Run 19,650		150.00
2010-07-24	Run 19,617		150.00
2010-07-24	Run 19,655		565.00
2010-07-24	Run 19,684		625.00
2010-07-24	Run 19,710		100.00
2010-07-25	Run 19,677		715.00
2010-07-25	Run 19,688		635.00
2010-07-25	Run 19,703		565.00
2010-07-25	Run 19,783		685.00
2010-07-25	Run 19,744		490.00
2010-07-25	Run 19,790		775.00
2010-07-25	Run 19,752		735.00
2010-07-25	Run 19,701		16.46
2010-07-25	Run 19,713		635.00
2010-07-25	Run 19,758		159.00
2010-07-25	Run 19,733		120.77
2010-07-25	Run 19,751		48.74
2010-07-25	Run 19,724		555.00
2010-07-25	Run 19,749		111.00
2010-07-25	Run 19,760		595.00
2010-07-26	Run 19,834		705.00
2010-07-26	Run 19,806		595.00
2010-07-26	Run 19,807		605.00
2010-07-26	Run 19,829		545.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-07-26	Run 19,858		535.00
2010-07-26	Run 19,856		645.00
2010-07-26	Run 19,879		715.00
2010-07-26	Run 19,841		685.00
2010-07-26	Run 19,849		725.00
2010-07-26	Run 19,828		545.00
2010-07-26	Run 19,857		705.00
2010-07-26	Run 19,891		735.00
2010-07-26	Run 19,804		503.91
2010-07-26	Run 19,800		725.00
2010-07-26	Run 19,882		590.00
2010-07-26	Run 19,902		715.00
2010-07-26	Run 20,005		735.00
2010-07-26	Run 20,009		595.00
2010-07-27	Run 20,614		835.00
2010-07-27	Run 19,959		575.00
2010-07-27	Run 19,958		645.00
2010-07-27	Run 19,939		150.00
2010-07-27	Run 19,926		755.00
2010-07-27	Run 19,929		80.92
2010-07-27	Run 19,907		545.00
2010-07-27	Run 19,983		725.00
2010-07-27	Run 19,896		765.00
2010-07-27	Run 19,962		555.00
2010-07-28	Run 20,028		585.00
2010-07-28	Run 20,101		615.00
2010-07-28	Run 20,024		595.00
2010-07-28	Run 20,102		545.00
2010-07-28	Run 19,990		655.00
2010-07-28	Run 19,975		545.00
2010-07-28	Run 19,976		216.92
2010-07-28	Run 19,987		555.00
2010-07-28	Run 19,992		605.00
2010-07-28	Run 20,072		715.00
2010-07-28	Run 20,057		715.00
2010-07-28	Run 20,074		655.00
2010-07-28	Run 20,085		565.00
2010-07-29	Run 20,149		405.04
2010-07-29	Run 20,147		183.95
2010-07-29	Run 20,132		715.00
2010-07-29	Run 20,168		125.00
2010-07-29	Run 20,120		705.00
2010-07-29	Run 20,112		715.00
2010-07-29	Run 20,127		695.00
2010-07-29	Run 20,088		535.00
2010-07-29	Run 20,109		93.29
2010-07-29	Run 20,122		735.00
2010-07-29	Run 20,134		75.23
2010-07-30	Run 20,250		540.00
2010-07-30	Run 20,207		725.00
2010-07-30	Run 20,248		545.00
2010-07-30	Run 20,243		655.00
2010-07-30	Run 20,280		535.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-07-30	Run 20,193		675.00
2010-07-30	Run 20,274		605.00
2010-07-30	Run 20,188		745.00
2010-07-30	Run 20,282		341.83
2010-07-30	Run 20,219		625.00
2010-07-30	Run 20,156		585.00
2010-07-30	Run 20,172		745.00
2010-07-30	Run 20,287		735.00
2010-07-31	Run 20,331		575.00
2010-07-31	Run 20,291		555.00
2010-07-31	Run 20,336		82.30
2010-07-31	Run 20,329		73.86
2010-07-31	Run 20,307		150.00
2010-07-31	Run 20,328		735.00
2010-07-31	Run 20,365		805.00
2010-07-31	Run 20,340		545.00
2010-07-31	Run 20,367		615.00
2010-07-31	Run 20,303		94.66
2010-07-31	Run 20,315		500.00
2010-07-31	Run 20,330		565.00
2010-07-31	Run 20,270		440.00
2010-08-01	Run 20,483		780.00
2010-08-01	Run 20,434		610.00
2010-08-01	Run 20,381		545.00
2010-08-01	Run 20,455		695.00
2010-08-01	Run 20,409		555.00
2010-08-01	Run 20,414		665.00
2010-08-01	Run 20,348		575.00
2010-08-01	Run 20,443		113.90
2010-08-01	Run 20,369		555.00
2010-08-02	Run 20,508		835.00
2010-08-02	Run 20,507		545.00
2010-08-02	Run 20,459		535.00
2010-08-02	Run 20,447		565.00
2010-08-02	Run 20,453		875.00
2010-08-02	Run 20,468		555.00
2010-08-02	Run 20,567		815.00
2010-08-02	Run 20,530		331.90
2010-08-02	Run 20,550		625.00
2010-08-02	Run 21,622		645.00
2010-08-02	Run 20,562		68.36
2010-08-02	Run 20,598		605.00
2010-08-02	Run 20,449		625.00
2010-08-02	Run 20,538		635.00
2010-08-02	Run 20,561		585.00
2010-08-02	Run 20,563		765.00
2010-08-02	Run 20,565		595.00
2010-08-02	Run 20,588		745.00
2010-08-03	Run 20,652		635.00
2010-08-03	Run 20,643		705.00
2010-08-03	Run 20,623		695.00
2010-08-03	Run 20,624		595.00
2010-08-03	Run 20,870		565.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-08-03	Run 20,878		695.00
2010-08-03	Run 20,891		585.00
2010-08-03	Run 20,584		545.00
2010-08-03	Run 20,634		725.00
2010-08-03	Run 20,663		695.00
2010-08-03	Run 20,601		655.00
2010-08-03	Run 20,845		785.00
2010-08-03	Run 20,855		20.00
2010-08-03	Run 20,860		20.00
2010-08-04	Run 20,684		745.00
2010-08-04	Run 20,703		82.30
2010-08-04	Run 20,723		715.00
2010-08-04	Run 20,874		765.00
2010-08-04	Run 20,877		715.00
2010-08-04	Run 20,895		655.00
2010-08-04	Run 20,706		545.00
2010-08-04	Run 20,714		160.00
2010-08-04	Run 20,880		540.00
2010-08-05	Run 20,729		845.00
2010-08-05	Run 20,750		580.00
2010-08-05	Run 20,913		575.00
2010-08-05	Run 20,776		785.00
2010-08-05	Run 20,773		82.30
2010-08-05	Run 20,805		575.00
2010-08-05	Run 20,808		685.00
2010-08-05	Run 20,789		755.00
2010-08-05	Run 20,791		426.23
2010-08-05	Run 20,764		675.00
2010-08-05	Run 20,822		755.00
2010-08-06	Run 21,009		545.00
2010-08-06	Run 20,937		645.00
2010-08-06	Run 20,999		545.00
2010-08-06	Run 20,958		565.00
2010-08-06	Run 20,928		885.00
2010-08-06	Run 20,977		675.00
2010-08-06	Run 20,930		555.00
2010-08-06	Run 20,961		735.00
2010-08-07	Run 21,043		150.00
2010-08-07	Run 21,068		555.00
2010-08-07	Run 21,045		775.00
2010-08-07	Run 21,054		745.00
2010-08-07	Run 21,024		645.00
2010-08-07	Run 21,003		605.00
2010-08-07	Run 21,107		835.00
2010-08-07	Run 21,058		685.00
2010-08-07	Run 21,062		805.00
2010-08-07	Run 21,104		575.00
2010-08-07	Run 21,063		645.00
2010-08-07	Run 23,691		105.66
2010-08-08	Run 21,110		745.00
2010-08-08	Run 21,175		795.00
2010-08-08	Run 21,179		82.30
2010-08-08	Run 21,136		755.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-08-08	Run 21,089		905.00
2010-08-08	Run 21,159		735.00
2010-08-08	Run 21,126		595.00
2010-08-08	Run 21,094		765.00
2010-08-08	Run 21,193		825.00
2010-08-08	Run 21,082		755.00
2010-08-08	Run 21,101		655.00
2010-08-08	Run 21,148		565.00
2010-08-08	Run 21,174		715.00
2010-08-09	Run 21,258		545.00
2010-08-09	Run 21,208		705.00
2010-08-09	Run 21,255		825.00
2010-08-09	Run 21,259		695.00
2010-08-09	Run 21,244		73.50
2010-08-09	Run 21,292		85.05
2010-08-09	Run 21,181		150.00
2010-08-09	Run 21,274		725.00
2010-08-09	Run 21,209		745.00
2010-08-09	Run 21,230		605.00
2010-08-09	Run 21,293		86.42
2010-08-09	Run 21,294		575.00
2010-08-09	Run 21,310		20.00
2010-08-09	Run 21,222		855.00
2010-08-09	Run 21,272		625.00
2010-08-10	Run 21,397		665.00
2010-08-10	Run 21,392		555.00
2010-08-10	Run 21,395		555.00
2010-08-10	Run 21,287		585.00
2010-08-10	Run 21,296		765.00
2010-08-10	Run 21,381		84.85
2010-08-10	Run 21,304		755.00
2010-08-10	Run 21,331		795.00
2010-08-10	Run 21,346		299.75
2010-08-11	Run 21,406		605.00
2010-08-11	Run 21,510		80.73
2010-08-11	Run 21,497		150.00
2010-08-11	Run 21,502		695.00
2010-08-11	Run 21,457		675.00
2010-08-11	Run 21,473		715.00
2010-08-11	Run 21,394		725.00
2010-08-11	Run 21,366		785.00
2010-08-11	Run 21,365		665.00
2010-08-11	Run 21,372		635.00
2010-08-11	Run 21,374		87.79
2010-08-11	Run 21,418		544.98
2010-08-11	Run 21,451		550.00
2010-08-11	Run 21,454		725.00
2010-08-11	Run 21,477		605.00
2010-08-11	Run 21,478		548.31
2010-08-11	Run 21,485		665.00
2010-08-11	Run 21,511		545.00
2010-08-12	Run 21,542		685.00
2010-08-12	Run 21,584		575.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-08-12	Run 21,583		655.00
2010-08-12	Run 21,575		655.00
2010-08-12	Run 23,155		585.00
2010-08-12	Run 21,562		725.00
2010-08-12	Run 21,496		20.00
2010-08-12	Run 21,587		104.28
2010-08-12	Run 21,607		595.00
2010-08-12	Run 21,569		745.00
2010-08-12	Run 21,516		785.00
2010-08-12	Run 21,577		705.00
2010-08-12	Run 21,596		785.00
2010-08-12	Run 21,619		795.00
2010-08-13	Run 21,680		545.00
2010-08-13	Run 21,638		85.05
2010-08-13	Run 21,715		545.00
2010-08-13	Run 21,717		90.54
2010-08-13	Run 21,629		565.00
2010-08-13	Run 21,625		605.00
2010-08-13	Run 21,666		101.53
2010-08-13	Run 21,657		453.28
2010-08-13	Run 21,699		555.00
2010-08-13	Run 21,725		695.00
2010-08-14	Run 21,687		605.00
2010-08-14	Run 21,795		271.30
2010-08-14	Run 21,808		725.00
2010-08-14	Run 21,747		640.00
2010-08-14	Run 21,786		575.00
2010-08-14	Run 21,722		715.00
2010-08-14	Run 21,738		765.00
2010-08-14	Run 21,705		545.00
2010-08-14	Run 21,771		635.00
2010-08-14	Run 21,742		150.00
2010-08-14	Run 21,782		545.00
2010-08-14	Run 21,789		555.00
2010-08-15	Run 21,815		765.00
2010-08-15	Run 21,819		735.00
2010-08-15	Run 21,781		625.00
2010-08-15	Run 21,791		150.00
2010-08-15	Run 21,784		500.00
2010-08-15	Run 21,794		565.00
2010-08-15	Run 21,799		705.00
2010-08-15	Run 21,805		705.00
2010-08-15	Run 21,841		705.00
2010-08-15	Run 21,862		665.00
2010-08-15	Run 21,879		540.00
2010-08-15	Run 21,881		535.00
2010-08-15	Run 21,891		545.00
2010-08-16	Run 21,974		695.00
2010-08-16	Run 21,958		565.00
2010-08-16	Run 21,885		595.00
2010-08-16	Run 21,921		715.00
2010-08-16	Run 21,871		705.00
2010-08-16	Run 21,951		735.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-08-16	Run 21,868		575.00
2010-08-16	Run 21,943		725.00
2010-08-16	Run 21,973		625.00
2010-08-16	Run 21,992		695.00
2010-08-17	Run 21,978		615.00
2010-08-17	Run 22,071		945.00
2010-08-17	Run 22,012		665.00
2010-08-17	Run 22,045		565.00
2010-08-17	Run 22,007		745.00
2010-08-17	Run 21,984		705.00
2010-08-17	Run 22,068		94.66
2010-08-17	Run 21,994		755.00
2010-08-17	Run 21,981		735.00
2010-08-18	Run 22,092		150.00
2010-08-18	Run 22,105		545.00
2010-08-18	Run 22,087		535.00
2010-08-18	Run 22,084		555.00
2010-08-18	Run 24,307		785.00
2010-08-19	Run 22,273		615.00
2010-08-19	Run 22,241		715.00
2010-08-19	Run 22,208		785.00
2010-08-19	Run 22,170		755.00
2010-08-19	Run 22,171		635.00
2010-08-19	Run 22,194		785.00
2010-08-19	Run 22,225		725.00
2010-08-19	Run 22,253		545.00
2010-08-19	Run 22,294		565.00
2010-08-19	Run 23,195		1,005.00
2010-08-20	Run 22,310		585.00
2010-08-20	Run 22,278		745.00
2010-08-20	Run 22,358		555.00
2010-08-20	Run 22,342		545.00
2010-08-20	Run 22,327		565.00
2010-08-20	Run 22,350		580.00
2010-08-21	Run 22,403		150.00
2010-08-21	Run 22,448		725.00
2010-08-21	Run 22,465		615.00
2010-08-21	Run 22,449		745.00
2010-08-21	Run 22,477		645.00
2010-08-21	Run 22,367		545.00
2010-08-21	Run 22,410		535.00
2010-08-21	Run 22,361		695.00
2010-08-21	Run 22,461		705.00
2010-08-21	Run 22,373		615.00
2010-08-21	Run 22,392		565.00
2010-08-21	Run 22,404		705.00
2010-08-22	Run 22,478		535.00
2010-08-22	Run 22,565		565.00
2010-08-22	Run 22,490		100.00
2010-08-22	Run 22,481		675.00
2010-08-22	Run 22,504		815.00
2010-08-22	Run 22,509		605.00
2010-08-22	Run 22,519		150.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-08-22	Run 22,542		595.00
2010-08-23	Run 22,603		545.00
2010-08-23	Run 22,634		685.00
2010-08-23	Run 22,608		715.00
2010-08-23	Run 22,626		555.00
2010-08-23	Run 22,650		765.00
2010-08-23	Run 22,568		585.00
2010-08-23	Run 22,659		715.00
2010-08-23	Run 23,168		735.00
2010-08-23	Run 22,546		575.00
2010-08-23	Run 22,601		895.00
2010-08-23	Run 22,537		735.00
2010-08-23	Run 22,559		695.00
2010-08-23	Run 22,614		82.30
2010-08-23	Run 22,619		150.00
2010-08-23	Run 22,620		555.00
2010-08-23	Run 22,640		575.00
2010-08-23	Run 22,556		595.00
2010-08-24	Run 22,726		635.00
2010-08-24	Run 23,176		150.00
2010-08-24	Run 23,173		685.00
2010-08-24	Run 22,675		545.00
2010-08-24	Run 22,699		500.00
2010-08-24	Run 22,660		705.00
2010-08-24	Run 22,637		705.00
2010-08-25	Run 22,771		545.00
2010-08-25	Run 22,811		565.00
2010-08-25	Run 22,804		555.00
2010-08-25	Run 22,762		735.00
2010-08-25	Run 22,806		735.00
2010-08-25	Run 22,766		705.00
2010-08-25	Run 22,770		715.00
2010-08-25	Run 22,784		695.00
2010-08-26	Run 22,794		150.00
2010-08-26	Run 25,532		87.79
2010-08-26	Run 22,841		885.00
2010-08-26	Run 22,886		565.00
2010-08-26	Run 22,829		555.00
2010-08-26	Run 22,862		585.00
2010-08-27	Run 22,904		150.00
2010-08-27	Run 22,958		775.00
2010-08-27	Run 22,983		815.00
2010-08-28	Run 23,052		615.00
2010-08-28	Run 23,029		575.00
2010-08-28	Run 22,993		645.00
2010-08-28	Run 23,025		463.66
2010-08-28	Run 23,021		695.00
2010-08-28	Run 23,028		605.00
2010-08-28	Run 23,036		565.00
2010-08-29	Run 23,069		665.00
2010-08-29	Run 23,075		545.00
2010-08-29	Run 23,088		625.00
2010-08-30	Run 23,264		895.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-08-30	Run 23,263		705.00
2010-08-30	Run 23,214		575.00
2010-08-30	Run 23,281		745.00
2010-08-30	Run 23,285		715.00
2010-08-30	Run 23,221		695.00
2010-08-31	Run 23,289		440.00
2010-08-31	Run 23,282		645.00
2010-08-31	Run 23,387		715.00
2010-08-31	Run 23,300		595.00
2010-08-31	Run 23,280		605.00
2010-09-01	Run 23,434		715.00
2010-09-01	Run 23,471		535.00
2010-09-01	Run 23,463		545.00
2010-09-01	Run 23,431		695.00
2010-09-01	Run 23,438		795.00
2010-09-01	Run 23,439		545.00
2010-09-01	Run 23,384		705.00
2010-09-01	Run 23,427		645.00
2010-09-01	Run 23,437		645.00
2010-09-02	Run 23,532		545.00
2010-09-02	Run 23,551		545.00
2010-09-02	Run 23,531		150.00
2010-09-02	Run 23,579		535.00
2010-09-02	Run 23,533		615.00
2010-09-02	Run 23,578		685.00
2010-09-02	Run 23,595		555.00
2010-09-03	Run 23,685		87.79
2010-09-03	Run 23,660		545.00
2010-09-03	Run 23,665		635.00
2010-09-03	Run 23,647		675.00
2010-09-03	Run 23,591		150.00
2010-09-03	Run 23,635		845.00
2010-09-03	Run 23,695		695.00
2010-09-03	Run 23,640		830.00
2010-09-03	Run 23,650		555.00
2010-09-03	Run 23,654		695.00
2010-09-04	Run 23,690		625.00
2010-09-04	Run 23,796		545.00
2010-09-04	Run 23,708		645.00
2010-09-05	Run 23,807		545.00
2010-09-05	Run 23,864		685.00
2010-09-05	Run 23,863		535.00
2010-09-05	Run 23,858		112.00
2010-09-05	Run 23,824		82.30
2010-09-05	Run 23,806		585.00
2010-09-05	Run 23,857		705.00
2010-09-05	Run 23,871		575.00
2010-09-05	Run 23,882		545.00
2010-09-05	Run 23,886		695.00
2010-09-06	Run 23,929		725.00
2010-09-06	Run 23,961		645.00
2010-09-06	Run 23,910		775.00
2010-09-06	Run 23,925		685.00

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Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-09-06	Run 23,950		705.00
2010-09-06	Run 23,976		715.00
2010-09-07	Run 24,061		545.00
2010-09-07	Run 23,975		535.00
2010-09-07	Run 24,014		535.00
2010-09-07	Run 24,069		575.00
2010-09-07	Run 24,074		715.00
2010-09-07	Run 24,080		605.00
2010-09-07	Run 24,011		635.00
2010-09-07	Run 23,995		645.00
2010-09-08	Run 24,176		545.00
2010-09-08	Run 24,204		685.00
2010-09-08	Run 24,101		535.00
2010-09-08	Run 24,102		605.00
2010-09-08	Run 24,166		535.00
2010-09-08	Run 24,142		595.00
2010-09-08	Run 24,156		715.00
2010-09-08	Run 24,187		89.17
2010-09-08	Run 24,139		765.00
2010-09-09	Run 24,190		595.00
2010-09-09	Run 24,208		625.00
2010-09-09	Run 24,185		545.00
2010-09-09	Run 24,232		725.00
2010-09-09	Run 24,197		595.00
2010-09-10	Run 24,301		745.00
2010-09-10	Run 24,323		80.31
2010-09-10	Run 24,371		705.00
2010-09-11	Run 24,399		715.00
2010-09-11	Run 24,447		545.00
2010-09-11	Run 24,477		685.00
2010-09-11	Run 24,531		745.00
2010-09-11	Run 24,479		545.00
2010-09-11	Run 24,423		555.00
2010-09-11	Run 24,432		715.00
2010-09-12	Run 24,491		735.00
2010-09-12	Run 24,498		575.00
2010-09-12	Run 26,163		555.00
2010-09-13	Run 24,650		655.00
2010-09-13	Run 24,683		785.00
2010-09-13	Run 24,649		555.00
2010-09-13	Run 24,621		545.00
2010-09-13	Run 24,606		675.00
2010-09-13	Run 24,627		675.00
2010-09-14	Run 24,714		625.00
2010-09-15	Run 24,823		555.00
2010-09-15	Run 24,828		715.00
2010-09-15	Run 24,855		685.00
2010-09-15	Run 24,785		745.00
2010-09-16	Run 24,894		705.00
2010-09-16	Run 24,966		555.00
2010-09-16	Run 24,932		40.55
2010-09-16	Run 24,870		625.00
2010-09-16	Run 25,094		150.00

8/4/2011
CR I-3B

ESCAMBIA COUNTY EMS
2nd Quarter FY 2011 Write-Off

Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-09-16	Run 24,842		705.00
2010-09-16	Run 24,924		545.00
2010-09-16	Run 24,940		86.42
2010-09-17	Run 25,033		535.00
2010-09-17	Run 25,007		73.86
2010-09-17	Run 24,944		735.00
2010-09-18	Run 25,124		725.00
2010-09-18	Run 25,147		775.00
2010-09-18	Run 25,070		575.00
2010-09-18	Run 25,164		655.00
2010-09-19	Run 25,237		755.00
2010-09-19	Run 25,171		555.00
2010-09-19	Run 25,202		705.00
2010-09-19	Run 25,172		705.00
2010-09-20	Run 25,339		565.00
2010-09-21	Run 27,020		735.00
2010-09-21	Run 25,384		735.00
2010-09-21	Run 25,391		585.00
2010-09-21	Run 25,423		321.53
2010-09-22	Run 25,421		655.00
2010-09-22	Run 25,509		615.00
2010-09-24	Run 25,613		150.00
2010-09-25	Run 25,693		705.00
2010-09-25	Run 25,662		665.00
2010-09-25	Run 25,701		695.00
2010-09-25	Run 25,969		605.00
2010-09-26	Run 25,810		555.00
2010-09-26	Run 25,828		25.00
2010-09-27	Run 25,919		765.00
2010-09-27	Run 25,957		595.00
2010-09-28	Run 26,050		625.00
2010-09-28	Run 26,037		575.00
2010-09-28	Run 25,940		550.00
2010-09-28	Run 25,998		430.00
2010-09-28	Run 25,988		535.00
2010-09-29	Run 27,493		735.00
2010-09-30	Run 26,154		114.00
2010-09-30	Run 26,190		555.00
2010-09-30	Run 26,125		615.00
2010-09-30	Run 26,230		725.00
2010-10-01	Run 26,269		595.00
2010-10-01	Run 26,263		545.00
2010-10-02	Run 26,336		625.00
2010-10-02	Run 26,435		535.00
2010-10-02	Run 26,370		735.00
2010-10-03	Run 26,803		715.00
2010-10-05	Run 26,662		785.00
2010-10-06	Run 26,739		565.00
2010-10-06	Run 26,723		765.00
2010-10-06	Run 26,794		815.00
2010-10-07	Run 26,807		635.00
2010-10-08	Run 26,995		150.00
2010-10-08	Run 26,952		545.00

8/4/2011
CR I-3B

ESCAMBIA COUNTY EMS
2nd Quarter FY 2011 Write-Off

Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-10-08	Run 26,975		765.00
2010-10-08	Run 26,989		705.00
2010-10-09	Run 27,006		555.00
2010-10-09	Run 26,984		545.00
2010-10-09	Run 27,090		585.00
2010-10-10	Run 27,145		725.00
2010-10-11	Run 27,269		715.00
2010-10-12	Run 27,298		735.00
2010-10-12	Run 27,266		735.00
2010-10-13	Run 27,429		615.00
2010-10-13	Run 27,432		575.00
2010-10-13	Run 28,905		745.00
2010-10-14	Run 27,535		735.00
2010-10-14	Run 27,503		565.00
2010-10-15	Run 27,589		715.00
2010-10-15	Run 27,555		715.00
2010-10-15	Run 27,553		150.00
2010-10-15	Run 27,619		555.00
2010-10-15	Run 27,643		625.00
2010-10-16	Run 27,637		150.00
2010-10-17	Run 27,831		555.00
2010-10-17	Run 27,757		555.00
2010-10-17	Run 27,733		545.00
2010-10-17	Run 27,789		725.00
2010-10-17	Run 27,785		775.00
2010-10-18	Run 27,939		705.00
2010-10-19	Run 28,006		595.00
2010-10-20	Run 28,024		645.00
2010-10-20	Run 28,039		555.00
2010-10-20	Run 28,108		535.00
2010-10-20	Run 28,091		535.00
2010-10-20	Run 28,113		595.00
2010-10-20	Run 28,066		595.00
2010-10-20	Run 28,097		595.00
2010-10-21	Run 28,193		705.00
2010-10-21	Run 28,124		725.00
2010-10-22	Run 28,304		655.00
2010-10-22	Run 28,275		535.00
2010-10-23	Run 28,375		150.00
2010-10-23	Run 28,336		595.00
2010-10-24	Run 28,478		725.00
2010-10-25	Run 28,503		565.00
2010-10-26	Run 28,615		745.00
2010-10-26	Run 28,632		775.00
2010-10-27	Run 28,750		595.00
2010-10-27	Run 28,735		655.00
2010-10-27	Run 28,695		745.00
2010-10-27	Run 28,664		545.00
2010-10-28	Run 28,802		545.00
2010-10-28	Run 28,860		545.00
2010-10-29	Run 28,945		575.00
2010-10-30	Run 29,030		735.00
2010-10-30	Run 29,015		565.00

8/4/2011
CR I-3B

ESCAMBIA COUNTY EMS
2nd Quarter FY 2011 Write-Off

Date of Service	Run #	PT Name	Requested Write-Off Amount
2010-10-30	Run 29,073		575.00
2010-10-31	Run 29,117		565.00
2010-10-31	Run 29,165		795.00
2010-11-01	Run 29,237		555.00
2010-11-01	Run 29,242		695.00
2010-11-03	Run 29,386		150.00
2010-11-04	Run 29,486		725.00
2010-11-04	Run 29,433		565.00
2010-11-05	Run 29,603		555.00
2010-11-05	Run 29,589		595.00
2010-11-06	Run 29,682		705.00
2010-11-09	Run 29,947		805.00
2010-11-10	Run 30,001		735.00
2010-11-11	Run 30,140		565.00
2010-11-12	Run 30,232		535.00
2010-11-14	Run 30,381		735.00
2010-11-16	Run 30,493		605.00
2010-11-16	Run 30,506		675.00
2010-11-16	Run 30,509		595.00
2010-11-26	Run 31,329		705.00
2010-11-27	Run 31,418		715.00
2010-11-27	Run 31,427		645.00
2010-11-27	Run 31,423		150.00
2010-11-29	Run 31,595		605.00
2010-11-30	Run 31,678		615.00
2010-12-01	Run 31,744		575.00
2010-12-01	Run 31,703		665.00
		Total Requested Amount:	\$792,428.56

gc
7.25-11



ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

◆ AUDITOR ◆ ACCOUNTANT ◆ EX-OFFICIO CLERK TO THE BOARD ◆ CUSTODIAN OF COUNTY FUNDS ◆

AI-1166 **Clerk & Comptroller's Report** **Item #: 12. 4.**

BCC Regular Meeting

Meeting Date: 08/04/2011
Issue: Acceptance of Documents
From: Doris Harris
Organization: Clerk & Comptroller's Office

Recommendation:

Recommendation Concerning Acceptance of Documents Provided to the Clerk to the Board's Office

That the Board accept, for filing with the Board's Minutes, the July 18, 2011, News Release, entitled, "Escambia County Lifts Burn Ban" (enacted by the June 15, 2011, Order of Prohibition [Fire Safety]), as received in the Clerk to the Board's Office on July 18, 2011.

Attachments

20110804 CR I-4



News Release

Escambia County
Office of Public Information and Communications
221 Palafox Place, Suite 410, Pensacola FL 32502

News Release# 11-0718-BurnBanLift
July 18, 2011

Escambia County Lifts Burn Ban

After consultation with Florida Forestry Services officials, Escambia County will lift the burn ban effective immediately. Recent rains have lead to a drop in the drought index. Residents can now burn when following these outdoor burning guidelines:

- It is illegal to burn household garbage (including paper products), treated lumber, rubber materials, tires, pesticides, paint, and aerosol containers.
- Dry (not green) vegetative debris such as grass clippings, pine straw, leaves, tree limbs and shrub trimmings can be legally burned between 8 a.m. and one hour before sunset if it is in a pile not larger than 8 ft diameter and located on the property where the debris originated and is:
 - not closer than 25 ft to a wooded area or the owner's residence;
 - not closer than 50 ft from a paved public road;
 - and not closer than 150 ft from other occupied buildings.
- Burning material in a pile larger than 8 ft. diameter, or burning any area of land, requires an authorization from Florida Forestry Services (850-957-6145), and is subject to additional restrictions.

For more information burning safely, visit the Florida Forestry Services' web site at <http://www.fl-dof.com/>, or call Florida Forestry Services at (850) 957-6145 or (850) 957-6146.

###

CLERK OF CIRCUIT COURT
ESCAMBIA COUNTY, FL.
2011 JUL 18 P 1:18
CLERK OF CIRCUIT COURT
ESCAMBIA COUNTY, FL.

Charles R. "Randy" Oliver, County Administrator
Sonya M. Daniel, Public Information Manager

8/4/2011
CR I-4



Board of County Commissioners • Escambia County, Florida

Michael D. Weaver, Director
Public Safety Department

2011 JUN 15 P 4:44
CLERK OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

Order of Prohibition (Fire Safety)

WHEREAS, Escambia County has been experiencing periods of time without substantial precipitation; and

WHEREAS, an outbreak of major wildfires across the State of Florida has significantly lessened the amount of resources available to the County in the event of a major wildfire in the local area; and

WHEREAS, Governor Rick Scott has declared by Executive Order that a state of emergency exists in the State of Florida due to the current potential for wildfires; and

WHEREAS, Escambia County Ordinance 2008-57, Sec. 50-1 provides for the prohibition of open burning and the use of fireworks.

NOW, THEREFORE, pursuant to the authority granted by Chapter 50, Section 50-1 (a) of the Escambia County Code of Ordinances, the following activities are hereby prohibited in both the incorporated and unincorporated areas of the County: the carrying out of open burning (to include, but not be limited to campfires, wildfires, bonfires, trash burning, and other similar forms of incineration) and fireworks as set forth in Section 50-1(c) of the Code of Ordinances.

The following activities are exempted from this order: state permitted burns, authorized fireworks displays, fireworks sales which are authorized by state law, and outdoor cooking in barbecue grills, smokers, or other outdoor stoves located at private residences.

This prohibition shall remain in effect until terminated by public notice issued by the Fire Chief when the threat of major wildfire emergencies in the local area has been significantly reduced.

Daniel R. Sprilman
Fire Chief, Escambia County

Order of Prohibition Date: June 15, 2011

6575 North W Street • Pensacola, Florida 32505-1714
Telephone (850) 471-6400 • Fax (850) 471-6455
www.myescambia.com





ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

◆ AUDITOR ◆ ACCOUNTANT ◆ EX-OFFICIO CLERK TO THE BOARD ◆ CUSTODIAN OF COUNTY FUNDS ◆

AI-1168 **Clerk & Comptroller's Report** **Item #: 12. 5.**

BCC Regular Meeting

Meeting Date: 08/04/2011
Issue: Minutes and Reports
From: Doris Harris
Organization: Clerk & Comptroller's Office

Recommendation:

Recommendation Concerning Minutes and Reports Prepared by the Clerk to the Board's Office

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 Regular Board Meeting held July 21, 2011;
- B. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held July 21, 2011; and
- C. Accept, for filing with the Board's Minutes, the Report of the Committee of the Whole Workshop held July 14, 2011.

Attachments

20110804 CR I-5

REPORT OF THE BOARD OF COUNTY COMMISSIONERS AGENDA WORK SESSION
HELD JULY 21, 2011
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(9:00 a.m. – 10:00 a.m.)

Present: Commissioner Kevin W. White, Chairman, District 5
Commissioner Wilson B. Robertson, Vice Chairman, District 1
Commissioner Grover C. Robinson, IV, District 4
Commissioner Gene M. Valentino, District 2
Commissioner Marie K. Young, District 3
Lisa N. Bernau, Chief Deputy Clerk, representing the
Honorable Ernie Lee Magaha, Clerk of the Circuit Court and Comptroller
Charles R. "Randy" Oliver, County Administrator
Alison Rogers, County Attorney
Patricia L. Sheldon, Clerk and Comptroller's Administrator of Financial Services
Doris Harris, Deputy Clerk to the Board
Shirley L. Gafford, Program Coordinator, County Administrator's Office

1. FOR INFORMATION: The agenda package for the 5:30 p.m., July 21, 2011, Regular Board Meeting, was reviewed as follows:
 - A. County Administrator Oliver, Shirley L. Gafford, Program Coordinator, County Administrator's Office, County Attorney Rogers, Sandra Slay, Division Manager, Environmental Enforcement, and Amy Lovoy, Director, Management and Budget Department, reviewed the agenda cover sheet, with comments from Rich Stone, Chief Operations Officer, Tax Collector's Office, regarding Item 9;
 - B. Patricia L. Sheldon, Clerk and Comptroller's Administrator of Financial Services, reviewed the Clerk's Report;
 - C. T. Lloyd Kerr, Director, Development Services Department, reviewed the Growth Management Report;
 - D. County Administrator Oliver, Shirley L. Gafford, Program Coordinator, County Administrator's Office, and Randy Wilkerson, Executive Director, Neighborhood Enterprise Foundation, Inc., reviewed the County Administrator's Report;
 - E. County Attorney Rogers and Keith Wilkins, Director, Community & Environment Department, reviewed the County Attorney's Report; and
 - F. Commissioner Robinson and Commissioner Valentino each reviewed his add-on item.

NAME

DEPARTMENT/AGENCY

1	Clergy Lively	County Administrator's Office
2	Frank Stone	Esc Co. Tax Collector
3	Leary Montec	EC SO
4	Jeff Snell	APD
5	Mike Worcester	PS
6	Comy Long	MBS
7	Claudia Sumner	Puech
8	Jay Blacker	PW
9	Joe Wood	PW FACILITIES MGT
10	Jim Masete	I.T.
11	HARRY GOODWIN	P/101
12	Carly Newsom	Admin.
13	Charlie Taylor	MOB
14	Larry Pate	ECSD
15	Henrique Dias	ECSD
16	Marilyn Wesley	DCA
17	Ken Gordon	ECAT
18	Ron & Lois Barker	Citizens
19	Sandra Slay	ENO EAF
20	Cheryl D. Watson	Solid Waste Mgt
21	Ronda & Bill	citizens
22	Pat Chunn	CED
23	Shawn Holt	CE/SWM/P&R
24	Ray Johnson	DSWM
25	Randy Wilkerson	NEPT
26	Sam Allen	Extension
27	Keith Wilkins	C + E
28	LENO KORN	OSA
29	Bob Betts	C&E / Mosquito Control
30	Chibi McClure	C&E / Mosquito Control

July 21, 2011

NAME

DEPARTMENT/AGENCY

1	<i>Allanna Brayner</i>	<i>BCC-D1</i>
2	<i>Dawn Jacoby</i>	<i>BCC-D5</i>
3	<i>Deanna Johnson</i>	<i>BCC-2</i>
4	<i>Becky Arzleton</i>	<i>BCC D4</i>
5	<i>Diane Simpson</i>	<i>Legal</i>
6	<i>Waf A. Minin</i>	<i>P/W</i>
7	<i>Soreya Daniel</i>	<i>PIO</i>
8	<i>Carm Johnson</i>	<i>PIO</i>
9	<i>Brandi Ziegler</i>	<i>PIO</i>
10	<i>Jenny Lee</i>	<i>PNJ</i>
11	<i>Jim Howe</i>	<i>DSWM</i>
12	<i>Jeremy King</i>	<i>P/W-Engineering</i>
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NAME

DEPARTMENT/AGENCY

1	Lisa Bernau	Clerk + Comptroller
2	Patty Sheldon	Clerk + Comptroller Finance
3	Doris Harris	Clerk to the Board
4	RANDY OLIVER	COUNTY ADMIN.
5	Shirley J. Hafford	CAO
6	HEVIN WHITE	ESC. BCC
7	Wilson Robertson	ESC. BCC
8	Aene M. Valentini	BCC
9	Mare Young	BCC
10	Grove Robinson	BCC
11	Alison Rogers	City Atty
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REPORT OF THE COMMITTEE OF THE WHOLE WORKSHOP OF THE
BOARD OF COUNTY COMMISSIONERS
HELD JULY 14, 2011
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(9:06 a.m. – 12:14 p.m.)

Present: Commissioner Kevin W. White, Chairman, District 5
Commissioner Wilson B. Robertson, Vice Chairman, District 1
Commissioner Grover C. Robinson IV, District 4
Commissioner Gene M. Valentino, District 2
Commissioner Marie K. Young, District 3
Lisa N. Bernau, Chief Deputy Clerk, representing the
Honorable Ernie Lee Magaha, Clerk of the Circuit Court and Comptroller
Charles R. "Randy" Oliver, County Administrator
Alison Rogers, County Attorney
Patricia L. Sheldon, Clerk and Comptroller's Administrator of Financial Services
Shirley L. Gafford, Program Coordinator, County Administrator's Office
Doris Harris, Deputy Clerk to the Board

AGENDA NUMBER

1. Call To Order

Chairman White called the Committee of the Whole (CW) to order at 9:06 a.m.

2. Was the Meeting Properly Advertised?

The CW was advised by Doris Harris, Deputy Clerk to the Board, that the Meeting was advertised in the Pensacola News Journal on July 9, 2011, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule July 11 – July 15, 2011, Legal No. 1529604.*

REPORT OF THE COMMITTEE OF THE WHOLE WORKSHOP – Continued

AGENDA NUMBER – Continued

3. US Dept of State Iraqi Young Leadership Exchange Program

A. Discussion – The C/W was introduced to the students of the U.S. Department of State Iraqi Young Leadership Exchange Program; and

B. Board Direction – None.

Speaker(s):

Jena Melancon
Lourd Chechman

(COMMISSIONER VALENTINO WAS ABSENT DURING DISCUSSION OF THIS ITEM)

4. Florida Department of Transportation's Five Year Work Program

A. Discussion – The C/W viewed a PowerPoint Presentation, which was also provided in hard copy, entitled, *2011 Florida Department of Transportation Rural Work Program, Escambia County*, presented by Mary Beth Washnock; and

B. Board Direction – None.

(COMMISSIONER VALENTINO WAS ABSENT DURING DISCUSSION OF THIS ITEM)

5. Civic Center Presentation – C.H. Johnson Consulting, Inc. / Civic Center Advisory Committee

A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Pensacola Civic Center, Pensacola – Escambia County, Florida, Economic Study*, presented by Charles H. Johnson IV, C.H. Johnson Consulting, Inc., and the C/W:

(1) Heard County Administrator Oliver recognize the members of the Civic Center Advisory Committee (CCAC), as well as the County's and Clerk & Comptroller's staff, for their dedication and hard work over the past several months;

(2) Upon inquiry from Commissioner Robertson, was advised by Mr. Johnson that half of the \$2 million loss incurred by the Civic Center is attributed to hockey;

(Continued on Page 3)

REPORT OF THE COMMITTEE OF THE WHOLE WORKSHOP – Continued

AGENDA NUMBER – Continued

5. Continued...

A. Continued...

- (3) Was advised by Commissioner Valentino that, before he makes a determination as to whether or not to eliminate hockey, he wants to know the impact to the economy in terms of lost revenue in the community;
- (4) Heard the following recommendations of the CCAC, as presented by Bob Cordes, Chairman, CCAC:

Recommendation #1 – Ice Hockey

Whereas the Pensacola Ice Flyers have been in violation of Section 17a of their contract for two years, which requires a minimum number of season tickets to be sold, without the required automatic termination being enforced, and because the County has realized a loss of approximately \$200,000 annually directly attributable to hockey, the Committee recommends the following:

- o Renegotiate a one-year lease with the Pensacola Ice Flyers to include the following provisions:
 - o A guarantee that the Civic Center will have no direct operating loss as a result of ice hockey. The loss will be determined by Escambia County.
 - o Require the Ice Flyers to provide a surety bond or other financial assurance to cover any potential direct losses incurred by the County.
 - o Require additional flexibility on dates for both games and practices to maximize use of the facility.
- o If a satisfactory contract is not in place by September 1, 2011, terminate the current contract with no future contract.

(Continued on Page 4)

REPORT OF THE COMMITTEE OF THE WHOLE WORKSHOP – Continued

AGENDA NUMBER – Continued

5. Continued...

A. Continued...

(4) Continued...

Recommendation #2 – Management Services

Whereas the operating shortfalls are above the industry norms and the contract does not provide incentives to manage the bottom line, the Committee recommends the following:

- Request an immediate mutual renegotiation of the current management contract for the purpose of having a new contract finalized and adopted by the Board by December 31, 2011.
- If a successful contract cannot be adopted by December 31, 2011, direct staff to issue a Request for Proposals (RFP) for management services and direct the County Administrator to issue a notice of termination to the current management company by March 31, 2012, with an effective termination date of September 30, 2012.
- Include an incentive portion of the new management contract that rewards or penalizes the management firm based on bottom line performance rather than on gross revenues.

Recommendation #3 – Fees and Fee Waivers

Whereas the Advisory Committee believes that there is a need to minimize loss of revenue and maintain consistency in leasing the facility, the Committee recommends the following:

Establish a fee structure for both profit and non-profit entities. Once established, adopt an Ordinance that requires a super-majority vote of the Board of County Commissioners to waive or modify any portion of the fee.

(Continued on Page 5)

REPORT OF THE COMMITTEE OF THE WHOLE WORKSHOP – Continued

AGENDA NUMBER – Continued

5. Continued...

A. Continued...

(4) Continued...

Recommendation #4 – Oversight

Whereas the Advisory Committee believes there has not been consistent oversight for the Pensacola Civic Center, the Committee recommends the following:

- Establish a single point of contact on County staff responsible for overall contract management and financial reporting.
- Establish an ongoing advisory committee for general oversight and recommendations for capital improvements.

Recommendation #5 – Long term Goals

Whereas the Advisory Committee believes long-term planning is in the Civic Center's best interests, the Committee recommends the following:

- The City and County enter into discussions regarding a joint management contract for downtown Pensacola's three venues; The Pensacola Civic Center, the Saenger Theater, and the Randall K. and Martha A. Hunter Amphitheatre at the Maritime Park.
- The City and County work together to develop a master plan for the long-term redevelopment of the downtown urban core in relationship to the Pensacola Civic Center.

(Continued on Page 6)

REPORT OF THE COMMITTEE OF THE WHOLE WORKSHOP – Continued

AGENDA NUMBER – Continued

5. Continued...

B. Board Direction – The C/W recommends that the Board take the following action:

- (1) Approve Recommendation #s 2 through 5, as presented by the CCAC, and include the sale of naming rights for the Civic Center;

Recommended 5-0

- (2) Approve Recommendation #1, subject to Mr. Tim Kerr's presence in those negotiations; and

Recommended 5-0

- (3) Approve to maintain the CCAC.

Recommended 5-0

Speaker(s):

Bruce Nunnally

6. Report on Commissioner Valentino's Economic Development Trip

A. Discussion – The C/W heard Commissioner Valentino highlight several portions of the "Welcome Package," which he provided to the prospects for Escambia County, whom he met at the 49th Paris Air Show, and who have requested to remain anonymous; and

B. Board Direction – None.

REPORT OF THE COMMITTEE OF THE WHOLE WORKSHOP – Continued

AGENDA NUMBER – Continued

7. Fiscal Year 2011-2012 Budget – Outside Agency Funding/Fourth Cent Funding

A. Discussion – The C/W discussed Fiscal Year 2011-2012 Budget – Outside Agency Funding/Fourth Cent Funding, and the C/W:

- (1) Was advised by County Administrator Oliver that, based on the County's current two-year financial forecast, keeping all General Fund agencies "whole" would translate, in his opinion, into the elimination of two staff positions in the next Fiscal Year;
- (2) Heard the request from Commissioner Robinson that Foundations for the Future and PEDC (*Pensacola-Escambia Promotion and Development Commission*) be removed from the General Fund category, since both are funded through the Economic Development Fund;
- (3) Was advised by County Administrator Oliver that discussion concerning Development Services Fees will be on the agenda for the next C/W Workshop; and
- (4) Was advised by Commissioner Robinson that the 3rd Cent Marketing Plan (*Proposal for Minority Tourism Funds [in the amount of \$250,000] for the 2011 Gulf Coast Fall Festival, as proposed by William "Cadillac" Banks, Banks Enterprise, LLC*), has been distributed for the Board's review and approval; and

B. Board Direction – The C/W recommends that the Board take the following action:

- (1) Approve funding the General Fund Outside Agencies at the Fiscal Year 2010-2011 level;

Recommended 5-0

- (2) Approve requesting that the Tourist Development Council (TDC) review the \$250,000 request for funding from Three Cents Tourist Development Tax (TDT) for minority functions (Minority Marketing Plan) and provide a recommendation to the Board; and

Recommended 3-1, with Commissioner Robinson voting "no" and Commissioner Young having left the meeting

(Continued on Page 8)

REPORT OF THE COMMITTEE OF THE WHOLE WORKSHOP – Continued

AGENDA NUMBER – Continued

7. Continued...

B. Continued...

- (3) Approve the proposed allocations from Fourth Cent TDT funds, to include \$75,000 for Sertoma 4th of July, with the following revisions:
 - (a) Reduce, by \$15,750, the \$165,750 proposed funding for Arts, Culture & Entertainment (ACE) and restoring the \$15,750 request by the Pensacola Museum of Art; and
 - (b) Approve that \$150,000 of the \$250,000 requested by ACE will be paid upfront and that the \$100,000 balance will be disbursed as TDT funds are received; and

Recommended 4-0, with Commissioner Young having left the meeting

8. Wetland Mitigation Needs Associated with Forthcoming Road Improvement Projects

- A. Discussion – The CW viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Wetland Mitigation Needs Associated with Forthcoming Road Improvement Projects*, presented by Tim Day, Water Quality & Land Management Division, Community & Environment Department; and
- B. Board Direction – The CW recommends that the Board take the following action concerning, with the understanding that, contingent upon availability of funding, Parcel B and any other properties that can be transferred to the State and eliminate the County's maintenance responsibility will be prioritized:
 - (1) Direct staff to develop a ROMA (*Regional Off-Site Mitigation Area*) for Jones Swamp, as a pilot project; and
 - (2) Direct staff to define costs/revenue to acquire sufficient environmentally sensitive lands to develop a ROMA for comparison against paying approximately \$6.3 million to the Northwest Florida Water Management District (*for land acquisition, restoration activities, and long-term maintenance costs*).

Recommended 5-0

ANNOUNCEMENTS

1. For Information: Commissioner White read the following statement:

"Four of us will be attending the National Association of Counties meeting in Portland, Oregon, July 15-19, 2011; Gene, Grover, Marie, and I will be attending a variety of sessions. Multiple topics are offered at the same time, allowing us to get the most out of time spent at the conference. Topics include ways to improve efficiencies, increasing public awareness and involvement, collaborations with other entities, all focused in specific areas like transportation, emergency management, energy and environment, and health and human services. Seven sessions happen concurrently. With four of us in attendance, we will be able to get the most out of the courses offered. There's a great benefit to be gained for our citizens with the information we will bring back. We will have an opportunity to improve our services for our citizens. I am providing a copy of the conference schedule to Mr. Paige from the Pensacola News Journal for information."

AGENDA NUMBER – Continued

9. Adjourn

Chairman White declared the CW Workshop adjourned at 12:14 p.m.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1096

Growth Management Report Item #: 12. 1.

BCC Regular Meeting

Meeting Date:

08/04/2011

Issue:

Review of the Rezoning Cases heard by the Planning Board on July 11, 2011

From:

T. Lloyd Kerr, AICP

Organization:

Development Services

RECOMMENDATION:

Recommendation Concerning the Review of the Rezoning Cases heard by the Planning Board on July 11, 2011:

That the Board take the following action concerning the rezoning cases heard by the Planning Board on July 11, 2011:

- A. Review and either adopt, modify, or overturn the Planning Board's recommendations for Rezoning Cases Z-2011-10, Z-2011-11, Z-2011-12 and Z- 2011-13 or remand the cases back to the Planning Board; and
- B. Authorize the Chairman to sign the Orders of the Escambia County Board of County Commissioners for the rezoning cases that were reviewed.

1. Case No.:

Z-2011-10

Location:

10100 Aileron Ave

Property Reference No.:

24-2S-31-4105-000-000

Property Size:

5.88 (+/-) acres

From:

SDD, special development district, (non-cumulative) low density (3 du/acre)

To:

ID-1, light industrial district (cumulative) (no residential uses allowed)

FLU Category:

C, Commercial

Commissioner District:

1

Requested by:

Wiley C. "Buddy" Page, Agent for Patrick and Carolyn Brown, Owner

Planning Board

Approval

Recommendation:

Speakers:

Wiley C. "Buddy" Page, Agent
Lawrence Taylor

2. Case No.:

Z-2011-11

Location:

4410 N Palafox St

Property Reference No.: 08-2S-30-7001-004-001
Property Size: 1.75 (+/-) acres
From: C-1 Retail Commercial district (cumulative)
To: ID-CP, Commerce Park District (cumulative)(no residential uses allowed)
FLU: MU-U, Mixed Use Urban
Commissioner District: 3
Requested by: Paul Jansen, Owner
Planning Board Approval
Recommendation:
Speakers: Paul Jansen, Owner

3. Case No.:

Z-2011-12

Location: 1950 Mathison Rd
Property Reference No.: 21-2N-31-3301-019-001
Property Size: 5.59 (+/-) acres
From: VR-1, Villages Rural Residential Districts Gross Density (1 du/4 acres)
To: VR-2, Villages Rural Residential Districts Gross Density (1 du/.75 acres)
FLU: RC, Rural Community
Commissioner District: 5
Requested by: Bryan Madril, Agent for Peggy Jackson, owner
Planning Board Approval
Recommendation:
Speakers: Bryan Madril, Agent

4. Case No.:

Z-2011-13

Location: 9015 Fowler Ave
Property Reference No.: 10-1S-30-1101-124-002
Property Size: .96 (+/-) acres
From: R-5, Urban Residential/Limited Office District, (cumulative) High Density (20 du/acre)
To: C-2, General Commercial and Light Manufacturing District, (cumulative) (25 du/acre)
FLU: MU-U, Mixed-Use Urban
Commissioner District: 5
Requested by: Wiley C. "Buddy" Page, Agent for Charles Holt, Owner
Planning Board Denial
Recommendation:
Speakers: Wiley C. "Buddy" Page, Agent
Charles Holt, Owner
Clifton Arnold
Gwen Butler

BACKGROUND:

The above cases were owner initiated and heard at the July 11, 2011 Planning Board meeting. Under the Land Development Code (LDC) 2.08.00.E.1., “the Board of County Commissioners shall review the record and the recommendation of the Planning Board and either adopt the recommended order, modify the recommended order as set forth therein, reject the recommended order, or remand the matter back to the Planning Board for additional facts or clarification. Findings of fact or findings regarding legitimate public purpose may not be rejected or modified unless they are clearly erroneous or unsupported by the record. When rejecting or modifying conclusions of law, the Board of County Commissioners must state with particularity its reasons for rejecting or modifying the recommended conclusion of law and must make a finding that its substituted conclusion of law is as or more reasonable than the conclusion that was rejected or modified. However, the Board of County Commissioners may not modify the recommendation to a more intensive use than recommended by the Planning Board; rather the matter shall be remanded with instructions. The review shall be limited to the record below. Only a party of record to the proceedings before the Planning Board or representative shall be afforded the right to address the Board of County Commissioners and only as to the correctness of the findings of fact or conclusions of law as based on the record. The Board of County Commissioners shall not hear testimony.”

To further the County’s policy of “decreasing response time from notification of citizen needs to ultimate resolution,” the Board is acting on both the approval of the Planning Board recommended order and the LDC Map Amendment for this month’s rezoning cases. This report item addresses only the review and upholding of the Planning Board’s recommendation. The next report item will address the Public Hearing for the LDC Zoning Map Amendment.

BUDGETARY IMPACT:

This action may increase the ad valorem tax base for Escambia County.

LEGAL CONSIDERATIONS/SIGN-OFF:

The recommended order is the result of deliberations by the Planning Board based on staff analysis, public testimony, and knowledge of the Comprehensive Plan and Land Development Code as well as case law and Florida Statutes.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

The Chairman will need to sign the Orders of the Escambia County Board of County Commissioners either denying or approving the rezoning requests.

IMPLEMENTATION/COORDINATION:

The cases under review are presented to the Planning Board for collection of evidence. The Planning Board conducts a quasi-judicial public hearing and issues a recommended order to the Board.

Attachments

Z-2011-10

Z-2011-11

Z-2011-12

Z-2011-13

Z-2011-10

PLANNING BOARD REZONING HEARINGS - JULY 11, 2011

IN AND FOR ESCAMBIA COUNTY, FLORIDA
 ESCAMBIA COUNTY PLANNING BOARD

Quasi-judicial proceedings held before the Escambia County Planning Board on Monday, July 11, 2011, at the Escambia County Central Office Complex, 3363 West Park Place, First Floor, Pensacola, Florida, commencing at 8:30 a.m.

APPEARANCES

PLANNING BOARD:

WAYNE BRISKE, CHAIRMAN
 TIM TATE, VICE CHAIRMAN (not present)
 DOROTHY DAVIS
 STEVEN BARRY
 R. VAN GOODLOE
 KAREN SINDEL
 ALVIN WINGATE
 PATTY HIGHTOWER, SCHOOL BOARD MEMBER (Not Present)
 STEPHANIE ORAM, NAVY REPRESENTATIVE
 STEPHEN WEST, ASSISTANT COUNTY ATTORNEY

DEVELOPMENT SERVICES BUREAU:

T. LLOYD KERR, AICP, BUREAU CHIEF
 HORACE JONES, DIVISION MANAGER, LONG RANGE PLANNING
 DREW HOLMER, SENIOR URBAN PLANNER, PLANNING & ZONING
 ALLYSON CAIN, URBAN PLANNER II, DEVELOPMENTAL SERVICES

GENERAL PUBLIC

REPORTED BY: JAMES M. TAYLOR, COURT REPORTER

PROCEEDINGS

1 MR. BRISKE: Good morning. I would like to
 2 welcome you to the Planning Board meeting for July
 3 11th, 2011. At this time, I would ask Mr. Wingate
 4 to lead us in an Invocation and Pledge, please.
 5 (Invocation and Pledge of Allegiance.)
 6 MR. BRISKE: Thank you, Mr. Wingate. I would
 7 like to officially call this Escambia County
 8 Planning Board for July 11th, 2011 to order. And we
 9 do have like six voting members here, so we do have
 10 a quorum.
 11 At this time I like to ask our Clerk here, do
 12 we have proof of publication?
 13 MS. SPITSBERGEN: Yes, sir. The meeting was
 14 advertised in the June 25th, 2011 Pensacola News
 15 Journal.
 16 MR. BRISKE: Okay. And did that publication
 17 meet all of the legal requirements?
 18 MS. SPITSBERGEN: Yes, sir, it did.
 19 MR. BRISKE: Okay. The Chair will entertain a
 20 motion on the advertisement.
 21 MR. BARRY: I move to waive the reading of the
 22 legal advertisement.
 23 MR. GOODLOE: Second.
 24 MR. BRISKE: All those in favor, say aye.
 25

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1 (Board members vote.)
 2 MR. BRISKE: Opposed?
 3 (None.)
 4 MR. BRISKE: The motion carries.
 08:35AM 5 Today's meeting at this hearing, the Planning
 6 Board is acting under its authority to hear and make
 7 recommendations to the Board of County Commissioners
 8 on rezoning applications. These hearings are
 9 quasi-judicial in nature. Quasi-judicial hearings
 08:35AM 10 are like evidentiary hearings in a court of law,
 11 however, they are less formal. All testimony will
 12 be given under oath, and anyone testifying today
 13 before the Planning Board may be subject to
 14 cross-examination.
 08:35AM 15 All documents and exhibits that the Planning
 16 Board considers today will be entered into evidence
 17 and made part of the record.
 18 Opinion testimony will be limited to experts,
 19 and closing arguments will limited to the evidence
 08:36AM 20 in the record.
 21 Before making a decision, the Planning Board
 22 will consider the relevant testimony, the exhibits
 23 entered into evidence and the applicable law.
 24 Each individual who wishes to address the
 08:36AM 25 Planning Board must complete a speaker request form

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PLANNING BOARD REZONING HEARINGS - JULY 11, 2011

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1 and submit it to our clerk. The forms are located
 2 in the back of the chambers. You will not be
 3 allowed to speak unless we receive a completed form.
 4 Please note that only those individuals who are
 08:36AM 5 present here today and give testimony on the record
 6 will be allowed to speak at the subsequent meeting
 7 of the BCC, the Board of County Commissioners. No
 8 new evidence can be presented to the BCC meeting.
 9 Therefore, all testimony and exhibits must be
 08:37AM 10 presented today.
 11 The Planning Board will provide a
 12 recommendation for each rezoning request to the
 13 Board of County Commissioners. They will then
 14 review the testimony, documents and exhibits,
 08:37AM 15 consider all of the closing arguments and make a
 16 final decision. All decisions by the Board of
 17 County Commissioners are final. Anyone who wishes
 18 to seek judiciary review of the decision of the
 19 Board of County Commissioners must do so in a court
 08:37AM 20 of competent jurisdiction within 30 days of the date
 21 the Board of County Commission either approves or
 22 rejects the recommended order of the Planning Board.
 23 All written or oral communication outside of
 24 this hearing with members of the Planning Board
 08:37AM 25 regarding matters under consideration today are
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1 considered ex parte communications. Ex parte
 2 communications are presumed prejudicial under
 3 Florida law and must be disclosed as provided in the
 4 Board of County Commission Resolution 96-13.
 08:38AM 5 As each case is heard, the Chair will ask that
 6 any Board members who have been involved in any
 7 ex parte communication please identify themselves
 8 and describe the communication.
 9 As required by Section 2.08.02.D of the
 08:38AM 10 Escambia County Land Development Code, the Planning
 11 Board's recommendation to the Board of County
 12 Commissioners shall include consideration of the
 13 following six criteria.
 14 A, consistency with the Comprehensive Plan.
 08:38AM 15 Whether the proposed amendment is consistent with
 16 the Comprehensive Plan.
 17 B, consistency with the code. Whether the
 18 proposed amendment is in conflict with any portion
 19 of the Land Development Code and is consistent with
 08:38AM 20 the stated purpose and intent of the Land
 21 Development Code.
 22 C, compatibility with surrounding uses.
 23 Whether and to the extent to which the proposed
 24 amendment is compatible with existing and proposed
 08:39AM 25 uses in the area of the subject property.
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1 D, changed conditions. Whether and to the
 2 extent to which there are any changed conditions
 3 that impact the amendment or the property.
 4 E, the effect on the natural environment.
 08:39AM 5 Whether and to the extent to which the proposed
 6 amendment would result in significant adverse
 7 impacts on the natural environment.
 8 And, F, development patterns. Whether and to
 9 the extent to which the proposed amendment would
 08:39AM 10 result in a logical and orderly development pattern.
 11 At the beginning of each case, as long as there
 12 are no objections from the applicant, we will allow
 13 the staff to briefly present location and zoning
 14 maps. They will also present photographs of the
 08:39AM 15 property.
 16 Next, we will hear from the applicant and any
 17 witnesses that they may wish to call. Then we will
 18 hear from the staff and any witnesses that they may
 19 wish to call.
 08:40AM 20 Finally, we will hear from members of the
 21 public who have filed a speaker request form located
 22 in the back of the chambers.
 23 At this time I would like to ask our court
 24 reporter to swear in the members of the staff that
 08:40AM 25 will be testifying today.
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1 (County Staff sworn.)
 2 MR. BRISKE: The Board has previously qualified
 3 these members of staff to offer expert testimony in
 4 the area of land use and planning. Does anyone have
 5 questions regarding his or her qualifications to
 6 offer expert testimony?
 7 (None).
 8 MR. BRISKE: The Chair will entertain a motion
 9 to accept the staff members as experts in the area
 10 of land use and planning.
 11 MS. SINDEL: So moved.
 12 MR. BARRY: Second.
 13 MR. BRISKE: A motion and a second. All those
 14 in favor, please say aye.
 08:35AM 15 (Board members vote.)
 16 MR. BRISKE: Opposed?
 17 (None.)
 18 MR. BRISKE: All right. I would ask that you
 19 please put your cell phones on silent. And we've
 08:42AM 20 got a pretty full agenda today, so we'll try to get
 21 things moving pretty quickly. We want to get all
 22 the information on the record, but we will try to
 23 keep things rolling.
 24 All right. The first matter of business here
 08:42AM 25 is a the rezoning hearing package for Case
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PLANNING BOARD REZONING HEARINGS - JULY 11, 2011

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1 Z-2011-10, with the staff's Findings-of-Fact has
 2 previously been provided to the Board members. The
 3 Chair will entertain a motion to accept that
 4 rezoning hearing page with the staff's
 08:43AM 5 Findings-of-Fact and the legal advertisement into
 6 evidence. Do we have a motion?
 7 MS. SINDEL: Yes.
 8 MR. BARRY: Second.
 9 MR. BRISKE: All those in favor, say aye.
 08:35AM 10 (Board members vote.)
 11 MR. BRISKE: Opposed?
 12 (None.)
 13 MR. BRISKE: The motion carries. The rezoning
 14 hearing package with the staff's Findings-of-Fact
 08:43AM 15 and the legal advertisement will be marked and
 16 included in the record as Composite Exhibit A for
 17 all of today's cases.
 18 (Exhibit A, Staff's Findings and Legal
 19 Advertisement, was identified and admitted.)
 08:43AM 20 MR. BRISKE: Today we have four cases to be
 21 heard.
 22 (The transcript continues on Page 10.)
 23 * * *
 24
 25
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1 * * *
 2 CASE NO: Z-2011-10
 Location: 10100 Aileron Avenue
 3 Parcel: 24-2S-31-4105-000-000
 From: SDD, Special Development District,
 4 (non-cumulative) low density (3 du/acre)
 To: ID-1, Light Industrial District, (cumulative)
 5 (no residential uses allowed.)
 FLU Category: C, Commercial
 6 BCC District: 1
 Requested by: Wiley C. "Buddy" Page, Agent
 7
 8 MR. BRISKE: The first rezoning application for
 9 consideration is Case Z-2011-10, which requests the
 08:43AM 10 property to go from Special Development District to
 11 Light Industrial, 10100 Aileron Avenue. The owners
 12 are Patrick and Carolyn Brown. And the agent will
 13 be Buddy Page.
 14 Members of the Board, has there been any
 08:42AM 15 ex parte communication between you and the
 16 applicant, the applicant's agents, attorneys,
 17 witnesses, with fellow Planning Board members or any
 18 members from the general public prior to this
 19 hearing? I will ask if you have visited the subject
 08:42AM 20 property, and also, please disclose if you are a
 21 relative, business associate of the applicant or the
 22 applicant's agent.
 23 I will start down at the far end. And we will
 24 also include our friends from the Navy.
 08:44AM 25 MS. ORAM: That's no to all of the above.
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1 MR. BRISKE: Thank you. Mr. Goodloe?
 2 MR. GOODLOE: No to all the above.
 3 MR. BRISKE: Mr. Barry.
 4 MR. BARRY: No to all the above.
 08:44AM 5 MR. BRISKE: The Chairman, none.
 6 MS. DAVIS: None.
 7 MR. WINGATE: I viewed the site.
 8 MR. BRISKE: You did view the site, okay.
 9 And, Ms. Sindel.
 08:44AM 10 MS. SINDEL: I've also viewed the site.
 11 MR. BRISKE: Okay. Very good.
 12 Staff, was notice of the hearing sent to all
 13 interested parties?
 14 MS. SPITSBERGEN: Yes, sir, it was.
 08:45AM 15 MR. BRISKE: Okay. And did we also post a
 16 notice of the hearing on the subject property?
 17 MS. SPITSBERGEN: Yes, sir, we did.
 18 MR. BRISKE: Okay. At this time, if there are
 19 no objections from Mr. Page, we will allow the staff
 08:45AM 20 to present the maps and the photographs for Case
 21 Z-2011-10.
 22 MS. CAIN: Good morning. This is the
 23 locational and the wetlands map from the property.
 24 This is the aerial view map. This is the future
 08:45AM 25 land use and the existing land use map showing the
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1 uses around the surrounding property. And the
 2 future land use. This is the 500 foot radius of the
 3 zoning map showing the SDD zoning with the ID-1
 4 property zoning, as well. This is the sign that we
 08:46AM 5 posted on the site for the rezoning.
 6 And these are -- the top one is looking south
 7 onto the rezoning property. And the bottom one is
 8 south from the concrete helipad. This is looking
 9 east of the subject property from the adjacent
 08:46AM 10 property. And this is our 500 foot radius map that
 11 we got from Chris Jones, Property Appraiser. And
 12 then this is our actual mailing list that we sent to
 13 all the people in the 500 foot radius. That's all.
 14 MR. BRISKE: Allyson, on that map right there,
 08:46AM 15 could you go back to that -- the map with the radius
 16 circle on it. Yes.
 17 We're typically used to seeing more of a true
 18 circle around the property. Is there a reason why
 19 -- is it just because of the contours of the
 08:47AM 20 property that it's laid out that way?
 21 MS. CAIN: Yes, sir.
 22 MR. BRISKE: All right. Thank you.
 23 Mr. Page, you can come forward, please. Good
 24 morning, sir.
 08:47AM 25 MR. PAGE: Good morning.
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PLANNING BOARD REZONING HEARINGS - JULY 11, 2011

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08:47AM 1 MR. BRISKE: We'll ask our court reporter to
 2 swear in Mr. Page, please.
 3 (Wiley C. Page was sworn.)
 4 MR. BRISKE: Mr. Page, if you would, please
 5 state your full name and address for the record.
 6 MR. PAGE: Mr. Chairman, Wiley C. Page, 5337
 7 Hamilton Lane in Pace, Florida.
 8 MR. BRISKE: Thank you, sir. Have you received
 9 a copy of the rezoning hearing package with the
 10 staff's Findings-of-Fact?
 11 MR. PAGE: I have.
 12 MR. BRISKE: All right. And do you understand
 13 that you have the burden of providing substantial
 14 competent evidence that the proposed rezoning is
 15 consistent with the Comprehensive Plan, furthers the
 16 goals, objectives and policies of the Comprehensive
 17 Plan, and is not in conflict with any portion of the
 18 County's Land Development Code?
 19 MR. PAGE: I do.
 20 MR. BRISKE: Thank you. Mr. Page, in the past
 21 you have been qualified as an expert in the area of
 22 land use and property uses. Do you wish to be
 23 qualified for today's hearing?
 24 MR. PAGE: Yes, sir.
 25 MR. BRISKE: Members of the Board, you've
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08:49AM 1 landing pad. Between the pad being poured and the
 2 need for a larger warehouse facility so that this --
 3 all of these outside items could be stored inside,
 4 they found out that they were incorrectly zoned to
 5 allow any of that type of activity on this parcel
 6 that you see outlined, so that produced the need to
 7 have the zoning changed on this southerly piece so
 8 that it matched the industrial category to the
 9 north.
 10 Brown Helicopter has been in the area since
 11 1956 doing various types of restoration on
 12 helicopter parts, refurbishing them and sending them
 13 back to the Army, Navy and other folks that are in
 14 the helicopter business.
 15 Mr. Chairman, in taking a look at the criteria
 16 required for this, under Criterion (1), whether what
 17 we are asking you to consider today is consistent
 18 with the Comprehensive Plan, I notice all the way
 19 through to the end of the findings of the staff that
 20 we would be consistent with Criterion (1) as stated
 21 in the last paragraph.
 22 Under Criterion (2), where we have to have
 23 compatibility with the Land Development Code, there
 24 are a number of findings stating specifically that
 25 there is a split zoning in the area, the ID-1, and
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08:48AM 1 previously reviewed Mr. Page for this. Are there
 2 any questions?
 3 The Chair will entertain a motion.
 4 MR. BARRY: Move to accept his testimony as an
 5 expert.
 6 MS. SINDEL: Second.
 7 MR. BRISKE: A motion and a second to accept
 8 testimony as an expert witness. All those in favor,
 9 say aye.
 10 (Board members vote.)
 11 MR. BRISKE: Any opposed?
 12 (None.)
 13 MR. BRISKE: Motion carries.
 14 Mr. Page, proceed, please.
 15 MR. PAGE: Thank you, Mr. Chairman. The
 16 application in front of you this morning is a result
 17 of an activity that occurred months ago when --
 18 Brown Helicopter, as you saw in the aerial
 19 photograph, has a piece of property that is almost
 20 completely covered with helicopter parts and that
 21 type of thing, as you can see in the aerial that's
 22 shown here now.
 23 The square area that you see that's white that
 24 would be located about nine o'clock, if we had a
 25 clock up there, a clock face, that is a helicopter
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08:51AM 1 this particular piece is SDD. It's part of an
 2 overall existing commercial establishment. And that
 3 considerable buffering and other requirements
 4 through the Development and Review Committee would
 5 be required, which we understand.
 6 And Criterion (2) then is summarized stating,
 7 that based upon the facts above, consistency -- they
 8 find consistency with Criterion (2) following those
 9 could be met.
 10 Under Criterion (3), Mr. Chairman,
 11 compatibility with surrounding uses, the operation
 12 of Bell (sic) Helicopter as well as Ferguson Field
 13 and other types of activity out that way have -- as
 14 I indicated earlier, have been there for
 15 considerably longer than 30 years. There seems to
 16 have been a compatibility over that period of time.
 17 We understand there is a neighbor that is
 18 concerned about this that's located immediately to
 19 the west. And if he is present today, I'm sure,
 20 perhaps, any concerns he might raise, we'll attempt
 21 to try to resolve, but we think that we have been
 22 compatible with that area. Many of the homes,
 23 including ones to the west have been constructed
 24 since Bell -- or Brown Helicopter has been in
 25 business.
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PLANNING BOARD REZONING HEARINGS - JULY 11, 2011

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1 So Mr. Chairman, under changed conditions,
 2 staff finds that there are no changed conditions
 3 that would impact the amendment of the properties,
 4 and we concur.

08:52AM 5 Under Criterion (5) then, the effect on the
 6 natural environment. This area has a considerable
 7 amount of what would likely be classified as
 8 jurisdictional wetlands by either Florida DEP or the
 9 Corps or both. They do recognize that a
 08:52AM 10 considerable amount of engineering would have to go
 11 in to preserving anything that would be of interest
 12 to either of those regulatory agencies. So we think
 13 we can have as minimal effect on the natural
 14 environment and it certainly meets standards so that
 08:52AM 15 they could put up this warehouse to store these
 16 items under.

17 And under development patterns, Criterion (6),
 18 the findings where that it would result in a logical
 19 and orderly development pattern. They do reiterate
 08:53AM 20 some of the findings found in the earlier portions
 21 of the findings themselves. But it does indicate
 22 that if approved, the proposed amendment would
 23 provide for a uniformity and consistency with the
 24 Commercial Future Land Use destination.

08:53AM 25 So, Mr. Chairman, we concur with those findings
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1 with our observations. Certainly, we'll attempt to
 2 answer any questions that the Board might have.

3 MR. BRISKE: Thank you, Mr. Page. We'll ask
 4 you to stay forward.

08:53AM 5 Allyson, could we go back one frame to the
 6 aerial picture? Okay. Is the parcel there to the
 7 north -- it looks like the property line splits an
 8 existing building there. That property to the
 9 north, I'm assuming, is also owned by the same
 08:54AM 10 company, just a separate parcel; is that correct?
 11 MR. PAGE: Yes, sir.

12 MR. BRISKE: Would the staff elaborate on that
 13 a little bit, please.

08:54AM 14 MR. HOLMER: Yes, sir, it does. They own
 15 multiple parcels, as you can see on this one, all
 16 the way out to Aileron. All those parcels that are
 17 red with that Commercial Future Land Use
 18 destination, it's all part of the same operation.
 19 They just have multiple parcels.

08:54AM 20 MR. BRISKE: Okay. Board Members, any
 21 questions at this time for Mr. Page? We'll allow
 22 him to come back and ask questions later on. Thank
 23 you, sir.

08:54AM 24 All right. At this time, who's going to be
 25 presenting on behalf of staff today? All right.
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1 Allyson. Good morning.
 2 (Presentation by Allyson Cain, previously
 3 sworn.)

4 MS. CAIN: Okay. This is the rezoning for
 08:54AM 5 10100 Aileron Avenue, Future Land Use Commercial.
 6 And they're requesting from an SDD, Special
 7 Development District, to ID-1, Light Industrial.
 8 As for Criterion (1), the findings, as
 9 referenced in the Comp Plan Future Land Use 1.1.1,
 08:55AM 10 and Future Land Use 1.3.1, the Commercial Future
 11 Land Use Designation allows for a range of
 12 commercial uses from retail, which is including
 13 wholesale and professional offices, and
 14 service/general business trade, to light industrial
 08:55AM 15 type uses.

16 Within this range of allowable uses, the staff
 17 found that the proposed amendment to the ID-1, Light
 18 Industrial District, is specific within the general
 19 descriptions of the allowable uses as referenced in
 08:55AM 20 the Comp Plan Future Land Use 1.3.1.

21 Along with the previous comprehensive plan
 22 policies that were cited above, the Comprehensive
 23 Plan Policy 1.1.9 requires Escambia County to ensure
 24 adequate buffering to protect lower intensity uses
 08:56AM 25 from more intensive uses such as residential from
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1 commercial. These guidelines are stated within the
 2 Land Development Code.

3 MR. BRISKE: Allyson, excuse me for
 4 interpreting for a second. If you could have maybe
 08:56AM 5 somebody operate the computer and keep on the screen
 6 what you're covering there so that the members of
 7 the public can follow where you're at.

8 MS. CAIN: Okay.

9 MR. BRISKE: Thank you.

08:56AM 10 MS. CAIN: Do you want us to bring up the whole
 11 criteria that I'm reading from?
 12 MR. BRISKE: Yes, please.

13 MS. CAIN: Okay. The Comp Plan Future Land Use
 14 1.5.3, encourages and promotes redevelopment in the
 08:56AM 15 built areas within the Commercial Future Land Use
 16 area with existing roads, public roads and service
 17 infrastructures.

18 The parcel in question is within the property
 19 boundaries of an existing commercial establishment
 08:56AM 20 and will be used for expansion of their existing
 21 commercial operations. It is served by existing
 22 utility connections and internal service
 23 infrastructures that support the commercial
 24 establishment.

08:57AM 25 Based upon the background information of this
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08:57AM 1 parcel and the existing commercial operations, staff
 2 finds that the proposed amendment would comply with
 3 the Comprehensive Plan Future Land Use 1.5.3.
 4 Criterion (2), consistent with the Land
 5 Development Code. As referenced in the LDC
 6 regulations cited, the intent and purpose of the
 7 allowable uses differ greatly from SDD to ID-1. The
 8 request is from residential to commercial, which
 9 tends to be in conflict with Criterion (2).
 08:57AM 10 In reviewing the zoning map of the proposed
 11 amendment, the parcel is approximately 5.88 acres in
 12 the SDD zoning district and is located in the rear
 13 yard of the existing commercial establishment.
 14 This 5.88 acre tract abuts a 31.99 acre tract
 08:58AM 15 that is zoned ID-1, Light Industrial. The documents
 16 submitted indicate that the 5.88 acre parcel is part
 17 of the 31.99 acre tract that is in control of an
 18 existing commercial establishment.
 19 Based upon the zoning map, there is a split
 08:58AM 20 zoning of the property of ID-1 and SDD.
 21 Additionally, it appears that this parcel is part of
 22 an existing commercial establishment and will be
 23 utilized for further expansion.
 24 If any further development is proposed, the
 08:58AM 25 locational criteria that was stated above will be
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08:58AM 1 reviewed for site design standards, accessibility to
 2 the public and private service facilities and
 3 adverse impacts on surrounding areas at the time of
 4 the site plan review process.
 5 Along with the existing commercial development
 6 that is an ID-1 and SDD land use classification, the
 7 parcel with the SDD land use classification has an
 8 existing wood fence, which is approximately eight to
 9 10 feet in height. There is existing vegetation
 08:59AM 10 that runs along the rear property line of the parcel
 11 which is designed to protect the lower intense use
 12 from the more intensive use. If the proposed
 13 amendment is granted and further development occurs,
 14 any additional standards and regulations governing
 08:59AM 15 provisions for adequate buffering of any other
 16 performance standards with the Land Development Code
 17 will be applicable at the time of site plan review.
 18 In consideration of the LDC regulations cited
 19 above and the facts presented, staff finds
 08:59AM 20 consistency with Criterion (2) could be met.
 21 Criterion (3), compatibility with surrounding
 22 uses. Within the 500 foot radius impact area, staff
 23 observed four single-family dwellings, two houses
 24 and two mobile homes, and two vacant lots with a
 08:59AM 25 zoning district designation of SDD. The subject
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09:00AM 1 parcel abuts and is contiguous to an existing ID-1
 2 and commercial zoned property. The SDD zoning
 3 designation of surrounding parcels does not allow
 4 for any industrial uses as specified within the Land
 5 Development Code. Therefore, the proposed amendment
 6 from SDD to ID-1 is not compatible with the
 7 surrounding uses.
 8 Criterion (4), changed conditions. Staff found
 9 no changed conditions that would impact the
 09:00AM 10 amendment property.
 11 Criterion (5), effect on the natural
 12 environment. According to the National Wetland
 13 Inventory, wetlands and hydric soils are indicated
 14 on the subject parcel. Therefore, further review
 09:00AM 15 during the site plan review process would be
 16 necessary to determine any adverse impacts.
 17 Criterion (6), development patterns. Based
 18 upon the following facts specified below, the
 19 proposed amendment would result in a logical and
 09:00AM 20 orderly development. First, the 5.88 acre parcel
 21 zoned SDD is contiguous and abuts the 31.99 acre
 22 tract with a zoning designation of ID-1. Therefore,
 23 it would eliminate having a split zoned parcel of ID
 24 and SDD.
 09:01AM 25 Second, the parcel in question is part of and
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09:01AM 1 is within the property boundaries of an existing
 2 commercial operation with the majority of the land
 3 having a zoning designation of ID-1.
 4 And finally, the Future Land Use category for
 5 the subject property is Commercial. If approved,
 6 the proposed amendment would provide for uniformity
 7 and consistency with the Commercial Future Land Use
 8 designation.
 9 And that's the end of staff's findings.
 09:01AM 10 MR. BRISKE: Thank you, Allyson. Would you go
 11 to the map, please, that shows the surrounding
 12 zonings and the zoning of the property. There's
 13 another one that was in our package that, I think,
 14 is a little bit different. And I just want to make
 09:01AM 15 sure we have consistency.
 16 Let me just make sure I understand, because one
 17 of the maps that we were shown showed the ID-1 area
 18 as the C zoning, as commercial zoning.
 19 MS. CAIN: And I believe that's was a Brown --
 09:02AM 20 MR. BRISKE: Future land use, okay.
 21 MS. CAIN: -- I think that was one that the
 22 applicant submitted and it was a Future Land Use
 23 Map.
 24 MR. BRISKE: I'm not sure if you -- this is the
 09:03AM 25 map that I'm looking at. And it's got a boundary
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1 that appears around the properties. You see it's a
 2 little different than what's in the package. Is
 3 there any way we can bring that one up on the
 4 screen?
 09:03AM 5 MS. CAIN: Yes, sir.
 6 MR. BRISKE: It's in the package that we
 7 received. And it's different than what is in the
 8 staff's package, that's why I wanted to make sure we
 9 had consistency there.
 09:03AM 10 MS. DAVIS: That's odd.
 11 MR. BRISKE: This appears to be different than
 12 what was on the staff's findings, so I think we need
 13 to qualify what the differences are here.
 14 MR. HOLMER: Mr. Chairman, this appears to be
 09:04AM 15 that heavy dark black outline outlining parcels
 16 owned by Brown Helicopter. The parcel in question
 17 for this rezoning is -- you can kind of see the
 18 cursor right here just to the southeast of there,
 19 the ID-1 chunk. These are the overall parcels owned
 09:04AM 20 by them, I do believe.
 21 MR. BRISKE: So the parcel in purple is
 22 currently zoned ID-1?
 23 MR. HOLMER: Yes, sir.
 24 MR. BRISKE: Okay. For Future Land Use of
 09:04AM 25 Commercial; is that correct?
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1 MS. CAIN: Yes.
 2 MR. BRISKE: And so the parcel right below it
 3 is the one that's in question, right there?
 4 MR. HOLMER: Yes, sir.
 09:04AM 5 MR. BRISKE: And to go from the SDD to the
 6 ID-1, just so everybody's clear. We had a lot of
 7 different maps up here. Okay. I just wanted to
 8 clarify that for everybody.
 9 All right. Thank you.
 09:04AM 10 Board members, are there any questions for
 11 staff at this point?
 12 MS. SINDEL: No.
 13 MR. BRISKE: All right. Mr. Page, we'll allow
 14 you to come back and cross-examine staff if you have
 09:05AM 15 any questions.
 16 MR. PAGE: I have none.
 17 MR. BRISKE: Okay. All right. At this point
 18 then we will hear from some members of the public.
 19 For those members of the public who wish to speak on
 09:05AM 20 this matter, please note that the Planning Board
 21 bases its decisions based on the six criteria and
 22 the exceptions described in Section 2.08.2.D of the
 23 Escambia County Land Development Code. During its
 24 deliberations, the Planning Board will not consider
 09:05AM 25 general statements of support or opposition.
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1 Accordingly, please limit your testimony to the
 2 criteria and exceptions described in Section
 3 2.08.02.D.
 4 Please also note that only those individuals
 09:05AM 5 who are present and give testimony on the record at
 6 this hearing before the Planning Board will be
 7 allowed to speak at the subsequent hearing before
 8 the Board of County Commissioners.
 9 We do have several folks signed up to speak.
 09:06AM 10 And in no particular order, Mr. Weaver, I noticed
 11 that you checked you do not wish to speak, but we'll
 12 give you the opportunity. Mr. Don Weaver.
 13 MR. WEAVER: I decline.
 14 MR. BRISKE: All right. Thank you, sir.
 09:06AM 15 Mr. Lawrence Taylor, Jr., please. Yes, sir.
 16 Come forward, please. Good morning, sir. If you'll
 17 come to the podium and state your name and address
 18 for the record and be sworn in by our clerk.
 19 MR. TAYLOR: My name is Lawrence Edward Taylor,
 09:06AM 20 Jr.
 21 MR. BRISKE: Thank you, sir.
 22 (Lawrence Taylor, Jr., was sworn).
 23 MR. BRISKE: Good morning, Mr. Taylor.
 24 MR. TAYLOR: Good morning. To be honest with
 09:06AM 25 you, all the comments that I've heard about this,
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1 I'm not certain exactly what it all means, but I can
 2 just speak from what I personally feel.
 3 I live right back of the Browns. And if the
 4 zoning is changed, my question is, I want to know
 09:07AM 5 what does that do for our land?
 6 And I'm concerned that if it is changed, the
 7 bigger buildings are going to start going up, as
 8 they are now.
 9 When I first moved there, which was 11 years
 09:07AM 10 ago, approximately, there was very few buildings and
 11 lots and lots of trees around the place. Now it has
 12 been cleared and now it's no longer a beautiful
 13 place to live.
 14 And I'm just concerned that if the zoning is
 09:07AM 15 changed, where does that leave myself and a neighbor
 16 of mine? When I came there, he wasn't exposed at
 17 all either, and now he's exposed. And quite a few
 18 other places have been exposed, so that's my biggest
 19 concern.
 09:08AM 20 Our property right now, if we chose to sell it
 21 on the market, no one would buy it. And that is a
 22 big concern of mine.
 23 I don't know if I've spoken properly on the
 24 agenda as you all have stated or not, but that's
 09:08AM 25 just my general concern.
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1 MR. BRISKE: Basically, from what I understand,
 2 your concern is that you don't feel like it's
 3 compatible with the surrounding uses, is basically
 4 what I hear you saying?
 09:08AM 5 MR. TAYLOR: That is correct.
 6 MR. BRISKE: Mr. Kerr, would you care to speak
 7 to anything about what changing this to an ID-1 may
 8 do? And I think, specifically, Mr. Taylor has some
 9 concerns about maybe buffering requirements between
 09:08AM 10 the areas.
 11 MR. KERR: There is a requirement for buffering
 12 between the zoning -- the different zonings and the
 13 different uses. That would be something that would
 14 be addressed during the development review process.
 09:09AM 15 They would have to come through for any additional
 16 buildings. They also would be required to make sure
 17 that they meet current setback requirements and so
 18 forth for any additional buildings.
 19 As far as the impact on the adjacent
 09:09AM 20 properties, I'm not a real estate expert so I really
 21 couldn't testify to that. Presumably, if the
 22 business were to operate according to the County
 23 regulations, the impacts would be minimal.
 24 MR. BRISKE: Okay.
 09:09AM 25 MR. TAYLOR: Also, it hasn't been in use for
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1 quite a while, that is the helicopter landing pad.
 2 It's adjacent to my property right across the street
 3 -- I mean not street, but the fence from it. And
 4 for some reason, they stopped landing helicopters
 09:09AM 5 there. That was quite disturbing to us, also, when
 6 they were landing those things there.
 7 MR. BRISKE: All right. Thank you, sir. Board
 8 members, any questions for Mr. Taylor?
 9 (None).
 09:10AM 10 MR. BRISKE: Mr. Page, do you wish to
 11 cross-examine the witnesses?
 12 MR. PAGE: Mr. Chairman, only a question as to
 13 exactly where he lives there.
 14 MR. BRISKE: Okay. Mr. Page, if you'll come to
 09:10AM 15 the microphone just because we're recording
 16 everything today.
 17 MR. PAGE: Mr. Chairman, I would just be
 18 curious if he can identify where he lives. My
 19 suspect is that he's just west of this on the
 09:10AM 20 northerly piece, but if he could identify that.
 21 MR. TAYLOR: Okay. My address is actually 120
 22 Emmons Lane, but if I could see a chart there. I
 23 believe this is my section right here. I believe
 24 that's it. I'm not certain.
 09:10AM 25 MR. PAGE: Emmons Lane is right over here. I'm
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1 thinking you might be here, because Emmons appears
 2 to dead end right here.
 3 MR. BRISKE: Drew, put the pointer over there
 4 where Emmons is so he can see.
 09:11AM 5 MR. TAYLOR: That's Emmons. And I think this
 6 is my section, I think.
 7 MR. HOLMER: That's the parcel being rezoned.
 8 MR. BRISKE: That's the parcel that's currently
 9 owned by --
 09:11AM 10 MR. HOLMER: Yes. Mr. Taylor, if I were to
 11 come off Dog Track Road and head down Emmons Lane --
 12 MR. TAYLOR: I would live at the end of Emmons
 13 Lane, the last house.
 14 MR. HOLMER: Past the fence?
 09:12AM 15 MR. TAYLOR: Past the fence line.
 16 MR. HOLMER: I have this parcel here which
 17 is --
 18 MR. TAYLOR: Could you identify the land below?
 19 MR. HOLMER: There we go.
 09:12AM 20 MR. BRISKE: Go back to that map and put the
 21 cursor or change the color on it, or whatever.
 22 That's Mr. Taylor's property there.
 23 How many acres is there, Mr. Taylor?
 24 MR. TAYLOR: It's about two and a half,
 09:12AM 25 approximately.
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1 MR. BRISKE: Okay. So the helicopter pad is
 2 just to your east. Okay. It's 290 feet, is that
 3 what it showed, approximately?
 4 MR. HOLMER: Yes, sir.
 09:13AM 5 MR. BRISKE: ALL right. Staff, any questions
 6 for Mr. Taylor?
 7 (None).
 8 MR. BRISKE: Okay. Sir, is that all that you
 9 wish to add at this time?
 09:13AM 10 MR. TAYLOR: That's all.
 11 MR. BRISKE: Thank you very much, sir.
 12 MR. TAYLOR: Thank you, sir.
 13 MS. DAVIS: Mr. Chairman, I do have a question
 14 of the staff.
 09:13AM 15 MR. BRISKE: Yes, ma'am, please, proceed.
 16 MS. DAVIS: When you were going over the
 17 various criteria, I remember you said that the
 18 backside of the property in question was buffered or
 19 was going to be buffered. What are we talking about
 09:13AM 20 is the backside, the southernmost or the western
 21 side?
 22 MS. CAIN: Are you referring to the one where
 23 we mentioned the -- that already had the existing
 24 eight to 10 foot fence?
 09:13AM 25 MS. DAVIS: Yes. And you said there was also
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1 vegetation?
 2 MS. CAIN: Right.
 3 MS. DAVIS: And you said it was the backside,
 4 and I'd just like to know what you're referring to
 09:14AM 5 as the backside?
 6 MS. CAIN: On the southernmost.
 7 MS. DAVIS: Southernmost, yes.
 8 MR. PAGE: Mr. Chairman, a point of
 9 clarification.
 09:14AM 10 MR. BRISKE: Yes, sir. Please come forward.
 11 MR. PAGE: Mr. Chairman, my understanding is
 12 that the fence is along the westerly portion of the
 13 property that separates Mr. Taylor and Mr. Emmons.
 14 Because the property to the south, the boundary line
 09:14AM 15 that you see there, they own the property on the
 16 other side, so they wouldn't be using fencing
 17 themselves.
 18 MS. DAVIS: Is there still vegetation there,
 19 Mr. Page?
 09:14AM 20 MR. PAGE: Yes, the fence runs --
 21 MS. SINDEL: Mr. Chairman, I have a question.
 22 MR. BRISKE: Yes, Ms. Sindel.
 23 MS. SINDEL: Mr. Page, when we're looking at
 24 the property that we're discussing today, I know
 09:15AM 25 that Brown Helicopter has been there for quite a
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1 while, and I know that the gentleman who just spoke
 2 has been there for over ten years. But is this
 3 piece of property we're talking about, was this the
 4 one with the warranty deed that was acquired in
 09:15AM 5 2002? Because I'm looking at the warranty deed
 6 that's in part of our packet.
 7 MR. PAGE: Mr. Chairman, Ms. Sindel, my
 8 understanding is that the elderly Mr. Brown owned a
 9 considerable amount of property. Pat Brown is one
 09:15AM 10 of the grandsons who acquired it from him. So I
 11 think the lineage as far as how long has it been in
 12 the Brown name --
 13 MS. SINDEL: This one shows a warranty deed
 14 from someone other than Brown, so I was just kind of
 09:16AM 15 curious, I mean, in looking at when this property
 16 was acquired. It doesn't show transition from Brown
 17 to Brown, it shows someone --
 18 MR. PAGE: Whatever the document shows.
 19 MS. SINDEL: Okay. Thank you.
 09:16AM 20 MR. HOLMER: That was the 2002 sale.
 21 MR. BRISKE: Board members, are there anymore
 22 questions for staff or Mr. Page?
 23 (None).
 24 MR. BRISKE: All right. Are there any other
 09:16AM 25 members of the public that wish to speak?
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1 (None).
 2 MR. BRISKE: All right. Hearing none, I will
 3 officially close the public comment portion of the
 4 hearing and turn it back over to the Board members.
 09:16AM 5 Are there any questions for the applicant or staff
 6 before we allow Mr. Page to have closing arguments?
 7 (None).
 8 MR. BRISKE: Okay. Hearing none, Mr. Page if
 9 you'll come forward and give your closing statement,
 10 please.
 11 MR. PAGE: Mr. Chairman, I have nothing
 12 further.
 13 MR. BRISKE: Thank you. Staff, anything
 14 further?
 09:17AM 15 (None).
 16 MR. BRISKE: Okay. Pleasure of the Board.
 17 MR. BARRY: Can we scroll back real quick to
 18 that Future Land Use Map. Okay. How are we going
 19 to proceed, go from end to end or just discuss?
 09:17AM 20 MR. BRISKE: Just open it up for discussion and
 21 see what concerns there may be or if someone is
 22 prepared to make a motion.
 23 MR. BARRY: From what I see it is compatible
 24 with the surrounding uses.
 09:17AM 25 MR. BRISKE: Okay. Since your opinion is in
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1 conflict with the staff's finding, the Criterion C,
 2 we would need to address that in a formal motion.
 3 Mr. Goodloe.
 4 MR. GOODLOE: No.
 09:18AM 5 MR. BRISKE: Any comments. Stephanie, this is
 6 not directly, I would think, impacting, but because
 7 there is a heliport on the property I think that the
 8 Navy may have something of interest in it.
 9 MS. ORAM: Because of the way the -- where it
 09:18AM 10 is located, it is outside of the five mile radius,
 11 so it would be -- it wouldn't have any impact to us
 12 at this time.
 13 MR. BRISKE: Okay. Thank you. Karen, do you
 14 want to add anything?
 09:18AM 15 MS. SINDEL: No, I have nothing to add at this
 16 point. Thank you.
 17 MR. BRISKE: Mr. Wingate.
 18 MR. WINGATE: I have no questions right now.
 19 MR. BRISKE: All right. Ms. Davis.
 09:18AM 20 MS. DAVIS: Not at this time.
 21 MR. BRISKE: The Chair will entertain a motion
 22 then at this point.
 23 (Motion and vote by the Board.)
 24 MR. BARRY: All right. I move to recommend
 09:18AM 25 approval of the rezoning application from SDD to
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1 ID-1 and adopt the staff's Findings-of-Fact, with
 2 only holding out Criterion (3), that it's not
 3 compatible with surrounding uses and replacing that
 4 with it is compatible with the surrounding uses.
 09:19AM 5 MS. SINDEL: I second the motion.
 6 MR. BRISKE: Okay. A motion and a second.
 7 Mr. West, for clarification, does he need to
 8 substantiate the compatibility with the surrounding
 9 uses any further?
 09:19AM 10 MR. WEST: I would always encourage you to
 11 articulate the facts that were presented that caused
 12 you to come to a different conclusion than what
 13 staff did. It helps to make sure that there's an
 14 accurate record. So if you could elaborate on
 09:19AM 15 Criterion (3) and what facts you felt were --
 16 MR. BARRY: I mean, just given the facts that
 17 were presented, that it is consistent with the Comp
 18 Plan, it's not in conflict with the Land Development
 19 Code. I mean, everything seems to fit -- seems to
 09:19AM 20 fit more than it does not fit the surrounding uses.
 21 MR. BRISKE: And you're basing that on
 22 information provided by Mr. Page in his
 23 presentation?
 24 MR. BARRY: Yes. As well as -- I mean, just
 09:20AM 25 the exhibits presented by staff, as well.
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1 MR. BRISKE: Okay. Thank you, Mr. Barry.
 2 Mr. Barry's motion has been slightly amended.
 3 Does the second stand?
 4 MS. SINDEL: It does.
 09:20AM 5 MR. BRISKE: Any other discussion? All those
 6 in favor, please say aye.
 7 (Board members vote unanimous.)
 8 MR. BRISKE: Opposed?
 9 (None.)
 08:36AM 10 MR. BRISKE: The motion carries.
 11 MR. PAGE: Thank you, Board.
 12 MR. BRISKE: Thank you, Mr. Page.
 13 (Conclusion of Case Z-2011-10. Transcript
 14 continues on Page 39.)
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1 * * *
 2 CASE NO: Z-2011-11
 Location: 4410 North Palafox Street
 3 Parcel: 08-2S-30-7001-004-001
 From: C-1, Retail Commercial District
 4 To: ID-CP, Commerce Park District (cumulative)
 (no residential uses allowed.)
 5 FLU Category: MU (Urban, Mixed Use Urban)
 BCC District: 3
 6 Requested by: Paul Jansen, Owner
VOID
 7 MR. BRISKE: All right. Our next case today
 8 is Case Z-2011-11, 4410 North Palafox Street. A
 9 requested zoning change from C-1 to ID-CP. Paul
 09:20AM 10 Jansen, the owner, will be presenting.
 11 Members of the Board, has there been any
 12 ex parte communication between you, the applicant,
 13 the applicant's agents, attorneys, witnesses, fellow
 14 Planning Board members or anyone from the general
 09:21AM 15 public prior to this hearing? I will also ask if
 16 you visited the subject property, and also disclose
 17 if you are a relative, business associate of the
 18 applicant himself? Starting with Stephanie.
 19 MS. ORAM: No to all the above.
 09:21AM 20 MR. BRISKE: Thank you. Mr. Goodloe.
 21 MR. GOODLOE: No to all the above.
 22 MR. BRISKE: Mr. Barry.
 23 MR. BARRY: No communication, but I'm familiar
 24 with the parcel.
 09:21AM 25 MR. BRISKE: Chairman, none. Ms. Davis.
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1 MS. DAVIS: No.
 2 MR. WINGATE: I did go by and view the property
 3 directly.
 4 MR. BRISKE: Okay. Ms. Sindel.
 09:21AM 5 MS. SINDEL: None.
 6 MR. BRISKE: All right. Thank you.
 7 Staff, was the notice of the hearing sent to
 8 all interested parties?
 9 MS. SPITSBERGEN: Yes, sir, it was.
 09:21AM 10 MR. BRISKE: Thank you. And was the notice of
 11 the hearing also posted on the site?
 12 MS. SPITSBERGEN: Yes, sir, it was.
 13 MR. BRISKE: Unless Mr. Jansen has objections,
 14 we'll ask the staff to present maps and photographs
 09:22AM 15 for the case.
 16 All right. Thank you. Allyson.
 17 MS. CAIN: Z-2011-11, 4410 North Palafox from
 18 C-1 to ID-CP.
 19 This is the location and the wetlands map of
 09:22AM 20 the area. And there are no wetlands on site. This
 21 is the aerial view of the project. This is the
 22 future land use and the existing land use map
 23 showing the surrounding uses and the Commercial
 24 Future Land Use. This is the 500 foot zoning map
 09:22AM 25 with the commercial and the surrounding zonings of
 TAYLOR REPORTING SERVICES, INCORPORATED



DEVELOPMENT SERVICES DEPARTMENT FINDINGS-OF-FACT

REZONING CASE: Z-2011-10
July 11, 2011

I. SUBMISSION DATA:

BY: Wiley C. "Buddy" Page, Agent
FOR: Patrick and Carolyn Brown, Owner
PROPERTY REFERENCE NO.: 24-2S-31-4105-000-000
PROJECT ADDRESS: 10100 Aileron Avenue
FUTURE LAND USE: C, Commercial
COMMISSIONER DISTRICT: 1
BCC MEETING DATE: August 4, 2011

II. REQUESTED ACTION:

REZONE

FROM: SDD, special development district,
(non-cumulative) low density
(3 du/acre)
TO: ID-1, light industrial district
(cumulative) (no residential uses
allowed)

III. RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder,
627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

CRITERION (1)

Consistent with the Comprehensive Plan.

Whether the proposed amendment is consistent with the Comprehensive Plan.

Comprehensive Plan Policy CPP FLU 1.1.1 Development Consistency. New development and redevelopment in the unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and Future Land Use Map (FLUM).

Comprehensive Plan Policy CPP FLU 1.3.1 Future Land Use Categories. The Commercial (C) Future Land Use (FLU) category is intended for professional office, retail, wholesale, service and general business trade. Residential development may be permitted only if secondary to a primary commercial development. The range of allowable uses include: Residential, Retail and Services, Professional Office, Light Industrial, Recreational Facilities, Public and Civic. The maximum residential density is 25 dwelling units per acre.

CPP FLU 1.1.9 Buffering. In the LDC, Escambia County shall ensure the compatibility of adjacent land uses by requiring buffers designed to protect lower intensity uses from more intensive uses, such as residential from commercial. Buffers shall also be used to protect agricultural activities from the disruptive impacts of nonagricultural land uses and protect nonagricultural uses from normal activities.

CPP FLU 1.5.3 New Development and Redevelopment in Built Areas. To promote the efficient use of existing public roads, utilities and service infrastructure, the County will encourage redevelopment in underutilized properties to maximize development densities and intensities located in the Mixed Use-Suburban, Mixed Use-Urban, Commercial and Industrial Future Land Use districts categories (with the exception of residential development).

FINDINGS

As referenced in **CPP FLU 1.1.1** and **CPP FLU 1.3.1**, the Commercial Future Land Use designation allows for a range of commercial uses from retail (including wholesale and professional office) and service/general business trade to light industrial type uses. Within this range of allowable uses, staff finds that the proposed amendment to ID-1, Light Industrial district is specified within the general descriptions of allowable uses as referenced in **CPP FLU.1.3.1**. Along with previous comprehensive plan policies that are cited above, Comprehensive Plan Policy 1.1.9 requires Escambia County to ensure adequate buffering to protect lower intensity uses from more intensive uses i.e. residential from commercial. These guidelines are stated within the Land Development Code.

CPP FLU1.5.3 promotes and encourages redevelopment in built areas within the Commercial Future Land Use category with existing public roads and service

infrastructure. The parcel in question is within the property boundaries of an existing commercial establishment and will be utilized for expansion of their existing commercial operation. It is served by existing utility connections & internal service infrastructure (roads) that supports the commercial establishment. Based upon the background information of this parcel and the existing commercial operation, staff finds that the proposed amendment would comply with **Comprehensive Plan FLU 1.5.3**.

Per the Comprehensive Plan Policy FLU 1.1.1 thru Comprehensive Plan Policy FLU 1.5.3 as listed in Criterion (1), staff concludes that the proposed amendment is consistent with the Comprehensive Plan with the understanding that provisions for adequate buffering will be addressed as defined by the Land Development Code.

CRITERION (2)

Consistent with the Land Development Code.

Whether the proposed amendment is in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.

Land Development Code (LDC) 6.05.21. SDD special development district, (non-cumulative) low density. This district is intended to conserve and protect environmentally sensitive areas that have natural limitations to development. These areas have certain ecological functions which require performance standards for development. Typically, the allowable uses are single-family detached dwellings (including mobile homes), duplex and triplex structures with few commercial uses, with the exception of public utility & public facilities.

6.05.18. ID-1 light industrial district (cumulative) (no residential uses allowed).

This district is intended primarily for research-oriented activities, light manufacturing and processing not involving the use of materials, processes or machinery likely to cause undesirable effects upon nearby industrial establishments of this type. The uses shall be within completely enclosed buildings wherever practical and provide a buffer between commercial districts and other higher intensive industrial uses. The uses which this district is designed to accommodate include general assembly, warehousing and distribution activities. In addition, major repair and service activities, as well as manufacturing activities meeting performance standards are intended to be accommodated in this district. Finally, commercial trade and service activities not compatible with activities adapted to more restrictive districts, but which satisfy site plan criteria and performance criteria of this Code, should be accommodated in this district.

B. Permitted uses.

1. Any nonresidential use permitted in the preceding district.
2. Research and development operations, commercial communication towers 150 feet or less in height, light manufacturing, processing or fabricating uses, enclosed storage structures and accessory structures and activities subject to the performance standards in sections 7.03.00 and 7.06.00.

3. Commercial businesses with outside storage when such storage is adequately screened and/or buffered in accordance with section 7.01.06.E.
4. Other uses similar to those permitted herein. Determination on other permitted uses shall be made by the planning board.
5. Semiconductor or microchip fabrication.
6. Borrow pits and reclamation activities thereof (subject to local permit and development review requirements per Escambia County Code of Ordinances, Part I, Chapter 42, article VIII, and performance standards in Part III, the Land Development Code, article 7)

LDC 7.20.07. Industrial locational criteria (ID-1). New industrial development must meet the following locational criteria:

1. Industrial uses shall be located so that the negative impacts of industrial land uses on the functions of natural systems shall, as a first priority, be avoided. When impacts are unavoidable, those impacts shall be minimized.
2. Sites for industrial development shall be accessible to essential public and private facilities and services at the levels of service adopted in the Comprehensive Plan.
3. Sites for industrial uses shall be located with convenient access to the labor supply, raw material sources and market areas.
4. New industrial uses shall be located on parcels of land large enough to adequately support the type of industrial development proposed and minimize any adverse impacts upon surrounding properties. Compatibility of land uses shall be ensured consistent with Comprehensive Plan Policy 1.1.9.
5. These industrial locational criteria apply to those future land use categories where industrial development permitted and does not provide or permit industrial land uses in those categories that do not provide for such uses.

FINDINGS

As referenced in the LDC regulations cited above, the intent, purpose, and the allowable uses differ greatly from SDD to ID-1. Furthermore, the request is from residential to commercial which tends to be in conflict with Criterion 2.

In reviewing the zoning map of the proposed amendment, the parcel is approximately 5.88 (+/-) acres in the SDD zoning district, and is located in the rear yard of the existing commercial establishment. This 5.88 acre (+/-) tract abuts a 31.99 acre (+/-) tract that has a zoning designation of ID-1, light industrial. The documents submitted indicate the 5.88 acre (+/-) parcel is part of the 31.99 acre (+/-) tract that is in the control of the existing commercial establishment. Based upon the zoning map, there is a split zoning of the property of ID-1 & SDD. Additionally, it appears that this parcel is part of an existing commercial establishment and will be

utilized for future expansion. Consequently, if any future development is proposed, the locational criterion stated above will be reviewed for site design standards, accessibility to public and private service/facilities, and adverse impacts on surrounding areas at the time of site plan review process.

Along with the existing commercial development that has an ID-1 and SDD land use classification, the parcel with the SDD land use classification has an existing wood fence approximately 8-10 ft in height. There is existing vegetation that runs along the rear property line of the parcel which is designed to protect the lower intense use from the more intensive use. If the proposed amendment is granted and future development occurs, **any additional standards** and regulations governing the provisions for adequate buffering and any other performance standards within the Land Development Code will be applicable at the time of the site plan review process.

In consideration of the LDC regulations cited above and the facts presented, staff finds consistency with Criterion 2 could be met.

CRITERION (3)

Compatible with surrounding uses.

Whether and the extent to which the proposed amendment is compatible with existing and proposed uses in the area of the subject property(s).

FINDINGS

Within the 500' radius impact area, staff observed the following: four single-family dwellings (two houses & two mobile homes) and two vacant lots with a zoning district designation of SDD. The subject parcel abuts and is contiguous to an existing ID-1 and Commercial zoned property. The SDD zoning designation of the surrounding parcels does not allow for any industrial uses as specified within the Land Development Code. Therefore, the proposed amendment, from SDD to ID-1 **is not** compatible with surrounding uses.

CRITERION (4)

Changed conditions.

Whether and the extent to which there are any changed conditions that impact the amendment or property(s).

FINDINGS

Staff found no changed conditions that would impact the amendment or property(s).

CRITERION (5)

Effect on natural environment.

Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment.

FINDINGS

According to the National Wetland Inventory, wetlands and hydric soils **are** indicated on the subject parcel. Therefore, further review during the site plan review process will be necessary to determine any significant adverse impact on the natural environment.

CRITERION (6)

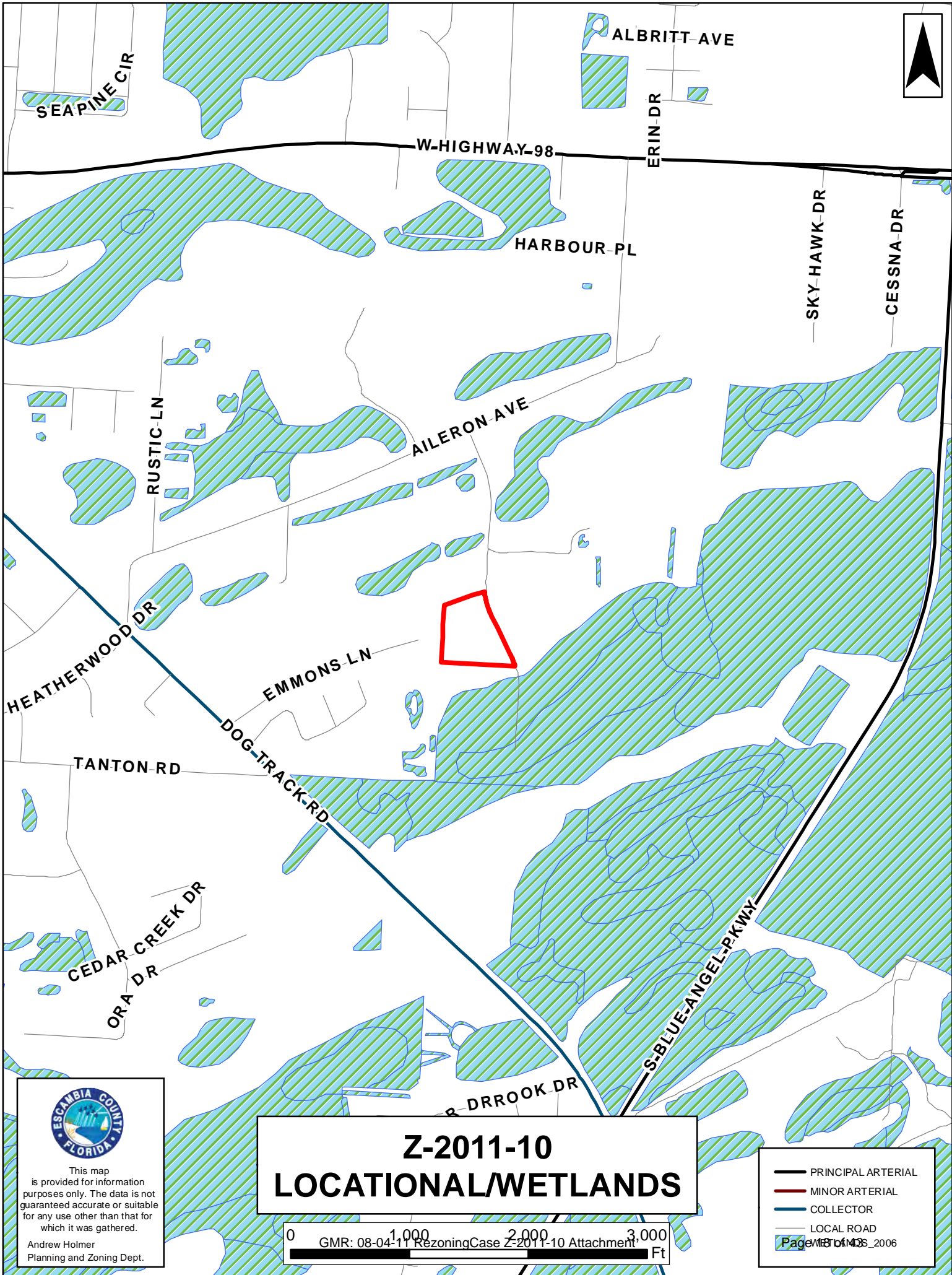
Development patterns.

Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

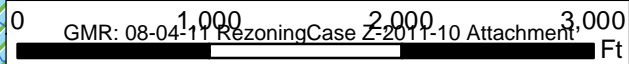
FINDINGS

Based upon the following facts specified below, the proposed amendment would result in a logical and orderly development. **First**, the 5.88 acre (+/-) parcel zoned SDD, is contiguous and abuts the 31.99 acre (+/-) tract with a zoning designation of ID-1; therefore, this would eliminate having a split zoned parcel of ID-1 & SDD. **Second**, the parcel in question is part of and is within the property boundary of an existing commercial operation with a majority of the land having a zoning designation of ID-1. Finally, the Future Land Use category for the subject property is Commercial. If approved, the proposed amendment would provide for uniformity & consistency with the Commercial Future Land Use designation.


Note: The above technical comments and conclusion are based upon the information available to Staff prior to the public hearing; the public hearing testimony may reveal additional technical information.



Z-2011-10
LOCATIONAL/WETLANDS

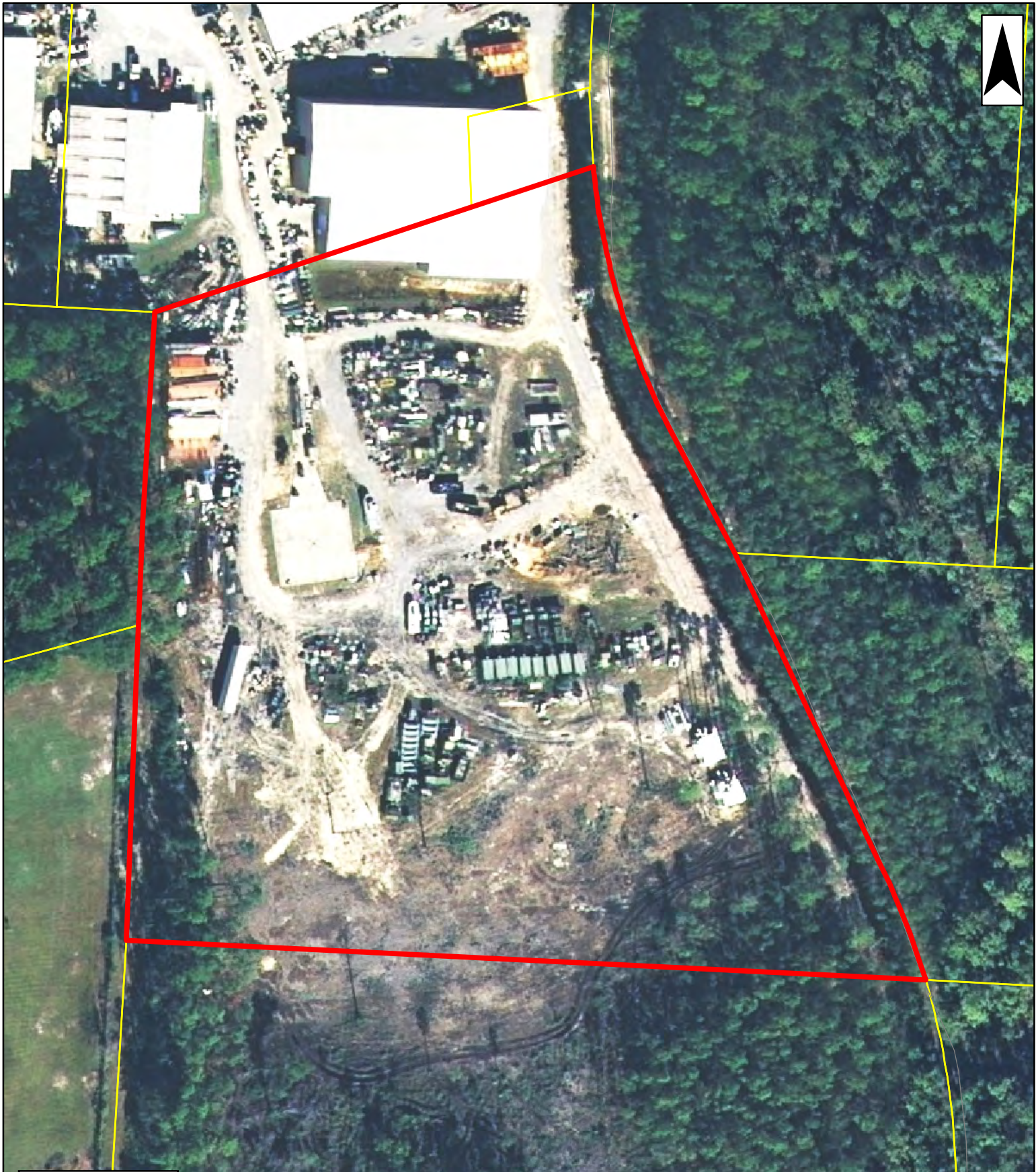


- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- WETLANDS



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
 Planning and Zoning Dept.







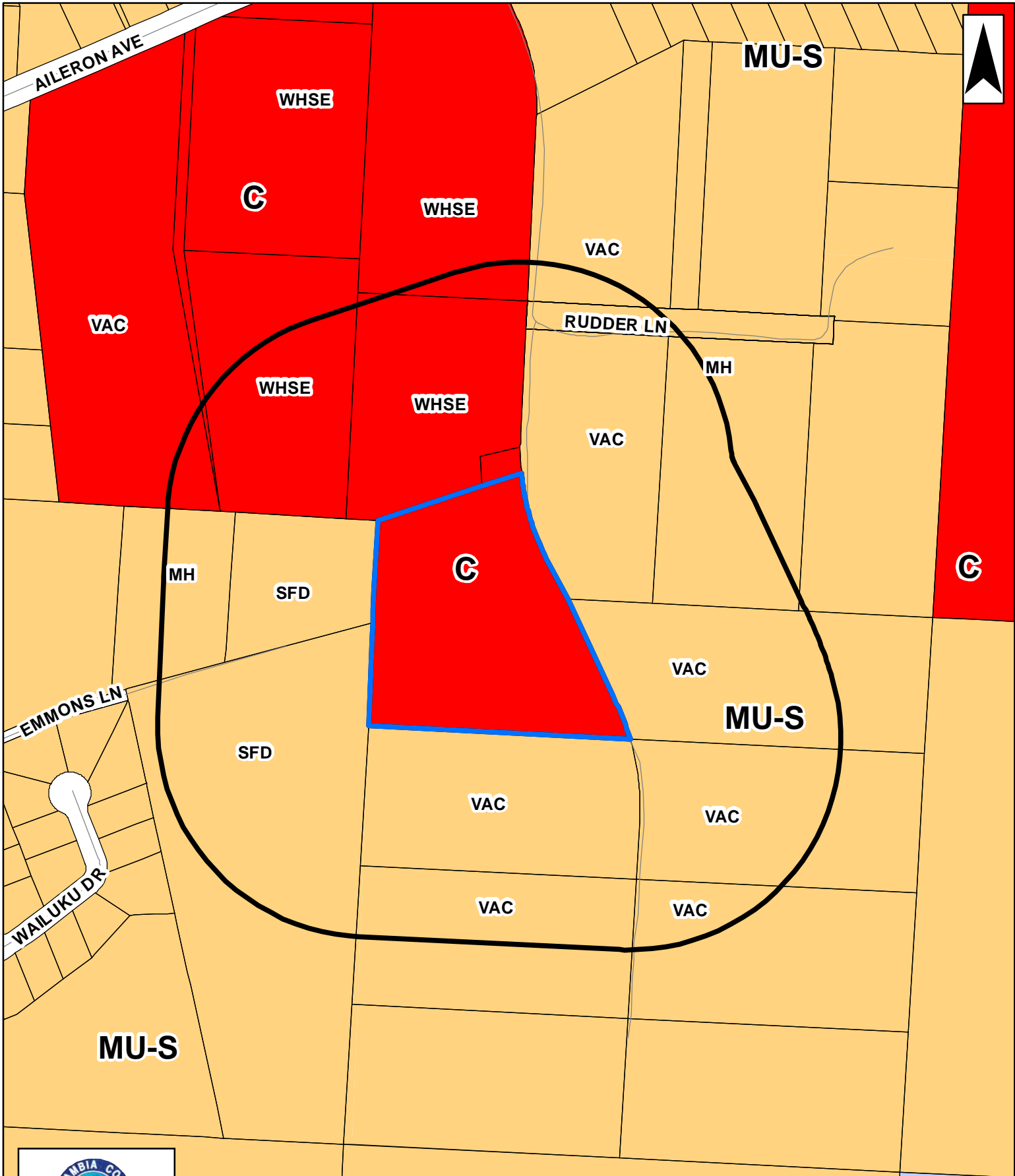

This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2011-10 FLU & ELU MAP

0 100 200 300
GMR: 08-04-11 Rezoning Case Z-2011-10 Attachment 1
Ft

-  PRINCIPAL ARTERIAL
 -  MINOR ARTERIAL
 -  COLLECTOR
 -  LOCAL ROAD
- Page 18 of 43

This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2011-10 FLU & ELU MAP

0 300 600 900
GMR: 08-04-11 Rezoning Case Z-2011-10 Attachment 20 of 43
Ft

CON

- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD

Page 20 of 43

R-2

AILERON AVE

ID-1

SDD

RUDDER LN

SDD

C-1

SDD





EMMONS LN

WAILUKU DR

SDD

R-6

Z-2011-10 ZONING MAP

-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD

0 300 600 900
 GMR: 08-04-11 Rezoning Case Z-2011-10 Attachment 2 of 43
 Ft

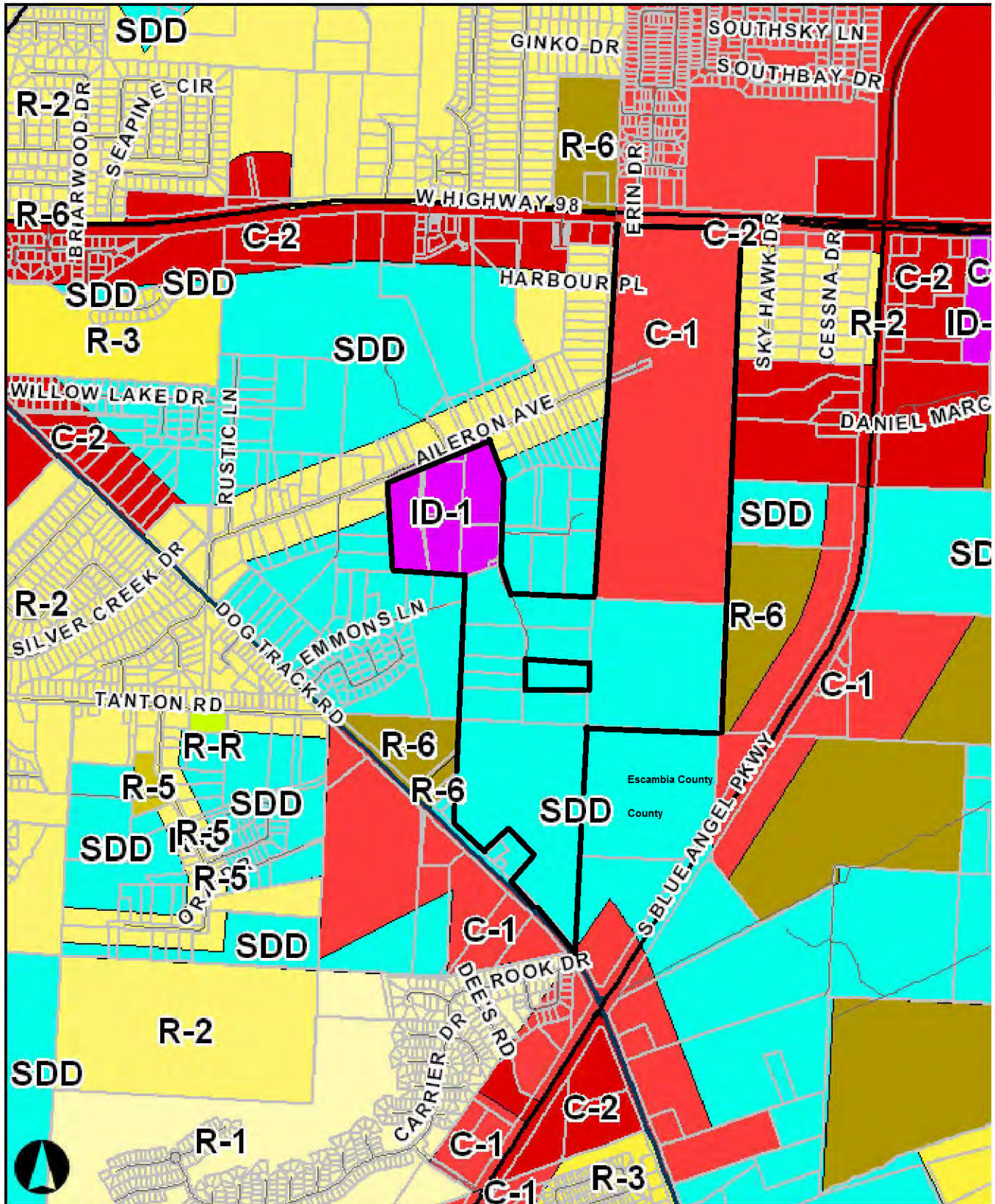


This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
 Planning and Zoning Dept.



Brown Helicopter Properties



Total site contains split zones including: C-1, ID-1 and SDD.

Public Notice Sign



LOOKING SOUTH INTO REZONING PARCEL



LOOKING SOUTH FROM THE CONCRETE HELO PAD





Looking East to subject site from adjacent property



Development Services Bureau
Escambia County, Florida

APPLICATION

Please check application type:

Administrative Appeal

Development Order Extension

Conditional Use Request for: _____

Variance Request for: _____

Rezoning Request from: SDD to: ID-1

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: Partick F. & Carolyn C. Brown Phone: 850.455.0971

Address: 10100 Aileron Avenue Pensacola, FL 32506 Email: budpage1@mchsi.com

Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: 10100 Aileron Avenue Pensacola, FL 32506

Property Reference Number(s)/Legal Description: 24-2S-31-4105-000-000

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

Patrick F. Brown
Signature of Owner/Agent

Patrick F. Brown
Printed Name Owner/Agent

4-15-11
Date

Carolyn C. Brown
Signature of Owner

Carolyn C. Brown
Printed Name of Owner

4-15-11
Date

STATE OF Florida COUNTY OF Escambia

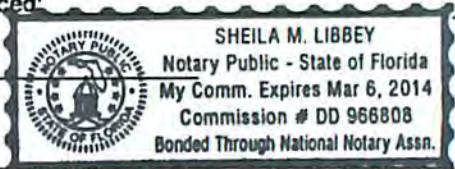
The foregoing instrument was acknowledged before me this 15th day of April 2011

by Patrick F. Brown & Carolyn C. Brown

Personally Known OR Produced Identification . Type of Identification Produced:

Sheila M. Libbey
Signature of Notary
(notary seal must be affixed)

Printed Name of Notary



FOR OFFICE USE ONLY

Meeting Date(s): 7/11/11 Accepted/Verified by: A. Cain Date: 5/20/11

Fees Paid: \$ 1500 Receipt #: 626348 Permit #: PRZ110500010

3363 West Park Place Pensacola, FL 32505
(850) 595-3475 * FAX: (850) 595-3481



CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 24-2S-31-4105-000-000

Property Address: 10100 Aileron Avenue Pensacola, FL 32506

I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed in the future development's permit application.

I/We also acknowledge and agree that approval of a zoning district amendment (rezoning) or Future Land Use Map amendment does not certify, vest, or otherwise guarantee that concurrency of required facilities and services is, or will be, available for any future development of the subject parcels.

I/We further acknowledge and agree that no development for which concurrency must be certified shall be approved unless at least one of the following minimum conditions of the Comprehensive Plan will be met for each facility and service of the County's concurrency management system prior to development approval:

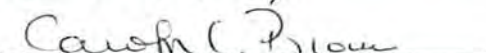
- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS _____ DAY OF 4-15-11, YEAR OF _____.


Signature of Property Owner

Patrick F. Brown
Printed Name of Property Owner

4-15-11
Date


Signature of Property Owner

Carolyn C. Brown
Printed Name of Property Owner

4-15-11
Date



FOR OFFICE USE:

CASE #: _____

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 10100 Aileron Avenue,
Florida, property reference number(s) 24-2S-31-4105-000-000

I hereby designate Wiley C. "Buddy" Page for the sole purpose
of completing this application and making a presentation to the:

- Planning Board and the Board of County Commissioners to request a rezoning on the above
referenced property.
- Board of Adjustment to request a(n) _____ on the above referenced property.

This Limited Power of Attorney is granted on this _____ day of _____ the year of,
_____, and is effective until the Board of County Commissioners or the Board of Adjustment has
rendered a decision on this request and any appeal period has expired. The owner reserves the right to
rescind this Limited Power of Attorney at any time with a written, notarized notice to the Development
Services Bureau.

Agent Name: Wiley C. "Buddy" Page Email: budpage1@mchsi.com

Address: 5337 Hamilton Lane Pace, FL 32571 Phone: 850.232.9853

Patrick F. Brown
Signature of Property Owner

Patrick F. Brown
Printed Name of Property Owner

4-15-11
Date

Carolyn C. Brown
Signature of Property Owner

Carolyn C. Brown
Printed Name of Property Owner

4-15-11
Date

STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 15th day of April 2011.

by _____

Personally Known OR Produced Identification . Type of Identification Produced: _____

Sheila M. Libbey
Signature of Notary

Sheila M. Libbey (Notary Seal)
Notary Public - State of Florida
My Comm. Expires Mar 6, 2014
Commission # DD 966808
Bonded Through National Notary Assn.

Brown Helicopter Property Site Zoning

The attached map identifies the entire industrial property owned by Brown Helicopter. The site has frontage on Highway 98 on the north and Dog Track Road to the south. These acquisitions include the purchase of adjacent Ferguson Field in 2009. Being in the aviation parts business, the airfield was a natural and logical extension of Brown's aviation activities which date to the early 1970s in this area. Several area subdivisions that were built after Brown started his business have aviation/aircraft related named roads including Rudder Lane, Skyhawk and Cessna Drives.

The map identifies the Brown property located within the black border line. This site totals some 198.7 acres and has a combination of zoning classifications including C-1, ID-1 and SDD.

If this rezoning request is granted, this 6 acre site will join the existing Industrial -zoned property to the north, while the remaining Brown properties to the south will remain as being zoned SDD. The forty acre site south and adjacent to the existing airfield is owned by Escambia County and provides a buffer for the airfield and may be developed as a future industrial park now that Navy Federal Credit Union has purchased all remaining property within the County Oaks Industrial Park located on Nine Mile Road.

Future development plans for the Brown property will call for the entire site containing C-1 and Industrial zoning only.

Brown Helicopter Warehouse Site

Consistency with Relevant Portions of the Escambia Comprehensive Plan

FLU 1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map (FLUM). The 2030 FLUM is attached herein to this ordinance as Exhibit B.

RESPONSE: If approved by the Escambia County Planning Board, this proposed development will be consistent with this policy.

FLU 1.1.9 Buffering. In the LDC, Escambia County shall ensure the compatibility of adjacent land uses by requiring buffers designed to protect lower intensity uses from more intensive uses, such as residential from commercial. Buffers shall also be used to protect agricultural activities from the disruptive impacts of nonagricultural land uses and protect nonagricultural uses from normal agricultural activities.

RESPONSE: During the plan review process, the required buffering methodology will be identified for review and approval by County officials. The approved method of buffering will then be installed/planted.

FLU 1.2.2 LDC Provisions. Escambia County shall include provisions in the LDC that require identification and preservation of significant archeological and/or historic sites or structures within the County. The provisions will include protection for all sites listed on the Florida Master Site File and will be developed in cooperation with the Department of State, Division of Historical Resources. The provisions also will include requirements that provide for the cessation of land disturbing activities any time artifacts with potential historical significance are revealed during construction activities on any site with potential historical significance. The purpose of the cessation is to allow time to determine the significance of any artifact or historical evidence found on the site. Normally, determinations will be made by those approved to make such determinations by the Division of Historical Resources.

RESPONSE: This area of Aileron is not listed in the Master Site File maintained by the Florida Division of Historical Resources.

FLU 2.1.1 Infrastructure Capacities. Urban uses shall be concentrated in the urbanized areas with the most intense development permitted in the Mixed-Use Urban (MU-U) areas and areas with sufficient central water and sewer system capacity to accommodate higher density development. Land use densities may be increased through Comprehensive Plan amendments. This policy is intended to direct higher density urban uses to those areas with infrastructure capacities sufficient to meet demands and to those areas with capacities in excess of current or projected demand. Septic systems remain allowed through Florida Health Department permits where central sewer is not available.

RESPONSE: This application is requesting approval to construct a storage warehouse that will contain helicopter parts. No additional employees will be added and the property will not be open to the public. As a result, water and sewer requirements will have little or no impact on existing service volumes.

MOB 1.1.1 New Development. Future developments will pay all costs and construct all roads within the development as well as existing and proposed access roads (internal and external) to Escambia County standards so that the roads, upon construction, may be accepted into Escambia County's road system. Nothing in this policy shall be interpreted to preclude the County from requiring the development to pay all costs to the County associated with construction of any transportation improvement made necessary by the development.

RESPONSE: This proposed industrially related activity will require new roadways, drainage facilities and other improvements to facilitate its development. The owner will comply with all requirements regarding cost of improvements.

MOB 1.1.2 Level of Service (LOS) Standards. Levels of Service (LOS) based on annualized p.m. peak hour conditions will be used to evaluate facility capacity and for issuance of development orders. LOS standards for all roadways are hereby established as shown below according to the functional classification of roadways identified on the 2005 Federal Functional Classifications Map. The Mobility Series is attached herein to this ordinance as Exhibit E. The Mobility Series includes the 2005 Federal Functional Classifications Map, the Number of Lanes – Escambia County Map, the FL-AL TPO Prioritized Bicycle & Pedestrian Projects Map, the Transportation Improvement Program FY 2010-2014 Major Projects Map, the Traffic Volume & Level of Service Report, and the FL-AL TPO Long Range Plan (future roadway). The FDOT LOS standards are also used for SIS facilities.

RESPONSE: The proposed development will not impact Highway 98 which is designated by the Florida Department of Transportation as a Principle Arterial roadway with an adopted Level of Service Standard at "C".

MOB 1.1.3 On-site Facilities. All new private developments, including but not limited to planned unit developments, shopping centers, multifamily residential projects and other projects with internal circulation and parking needs shall be required to provide safe and convenient on-site traffic flow, facilities for nonmotorized transportation and sufficient vehicular parking to accommodate the needs of the development. This policy does not apply to residential subdivisions

RESPONSE: Internal circulation design will be identified once specific site plans are produced. These plans will be submitted to the County for review and approval. The plans will contain overall parking and traffic circulation patterns and will comply with this element of the Comprehensive Plan.

INF 3.1.8 Developer Responsibilities. Installation of stormwater management facilities made necessary by new development shall be the responsibility of the developer.

RESPONSE: Required stormwater management plan and facilities will be designed and installed at the developers expense.

INF 4.1.6 Developer Responsibility. The cost of water line extensions made necessary by new development shall be the responsibility of the developer unless otherwise funded by the service provider.

RESPONSE: The developer will pay for all agreed costs associated with water line extensions.

INF 5.1.3 Wellhead Protection. Wellhead protection zones shall be located based in part upon the most current NFWFMD three-dimensional sand and gravel aquifer computer model. Compliance with design and performance standards pursuant to Chapter 62.532 Florida Administrative Code, is required to adopt FDEP minimum wellhead protection standards. The Potable Wells Wellhead Protection Areas Map is attached herein to this ordinance as Exhibit I.

RESPONSE: As shown in the attached wellhead location map, this site is not located near potable water extraction facilities.

CON 1.1.1 Environmentally Sensitive Lands. Escambia County shall inventory the County's environmentally sensitive lands as defined in Chapter 3, Definitions.

The Escambia County Wetlands Map and the Escambia County Special Flood

Hazard Areas Map are attached to this ordinance as Exhibits L and M, respectively.

RESPONSE: Existing inventory maps indicate that this specific site does not contain any environmentally sensitive lands.

CON 1.3.1 Stormwater Management. Escambia County shall protect surface water quality by implementing the stormwater management policies of the Infrastructure Element to improve existing stormwater management systems and ensure the provision of stormwater management facilities concurrent with the demand for such facilities.

RESPONSE: Plans depicting stormwater management and treatment will be submitted to Escambia County for review and approval to assure compliance with this requirement.

15.00
350.00

This Warranty Deed

OR BK 4991 PG0327
Escambia County, Florida
INSTRUMENT 2002-016505

Made this 1st day of October A.D. 2002
by Godofredo R. Varias and Natividad L. Varias,
Varias, husband and wife

NEED REC STRONG AD & REC CD \$ 350.00
10/14/02 FRI 11:55 AM
By: *[Signature]*

PLD
hereinafter called the grantor, to
Patrick F. Brown and Carolyn C. Brown,
husband and wife *ceb*

whose post office address is: 403 Colbert Avenue
Pensacola, FL 32507

Grantees' SSN: [REDACTED]

hereinafter called the grantee:

(Whenever used herein the term "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

Witnesseth, that the grantor, for and in consideration of the sum of \$ 10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in Escambia County, Florida, viz:

See Schedule A attached hereto and by this reference made a part hereof.

SUBJECT TO Covenants, restrictions, easements of record and taxes for the current year. Said property is not the homestead of the Grantor(s) under the laws and constitution of the State of Florida in that neither Grantor(s) or any members of the household of Grantor(s) reside thereon.

Parcel Identification Number: 24-2S-31-4105-000-000

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31, 2001.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:

Marsha Wilimzig
Name: Marsha Wilimzig

Godofredo R. Varias
Name & Address: Godofredo R. Varias LS

Joanne Gunn
Name: Joanne Gunn

Natividad L. Varias
Name & Address: Natividad L. Varias LS

Name: _____

Name & Address: _____ LS

7015 Ben Sasser Drive, Pensacola, FL 32526

Name: _____

Name & Address: _____ LS

State of Florida
County of Escambia

The foregoing instrument was acknowledged before me this 1st day of October, 2002, by

Godofredo R. Varias and Natividad L. Varias, husband and wife

who is personally known to me or who has produced _____ as identification.

driver license



JOANNE GUNN
State of Florida
My Comm. Exp. Dec. 27, 2002
Comm. # CC 281163

Joanne Gunn
Notary Public
Print Name: _____
My Commission Expires: _____

PREPARED BY: Joanne Gunn
RECORD & RETURN TO:
Lawyers Title Agency of North Florida, Inc.
721 East Gregory Street
Pensacola, Florida 32501
File No: 3A-66768

WD-1
5/99

Schedule A

Beginning at the NE corner of the SW 1/4 of the SE 1/4, Section 24, T-2-S, R-31-W, Escambia County, Florida, thence S-01°19'19"-E 323.95 feet; thence N-88°47'12" E 627.90 feet to the intersection of the arc of a curve, said curve having a radius of 573.69 feet and a central angle of 30°00'00"; thence along the arc of said curve 101.47 feet to the P. T. of said curve; thence N-31°12'48" W 360.00 feet to the P. C. of a curve to the right, said curve having a radius of 573.69 feet and a central angle of 30°00'00"; thence along the arc of said curve 180.00 feet; thence S-75°08'42" W 351.76 feet; thence S-01°19'19" E 165.00 feet to the Point of Beginning.

Subject to 30 foot access easement across east side of above described property.

G. R. J.
H. J. V

File No: 3A-66768

CURVE TABLE

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD LENGTH
C1 (D)	573.69'	30°00'00"	101.47'	101.34'
C1 (F)	573.69'	10°09'22"	101.69'	101.56'
C2 (D)	573.69'	30°00'00"	180.00'	178.65'
C4 (F)	573.69'	17°56'46"	179.89'	178.96'

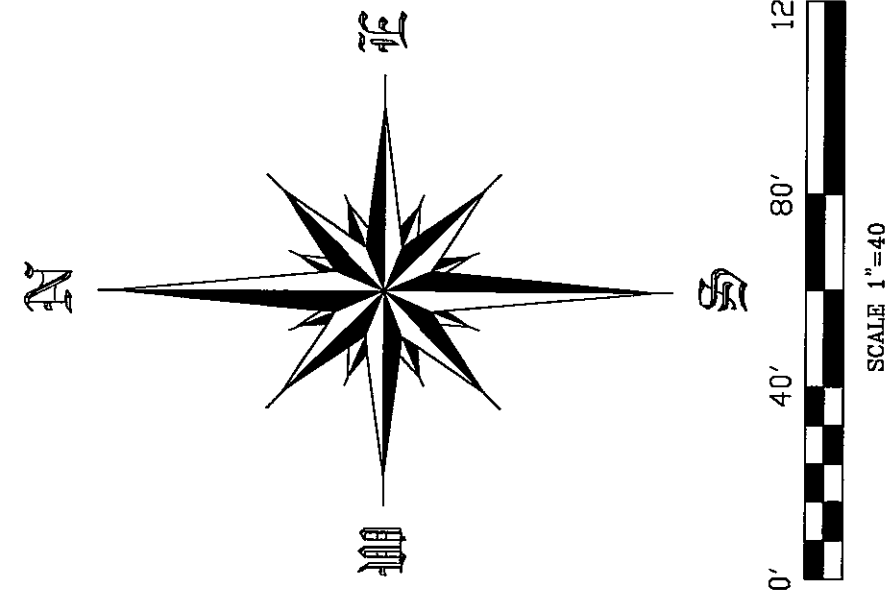
LEGEND

- SET 1/2" CAPPED IRON ROD #7092
- ⊗ FOUND 1/2" CAPPED IRON ROD #7092
- ⊙ FOUND 1/2" IRON ROD
- ⊘ FOUND 1" IRON PIPE
- P.T. POINT OF TANGENCY
- P.C. POINT OF CURVATURE
- POB POINT OF BEGINNING
- (F) FIELD
- (D) DEED

DESCRIPTION: (PER OFFICIAL RECORD BOOK 4991 PAGE 328) PARCEL #6

BEGINNING AT THE NE CORNER OF THE SW 1/4 OF THE SE 1/4, SECTION 24, TOWNSHIP 2 SOUTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA; THENCE S 01°19'19" E 323.95 FEET; THENCE N 88°47'12" E 627.90 FEET TO THE INTERSECTION OF THE ARC OF A CURVE, SAID CURVE HAVING A RADIUS OF 573.69 FEET AND A CENTRAL ANGLE OF 30°00'00"; THENCE ALONG THE ARC OF SAID CURVE 101.47 FEET TO THE P.T. OF SAID CURVE; THENCE N 31°12'48" W 360.00 FEET TO THE P.C. OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 573.69 FEET AND A CENTRAL ANGLE OF 30°00'00"; THENCE ALONG THE ARC OF SAID CURVE 180.00 FEET; THENCE S 75°08'42" W 351.76 FEET, THENCE S 01°19'19" E 165.00 FEET TO THE POINT OF BEGINNING.

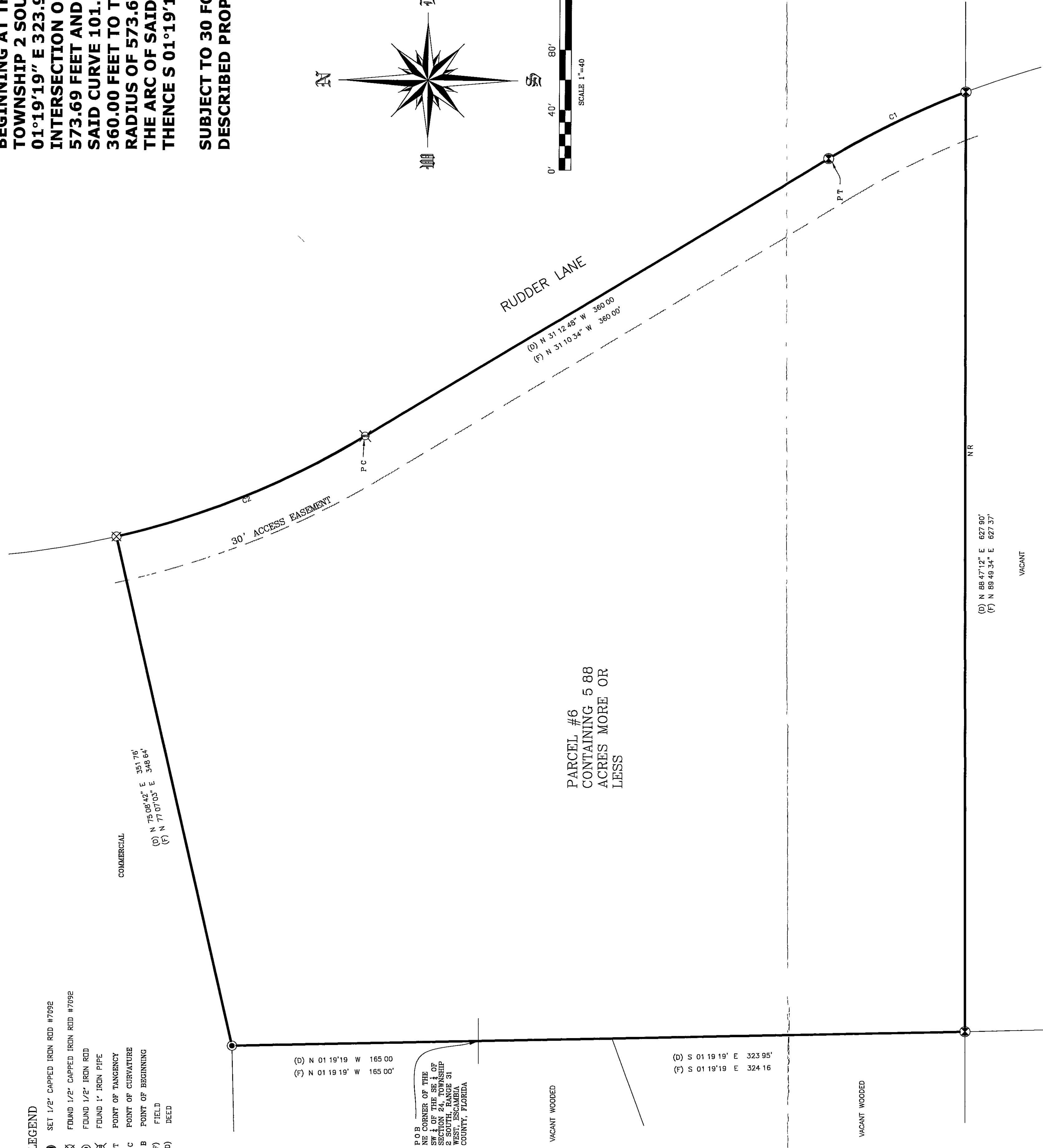
SUBJECT TO 30 FOOT ACCESS EASEMENT ACROSS EAST SIDE OF ABOVE DESCRIBED PROPERTY.



SURVEYORS NOTES
 THIS SURVEY WAS PERFORMED FOR THE CLIENT SHOWN AND IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT PRIOR CONSENT FROM THIS SURVEYOR
 ALL MEASUREMENTS WERE MADE ACCORDING TO UNITED STATES FOOT
 NO TITLE RESEARCH WAS PERFORMED BY THIS SURVEYOR, NOR WERE WE FURNISHED WITH SUCH
 NO INSTRUMENT OF RECORDS, REFLECTING EASEMENTS, RIGHT OF WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN
 NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN
 ALL BEARINGS AND DISTANCES ARE RECORD UNLESS OTHERWISE NOTED
 ERROR OF CLOSURE MEETS MINIMUM TECHNICAL STANDARDS
 IMPROVEMENT LOCATIONS SHOWN HEREON MAY BE EXAGGERATED AND NOT TO SCALE FOR CLARITY PURPOSES

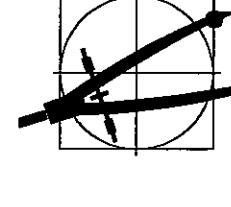
THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND RECORDED IN THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA THAT DO NOT APPEAR ON THE FACE OF THIS PLAT
 BASIS OF BEARING N 62°10'43" E FOR THE SOUTH
 RIGHT-OF-WAY LINE ALLERON AVENUE PER DEED

REFERENCE SQUARE, FIELD WORK AND EXISTING FIELD MONUMENTATION COPY OF OR BOOKS AND PAGES AS LISTED ABOVE




SWINNEY & ASSOCIATES, INC

218 HENRY STREET
 PENSACOLA, FLORIDA 32507
 (850) 453-4261 FAX (850) 458-2630
 D SWINNEY@WORLDNET.ATT.NET



LICENSE BUSINESS NO. 7092

ADDRESS ALLERON AVENUE	TOWNSHIP 2 SOUTH	RANGE 31 WEST	COUNTY ESCAMBIA
REQUESTED BY JACK LANE	DRAWN BY REM	FIELD DATE 4/15/2008	
TYPE BOUNDARY SURVEY	CREW JMJ/ZL	FIELD BOOK 223	PAGES 01 - 13
SECTION 24	DATE 04/21/2008	RE-SURVEY/SPOT ELEVATIONS/BENCHMARKS	
SCALE 1"=40'	REVISION DATE 08/25/2008	RE-SURVEY/SPOT ELEVATIONS/BENCHMARKS	
	10/13/2009	WETLAND LOCATION	
	04/28/2011	RE-SURVEY/IMPROVEMENTS NOT LOCATED	
SURVEYORS CERTIFICATE			
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, STATUTES OF FLORIDA.			
 SAID SURVEYOR IS A REGISTERED PROFESSIONAL SURVEYOR AND MAPPER NO. 9541 STATE OF FLORIDA			
			DRAWING NUMBER
			08-11763-6

PARCEL #6
 CONTAINING 5.88
 ACRES MORE OR
 LESS

(D) N 88°47'12" E 627.90'
 (F) N 88°49'34" E 627.37'

(D) N 01°19'19" W 165.00'
 (F) N 01°19'19" W 165.00'

(D) S 01°19'19" E 323.95'
 (F) S 01°19'19" E 324.16'

POB
 NE CORNER OF THE
 SW 1/4 OF THE SE 1/4
 SECTION 24, TOWNSHIP
 2 SOUTH, RANGE 31
 WEST, ESCAMBIA
 COUNTY, FLORIDA



Development Services Department
Escambia County, Florida

**PLANNING BOARD
REZONING PRE-APPLICATION SUMMARY FORM**

24-2S-31-4105-000-000
Property Reference Number

Buddy Page (Brown Helicopter)
Name

Rudder Ln 32506
Address

Owner Agent

Referral Form Included? **Y / N**

MAPS PREPARED

- Zoning
- FLU
- Aerial
- Other: _____

PROPERTY INFORMATION

Current Zoning: SDD Size of Property: _____ +/-
 Future Land Use: C Commissioner District: 1
 Overlay/AIPD: _____ Subdivision: _____
 Redevelopment Area*: _____

**For more info please contact the CRA at 595-3217 prior to application submittal.*

COMMENTS

Desired Zoning: ID-1

Is Locational Criteria applicable? yes If so, is a compatibility analysis required? _____

met to discuss property previously
no conflict with FLU-C

- Applicant will contact staff for next appointment
- Applicant decided against rezoning property
- Applicant was referred to another process
 - BOA DRC Other: _____

Process Name

Staff present: Lynette Harris, Allyson Cain, Drew Holman, Anwar Jones Date: _____

Applicant/Agent Name & Signature: [Signature]

No comment made by any persons associated with the County during any pre-application conference or discussion shall be considered either as approval or rejection of the proposed development, development plans, and/or outcome of any process

WIGGINS STEPHEN & VIRGINIA
9950 AILERON AVE
PENSACOLA FL 32506

HAMMOCK DOUGLAS M
9920 AILERON AVE
PENSACOLA FL 32506

BROWN HELICOPTER INC
10100 AILERON AVE
PENSACOLA FL 32506

BROWN LOUIS S & THELMA J
401 COLBERT AVE
PENSACOLA FL 32507

NOTZ ERIC R
PO BOX 34011
PENSACOLA FL 325074011

TEW LAND & CONSTRUCTION CO
845 MIRAMAR DR STRUCK
PENSACOLA FL 32506

RAMOS MOISES R & TERESITA V
9011 EL MATADOR LN
PENSACOLA FL 32506

PAGE BUDDY
5337 HAMILTON LANE
PACE, FLORIDA 32571

NGUYEN HIEP & HOA KIM
9123 MOROSO DR
PENSACOLA FL 32506

BROWN PATRICK F & CAROLYN C
400 COLBERT AVE
PENSACOLA FL 32507

SAQUIBAL JOSELITO D &
328 ARABIAN DR
PENSACOLA FL 32506

HORNE WILLIAM E 1/8 INT
3294 NIGHTHAWK LN
PENSACOLA FL 32506

VETITOE ROBERT J 1/8 INT
9924 AILERON AVE
PENSACOLA FL 32506

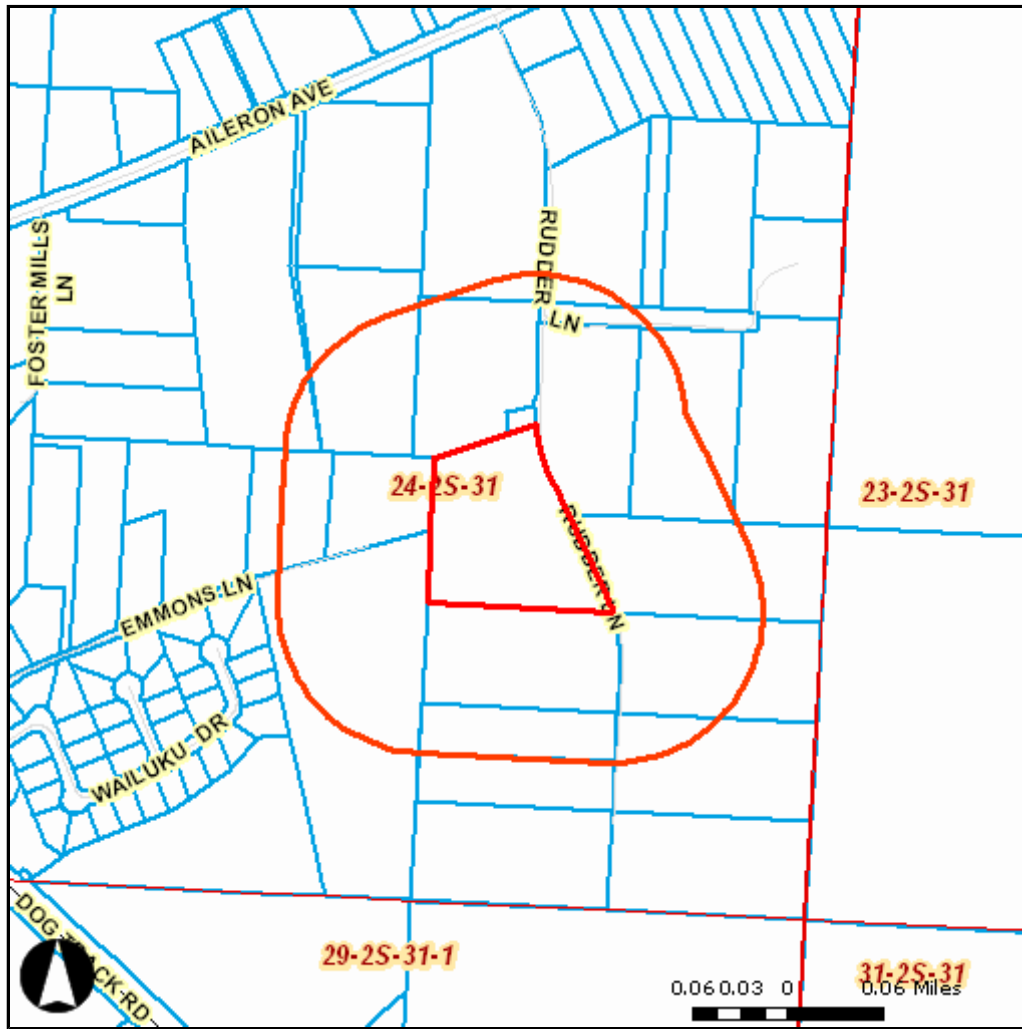
SORSEN JENNIFER 2/8 INT
9918 AILERON AVE
PENSACOLA FL 32506

WEAVER DONALD E
1342 DOG TRACK RD
PENSACOLA FL 32506

TAYLOR LAWRENCE E JR &
120 EMMONS LN
PENSACOLA FL 32506

EMMONS LARRY & ELSBETH
125 EMMONS LN
PENSACOLA FL 32506

ECPA Map



Map Grid



Major Roads

- County Road
- InterState
- State Road
- US Highway

All Roads



Property Line



PLEASE NOTE: This product has been compiled from the source data of the Inter-Local Mapping and Geographic Information Network (IMAGINE) project of Escambia County. The ESCAMBIA COUNTY PROPERTY APPRAISER I-MAP Service is for reference purposes only and not to be considered as a legal document or survey instrument. Relying on the information contained herein is at the user's own risk. We assume no liability for any use of the information contained in the I-MAP Service or any resultant loss.



Development Services Department

Building Inspections Division

3363 West Park Place
 Pensacola, Florida, 32505
 (850) 595-3550
 Molino Office - (850) 587-5770

RECEIPT

Receipt No. : **532441**

Date Issued. : 05/20/2011

Cashier ID : VHOWENS

Application No. : PRZ110500010

Project Name : Z-2011-10

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Check	2226	\$1,500.00	App ID : PRZ110500010
		\$1,500.00	Total Check

Received From : Patrick Brown

Total Receipt Amount : **\$1,500.00**

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PRZ110500010	626348	1,500.00	\$0.00	10100 AILERON AV, PENSACOLA, FL, 32506

Total Amount :	1,500.00	\$0.00	Balance Due on this/these Application(s) as of 5/20/2011
-----------------------	-----------------	--------	--



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3475 - Phone
(850) 595-3481 - FAX
www.myescambia.com

Escambia County Planning Board

Public Hearing Speaker Request Form

Please Print Clearly

Rezoning Quasi-judicial Hearing

Rezoning Case #: 2011-10

OR

Regular Planning Board Meeting

Agenda Item Number/Description: _____

In Favor Against

*Name: BUDDY PAGE

*Address: 5337 HAMILTON *City, State, Zip: PAGE 32571

Email Address: budpage1@mchsi.com Phone: 232-9853

Please indicate if you:

- would like to be notified of any further action related to the public hearing item.
- do not wish to speak but would like to be notified of any further action related to the public hearing item.

All items with an asterisk * are required.

Chamber Rules

1. All who wish to speak will be heard.
2. You must sign up to speak. This form must be filled out and given to the Clerk in order to be heard.
3. When the Chairman calls you to speak, come to the podium, adjust the microphone so you can be heard, then state your NAME and ADDRESS for the record.
4. Please keep your remarks BRIEF and FACTUAL.
5. Everyone will be granted uniform time to speak (normally 3 - 5 minutes).
6. Should there be a need for information to be presented to the Board, please provide 13 copies for distribution. The Board will determine whether to accept the information into evidence. Once accepted, copies are given to the Clerk for Board distribution.
7. During quasi-judicial hearings (i.e., rezonings), conduct is very formal and regulated by Supreme Court decisions. Verbal reaction or applause is not appropriate.



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www.myescambia.com

Escambia County Planning Board

Public Hearing
Speaker Request Form

Please Print Clearly

Rezoning Quasi-judicial Hearing

Regular Planning Board Meeting

Rezoning Case #: Z-2011-10

OR

Agenda Item Number/Description:

In Favor X Against

*Name: DON WEAVER

*Address: 130 EMMONS LN

*City, State, Zip: Pensacola, FL 32506

Email Address:

Phone: 850 982-0158

Please indicate if you:

[X] would like to be notified of any further action related to the public hearing item.

[] do not wish to speak but would like to be notified of any further action related to the public hearing item.

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3363 West Park Place, Pensacola, FL 32505
(850) 595-3475 - Phone
(850) 595-3481 - FAX
www.myescambia.com

Escambia County Planning Board

Public Hearing Speaker Request Form

Please Print Clearly

Rezoning Quasi-judicial Hearing

Regular Planning Board Meeting

Rezoning Case #: Z-2011-10

OR

Agenda Item Number/Description: _____

_____ In Favor _____ Against

*Name: LAWRENCE E. TAYLOR, JR

*Address: 1210 GIMMONS LANE *City, State, Zip: FLA. 32506

Email Address: ELLAWERRY@COX.NET Phone: 850-607-7700

Please indicate if you:

would like to be notified of any further action related to the public hearing item.

do not wish to speak but would like to be notified of any further action related to the public hearing item.

All items with an asterisk * are required.

Chamber Rules

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Z-2011-11

PLANNING BOARD REZONING HEARINGS - JULY 11, 2011

IN AND FOR ESCAMBIA COUNTY, FLORIDA
 ESCAMBIA COUNTY PLANNING BOARD

Quasi-judicial proceedings held before the Escambia County Planning Board on Monday, July 11, 2011, at the Escambia County Central Office Complex, 3363 West Park Place, First Floor, Pensacola, Florida, commencing at 8:30 a.m.

APPEARANCES

PLANNING BOARD:

WAYNE BRISKE, CHAIRMAN
 TIM TATE, VICE CHAIRMAN (not present)
 DOROTHY DAVIS
 STEVEN BARRY
 R. VAN GOODLOE
 KAREN SINDEL
 ALVIN WINGATE
 PATTY HIGHTOWER, SCHOOL BOARD MEMBER (Not Present)
 STEPHANIE ORAM, NAVY REPRESENTATIVE
 STEPHEN WEST, ASSISTANT COUNTY ATTORNEY

DEVELOPMENT SERVICES BUREAU:

T. LLOYD KERR, AICP, BUREAU CHIEF
 HORACE JONES, DIVISION MANAGER, LONG RANGE PLANNING
 DREW HOLMER, SENIOR URBAN PLANNER, PLANNING & ZONING
 ALLYSON CAIN, URBAN PLANNER II, DEVELOPMENTAL SERVICES

GENERAL PUBLIC

REPORTED BY: JAMES M. TAYLOR, COURT REPORTER

PROCEEDINGS

1 MR. BRISKE: Good morning. I would like to
 2 welcome you to the Planning Board meeting for July
 3 11th, 2011. At this time, I would ask Mr. Wingate
 4 to lead us in an Invocation and Pledge, please.
 5 (Invocation and Pledge of Allegiance.)
 6 MR. BRISKE: Thank you, Mr. Wingate. I would
 7 like to officially call this Escambia County
 8 Planning Board for July 11th, 2011 to order. And we
 9 do have like six voting members here, so we do have
 10 a quorum.
 11 At this time I like to ask our Clerk here, do
 12 we have proof of publication?
 13 MS. SPITSBERGEN: Yes, sir. The meeting was
 14 advertised in the June 25th, 2011 Pensacola News
 15 Journal.
 16 MR. BRISKE: Okay. And did that publication
 17 meet all of the legal requirements?
 18 MS. SPITSBERGEN: Yes, sir, it did.
 19 MR. BRISKE: Okay. The Chair will entertain a
 20 motion on the advertisement.
 21 MR. BARRY: I move to waive the reading of the
 22 legal advertisement.
 23 MR. GOODLOE: Second.
 24 MR. BRISKE: All those in favor, say aye.
 25

TAYLOR REPORTING SERVICES, INCORPORATED

I N D E X

	Page
1	
2	
3	Opening remarks by Chairman
4	County Staff sworn 8
5	Exhibit A, Proof of Publication 9
6	<u>CASE NO: Z-2011-10</u> 10
7	Presentation by Wiley C. Page 13
8	Presentation by Allyson Cain 19
9	Public Comments: Lawrence Taylor, Jr. 27
10	Motion and vote by the Board 36
11	<u>CASE NO: Z-2011-11</u> 39
12	Presentation by Paul Jansen 41
13	Presentation by Allyson Cain 45
14	Motion and Vote by the Board 51
15	Public Comment: None
16	<u>CASE NO: Z-2011-12</u> 53
17	Presentation by Bryan Madril 55
18	Presentation by Allyson Cain 57
19	Public Comment: None
20	Motion and vote by the Board 61
21	<u>CASE NO: Z-2011-13</u> 63
22	Presentation by Wiley C. Page 65
23	Charles Holt 67
24	Horace Jones 72
25	Lloyd Kerr 75
	Clifton Arnold 81
	Lloyd Kerr 124
	Presentation by Allyson Cain 131
	Public Comments: Gwen Butler 136
	Motion and vote by the Board 145
	Applicant's Exhibit 1, Compatibility Analysis 84
	Applicant's Exhibit 2, Business Tax Receipt Renewal 89
	Applicant's Exhibit 3, Powerpoint 107
	Applicant's Exhibit 4, Federal Urban Boundary & Federal Functional Classification Handbook 116
	Certificate of Reporter 146

TAYLOR REPORTING SERVICES, INCORPORATED

1 (Board members vote.)
 2 MR. BRISKE: Opposed?
 3 (None.)
 4 MR. BRISKE: The motion carries.
 08:35AM 5 Today's meeting at this hearing, the Planning
 6 Board is acting under its authority to hear and make
 7 recommendations to the Board of County Commissioners
 8 on rezoning applications. These hearings are
 9 quasi-judicial in nature. Quasi-judicial hearings
 08:35AM 10 are like evidentiary hearings in a court of law,
 11 however, they are less formal. All testimony will
 12 be given under oath, and anyone testifying today
 13 before the Planning Board may be subject to
 14 cross-examination.
 08:35AM 15 All documents and exhibits that the Planning
 16 Board considers today will be entered into evidence
 17 and made part of the record.
 18 Opinion testimony will be limited to experts,
 19 and closing arguments will limited to the evidence
 08:36AM 20 in the record.
 21 Before making a decision, the Planning Board
 22 will consider the relevant testimony, the exhibits
 23 entered into evidence and the applicable law.
 24 Each individual who wishes to address the
 08:36AM 25 Planning Board must complete a speaker request form

TAYLOR REPORTING SERVICES, INCORPORATED
 Page 2 of 36

PLANNING BOARD REZONING HEARINGS - JULY 11, 2011

37

1 ID-1 and adopt the staff's Findings-of-Fact, with
 2 only holding out Criterion (3), that it's not
 3 compatible with surrounding uses and replacing that
 4 with it is compatible with the surrounding uses.
 09:19AM 5 MS. SINDEL: I second.
 6 MR. BRISKE: Okay. I second.
 7 Mr. West, for clarification, does he need to
 8 substantiate the compatibility with the surrounding
 9 uses any further?
 09:19AM 10 MR. WEST: I would always encourage you to
 11 articulate the facts that were presented that caused
 12 you to come to a different conclusion than what
 13 staff did. It helps to make sure that there's an
 14 accurate record. So if you could elaborate on
 09:19AM 15 Criterion (3) and what facts you felt were --
 16 MR. BARRY: I mean, just given the facts that
 17 were presented, that it is consistent with the Comp
 18 Plan, it's not in conflict with the Land Development
 19 Code. I mean, everything seems to fit -- seems to
 09:19AM 20 fit more than it does not fit the surrounding uses.
 21 MR. BRISKE: And you're basing that on
 22 information provided by Mr. Page in his
 23 presentation?
 24 MR. BARRY: Yes. As well as -- I mean, just
 09:20AM 25 the exhibits presented by staff, as well.
 TAYLOR REPORTING SERVICES, INCORPORATED



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1 * * *
 2 CASE NO: Z-2011-11
 Location: 4410 North Palafox Street
 3 Parcel: 08-2S-30-7001-004-001
 From: C-1, Retail Commercial District
 4 To: ID-CP, Commerce Park District (cumulative)
 (no residential uses allowed.)
 5 FLU Category: MU-U, Mixed Use Urban
 BCC District: 3
 6 Requested by: Paul Jansen, Owner
 7 MR. BRISKE: All right. Our next case today
 8 is Case Z-2011-11, 4410 North Palafox Street. A
 9 requested zoning change from C-1 to ID-CP. Paul
 10 Jansen, the owner, will be presenting.
 09:20AM 11 Members of the Board, has there been any
 12 ex parte communication between you, the applicant,
 13 the applicant's agents, attorneys, witnesses, fellow
 14 Planning Board members or anyone from the general
 09:21AM 15 public prior to this hearing? I will also ask if
 16 you visited the subject property, and also disclose
 17 if you are a relative, business associate of the
 18 applicant himself? Starting with Stephanie.
 19 MS. ORAM: No to all the above.
 09:21AM 20 MR. BRISKE: Thank you. Mr. Goodloe.
 21 MR. GOODLOE: No to all the above.
 22 MR. BRISKE: Mr. Barry.
 23 MR. BARRY: No communication, but I'm familiar
 24 with the parcel.
 09:21AM 25 MR. BRISKE: Chairman, none. Ms. Davis.
 TAYLOR REPORTING SERVICES, INCORPORATED

38

1 MR. BRISKE: Okay. Thank you, Mr. Barry.
 2 Mr. Barry's motion has been slightly amended.
 3 Does the second stand?
 4 MS. SINDEL: It does.
 09:20AM 5 MR. BRISKE: Any other discussion? All those
 6 in favor, please say aye.
 7 (Board members say aye.)
 8 MR. BRISKE: (None.)
 9 (None.)
 08:36AM 10 MR. BRISKE: The motion carries.
 11 MR. PAGE: Thank you, Board.
 12 MR. BRISKE: Thank you, Mr. Page.
 13 (Conclusion of Case Z-2011-10. Transcript
 14 continues on Page 39.)
 15 * * *
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 TAYLOR REPORTING SERVICES, INCORPORATED



40

1 MS. DAVIS: No.
 2 MR. WINGATE: I did go by and view the property
 3 directly.
 4 MR. BRISKE: Okay. Ms. Sindel.
 09:21AM 5 MS. SINDEL: None.
 6 MR. BRISKE: All right. Thank you.
 7 Staff, was the notice of the hearing sent to
 8 all interested parties?
 9 MS. SPITSBERGEN: Yes, sir, it was.
 09:21AM 10 MR. BRISKE: Thank you. And was the notice of
 11 the hearing also posted on the site?
 12 MS. SPITSBERGEN: Yes, sir, it was.
 13 MR. BRISKE: Unless Mr. Jansen has objections,
 14 we'll ask the staff to present maps and photographs
 09:22AM 15 for the case.
 16 All right. Thank you. Allyson.
 17 MS. CAIN: Z-2011-11, 4410 North Palafox from
 18 C-1 to ID-CP.
 19 This is the location and the wetlands map of
 09:22AM 20 the area. And there are no wetlands on site. This
 21 is the aerial view of the project. This is the
 22 future land use and the existing land use map
 23 showing the surrounding uses and the Commercial
 24 Future Land Use. This is the 500 foot zoning map
 09:22AM 25 with the commercial and the surrounding zonings of
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PLANNING BOARD REZONING HEARINGS - JULY 11, 2011

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1 R-6, C-2 and this is ID-CP.
 2 It's also in the Palafox Redevelopment
 3 Brownfield area. And the hatched area shows the
 4 redevelopment area.
 09:23AM 5 This is looking east from Palafox. This is
 6 looking east onto the subject property. This is
 7 looking southeast from Palafox seeing the subject
 8 property. This is looking southeast to the rear of
 9 the property. And this is our 500 foot radius map
 09:23AM 10 from Chris Jones, property appraiser. And our 500
 11 foot mailing list of all the notifications sent.
 12 And that's the end of it.
 13 MR. BRISKE: Thank you. Mr. Jansen, if you
 14 would you please come forward. Good morning, sir.
 09:23AM 15 I will ask that you state your name and address for
 16 the record and be sworn in.
 17 MR. JANSEN: Paul Jansen, 1801 Conway Drive,
 18 Pensacola, Florida.
 19 (Mr. Paul Jansen was sworn).
 09:23AM 20 MR. BRISKE: Sir, have you received a copy of
 21 the rezoning hearing package with the staff's
 22 findings?
 23 MR. JANSEN: Yes, I have.
 24 MR. BRISKE: Okay. Do you understand that you
 09:24AM 25 have the burden of providing substantial competent
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1 evidence that the proposed rezoning is consistent
 2 with the Comprehensive Plan, furthers the goals,
 3 objectives and policies of the Comprehensive Plan,
 4 and is not in conflict with any portion of the
 09:24AM 5 County's Land Development Code?
 6 MR. JANSEN: Yes, sir.
 7 MR. BRISKE: All right. Please, proceed.
 8 MR. JANSEN: Okay. Jansen Quality
 9 Construction, as you saw in the pictures, is the
 09:24AM 10 operating entity there. And we've owned the
 11 property since October of 2001. The main three
 12 buildings on that site are our office and showroom,
 13 which you saw on the picture there. There's a
 14 warehouse to the rear which we use for our storage.
 09:24AM 15 And then next to it -- the other picture was a --
 16 the third building in the front was a Rhino lining
 17 truck accessory building until March 1st of this
 18 year. They, unfortunately, had to close their doors
 19 and we took over that building.
 09:25AM 20 So the reason that we're coming forward asking
 21 for the rezoning is we would like to -- we've taken
 22 over the use of that building. And our main focus
 23 in our building, or a lot of our business is a lot
 24 of kitchen and bathroom models. And we'd like to do
 09:25AM 25 some countertop fabrication in that particular
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1 building, so that is why we're asking for the
 2 rezoning.
 3 And we do feel that it fits in with the area
 4 and also fits with what we do with our business.
 09:25AM 5 There are no adjacent residences there. It's
 6 all a business area. Behind our property is the
 7 adjacent parcel or area that belongs to the
 8 Superfund site, so there's nobody back there that
 9 would be affected, also, at this time.
 09:25AM 10 Just in the cause of brevity, I would say that
 11 I concur with all the staff's findings rather than
 12 go through each one of these one by one.
 13 MR. BRISKE: Okay. Board members, any
 14 questions for the applicant?
 09:26AM 15 MS. SINDEL: Yes. Are you looking
 16 futuristically to sell the countertops from that or
 17 to actually manufacture from that building?
 18 MR. JANSEN: We're going to manufacturer inside
 19 that building and use it for our jobs, our
 09:26AM 20 particular projects.
 21 MS. SINDEL: Are you doing any manufacturing
 22 now?
 23 MR. JANSEN: No.
 24 MS. SINDEL: You're not. This is something
 09:26AM 25 where you'll be doing manufacturing and sales
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1 potentially from this entire location? Because I
 2 know you've already got -- we see the picture of
 3 where I know y'all sell kitchen cabinets.
 4 MR. JANSEN: Yes. That's right.
 09:26AM 5 MR. BRISKE: Any other questions?
 6 MR. WINGATE: Mr. Chairman.
 7 MR. BRISKE: Yes, sir, Mr. Wingate.
 8 MR. WINGATE: My question is as I look at the
 9 official land use map and as I look at the total
 09:26AM 10 area and I look what's hearsay as the future, the
 11 Superfund site is supposed to be coming into an
 12 industrial park. And I know if this is done -- is
 13 it that you're also going -- I know that with the
 14 service that you provide may not require this heavy
 09:27AM 15 a zoning or are you trying to make it all
 16 consistent?
 17 MR. JANSEN: Well, from what I understand with
 18 the C-1 designation that we have we're not able to
 19 do any manufacturing on site, so that is the reason
 09:27AM 20 for the rezoning.
 21 MR. WINGATE: All right. Okay.
 22 MR. BRISKE: Any other questions for the
 23 applicant?
 24 (None).
 09:27AM 25 MR. BRISKE: All right, sir. If you want to
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PLANNING BOARD REZONING HEARINGS - JULY 11, 2011

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09:27AM 1 just take a seat and we'll allow the staff to do
 2 their presentation. Allyson.
 3 (Presentation by Allyson Cain.)
 4 MS. CAIN: Okay. Again, this is 4410 North
 5 Palafox requesting a rezoning from C-1 to ID-CP.
 6 For Criterion (1), consistent with the
 7 Comprehensive Plan. The proposed amendment to ID-CP
 8 is consistent with the intent and purpose of
 9 the Future Land Use category MU-U as stated in the
 10 Comp Plan Policy Future Land Use 1.3.1. The
 11 amendment meets the intent of the Comp Plan and the
 12 Future Land Use 1.3.1 and 1.5.3. The parcel is in
 13 the Mixed Use Urban Future Land Use category. And
 14 the proposed amendment is located on Palafox Street,
 15 an existing public commercial arterial roadway. The
 16 parcel will be improved to make greater use of the
 17 land and is within walkable distances from other
 18 commercial retail uses.
 19 Criterion (2), consistent with the Land
 20 Development Code. The proposed amendment is
 21 consistent with the intent and purpose of the Land
 22 Development Code. The proposed change does not meet
 23 roadway access stated in Land Development Code
 24 6.05.17.F. Direct access is provided by Palafox
 25 Street, which is a public commercial arterial
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1 roadway.
 2 The proposed request is consistent with the
 3 industrial locational requirements set forth in
 4 7.20.07. There are no natural systems or sensitive
 5 lands that may be affected by this proposed request.
 6 The parcel is located within close proximity to a
 7 rail system and interstate access. The site is
 8 currently serviced by the local public service
 9 providers.
 10 And when applicable, further review from the
 11 Development Review Committee will be needed to
 12 ensure that buffering requirements and other
 13 performance standards can be met.
 14 Criterion (3), compatibility with surrounding
 15 uses. The proposed amendment is compatible with the
 16 surrounding uses in the area. Within this 500 foot
 17 radius it was observed 22 vacant parcels, nine
 18 commercial business, two mobile homes, one County
 19 parcel, and nine single family.
 20 Criterion (4), changed conditions. Staff found
 21 within the 500 impact area there was rezoning case
 22 Z-2011-07 on Mason Lane. The request to rezone from
 23 R-6 to ID-CP was approved on April 11th, 2011. This
 24 change should not negatively impact the amendment or
 25 properties.
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09:31AM 1 The parcel is in the Brownfield overlay, which
 2 is located within the Palafox Redevelopment Area.
 3 The proposed rezoning request to ID-CP is consistent
 4 with the proposed zoning designation of the Palafox
 5 Corridor Redevelopment Area.
 6 Criterion (5), effect on the natural
 7 environment. There was found to be no indication of
 8 wetlands or hydric soils on the property. Further
 9 review from the Development Review Committee will be
 10 necessary to determine if there is any significant
 11 impact to the natural environment.
 12 Criterion (6), development patterns. The
 13 proposed amendment would result in a logical and
 14 orderly development pattern. The request to ID-CP
 15 is compatible with the Future Land Use category
 16 MU-U, Mixed Use Urban, as well as any future plans
 17 by the Community Redevelopment Agency.
 18 And that's the end of staff's findings.
 19 MR. BRISKE: Allyson, I have one question.
 09:31AM 20 You've referenced the Palafox Redevelopment Corridor
 21 and in here it also says the Brownfield
 22 Redevelopment. What are we officially calling that
 23 area? Is it the Palafox Redevelopment?
 24 MS. CAIN: It's the Palafox Redevelopment Area.
 09:31AM 25 MR. BRISKE: I just noticed that somewhere on
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09:31AM 1 one of the applications here it's referred to as the
 2 Brownfield Redevelopment Area.
 3 MR. HOLMER: Yes, sir. That's in reference to
 4 the properties that are to the east and southeast of
 5 there that are part of that Superfund Site. That's
 6 a separate issue.
 7 MR. BRISKE: Separate. That's what I was kind
 8 of thinking. Okay. I just wanted to clarify.
 9 Do we have any review requirements from the
 09:32AM 10 Palafox Redevelopment?
 11 MS. CAIN: No, sir. They did not give any
 12 letter or anything for this particular case one way
 13 or the other. They did get notified of the
 14 findings, though, of the case.
 09:32AM 15 MR. BRISKE: Are we required to have them sign
 16 off on anything like this according to the code?
 17 MR. HOLMER: We're required to have them review
 18 it as it is a CRA area. If they don't have
 19 comments, they sometimes will not provide them.
 09:32AM 20 MR. BRISKE: So by not sending a letter there,
 21 I guess, in effect, they're saying they're okay with
 22 it?
 23 MS. CAIN: Actually, when I spoke to a
 24 representative from the CRA, they verbally said they
 09:32AM 25 had no issue with it, but then we never got a
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1 letter, you know, one way or the other from them.
 2 I know they had just -- we had just done the
 3 one on Mason Lane, and I don't know what their
 4 reasoning was for not actually giving a written
 09:33AM 5 review for this case.
 6 MR. HOLMER: Let's put it this way, the
 7 Community Redevelopment Agency was notified by staff
 8 and they did not submit a letter either supporting
 9 or opposing this proposed rezoning.
 09:33AM 10 MR. BRISKE: I don't know that portion of the
 11 code well enough. Mr. West, do you happen to know,
 12 are they required to give either a positive or a
 13 negative response in writing?
 14 MR. WEST: I'm not aware of any requirement.
 09:33AM 15 MR. BRISKE: Okay. All right. I just wanted
 16 to make sure we cover it.
 17 Board members, any questions for staff?
 18 MS. SINDEL: No.
 19 MR. BRISKE: Mr. Jansen, do you wish to ask the
 09:33AM 20 staff members any questions?
 21 MR. JANSEN: No, sir.
 22 MR. WINGATE: Mr. Chairman, I would like to
 23 offer a motion.
 24 MR. BRISKE: Mr. Wingate, we still have some
 09:33AM 25 members of the public that wish to speak on the
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1 matter. I was just getting ready to get to that
 2 part.
 3 MR. WINGATE: Sorry.
 4 MR. BRISKE: Thank you, sir. If you'll just
 09:34AM 5 hold that until we hear from the public.
 6 As previously stated, members of the public who
 7 wish to speak on this matter, please note that the
 8 Planning Board bases its decisions only on the
 9 criteria and exceptions described Section 2.08.02.D.
 09:05AM 10 During our deliberations, the Planning Board will
 11 only consider -- will not consider general
 12 statements of support or opposition. Please limit
 13 your testimony to the criteria and the exceptions
 14 described in 2.08.02.D.
 09:05AM 15 Please also note that only those individuals
 16 here today giving testimony on the record before the
 17 Planning Board will be allowed to speak at the
 18 subsequent hearing before the Board of County
 19 Commissioners.
 09:34AM 20 We do have Mr. Allen Davis who has requested to
 21 speak. If you'll come forward, sir.
 22 All right. Last call, Mr. Allen Davis. Excuse
 23 me, Mr. Allen Dennis.
 24 MR. DENNIS: I don't think that's my category
 09:35AM 25 to speak in.
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1 MR. BRISKE: It says agenda item -- oh, this is
 2 for the Planning Board. I'm sorry. I'll put it on
 3 the other category. I thought you were on the
 4 rezoning request here.
 09:35AM 5 MR. DENNIS: You scared me there for a minute.
 6 MR. BRISKE: Well, it also Number B on the
 7 rezoning requirement, and it's B on there.
 8 All right. So those two are both with our
 9 Planning Board agenda. So there are no members of
 09:35AM 10 the public. Anyone else on this case?
 11 All right. We'll hereby close the public
 12 comment portion. Mr. Wingate, at this point the
 13 floor is open.
 14 (Motion and Vote by the Board.)
 09:35AM 15 MR. WINGATE: Mr. Chairman, I would, in view of
 16 the staff findings and recommendation, I would
 17 recommend approval.
 18 MR. BRISKE: All right. We have a motion.
 19 MR. GOODLOE: Second.
 09:36AM 20 MR. BRISKE: A second to accept the staff's
 21 Findings-of-Fact for approval. Any discussion? All
 22 those in favor, please say aye.
 23 (Board members vote.)
 24 MR. BRISKE: Opposed?
 08:35AM 25 (None.)
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1 MR. BRISKE: The motion carries.
 2 At this point, let's go ahead and take a nine
 3 minute break. We'll come back into session at 20
 4 minutes until 10:00, so 9:40.
 5 (Break.)
 6 (Conclusion of Case Z-2011-11. Transcript
 7 continues on Page 53.)
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DEVELOPMENT SERVICES DEPARTMENT FINDINGS-OF-FACT

REZONING CASE: Z-2011-11
July 11, 2011

I. SUBMISSION DATA:

BY: Paul Jansen, Owner
PROPERTY REFERENCE NO.: 08-2S-30-7001-004-001
PROJECT ADDRESS: 4410 N Palafox St
FUTURE LAND USE: MU-U
COMMUNITY REDEVELOPMENT AREA: Palafox
OVERLAY: Brownfield Area
COMMISSIONER DISTRICT: 3
BCC MEETING DATE: August 4, 2011

II. REQUESTED ACTION:

REZONE

FROM: C-1 Retail Commercial district
(cumulative)
TO: ID-CP, Commerce Park District
(cumulative)(no residential uses
allowed)

III. RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder,
627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

CRITERION (1)

Consistent with the Comprehensive Plan.

Whether the Proposed amendment is consistent with the Comprehensive Plan.

FLU 1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map (FLUM).

CPP FLU 1.3.1 Future Land Use Categories. General descriptions, range of allowable uses and residential densities and non-residential intensities for all future land use categories in Escambia County. Allowable uses are residential, retail and Services, Professional Office, Light Industrial, Recreational Facilities, Public and Civic. The minimum residential density is 3.5 dwelling units per acre with the maximum residential density of 25 dwelling units per acre.

FLU 1.5.3 New Development and Redevelopment in Built Areas. To promote the efficient use of existing public roads, utilities and service infrastructure, the County will encourage redevelopment in underutilized properties to maximize development densities and intensities located in the Mixed Use-Suburban, Mixed Use-Urban, Commercial and Industrial Future Land Use districts categories (with the exception of residential development).

FINDINGS

The proposed amendment to ID-CP **is consistent** with the intent and purpose of Future Land Use category MU-U as stated in **CPP FLU 1.3.1** The amendment meets the intent of **CPP FLU 1.1.1** and **1.5.3**. The parcel is in the Mixed Use Urban Future Land Use category and the proposed amendment is located on Palafox Street, an existing public commercial arterial roadway. The parcel will be improved to make greater use of the land and is within easily walkable distances from other commercial retail uses.

CRITERION (2)

Consistent with The Land Development Code.

Whether the proposed amendment is in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.

LDC 6.05.14. C-1 retail commercial district (cumulative). This district is composed of lands and structures used primarily to provide for the retailing of commodities and the furnishing of selected services. The district provides for various commercial operations where all such operations are within the confines of the building and do not produce undesirable effects on nearby property.

LDC 6.05.17. ID-CP commerce park district (cumulative).

This district is intended to provide for relatively large scale light industrial commerce and business park areas. Uses located in this district are protected from adverse impacts of incompatible industrial and commercial uses. A high level of site design standards are required for review during the development review process. Refer to article 11 for uses, heights and densities allowed in ID-CP, commercial park areas located in the Airport/Airfield Environs.

All industrial development, redevelopment, or expansion must be consistent with the locational criteria in the Comprehensive Plan and in article 7.

B. Permitted uses.

1. Any use permitted in the preceding C-2 district, except as may be provided in subsection D., below.

C. Conditional uses.

1. Automobile service stations, (except gasoline sales accessory to a convenience store is authorized as a permitted use) and automobile or truck repair shops.
2. Any conditional use allowed in the C-2 general commercial district except automobile race tracks.

D. Prohibited uses.

1. Residential uses.
2. Prisons.
3. Carnival-type amusements and amusements arcades.
4. Bars and night clubs.
5. New and used car, truck, boat, mobile home, shed and motorcycle sales and rentals.
6. Adult entertainment uses.
7. Off-premises signs.
8. Borrow pits and reclamation activities thereof (subject to local permit and development review requirements per Escambia County Code of Ordinances, Part I, Chapter 42, article VIII, and performance standards in Part III, the Land Development Code, article 7).
9. Landfills.

LDC 7.20.07. Industrial locational criteria (ID-CP, ID-1, ID-2).

New industrial development must meet the following locational criteria:

1. Industrial uses shall be located so that the negative impacts of industrial land uses on the functions of natural systems shall, as a first priority, be avoided. When impacts are unavoidable, those impacts shall be minimized.
2. Sites for industrial development shall be accessible to essential public and private facilities and services at the levels of service adopted in the Comprehensive Plan.
3. New industrial uses in the MU-1, AA-13, and AA-15 categories may be permitted provided such use conforms to the permitted uses listed in the ID-CP and ID-1 zoning categories. Industrial and MU-6 categories allow all types of industrial uses.

4. Sites for industrial uses shall be located with convenient access to the labor supply, raw material sources and market areas.
5. New industrial uses shall be located on parcels of land large enough to adequately support the type of industrial development proposed and minimize any adverse impacts upon surrounding properties. Compatibility of land uses shall be ensured consistent with Comprehensive Plan Policy 7.A.3.8. (FLU 1.1.9)
6. These industrial locational criteria apply to those future land use categories where industrial development is permitted and does not provide or permit industrial land uses in those categories that do not provide for such uses.

LDC 6.05.17.F. Roadway access. Direct access must be provided from a collector or arterial roadway and such access may be provided by curb cuts on the collector or arterial roadway or a private or public commercial access road linking the use with the collector or arterial roadway provided that such private or public road does not traverse a predominately residential neighborhood or subdivision between the use and the collector or arterial roadway. No permit shall be issued or any proposed use which requires access through a residential neighborhood or subdivision

FINDINGS

The proposed amendment **is consistent** with the intent and purpose of the Land Development Code. The proposed change does meet roadway access stated in **LDC 6.05.17.F.** Direct access is provided by Palafox Street, a public commercial arterial roadway.

The proposed request is also consistent with the industrial locational requirements set forth in **LDC 7.20.07.** There are no natural systems or sensitive land that may be affected by this proposed request. The parcels are located within close proximity to a rail system and interstate access. The site is currently serviced by local public service providers.

When applicable, further review from the Development Review Committee (DRC) will be needed to ensure the buffering requirements and other performance standards have been met, should this amendment be granted.

CRITERION (3)

Compatible with surrounding uses.

Whether and the extent to which the proposed amendment is compatible with existing and proposed uses in the area of the subject property(s).

FINDINGS

The proposed amendment **is compatible** with surrounding existing uses in the area.

Within the 500' radius impact area, staff observed 22 vacant parcels, nine commercial business, two mobile homes, one county parcel, and nine single family.

CRITERION (4)

Changed conditions.

Whether and the extent to which there are any changed conditions that impact the amendment or property(s).

FINDINGS

Staff found within the 500' impact area there was rezoning case Z-2011-07 on Mason Lane. The request to rezone from R-6 to ID-CP was approved on April 11, 2011. This change should not negatively impact the amendment or property(s).

The parcel is in the Brownfield overlay which is located within the Palafox Redevelopment Area. The proposed rezoning request to ID-CP is consistent with the proposed zoning designation of the Palafox Corridor Redevelopment Area.

CRITERION (5)

Effect on natural environment.

Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment.

FINDINGS

According to the National Wetland Inventory, wetlands and hydric soils **were not** indicated on the subject property. When applicable, further review during the Development Review Committee (DRC) process will be necessary to determine if there would be any significant adverse impact on the natural environment.

CRITERION (6)

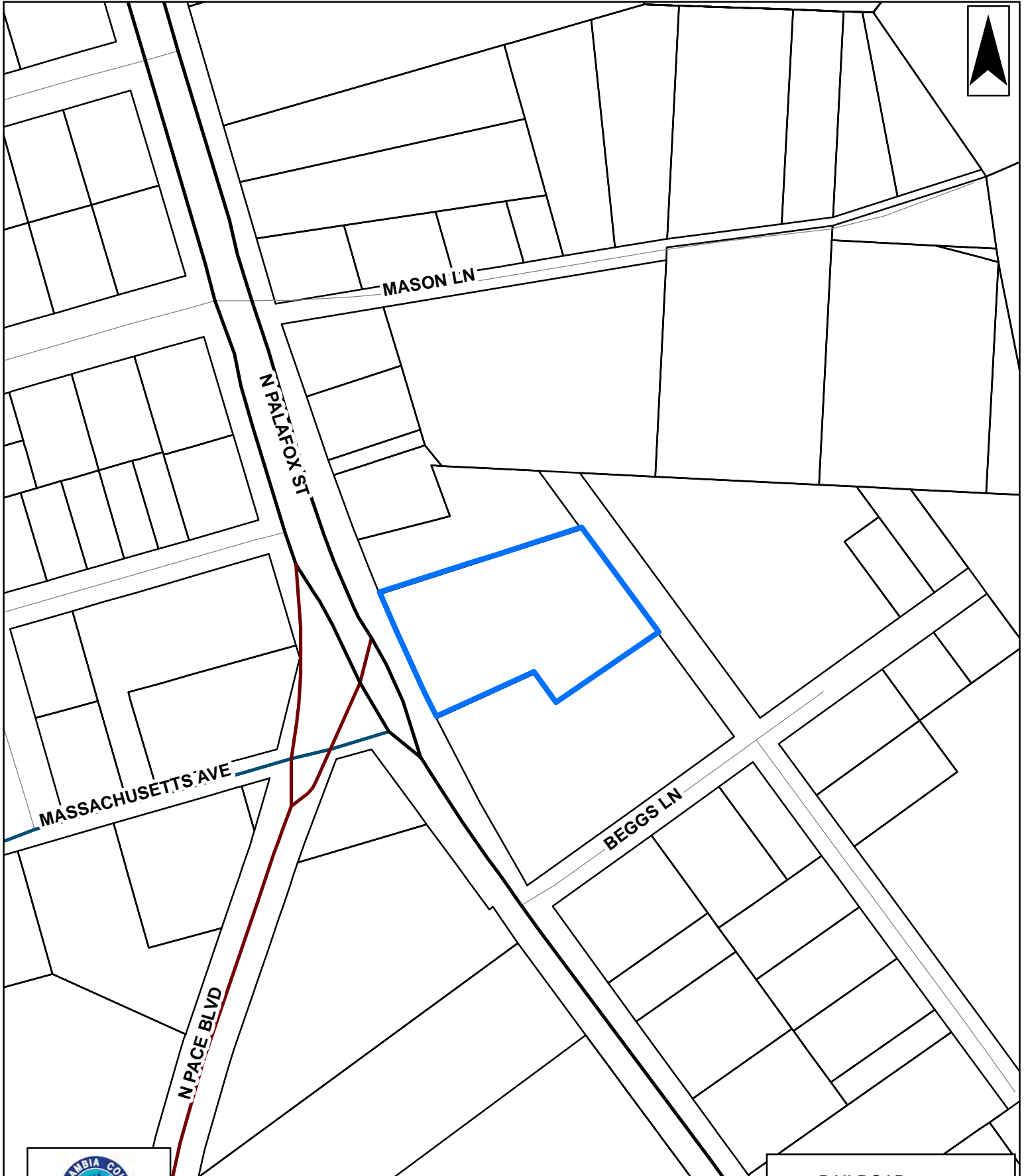

Development patterns.

Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

FINDINGS

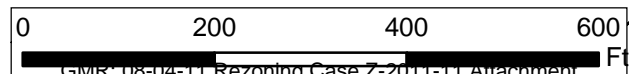
The proposed amendment **would result** in a logical and orderly development pattern. The proposed request to ID-CP is compatible with the Future Land Use category MU-U, as well as any future plans by the Community Redevelopment Agency.







Note: The above technical comments and conclusion are based upon the information available to Staff prior to the public hearing; the public hearing testimony may reveal additional technical information.


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 Alyson Cain
 Development Services Department

Z-2011-11 LOCATION & WETLAND



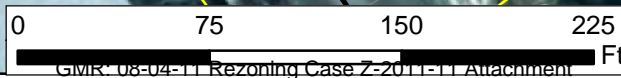
-  RAILROAD
-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD







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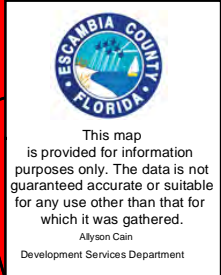
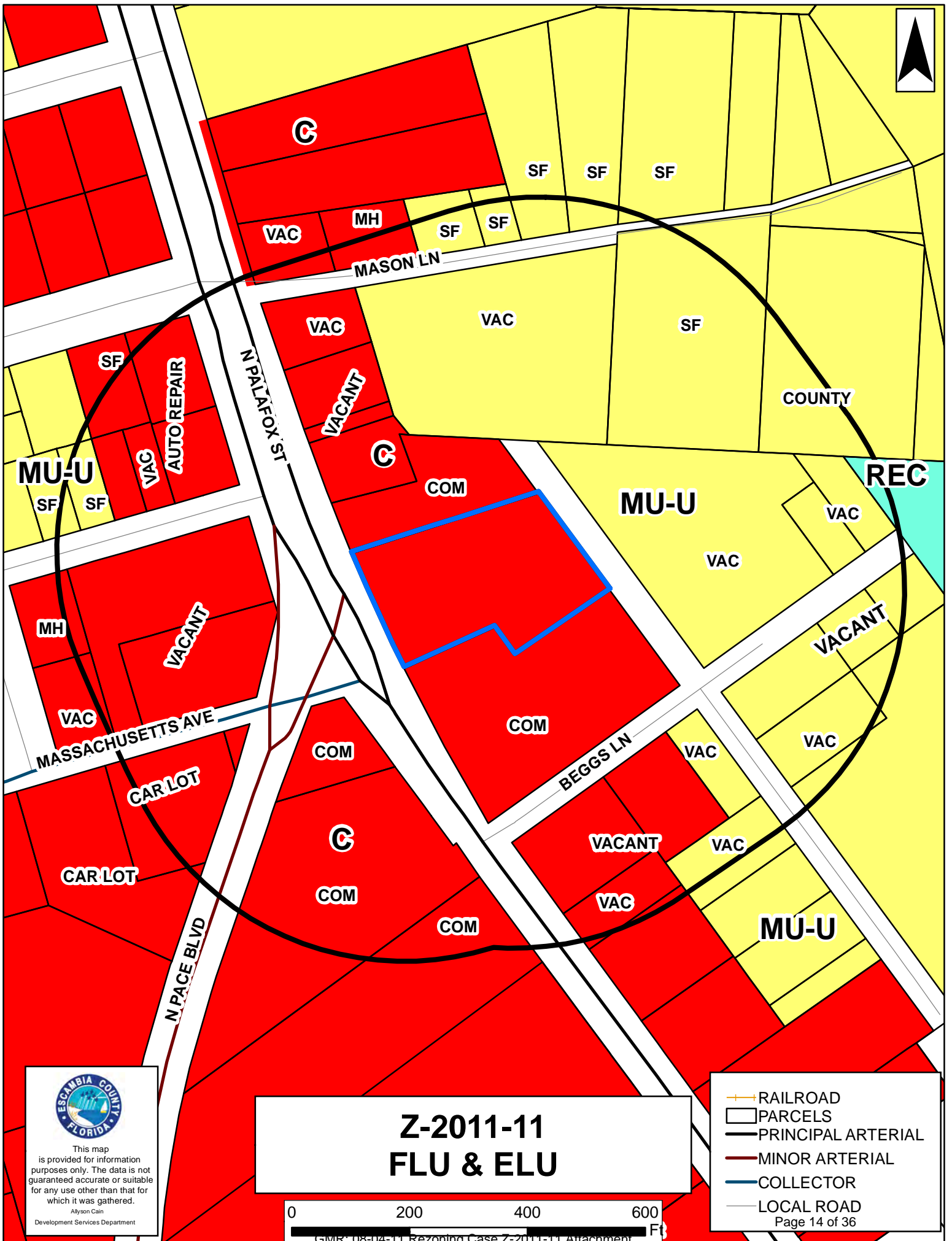
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 Development Services Department

Z-2011-11 AERIAL

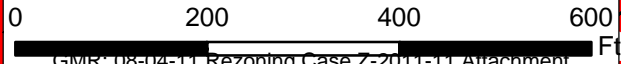


-  RAILROAD
-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD

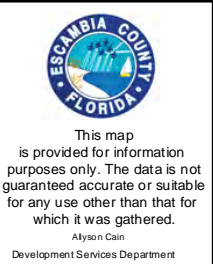
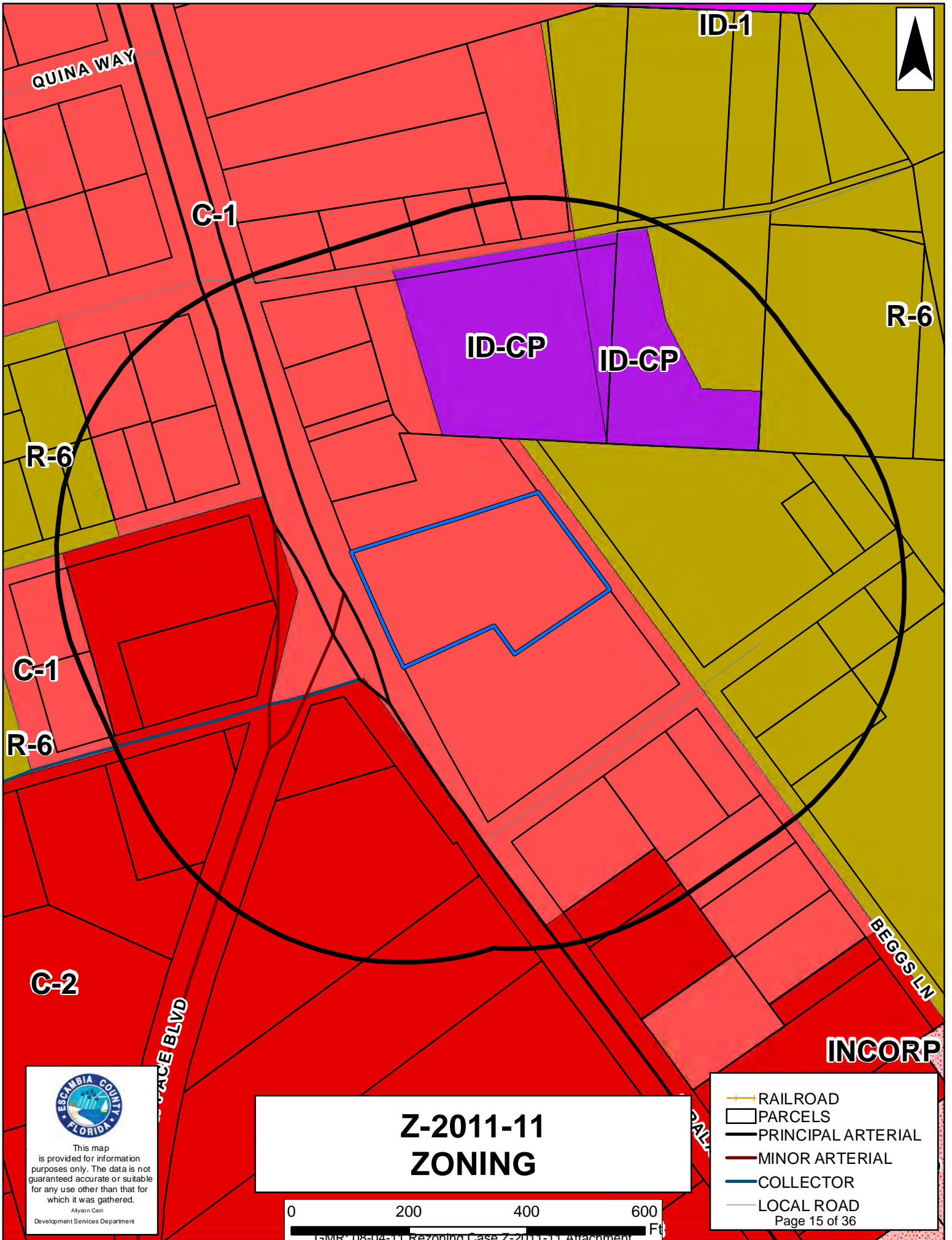
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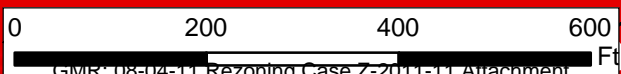
Z-2011-11 FLU & ELU



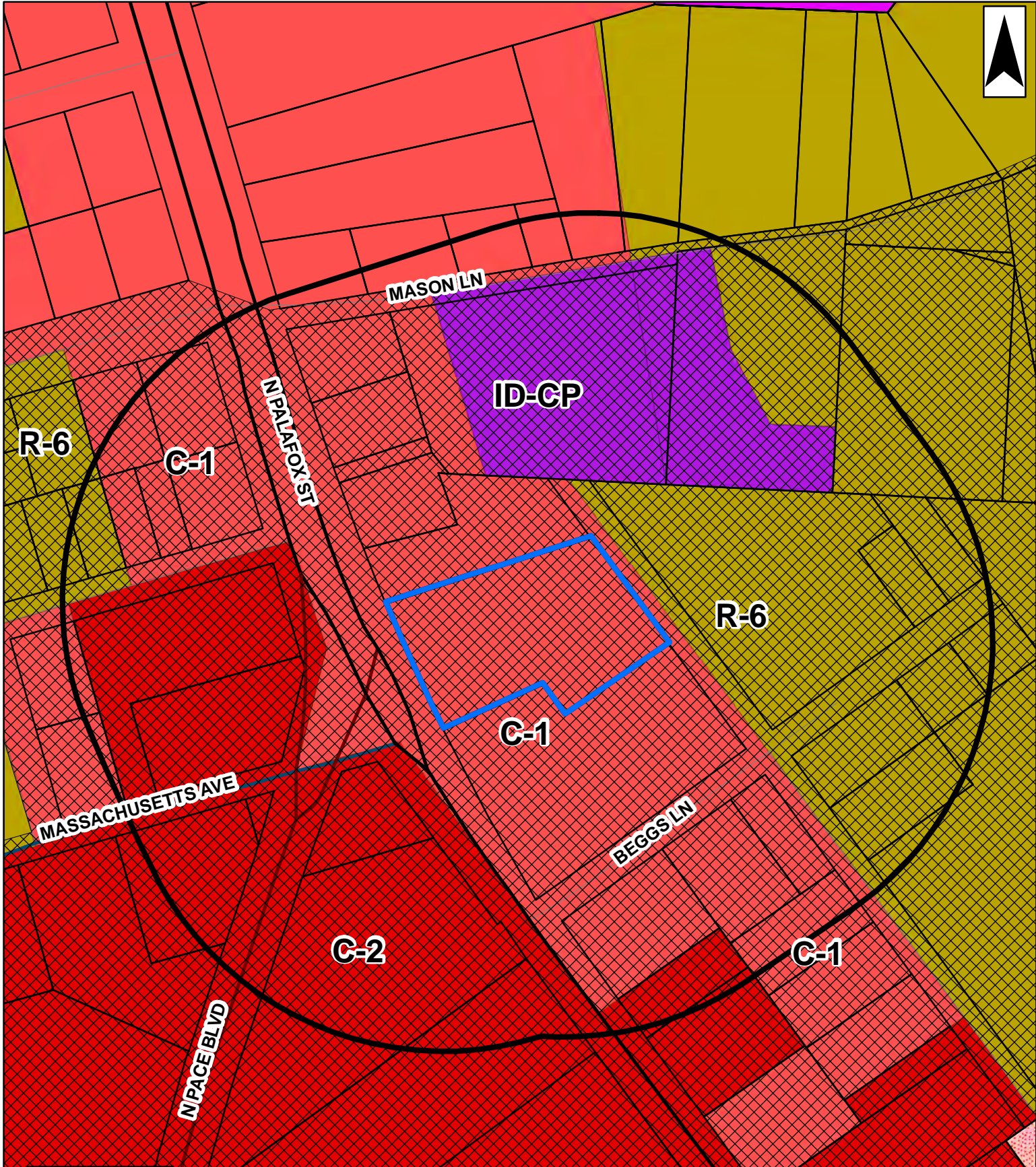

- RAILROAD
 - PARCELS
 - PRINCIPAL ARTERIAL
 - MINOR ARTERIAL
 - COLLECTOR
 - LOCAL ROAD
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Z-2011-11 ZONING

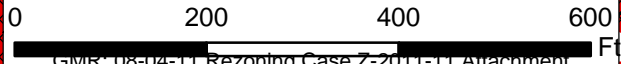








- RAILROAD
 - PARCELS
 - PRINCIPAL ARTERIAL
 - MINOR ARTERIAL
 - COLLECTOR
 - LOCAL ROAD
- Page 15 of 36

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 Alyson Cain
 Development Services Department

Z-2011-11 PALAFOX REDEVELOPMENT



-  RAILROAD
-  PARCELS
-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD

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Looking East From Palafox



Looking East



Looking Southeast From Palafox



Looking Southeast to Rear of Property



Development Services Department

Escambia County, Florida

APPLICATION

Please check application type:

- Administrative Appeal Conditional Use Request for: _____
 Development Order Extension Variance Request for: _____
 Rezoning Request from: C1 to: ID-CP

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: Ostige Properties LLC Phone: (850) 438-9904
 Address: 4410 N Palafox St Pensacola FL 32505 Email: pauljgc@bellsouth.net

Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: 4410 N Palafox St Pensacola FL 32505
 Property Reference Number(s)/Legal Description: 08-25-30-7001-004-001

By my signature, I hereby certify that:

- I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

Richard Jansen
 Signature of Owner/Agent

Richard Jansen
 Printed Name Owner/Agent

6/1/11
 Date

Ronald W. Jansen
 Signature of Owner

Ronald W. Jansen
 Printed Name of Owner

6/1/11
 Date

STATE OF Florida

Paul Jansen (Managing Member)
 Printed Name of Owner

6/1/11
 Date

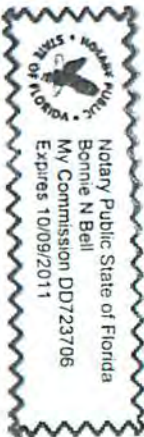
COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 1st day of June 2011,
 by Richard Jansen, Ronald Jansen, & Paul Jansen.

Personally Known OR Produced Identification . Type of Identification Produced: _____

Bonnie N. Bell
 Signature of Notary
 (notary seal must be affixed)

Bonnie N. Bell
 Printed Name of Notary



FOR OFFICE USE ONLY

CASE NUMBER: Z 2011-11

Meeting Date(s): 7/1/11 Accepted/Verified by: A. Cain Date: 6/1/11

Fees Paid: \$ 1500 Receipt #: 626991 Permit #: PRZ 1105 00011



CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 08-25-30-7001-004-001

Property Address: 4410 N PALM FOX ST. PENSACOLA, FL. 32505

I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed in the future development's permit application.

I/We also acknowledge and agree that approval of a zoning district amendment (rezoning) or Future Land Use Map amendment does not certify, vest, or otherwise guarantee that concurrency of required facilities and services is, or will be, available for any future development of the subject parcels.

I/We further acknowledge and agree that no development for which concurrency must be certified shall be approved unless at least one of the following minimum conditions of the Comprehensive Plan will be met for each facility and service of the County's concurrency management system prior to development approval:

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 12TH DAY OF June, YEAR OF 2011.

NO Sage Properties LLC
Richard Jansen
Signature of Property Owner

Richard Jansen
Printed Name of Property Owner

6/1/11
Date

Ronald W. Jansen
Signature of Property Owner

Ronald W. Jansen
Printed Name of Property Owner

6/1/11
Date

Paul L Jansen

Paul L Jansen (Managing Member) 6-1-11

IN WITNESS WHEREOF Grantor has executed this instrument this 1st day of June, 2011, by and between Osage Properties LLC, a limited liability company organized under the laws of the State of Florida, whose mailing address is 4410 W Palafex St Pensacola, FL 32505

APPLICANT:

Osage Properties LLC
(name of limited liability company)

Witness Margaret A Cain
Print Name Margaret A Cain

Witness Brenda L Wilson
Print Name Brenda L Wilson

By: Paul Jansen
(signature)
Paul Jansen
(printed name)

Managing Member
(select one title:
Manager/Member/Managing Member)

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 1st day of June, 2011, by Paul Jansen as Managing member (select one title: Manager/Member/Managing Member) of Osage Properties, LLC (name of limited liability company). He/She is personally known to me, or produced current 71 JS25-692-60-089-0 as identification. Exp 3 - 2018



(Notary Seal)

Margaret A Cain
Signature of Notary Public
Margaret A. Cain
Printed Name of Notary Public

Rec. 27.00
Stamps .70

Prepared By: Alan B. Bookman
Emmanuel, Sheppard & Condon
30 S. Spring Street
Pensacola, FL 32502
File Number: A0144-114664 NBR
Parcel ID #: 082S30-7001-004-001 & 082S30-7001-006-001
Grantee(s) SS #:

WARRANTY DEED

This WARRANTY DEED, dated November 28, 2006 given by **Jansen Quality Construction, Inc., a Florida corporation**, whose post office address is: 4410 N. Palafox Street, Pensacola, FL 32505, hereinafter called the GRANTOR, to **Osage Properties, LLC, a Florida Limited Liability Company**, whose post office address is: 4410 N. Palafox Street, Pensacola, FL 32505 hereinafter called the GRANTEE:

(Wherever used herein the terms "Grantor" and "Grantee" include all parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.)

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the GRANTEE, all that certain land situate in Escambia County, Florida, viz:

SEE EXHIBIT "A" ATTACHED HERETO AND BY REFERENCE INCORPORATED HEREIN.

IN RE: CRESCENT MIAMI CENTER, LLC v. FLORIDA DEPARTMENT OF REVENUE, THIS DEED IS BEING EXECUTED TO TRANSFER THE PROPERTY DESCRIBED HEREIN BETWEEN THE GRANTOR ENTITY OWNING THE DEEDED PROPERTY AND THE GRANTEE ENTITY IN WHICH THE GRANTOR ENTITY IS THE SOLE OWNER. ACCORDINGLY, THERE ARE NO DOCUMENTARY STAMPS DUE PURSUANT TO SECTION 201.02, FLORIDA STATUTES, AND THE FLORIDA SUPREME COURT HOLDING 903 SO.2D 913 (FLA. 2005)

SUBJECT TO covenants, conditions, restrictions, reservations, limitations, easements and agreements of record, if any; taxes and assessments for the year 2007 subsequent years; and to all applicable zoning ordinances and/or restrictions and prohibitions imposed by governmental authorities, if any.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND THE GRANTOR hereby covenants with said GRANTEE that except as above noted, the GRANTOR is lawfully seized of said land in fee simple; that the GRANTOR has good right and lawful authority to sell and convey said land; that the GRANTOR hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, GRANTOR has signed and sealed these presents the date set forth above.

SIGNED IN THE PRESENCE OF
THE FOLLOWING WITNESSES:

Signature: *Nancy B. Riddle*
Print Name: NANCY B. RIDDLE

Signature: *Nancy Steurer*
Print Name: NANCY Steurer

JANSEN QUALITY CONSTRUCTION, NC.

By: *Ronald W. Jansen*
Ronald W. Jansen, President

State of Florida
County of Escambia

THE FOREGOING INSTRUMENT was sworn and acknowledged before me on November 28, 2006, by Ronald W. Jansen as President of Jansen Quality Construction, Inc., a Florida corporation, on behalf of the corporation. He is personally known to me or who has produced *2 Id Drivers License* as identification.

Nancy B. Riddle
NOTARY PUBLIC

[NOTARY SEAL]

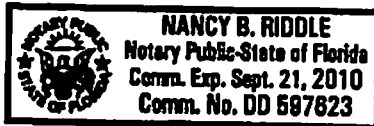


EXHIBIT A

PARCEL 1

THAT PART OF LOTS 6 AND 7 OF THE BRAINERD AND MCINTYRE SUBDIVISION OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS: COMMENCING AT A POINT WHERE THE EAST RIGHT OF WAY LINE OF THE PENSACOLA TO FLOMATON PAVED HIGHWAY INTERSECTS THE EAST LINE OF LOT 6 AND THE WEST LINE OF LOT 7; THENCE RUNNING A NORTHEASTERLY DIRECTION AT RIGHT ANGLES TO SAID HIGHWAY RIGHT OF WAY LINE FOR 200 FEET; THENCE AT RIGHT ANGLES (NORTH 38 DEGREES 47' WEST) FOR 200 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 51 DEGREES 13' EAST FOR 200 FEET; THENCE RUN NORTH 38 DEGREES 47' WEST FOR 202.18 FEET; THENCE RUN SOUTH 66 DEGREES 07'30" WEST FOR 155.22 FEET; THENCE RUN SOUTH 38 DEGREES 47' EAST FOR 114.40 FEET; THENCE RUN SOUTH 65 DEGREES 03'30" WEST FOR 210.58 FEET TO THE EAST RIGHT OF WAY LINE OF PALAFOX HIGHWAY; THENCE RUN SOUTHEASTERLY ALONG SAID RIGHT OF WAY LINE FOR 85.0 FEET; THENCE RUN NORTH 62 DEGREES 44' EAST FOR 168.40 FEET; THENCE RUN SOUTH 38 DEGREES 47' EAST FOR 50.0 FEET TO THE POINT OF BEGINNING.

PARCEL 2

COMMENCING AT A POINT WHERE THE EAST RIGHT-OF-WAY LINE OF THE PENSACOLA TO FLOMATON PAVED HIGHWAY INTERSECTS THE EAST LINE OF LOT 6 AND THE WEST LINE OF LOT 7; THENCE RUNNING IN A NORTHEASTERLY DIRECTION AT RIGHT ANGLES TO SAID HIGHWAY RIGHT-OF-WAY LINE FOR 200 FEET; THENCE AT RIGHT ANGLES IN A NORTHWESTERLY DIRECTION FOR 200 FEET; THENCE NORTH 51 DEGREES 13 MINUTES EAST FOR 50 FEET; THENCE NORTH 38 DEGREES 47 MINUTES WEST FOR 127.68 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAME COURSE WEST FOR 114.40 FEET; THENCE SOUTH 66 DEGREES 07 MINUTES 30 SECONDS WEST FOR 150.37 FEET TO THE EAST RIGHT-OF-WAY LINE OF PALAFOX HIGHWAY; THENCE SOUTHERLY ALONG THE EAST RIGHT-OF-WAY LINE OF PALAFOX HIGHWAY FOR 114.65 FEET; THENCE NORTH 65 DEGREES 03 MINUTES 30 SECONDS EAST FOR 210.58 FEET TO THE POINT OF BEGINNING. ALL BEING A PART OF LOT 6, OF THE BRAINERD AND MCINTYRE SUBDIVISION OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA.

ACCOUNT NUMBER	ESCROW CD	ASSESSED VALUE	MILLAGE CODE	PROPERTY REFERENCE NUMBER
05-1921-500		See Below	06	082S30-7001-004-001

2010 Real Estate 0037190.0000

4410 N PALAFOX ST
 BEG AT A PT WHERE E RW LI
 OF PENSACOLA FLOMATON HWY
 INTER E LI OF LT 6 & W LI
 See Tax Roll for extra legal.

OFFICE
 (850) 438-6500
 TTY
 FOR THE
 HEARING
 IMPAIRED
 (850) 472-0031

8 - 010519 / 039955 1-45648 JK027302
 OSAGE PROPERTIES LLC
 4410 N PALAFOX ST
 PENSACOLA FL 32505-2923



AD VALOREM TAXES					
TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE AMOUNT	TAXES LEVIED
COUNTY	6.9755	263,678		263,678	1,839.29
PUBLIC SCHOOLS					
By Local Board	2.2290	263,678		263,678	587.74
By State Law	5.6310	263,678		263,678	1,484.77
SHERIFF	0.6850	263,678		263,678	180.62
WATER MANAGEMENT	0.0450	263,678		263,678	11.87
TOTAL MILLAGE					15.5655
AD VALOREM TAXES					4104.29

ESCAMBIA COUNTY TAX COLLECTOR * P.O. BOX 1312 * PENSACOLA, FL 32591-1312

RETAIN THIS
 PORTION
 FOR
 YOUR
 RECORDS

NON-AD VALOREM ASSESSMENTS		
LEVYING AUTHORITY	RATE	AMOUNT
FIRE		417.86
↓ 312.00 ✓ QUESTIONS ON ITEMS IN THIS SECTION ONLY CALL (850) 595-4960		
NON-AD VALOREM ASSESSMENTS		417.86

PLEASE
 PAY ONLY
 ONE
 AMOUNT
 SHOWN IN
 YELLOW
 SHADED
 AREA

COMBINED TAXES AND ASSESSMENTS	4522.15	PAY ONLY ONE AMOUNT	See reverse side for Important Information
---------------------------------------	----------------	----------------------------	---

Nov 30 2010	Dec 31 2010	Jan 31 2011	Feb 28 2011	Mar 31 2011	Apr 30 2011
\$ 4341.26	\$ 4386.49	\$ 4431.71	\$ 4476.93	\$ 4522.15	\$ 4657.81

AMOUNT
 DUE
 IF PAID
 BY

JANET HOLLEY, CFC
ESCAMBIA COUNTY TAX COLLECTOR

2010 Real Estate OF AD-VALOREM TAXES AND NON-AD-VALOREM ASSESSMENTS

ACCOUNT NUMBER	ESCROW CD	ASSESSED VALUE	MILLAGE CODE	PROPERTY REFERENCE NUMBER
05-1921-500		See Above	08	082S30-7001-004-001

2010 Real Estate 0037190.0000

OSAGE PROPERTIES LLC
 4410 N PALAFOX ST
 PENSACOLA FL 32505-2923

4410 N PALAFOX ST
 BEG AT A PT WHERE E RW LI
 OF PENSACOLA FLOMATION HWY
 INTER E LI OF LT 6 & W LI
 See Tax Roll for extra legal

PAY IN U.S. FUNDS TO ESCAMBIA COUNTY TAX COLLECTOR • P.O. BOX 1312 • PENSACOLA, FL 32591-1312

(850) 438-6500

Nov 30 2010	Dec 31 2010	Jan 31 2011	Feb 28 2011	Mar 31 2011	Apr 30 2011
\$ 4341.26	\$ 4386.49	\$ 4431.71	\$ 4476.93	\$ 4522.15	\$ 4657.81

AMOUNT DUE PAID

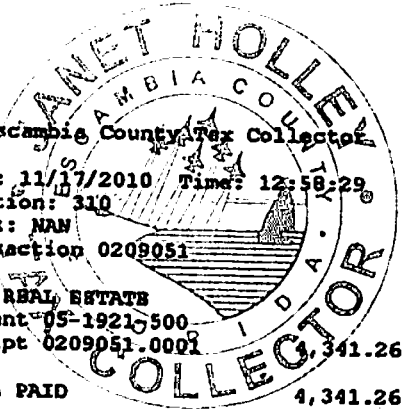
RETURN WITH PAYMENT

0000000000 0000452215 0000000371900000 0001 7



JANET HOLLEY
ESCAMBIA COUNTY TAX COLLECTOR

850-438-6500
www.escambiataxcollector.com



JANET HOLLEY
ESCAMBIA COUNTY TAX COLLECTOR

Escambia County Tax Collector
 Date: 11/17/2010 Time: 12:58:29
 Location: 310
 Clerk: NAN
 Transaction 0209051


2010 REAL ESTATE
 Account 05-1921-500
 Receipt 0209051.0001

TOTAL PAID 4,341.26

TOTAL TENDERED 4,341.26
CHECK W1155 4,341.26

Paid By: OSAGE PROPERTIES

Where Service is a Matter of Pride.



JANET HOLLEY
ESCAMBIA COUNTY TAX COLLECTOR

2011 LIMITED LIABILITY COMPANY ANNUAL REPORT

**FILED
Feb 14, 2011
Secretary of State**

DOCUMENT# L06000110955

Entity Name: OSAGE PROPERTIES, LLC

Current Principal Place of Business:

New Principal Place of Business:

4410 N. PALAFOX STREET
PENSACOLA, FL 32505

Current Mailing Address:

New Mailing Address:

4410 N. PALAFOX STREET
PENSACOLA, FL 32505

FEI Number: 20-5559398

FEI Number Applied For ()

FEI Number Not Applicable ()

Certificate of Status Desired ()

Name and Address of Current Registered Agent:

Name and Address of New Registered Agent:

DAVID HIGHTOWER, PLLC
1514 N. 9TH AVE.
PENSACOLA, FL 32503 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

MANAGING MEMBERS/MANAGERS:

Title: MGRM
Name: JANSEN, RONALD
Address: 6057 SPANISH OAK DR.
City-St-Zip: PENSACOLA, FL 32526

Title: MGRM
Name: JANSEN, PAUL
Address: 1801 CONWAY DR
City-St-Zip: PENSACOLA, FL 32503

Title: MGRM
Name: JANSEN, RICHARD
Address: 1239 CHRISHOLM TRAIL
City-St-Zip: PENSACOLA, FL 32514

I hereby certify that the information indicated on this report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 608, Florida Statutes.

SIGNATURE: PAUL JANSEN

VP

02/14/2011

Electronic Signature of Signing Managing Member, Manager, or Authorized Representative / Date



APPLICATION
ATTACHMENTS CHECKLIST

- N/A 1. For BOA, original letter of request, typed or written in blue ink & **must** include the reason for the request and address all criteria for the request as outlined in LDC Article 2.05 (dated, signed & notarized – notarization is only necessary if an agent will be used). *Please note: Forms with signatures dated more than sixty (60) days prior to application submittal will not be accepted as complete.*
- ✓ 2. Application/Owner Certification Form - Notarized Original (page 1) (signatures of ALL legal owners or authorized agent are required)
- ✓ 3. Concurrency Determination Acknowledgment form - Original (if applicable) (page 2)
- ✓ 4. Affidavit of Owner & Limited Power of Attorney form - Notarized Original (if applicable) (page 3) (signatures of ALL legal owners are required)
- ✓ 5. Legal Proof of Ownership (e.g. copy of Tax Notice or Warranty Deed). Include Corporation/LLC documentation or a copy of Contract for Sale if applicable.
- 6. Legal Description of Property Street Address / Property Reference Number
- ✓ 7.
 - a. Rezoning: Boundary Survey of subject property to include total acreage, all easements, and signed & sealed by a surveyor registered in the state of Florida.
 - b. BOA: Site Plan drawn to scale.
- N/A 8. For Rezoning requests: If the subject parcel does not meet the roadway requirements of Locational Criteria (Comprehensive Plan 7.A.4.13 & LDC 7.20.00.), a compatibility analysis to request a waiver or an exemption to the roadway requirements will need to be submitted as part of the application.
- ✓ 9. Pre-Application Summary Form, Referral Form, Zoning Verification Request Form and/or copy of citation from Code Enforcement Department if applicable.
- 10. Application fees. (See Instructions page for amounts) Payment cannot be accepted after 3:00pm.

Please make the following three appointments with the Coordinator.

Appointment for pre-application meeting: _____

Appointment to turn in application: _____

Appointment to receive findings-of-fact: _____

SURVEYOR'S NOTES:

- THIS SURVEY WAS PREPARED FOR THE CLIENT SHOWN AND IS NOT TO BE USED FOR ANY OTHER PURPOSES.
- ALL MEASUREMENTS WERE MADE ACCORDING TO THE SURVEYOR'S STANDARD PRACTICES.
- NO TITLE RESEARCH WAS PERFORMED BY THIS SURVEYOR, NOR WERE WE FURNISHED WITH SUCH.
- NO INSTRUMENT OF RECORD REFLECTING EASEMENTS, RIGHT-OF-WAY, AND/OR OWNERSHIP INTERESTS HAS BEEN FILED FOR THIS SURVEY.
- NO UNDERGROUND INSTALLATIONS OR UTILITIES HAVE BEEN LOCATED EXCEPT AS SHOWN ON THIS SURVEY.
- ALL BEARINGS AND DISTANCES ARE RECORD UNLESS OTHERWISE NOTED.
- ERROR OF CLOSURE MEETS MINIMUM TECHNICAL STANDARDS.
- THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE APPEAR ON THE FACE OF THIS SURVEY.
- BASIS OF BEARING: THE NORTHEASTERLY BOUNDARY LINE OF SUBJECT PARCEL AS SHOWN ON RECORD MAPS.
- REFERENCE SOURCE FIELD WORK AND EXISTING FIELD MONUMENTATION COPY OF MAP OF SECTIONS 7 AND 8, TOWNSHIP 2 SOUTH, RANGE 30 WEST.
- IT IS THE OPINION OF THE SURVEYOR THAT THE PARCELS OF LAND SHOWN HEREON AS PER THE FLOOD INSURANCE RATE MAP INFORMATION AS FOLLOWS:

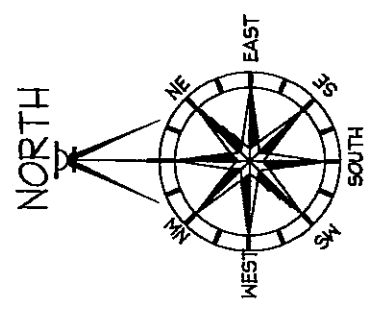
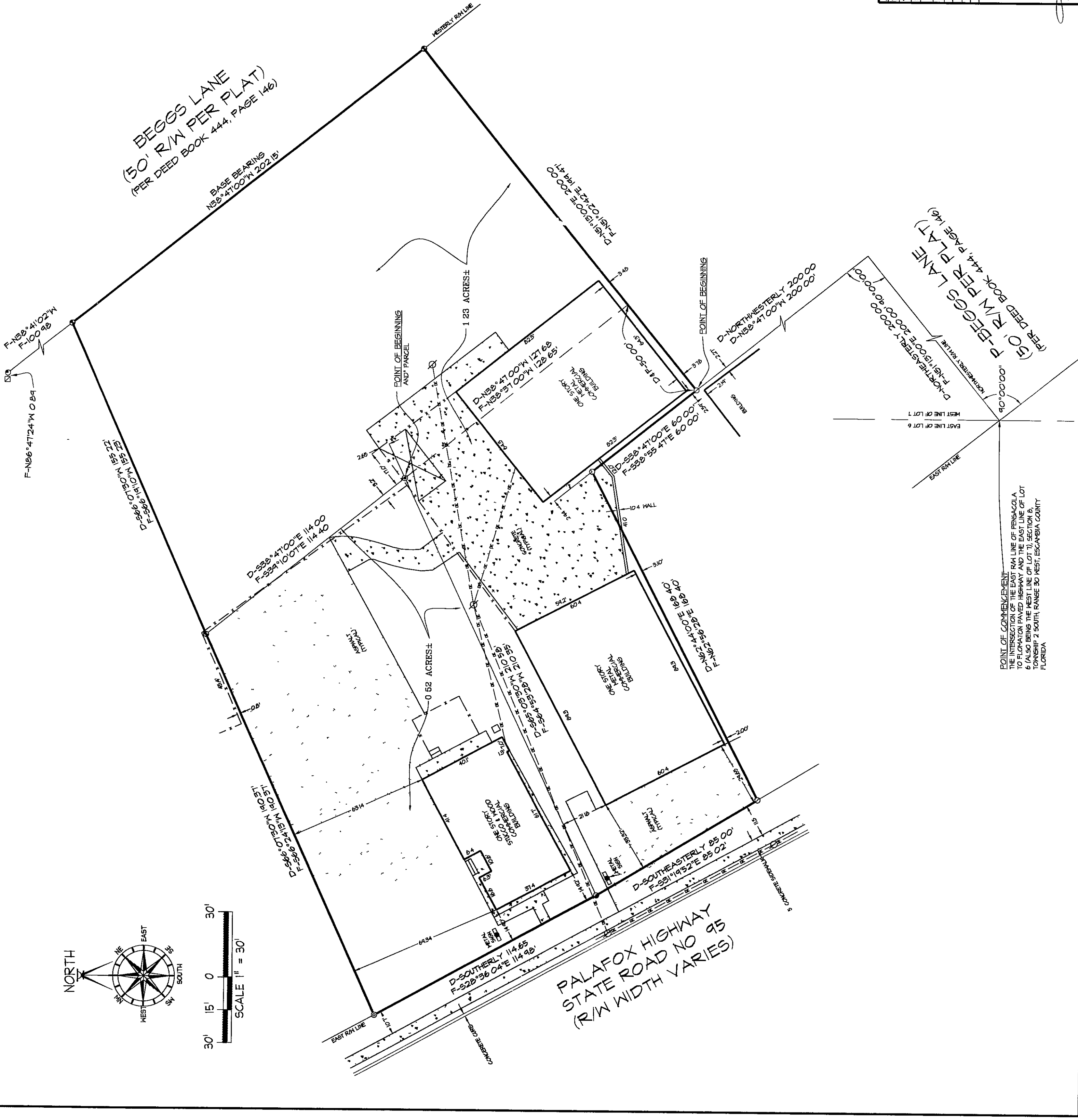
ELEVATION: N/A
 PANEL NUMBER: 0203C 080 G
 THE CERTIFICATE OF AUTHORIZATION NUMBER FOR KJM SURVEYING, INC., IS L B 7107

DESCRIPTION (AS FURNISHED)
 THAT PART OF LOT 6 AND 7 OF THE BRAINERD AND MCINTYRE SUBDIVISION OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA DESCRIBED AS FOLLOWS
 COMMENCING AT A POINT WHERE THE EAST RIGHT-OF-WAY LINE OF THE PENSACOLA TO FLOMATON PAVED HIGHWAY INTERSECTS THE EAST LINE OF LOT 6 AND THE WEST LINE OF LOT 7
 THENCE RUNNING A NORTHEASTERLY DIRECTION AT RIGHT ANGLES TO SAID HIGHWAY RIGHT-OF-WAY LINE FOR 200 FEET,
 THENCE AT RIGHT ANGLES (NORTH 38 DEGREES 47 MINUTES WEST) FOR 200 FEET TO THE POINT OF BEGINNING,
 THENCE RUN NORTH 51 DEGREES 15 MINUTES EAST FOR 200 FEET
 THENCE RUN NORTH 38 DEGREES 47 MINUTES WEST FOR 202.15 FEET
 THENCE RUN SOUTH 66 DEGREES 07 MINUTES 30 SECONDS WEST FOR 155.22 FEET,
 THENCE RUN SOUTH 38 DEGREES 47 MINUTES EAST FOR 114.40 FEET,
 THENCE RUN SOUTH 65 DEGREES 03 MINUTES 30 SECONDS WEST FOR 210.58 FEET TO THE EAST RIGHT-OF-WAY LINE OF PALAFOX HIGHWAY,
 THENCE RUN SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE FOR 85.0 FEET,
 THENCE RUN NORTH 62 DEGREES 44 MINUTES EAST FOR 168.40 FEET,
 THENCE SOUTH 38 DEGREES 47 MINUTES EAST FOR 60.0 FEET TO THE POINT OF BEGINNING

AND COMMENCING AT A POINT WHERE THE EAST RIGHT-OF-WAY OF THE PENSACOLA TO FLOMATON PAVED HIGHWAY INTERSECTS THE EAST LINE OF LOT 6 AND THE WEST LINE OF LOT 7
 THENCE RUNNING IN A NORTHEASTERLY DIRECTION AT RIGHT ANGLES TO SAID HIGHWAY RIGHT-OF-WAY LINE FOR 200 FEET
 THENCE AT RIGHT ANGLES IN A NORTHEASTERLY DIRECTION FOR 200 FEET,
 THENCE NORTH 51 DEGREES 13 MINUTES EAST FOR 50 FEET,
 THENCE NORTH 38 DEGREES 47 MINUTES WEST FOR 127.68 FEET TO POINT OF BEGINNING
 THENCE CONTINUE ALONG SAME COURSE FOR 114.40 FEET,
 THENCE SOUTH 66 DEGREES 07 MINUTES 30 SECONDS WEST FOR 190.37 FEET TO THE EAST RIGHT-OF-WAY LINE OF PALAFOX HIGHWAY,
 THENCE SOUTHERLY ALONG THE EAST RIGHT-OF-WAY LINE OF PALAFOX HIGHWAY FOR 114.65 FEET,
 THENCE NORTH 65 DEGREES 03 MINUTES 30 SECONDS EAST FOR 210.58 FEET TO THE POINT OF BEGINNING
 ALL BEING A PART OF LOT 6, OF THE BRAINERD AND MCINTYRE SUBDIVISION OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA

- LEGEND**
- - SET 1/2" CAPPED IRON ROD# 7107
 - - FOUND 1/2" CAPPED IRON PIPE
 - - FOUND PLAIN 1" IRON PIPE
 - - FOUND 1" BOLT
 - - FOUND PK NAIL IN CONCRETE
 - - FOUND 1/4" CUT IN CONCRETE
 - - FOUND PLAIN 4"x4" CONCRETE MONUMENT
 - F - FIELD
 - D - DEED
 - R/W - RIGHT OF WAY
 - - - - - 6' CHAIN LINK FENCE
 - - - - - OVERHEAD WIRES
 - ⊗ - POWER POLE

ADDRESS 4408 E 4410 NORTH PALAFOX STREET
 REQUESTED BY PAUL JANSEN
 TYPE BOUNDARY SURVEY WITH IMPROVEMENTS
 SECTION 8, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY
 SCALE 1" = 30'
 FIELD BOOK PAGE 16-19
 CHECKED BY: [Signature]
 DATE 08/18/1988
 SB/BO 08/19/1988
 SYS
 NO. DATE: 1 10/1/2001 REVISION: F B 87, PAGE 44-6; L7/D7; 10/20/01
 2 02/22/2011 REVISED DRAWING: KSB
 APPROVED BY: [Signature]
 SURVEYOR'S CERTIFICATE
 I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY PERSONAL SUPERVISION AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF SURVEYING AND MAPPING, CHAPTER 467, F.S., 467.051 AND 467.052, PURSUANT TO SECTION 476.071, FLORIDA STATUTES.
 KENNETH J. TONIE, Registered Professional Surveyor and Mapper, License No. 141400107, State of Florida
 DRAWING NUMBER 98-5696



SCALE 1" = 30'
 30' 15' 0'

PALAFOX HIGHWAY
 STATE ROAD NO 95
 (R/W WIDTH VARIES)

POINT OF COMMENCEMENT
 THE INTERSECTION OF THE EAST R/W LINE OF PENSACOLA TO FLOMATON PAVED HIGHWAY AND THE EAST LINE OF LOT 6 (ALSO BEING THE WEST LINE OF LOT 7), SECTION 8, TOWNSHIP 2 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA

(50' R/W PER PLAT)
 (PER DEED BOOK 444, PAGE 146)

BEGGS LANE
 (50' R/W PER PLAT)
 (PER DEED BOOK 444, PAGE 146)

WESTERLY R/W LINE

BASE BEARING
 N88°41'00\"/>

F-N86°47'24\"/>

D-328°47'00\"/>

D-328°47'00\"/>

D-328°47'00\"/>

D-N62°44'00\"/>

D-NORTHWESTERLY 200.00'
 D-N82°41'00\"/>

D-SOUTHERLY 114.85'
 F-S28°36'04\"/>

D-328°47'00\"/>

D-328°47'00\"/>

D-328°47'00\"/>

D-N82°41'00\"/>

D-N193°04'28\"/>

D-N193°04'28\"/>

D-N193°04'28\"/>

D-N193°04'28\"/>

D-N193°04'28\"/>



Development Services Bureau
Escambia County, Florida

**PLANNING BOARD
REZONING PRE-APPLICATION SUMMARY FORM**

08-25-30-7001-004-001
Property Reference Number

Paul Jansen
Name

4410 N Palafax
Address

Owner Agent

Referral Form Included? Y / N

MAPS PREPARED

- Zoning
- FLU
- Aerial
- Other: _____

PROPERTY INFORMATION

Current Zoning: C-1 Size of Property: _____ +/-
 Future Land Use: MU-U Commissioner District: _____
 Overlay/AIPD: _____ Subdivision: _____
 Redevelopment Area: Brownfield

COMMENTS

Desired Zoning: ID-CP

Is Locational Criteria applicable? yes If so, is a compatibility analysis required? _____

Discussed rezoning criteria + uses in C-2 + ID-CP
To keep in line with future development of the Superfund
site future development.
Provided checklist + requirements for submittal.

PB meeting 7/1/11 deadline to submit 6/2
BCC meeting 8/4/11

- Applicant will contact staff for next appointment
- Applicant decided against rezoning property
- Applicant was referred to another process
 - BOA DRC Other: _____

Staff present: Allyson Cain, Drew Helmer Date: 5/19/11

Applicant/Agent Name & Signature: Paul Jansen

No comment made by any persons associated with the County during any pre-application conference or discussion shall be considered either as approval or rejection of the proposed development, development plans, and/or outcome of any process.

MIRACLE FAITH CENTER INC
421 N PALAFOX ST
PENSACOLA FL 32501

GRAINGER W W INC
C/O MARVIN F POER & CO
3520 PIEDMONT RD NE STE 410
ATLANTA GA 30305

UNITED STATES OF AMERICA
C/O US ARMY CORP OF ENGINEERS
REAL ESTATE DIVISION
PO BOX 2288
MOBILE AL 36628-0001

SCHMITZ MICHAEL J & CHERYL L
205 HART DR
PENSACOLA FL 32503

WALTERS PHILLIP & ATONIA
4605 N PALAFOX ST
PENSACOLA FL 32505

PEANUT LOVERS PROPERTIES INC
C/O BRYON M WILSON
737 BOULDER CREEK DR
PENSACOLA FL 32514

GOLD CROWN CAMPERS
C/O JOHN YODER
8444 HOGAN DR SE
HUNTSVILLE AL 35802-3432

HAHN ZENOVA COOK
10 MASON LN
PENSACOLA FL 32505

JANSEN PAUL
1801 CONWAY DR
PENSACOLA FL 32503

SUKHERA IMRAN H &
9627 QUAIL HOLLOW BLVD
PENSACOLA FL 32514

ALI RAMZAN TRUSTEE
PO BOX 6231
PENSACOLA FL 32503

OSAGE PROPERTIES LLC
4410 N PALAFOX ST
PENSACOLA FL 32505

MARTINES CORP
120 E MAIN ST STE A
PENSACOLA FL 32502

TEYMORZADEH SAEED
2265 BROOKPARK RD
PENSACOLA FL 32534

WILSON PAUL A & RENE A C
PO BOX 211
MILTON FL 32572

RHYNE SAMMY L & PEGGY JO
432 CUMBERLAND AVE
GULF BREEZE FL 32561

CUNNINGHAM DARRON &
35 MASON LN
PENSACOLA FL 32505

MARKS CHRISTINE T TRUSTEE
C/O JAMES MARKS JR
120 E MAIN ST STE A
PENSACOLA FL 32502

JERNIGAN G M & LOUISE W
PO BOX 17858
PENSACOLA FL 32522

RHYNE PEGGY B
432 CUMBERLAND AVE
GULF BREEZE FL 32561-4108

G B G REALTY INC
46909 FOXSTONE PL
POTOMAC FALLS VA 20165

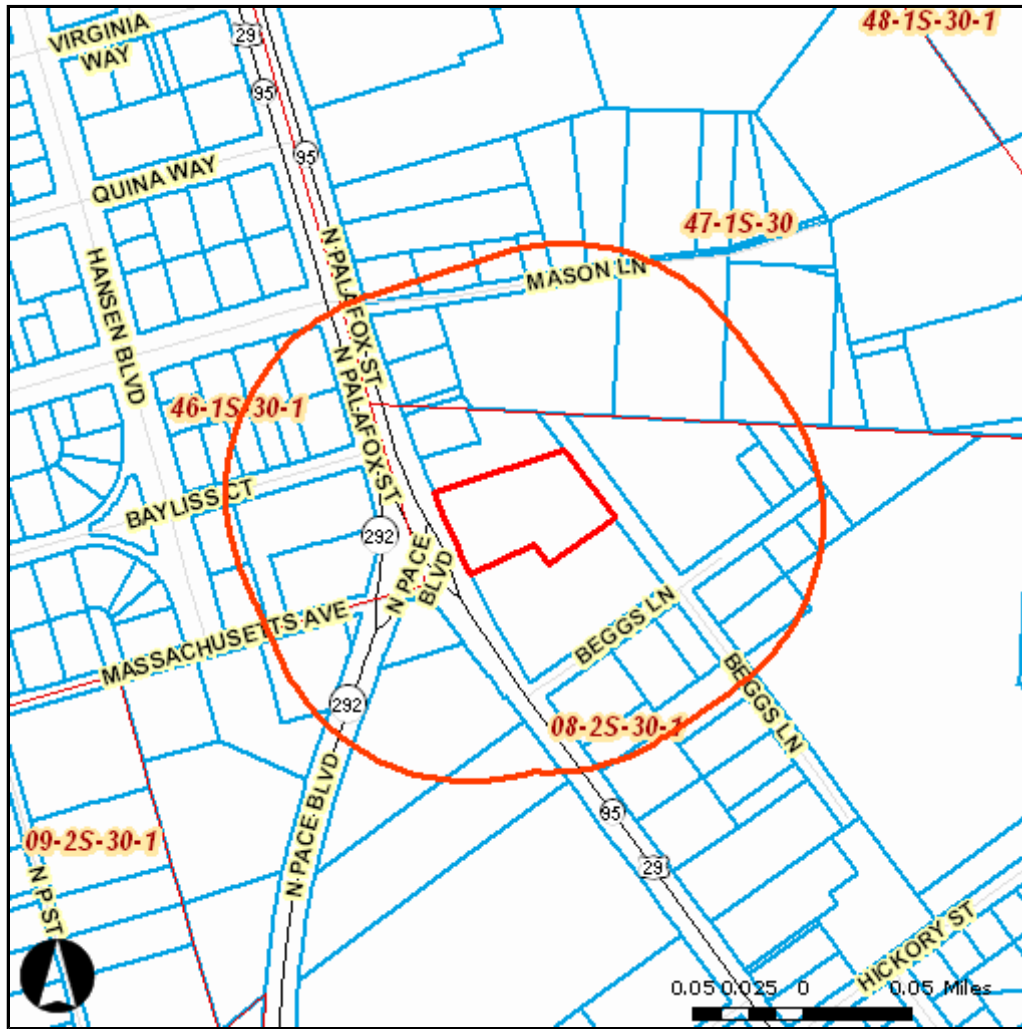
PIERCE RYAN & SANDRA
13 LENOX PKWY
PENSACOLA FL 32505

INGRAM ROBERT D
8530 JERNIGAN RD
PENSACOLA FL 32514

BOSWELL KENNETH C
24 E MASON LN
PENSACOLA FL 32505

LAVIOLETTE MARY ELLEN
10733 REBEL CIR
TALLAHASSEE FL 32305

ECPA Map



Map Grid



Major Roads

- County Road
- Interstate
- State Road
- US Highway

All Roads



Property Line



PLEASE NOTE: This product has been compiled from the source data of the Inter-Local Mapping and Geographic Information Network (IMAGINE) project of Escambia County. The ESCAMBIA COUNTY PROPERTY APPRAISER I-MAP Service is for reference purposes only and not to be considered as a legal document or survey instrument. Relying on the information contained herein is at the user's own risk. We assume no liability for any use of the information contained in the I-MAP Service or any resultant loss.



Development Services Department

Building Inspections Division

3363 West Park Place
Pensacola, Florida, 32505
(850) 595-3550
Molino Office - (850) 587-5770

RECEIPT

Receipt No. : **533223**

Date Issued. : 06/01/2011

Cashier ID : VHOWENS

Application No. : PRZ110500011

Project Name : Z-2011-11

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Check	22529	\$1,500.00	App ID : PRZ110500011
		\$1,500.00	Total Check

Received From : PAUL JANSEN

Total Receipt Amount : **\$1,500.00**

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PRZ110500011	626991	1,500.00	\$0.00	4410 N PALAFOX ST, PENSACOLA, FL, 32505

Total Amount :	1,500.00	\$0.00	Balance Due on this/these Application(s) as of 6/24/2011
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BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3475 - Phone
(850) 595-3481 - FAX
www.myescambia.com

Escambia County Planning Board

Public Hearing
Speaker Request Form

Please Print Clearly

Rezoning Quasi-judicial Hearing

Rezoning Case #: Z-2011-11

OR

Regular Planning Board Meeting

Agenda Item Number/Description:

[X] In Favor [] Against

*Name: PAUL JANSEN

*Address: 1801 Conway Dr

*City, State, Zip: Pensacola, FL 32503

Email Address: Paul.jac@bellsouth.net

Phone: 438-9904

Please indicate if you:

[X] would like to be notified of any further action related to the public hearing item.

[] do not wish to speak but would like to be notified of any further action related to the public hearing item.

All items with an asterisk * are required.

Chamber Rules

- 1. All who wish to speak will be heard.
2. You must sign up to speak. This form must be filled out and given to the Clerk in order to be heard.
3. When the Chairman calls you to speak, come to the podium, adjust the microphone so you can be heard, then state your NAME and ADDRESS for the record.
4. Please keep your remarks BRIEF and FACTUAL.
5. Everyone will be granted uniform time to speak (normally 3 - 5 minutes).
6. Should there be a need for information to be presented to the Board, please provide 13 copies for distribution. The Board will determine whether to accept the information into evidence. Once accepted, copies are given to the Clerk for Board distribution.
7. During quasi-judicial hearings (i.e., rezonings), conduct is very formal and regulated by Supreme Court decisions. Verbal reaction or applause is not appropriate.

Z-2011-12

PLANNING BOARD REZONING HEARINGS - JULY 11, 2011

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1 * * *

2 CASE NO: Z-2011-12

Location: 1950 Mathison Road

3 Parcel: 21-2N-31-3301-019-001

From: VR-1, Villages Rural Residential Districts,

4 Gross Density (1du/4 acres)

To: VR-2, Villages Rural Residential Districts

5 Gross Density (1du/.75 acres)

FLU Category: RC, Rural Community

6 BCC District: 5

Requested by: Bryan Madril, Agent

7

8 MR. BRISKE: Our next case today is Case

9 Z-2011-12, 1950 Mathison Road, from VR-1 to VR-2.

09:46AM 10 Peggy Jackson is the owner with Bryan Madril being

11 the agent.

12 Members of the Board, has there been any

13 ex parte communications between you and this

14 applicant, the applicant's agent, attorneys or

09:46AM 15 witnesses or with fellow Planning Board members or

16 anyone from the general public prior to this

17 hearing? I'll also once again ask if you visited

18 the subject site, and also disclose if you are a

19 relative, business associate of the applicant or the

09:46AM 20 applicant's agent. Once again, down at the far end.

21 MS. ORAM: No to all the questions.

22 MR. GOODLOE: No as far as contact, but I am

23 familiar with the property.

24 MR. BRISKE: All right.

09:46AM 25 MR. BARRY: No communication.

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1 MR. BRISKE: The Chairman, none. Ms. Davis.

2 MS. DAVIS: No to all of the above.

3 MR. WINGATE: I did visit the site.

4 MR. BRISKE: Thank you. Ms. Sindel.

09:46AM 5 MS. SINDEL: None to the above.

6 MR. BRISKE: Thank you. Staff, was the notice

7 of the hearing sent to all interested parties?

8 MS. SPITSBERGEN: Yes, sir, it was.

9 MR. BRISKE: All right. And was the hearing

09:46AM 10 notice also posted on the subject property?

11 MS. SPITSBERGEN: Yes, sir, it was.

12 MR. BRISKE: All right. If there's no

13 objections from Mr. Madril, then we will ask the

14 staff to present the photographs and the maps.

09:47AM 15 All right, hearing none, staff.

16 MS. CAIN: This is Z-2011-12, 1950 Mathison

17 Road from VR-1 to VR-2.

18 This is the locational and the wetlands map

19 showing that there are no wetlands on site. This is

09:47AM 20 the aerial view. This is the future land use and

21 the existing land use. This is the zoning map

22 showing the VR-1. And this is the public notice

23 sign posted on site.

24 This is looking east along Mathison. And this

09:47AM 25 is looking north to the site from Mathison Road.

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1 Looking southeast from the site from Stout Road.

2 Looking southwest to the site from Stout Road.

3 This is our 500 foot radius from Chris Jones.

4 And our 500 foot mailing list, also. And that's the

09:48AM 5 end of the maps.

6 MR. BRISKE: Okay. Board members, any

7 questions on the photographs or map?

8 MS. SINDEL: None.

9 MR. BRISKE: All right. Mr. Madril, if you

09:48AM 10 will please come forward.

11 Good morning, sir. Please state your name and

12 address for the record and be sworn in.

13 MR. MADRIL: Good morning. Bryan Madril. 909

14 Bandermill Drive, Cantonment, Florida.

09:48AM 15 (Bryan Madril was sworn).

16 MR. BRISKE: Thank you, sir. Sir, have you

17 received a copy of the rezoning hearing package and

18 the staff's findings?

19 MR. MADRIL: I have.

09:48AM 20 MR. BRISKE: And do you understand that you

21 have the burden of providing by substantial

22 competent evidence that the proposed rezoning is

23 consistent with the Comprehensive Plan, it also

24 furthers the goals, objectives and policies of the

09:49AM 25 Comprehensive Plan and is not in conflict with any

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1 portion of the County's Land Development Code?

2 MR. MADRIL: Yes, I do.

3 MR. BRISKE: Please, proceed.

4 MR. MADRIL: Okay. Peggy Jackson owns about

09:49AM 5 5.5 acres. And the reason for the rezoning is she

6 is wanting to spilt the land exactly in half and

7 sell approximately 2.72 acres. The rezoning is

8 needed to make both parcels compliant for both

9 parties, both owners, and full enjoyment of the

09:49AM 10 land.

11 As far as the evidence and criteria, this does

12 meet all criteria for the rezoning request as far as

13 the Land Development Code, basically Items A through

14 F. And I will concur with staff's findings.

09:49AM 15 MR. BRISKE: Okay. Board members, any

16 questions for the agent?

17 MS. DAVIS: I have a question.

18 MR. BRISKE: Yes, ma'am.

19 MS. DAVIS: I'm looking at the map right now.

09:50AM 20 This long parcel is what she's planning on

21 splitting?

22 MR. MADRIL: Correct.

23 MS. DAVIS: Okay. And north and south, east

24 and west, how is she going to split it?

09:50AM 25 MR. MADRIL: Right down the middle. Just like

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PLANNING BOARD REZONING HEARINGS - JULY 11, 2011

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1 the parcel to the left.
 2 MS. DAVIS: All right.
 3 MR. MADRIL: In half there.
 4 MR. BRISKE: Are there structures currently on
 09:50AM 5 the property?
 6 MR. MADRIL: There is a house on the front side
 7 of Mathison Road.
 8 MR. BRISKE: The rest of it is vacant?
 9 MR. MADRIL: That's correct.
 09:50AM 10 MR. BRISKE: All right. Any other questions
 11 for the applicant?
 12 (None).
 13 MR. BRISKE: Sir, if you want to have a seat
 14 and we'll have the staff do their presentation.
 09:50AM 15 Allyson.
 16 (Presentation by Allyson Cain, previously
 17 sworn.)
 18 MS. CAIN: Okay. Criterion (1), consistent
 19 with the Comprehensive Plan.
 20 The proposed amendment to VR-2 is consistent
 21 with the intent and purpose of the Comp Plan Future
 22 Land Use 1.1.1, which states that new development
 23 and redevelopment of unincorporated Escambia County
 24 shall be consistent with the Escambia County Comp
 25 Plan and the Future Land Use Map.
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1 The proposed amendment to VR-2 is consistent
 2 because the Comp Plan Policy Future Land Use 1.3.1
 3 states that the allowable uses and residential
 4 densities for RC, which is Rural Community Future
 5 Land Use category, includes residential. The
 6 residential minimum density is none and the maximum
 7 density is 2 dwelling units per acre. The Future
 8 Land Use category is intended to recognize existing
 9 residential development.
 10 The proposed amendment to VR-2 is consistent
 11 with the Comp Plan Future Land Use 3.1.4, which
 12 states that Escambia County shall protect
 13 agricultural and rural lifestyle of northern
 14 Escambia County by permitting rezoning to districts
 15 allowing higher residential densities in the Rural
 16 Community Future Land Use Category.
 17 Criterion (2), consistent with the Land
 18 Development Code.
 19 Since the proposed amendment allows for smaller
 20 lot sizes for single family homes (including mobile
 21 homes), the proposed amendment is not in conflict
 22 with portions of the Code and is consistent with the
 23 stated purpose and intent of this code.
 24 Criterion 3, compatible with surrounding uses.
 25 The proposed amendment is compatible with
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1 surrounding uses -- existing uses in the area.
 2 Within the 500 foot impact area, it was observed 22
 3 properties with the zoning district of VR-1. There
 4 are four vacant lots, four mobile homes, 13 single
 5 family homes and one improved agriculture property.
 6 Property size varies from .35 to 16.5 acres.
 7 Criterion (4), change conditions.
 8 There are found to be no changed conditions
 9 that would impact the amendment or the property.
 09:52AM 10 Criterion (5), effect on natural environment.
 11 According to the National Wetland Inventory,
 12 wetlands and hydric soils were not indicated to be
 13 on this property.
 14 When applicable, further review during the
 15 Development Review Committee process will be
 16 necessary to determine if there are any significant
 17 adverse impacts.
 18 Criterion (6), development patterns.
 19 The proposed amendment would result in a
 20 logical and orderly development pattern. The
 21 proposed request to VR-2, Villages Rural Residential
 22 District, is consistent and does contribute to the
 23 existing residential type and development patterns
 24 in this immediate area.
 09:53AM 25 And that concludes staff's findings.
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1 MR. BRISKE: Thank you, Allyson.
 2 Staff, any questions -- excuse me, Board any
 3 questions for Allyson?
 4 MS. SINDEL: Thank you.
 09:53AM 5 MR. BRISKE: Okay. Mr. Madril, did you have
 6 any questions for staff?
 7 MR. MADRIL: I do not.
 8 MR. BRISKE: Okay. The Chair will entertain a
 9 motion. Let me see. We do not have -- we do have
 09:53AM 10 people signed up to speak. I apologize.
 11 Once again we'll put our notice on record. For
 12 members of the public who wish to speak on this
 13 matter, please note that the Planning Board bases
 14 its decisions on the criteria and exceptions
 09:05AM 15 described in Section 2.08.02.D of the Escambia
 16 County Land Development Code. During our
 17 deliberations, the Planning Board will not consider
 18 general statements of support or opposition.
 19 Accordingly, please limit your testimony to the
 09:05AM 20 criteria and exceptions described in Section
 21 2.08.02.D.
 22 Please also note that only those individuals
 23 here today giving testimony on the record at this
 24 hearing before the Planning Board will be allowed to
 09:05AM 25 speak at subsequent hearings before the Board of
 TAYLOR REPORTING SERVICES, INCORPORATED

PLANNING BOARD REZONING HEARINGS - JULY 11, 2011

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1 County Commissioners.

2 We do have Mr. Wayne Meligan signed up to

3 speak. Mr. Meligan, are you still here?

4 All right. I guess he left.

09:55AM 5 Ms. Mary Meligan. Okay. All right. I guess

6 they decided not to stay for it.

7 So anyone else who wishes to speak on this

8 case?

9 (None).

09:55AM 10 MR. BRISKE: All right, hearing none, the Chair

11 will close the public comment portion of the

12 hearing. And Board members, do you have any other

13 questions for the applicant or the staff?

14 MS. DAVIS: I just have a motion.

09:55AM 15 MR. BRISKE: All right. Please, proceed.

16 (Motion and vote by the Board.)

17 MS. DAVIS: I move that we accept the staff

18 Findings-of-Fact and approve the petitioner's

19 rezoning request.

09:55AM 20 MS. SINDEL: Second.

21 MR. BRISKE: Motion and a second. Any

22 discussion? All those in favor please say aye.

23 (Board members vote.)

24 MR. BRISKE: Opposed?

08:35AM 25 (None.)

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1 MR. BRISKE: The motion carries. Thank you,

2 sir.

3 (Conclusion of Z-2011-12. Transcript continues

4 on Page 63.)

5 * * *

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1 * * *

2 CASE NO: Z-2011-13

Location: 9015 Fowler Avenue

3 Parcel: 10-1S-30-1101-124-002

From: R-5, Urban Residential/Limited Office

4 District,(cumulative) High Density

(20 du/acre)

5 To: C-2, General Commercial and Light

Manufacturing District, (cumulative)

6 (25 du/acre)

FLU Category: MU-U, Mixed-Use Urban

7 BCC District: 5

Requestor: "Buddy" Page, Agent

8

9

09:56AM 10 MR. BRISKE: Our next case today is case

11 Z-2011-13, 9015 Fowler Road. A request from R-5 to

12 C-2. Charles Holt is the owner. And Buddy Page

13 will be acting as the agent.

14 Members of the Board, has there been any

09:56AM 15 ex parte communication between you, the applicant,

16 the applicant's agent, attorneys or witnesses or

17 with any fellow Planning Board members or anyone

18 from the general public prior to this hearing? I'll

19 also ask if you visited the subject property, and

09:56AM 20 also disclose if you are a relative, business

21 associate of the applicant or the agent.

22 And starting once again.

23 MS. ORAM: Once again, no to all.

24 MR. BRISKE: Thank you.

25 MR. GOODLOE: No to all.

09:56AM MR. BARRY: No communication. I'm familiar

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1 with the site.

2 MR. BRISKE: Chairman, none.

3 MS. DAVIS: None for me.

4 MR. WINGATE: I just drove down the area.

09:56AM 5 MR. BRISKE: Okay. Thank you, sir.

6 Ms. Sindel.

7 MS. SINDEL: No communication, but I am

8 familiar with the site.

9 MR. BRISKE: All right. Thank you.

09:56AM 10 Staff, was the notice of the hearing sent to

11 all the interested parties?

12 MS. SPITSBERGEN: Yes, sir, it was.

13 MR. BRISKE: And was the notice also posted on

14 the subject property?

09:57AM 15 MS. SPITSBERGEN: Yes, sir, it was.

16 MR. BRISKE: All right. If there's no

17 objections from Mr. Page, we will show the maps and

18 photographs.

19 All right. Please proceed.

09:57AM 20 MS. CAIN: Z-2011-13, 9015 Fowler Avenue, from

21 R-5 to C-2.

22 This is the wetlands and locational map showing

23 that there are no wetlands on site. This is the

24 aerial view of the property. This is the future

09:57AM 25 land use and the existing land use map. This is the

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DEVELOPMENT SERVICES DEPARTMENT FINDINGS-OF-FACT

REZONING CASE: Z-2011-12
July 11, 2011

I. SUBMISSION DATA:

BY: Bryan Madril, Agent
FOR: Peggy Jackson, Owner
PROPERTY REFERENCE NO.: 21-2N-31-3301-019-001
PROJECT ADDRESS: 1950 Mathison Road
FUTURE LAND USE: RC, Rural Community
COMMISSIONER DISTRICT: 5
BCC MEETING DATE: August 4, 2011

II. REQUESTED ACTION:

REZONE

FROM: VR-1, Villages Rural Residential
Districts Gross Density (1 du/4 acres)
TO: VR-2, Villages Rural Residential
Districts Gross Density (1 du/.75
acres)

III. RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder,
627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

CRITERION (1)

Consistent with the Comprehensive Plan.

CPP FLU 1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map (FLUM).

CPP FLU 1.3.1 Future Land Use Categories. General descriptions, range of allowable uses and residential densities and non-residential intensities for Rural Community (RC), FLU category in Escambia County include: Agriculture, Silviculture, Residential, Recreational Facilities, Public and Civic, and Compact, traditional neighborhood supportive commercial. The residential minimum density is none and the maximum density is 2 du/acre. The RC, Rural Community, Future Land Use (FLU) category is intended to recognize existing residential development and neighborhood serving nonresidential activity through a compact development pattern that serves the rural and agricultural areas of Escambia County.

CPP FLU 3.1.4 Rezoning. Escambia County shall protect agriculture and the rural lifestyle of northern Escambia County by permitting rezonings to districts allowing higher residential densities in the Rural Community (RC) future land use category.

FINDINGS

The proposed amendment to VR-2 **is consistent** because **CPP FLU 1.1.1** states that new development and redevelopment in unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map.

The proposed amendment to VR-2 **is consistent** because **CPP FLU 1.3.1** states that the allowable uses and residential densities for RC, Rural Community FLU category in Escambia County include residential. The residential minimum density is none and the maximum density is 2 du/acre. The RC FLU category is intended to recognize existing residential development.

The proposed amendment to VR-2 **is consistent** because **CPP FLU 3.1.4** states that Escambia County shall protect agriculture and the rural lifestyle of northern Escambia County by permitting rezoning to districts allowing higher residential densities in the Rural Community (RC) future land use category.

CRITERION (2)

Consistent with The Land Development Code.

Whether the proposed amendment is in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.

LDC 6.05.23. VR-1, Villages Rural Residential District (One unit per four acres). The Intent and purpose of this district is Single-family residential district characterized by rural land development patterns. Parcels designated as VR are

generally not assessed as agriculturally productive parcels. VR-1 densities reflect large lot rural land development patterns, while VR-2 densities reflect the need for more affordable lot sizes for single family and mobile home development.

LDC 6.05.23. VR-2, Villages Rural Residential District (One unit per .75 acre).

The Intent and purpose of this district is Single-family residential district characterized by rural land development patterns. Parcels designated as VR are generally not assessed as agriculturally productive parcels. VR-1 densities reflect large lot rural land development patterns, while VR-2 densities reflect the need for more affordable lot sizes for single family and mobile home development.

B. Permitted uses.

1. Single-family residences.
2. Agricultural, farm animals and agricultural-related activities and customary accessory buildings.
3. Silviculture.
4. Mariculture and aquaculture.
5. Campground and recreational vehicle parks.
6. Public utility.
7. Stables, private and public (minimum lot size two acres).
8. Animal hospitals, clinics and kennels (minimum lot size two acres).
9. Display and sale of fruit, vegetables and similar agricultural products.
10. Mobile homes as single-family dwelling, subject to the other relevant provisions of this Code.
11. Places of worship.
12. Educational facilities.
13. Clubs and lodges.
14. Guest residences.
15. Public utility and service structures not included in subpart C. or D., below.
16. Feed and farm equipment stores.
17. Home-based “cottage businesses” such as crafts, florists, woodworking, sewing, and other similar uses.
18. Other rural area related commercial uses meeting the locational requirements of the Comprehensive Plan Policy
19. Golf courses, tennis centers, swimming clubs, and customary attendant facilities and accessory buildings.
20. Home occupations.
21. Existing auto salvage business.
22. Family day care homes and family foster homes.
23. Reclamation of borrow pits that existed prior to September 16, 2004 (subject to local permit and development review requirements per Escambia County Code of Ordinances, Part 1, Chapter 42, article VIII, and performance standards in Part III, the Land Development Code, article 7).

FINDINGS

Since the proposed amendment allows for smaller lot sizes for single family homes (including mobile homes), the proposed amendment **is not in** conflict with portions of this Code and is consistent with the stated purpose and intent of this code.

CRITERION (3)

Compatible with surrounding uses.

Whether and the extent to which the proposed amendment is compatible with existing and proposed uses in the area of the subject property(s).

FINDINGS

The proposed amendment **is compatible** with surrounding existing uses in the area. Within the 500' radius impact area, staff observed 22 properties with the zoning district of VR-1. There are four vacant lots, four mobile homes, 13 single family homes and one improved agriculture properties. Property size varies from .35 to 16.5 acres.

CRITERION (4)

Changed conditions.

Whether and the extent to which there are any changed conditions that impact the amendment or property(s).

FINDINGS

Staff found **no changed** conditions that would impact the amendment or property(s).

CRITERION (5)

Effect on natural environment.

Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment.

FINDINGS

According to the National Wetland Inventory, wetlands and hydric soils **were not** indicated on the subject property.

When applicable, further review during the Development Review Committee (DRC) process will be necessary to determine if there would be any significant adverse impact on the natural environment.

CRITERION (6)

Development patterns.

Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

FINDINGS

The proposed amendment **would result** in a logical and orderly development pattern. The proposed request to VR-2, Villages Rural Residential District is consistent and does contribute to the existing residential type development patterns of that immediate area.

Note: The above technical comments and conclusion are based upon the information available to Staff prior to the public hearing; the public hearing testimony may reveal additional technical information.



HIGHWAY-196

WILDER RD
VICEROY RD

EVERS-HVN

WILDER RD

STOUT RD

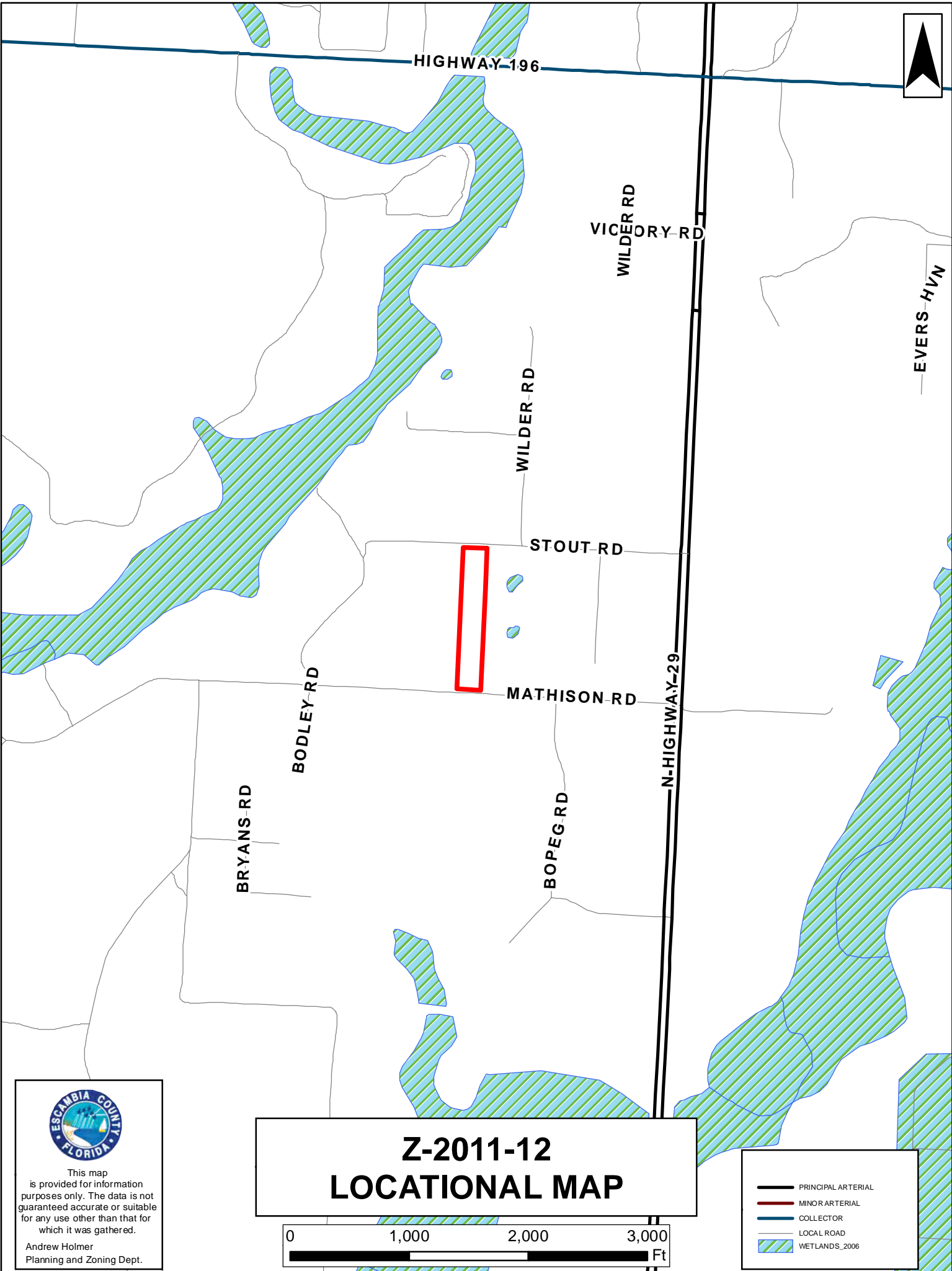
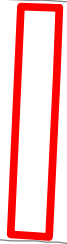
MATHISON RD

N-HIGHWAY-29

BODLEY RD

BRYANS RD

BOPEG RD




Z-2011-12

LOCATIONAL MAP



	PRINCIPAL ARTERIAL
	MINOR ARTERIAL
	COLLECTOR
	LOCAL ROAD
	WETLANDS_2006



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.



STOUT RD

WILDER RD

WILDER RD

MATHISON RD

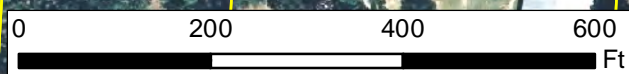
BOPEG RD



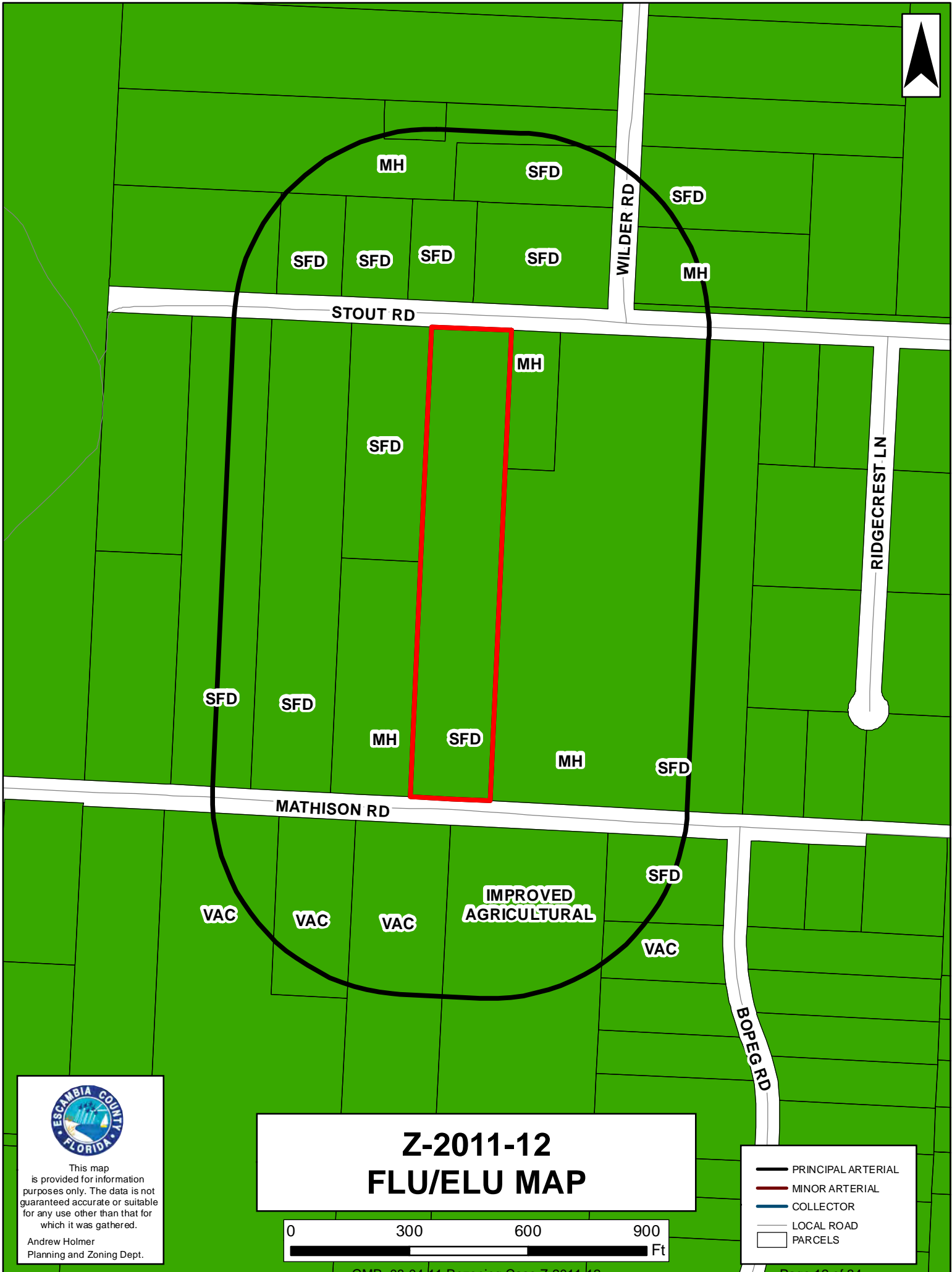

This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2011-12 AERIAL MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS

This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2011-12 FLU/ELU MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS



VAG-1

VR-1

WILDER RD

STOUT RD

VR-1

VR-2


RIDGECREST LN

MATHISON RD

VR-1

V-1

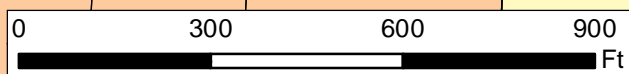
BOPEG RD








This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2011-12 ZONING MAP



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  PARCELS

Public Notice Sign





Looking East Along Mathison



Looking North to Site From Mathison



Looking Southeast to Site From Stout Rd



Looking Southwest to Site from Stout Rd



Development Services Department

Escambia County, Florida

APPLICATION

Please check application type:

Administrative Appeal

Development Order Extension

Conditional Use Request for: _____

Variance Request for: _____

Rezoning Request from: VR-1 to: VR-2

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: Peggy Jackson Phone: 850-572-5394

Address: 1950 Mathison Rd. Email: N/A

Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: 1950 Mathison Rd. Conformation, FL 32533

Property Reference Number(s)/Legal Description: 21-2N-31-3301-019-001

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

[Signature]
Signature of Owner/Agent

Bryan Madril
Printed Name Owner/Agent

5-23-11
Date

Peggy B Jackson
Signature of Owner

Peggy Jackson
Printed Name of Owner

5-23-11
Date

STATE OF Florida

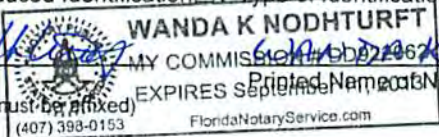
COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 23rd day of May 2011.

by Bryan Madril

Personally Known OR Produced Identification . Type of Identification Produced: _____

Wanda K Nodhturft
Signature of Notary



Wanda K. Nodhturft
Printed Name of Notary

FOR OFFICE USE ONLY

CASE NUMBER: Z-2011-12

Meeting Date(s): 7-11-11 Accepted/Verified by: A. Cain Date: 6/1/11

Fees Paid: \$ 1500⁰⁰ Receipt #: 533173 Permit #: PRZ 110600012



Development Services Department

Escambia County, Florida

FOR OFFICE USE:

CASE #: _____

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

N/A

Property Reference Number(s): _____

Property Address: 1950 Mathison Rd. Cantonment, FL 32533

I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed in the future development's permit application.

I/We also acknowledge and agree that approval of a zoning district amendment (rezoning) or Future Land Use Map amendment does not certify, vest, or otherwise guarantee that concurrency of required facilities and services is, or will be, available for any future development of the subject parcels.

I/We further acknowledge and agree that no development for which concurrency must be certified shall be approved unless at least one of the following minimum conditions of the Comprehensive Plan will be met for each facility and service of the County's concurrency management system prior to development approval:

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 23 DAY OF May, YEAR OF 2011.

Peggy B Jackson
Signature of Property Owner

PEGGY B JACKSON
Printed Name of Property Owner

5-23-11
Date

Signature of Property Owner

Printed Name of Property Owner

Date



Development Services Department

Escambia County, Florida

FOR OFFICE USE:

CASE #:

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 1950 Mathison Rd., Florida, property reference number(s) 21-20-31-3301-019-001

I hereby designate Bryan Madrid for the sole purpose of completing this application and making a presentation to the:

- Planning Board and the Board of County Commissioners to request a rezoning on the above referenced property.
Board of Adjustment to request a(n) on the above referenced property.

This Limited Power of Attorney is granted on this 23 day of May the year of, 2011, and is effective until the Board of County Commissioners or the Board of Adjustment has rendered a decision on this request and any appeal period has expired.

Agent Name: Bryan Madrid Email: bmad6@yahoo.com
Address: 909 Brandermill Dr. Cantonment FL 32533 Phone: 850-572-5394

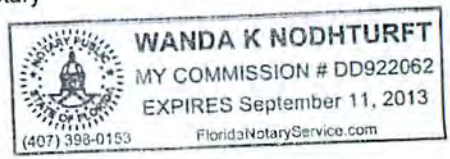
Peggy Blackson PEGGY BLACKSON 5-23-11
Signature of Property Owner Printed Name of Property Owner Date

STATE OF FLORIDA COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 23rd day of May 20 11, by Bryan Madrid

Personally Known OR Produced Identification. Type of Identification Produced:

Wanda K Nodhturft WANDA K. Nodhturft (Notary Seal)
Signature of Notary Printed Name of Notary



Documentary stamps in the amount of
\$462.00 were paid on a transfer price
of \$66,000

This Instrument Prepared by and Return to:

Charles Curry
Stonewall Title Group
100 North Spring Street, Suite 1
Pensacola, Florida 32502

Property Appraisers Parcel Identification (Folio) Number:
212N31-3301-019-001

SPACE ABOVE THIS LINE FOR RECORDING DATA

PERSONAL REPRESENTATIVE'S DEED

THIS INDENTURE made this 6 day of August, 2008 between SAMUEL EARL BLACKMON as Personal Representative of the Estate of ROXIE MAE BLACKMON, deceased, party of the first part, and PEGGY B. JACKSON, A MARRIED WOMAN, of 4295 GOLDFINCH LANE, JAY, FLORIDA 32565.

WITNESSETH

WHEREAS, the said ROXIE MAE BLACKMON departed this life in ESCAMBIA COUNTY, FLORIDA on October 8, 2006, leaving a Last Will and Testament wherein the party of the first part was named Personal Representative therein and

WHEREAS, said Last Will and Testament has been fully admitted to Probate and Letters Testamentary were duly issued on January 22, 2007 by the Circuit Judge of ESCAMBIA County, Florida and

WHEREAS, the said SAMUEL EARL BLACKMON is the duly qualified Personal Representative of the Estate of ROXIE MAE BLACKMON, deceased and under the terms and provisions of said Last Will and Testament the said SAMUEL EARL BLACKMON is duly empowered to sell and dispose of the real estate belonging to the deceased at the time of his/her death.

NOW THEREFORE, the said party of the first part, by virtue of the power and authority to him/her given in and by the terms and provisions of the said Last Will and Testament of ROXIE MAE BLACKMON and in consideration of the sum of Ten Dollars and other valuable consideration, does hereby grant, bargain, sell and convey unto the party of the second part and their assigns and heirs forever all that certain parcel of land lying and being in the County of ESCAMBIA and State of Florida, more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

SUBJECT TO: Conditions, restrictions, reservations, limitations, easements and dedications and taxes for this tax year and subsequent years.

TO HAVE AND TO HOLD the same together with all the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and all the estate, right, title, interest, claim and demand whatsoever, which the said decedent had at the time of his/her death to the party of the second part, their heirs and assigns forever.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his/her hand and seal on the day and year first above written.

Kurt Brackob
Witness
Kurt Brackob
Printed Witness Name

[Signature]
SAMUEL EARL BLACKMON

Edwin F. Daugherty
Witness
EDWIN F. DAUGHERTY
Printed Witness Name

STATE OF California
COUNTY OF SANDIEGO

PERSONALLY APPEARED before me, the undersigned authority duly authorized to take acknowledgements, SAMUEL EARL BLACKMON, Personal Representative of the Estate of ROXIE MAE BLACKMON, deceased, who acknowledged that he/she executed the foregoing Personal Representative's Deed for the purposes therein expressed.

The foregoing instrument was acknowledged before me this 6th day of August, 2008, by SAMUEL EARL BLACKMON who is/are personally known to me or has produced DRIVERS LICENSE as identification.

[Signature]
Notary Public
ERICK DOMINGUEZ
Printed Notary Name

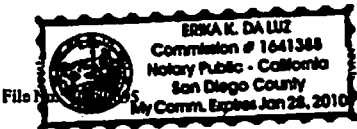


EXHIBIT "A"

Commence at the Southwest corner of Section 21, Township 2 North, Range 31 West, Escambia County, Florida; thence go North 02 degrees 42 minutes 43 seconds East along the West line of the aforesaid Section 21 a distance of 33.00 feet; thence go South 87 degrees 14 minutes 54 seconds East, parallel to the South line of the aforesaid Section 21 a distance of 808.00 feet to the Point of Beginning; thence go North 02 degrees 42 minutes 43 seconds East, parallel to the aforesaid West line of Section 21 a distance of 1205.84 feet; thence go South 87 degrees 14 minutes 07 seconds East a distance of 202.00 feet; thence go South 02 degrees 42 minutes 43 seconds West a distance of 1205.79 feet; thence go North 87 degrees 14 minutes 54 seconds West, parallel to the South line of the aforesaid Section 21 a distance of 202.00 feet to the Point of Beginning; the above described parcel being in Section 21, Township 2 North, Range 31 West, Escambia County, Florida and containing 5.59 acres.

**RESIDENTIAL SALES
ABUTTING ROADWAY
MAINTENANCE DISCLOSURE**

ATTENTION: Pursuant to Escambia County Code of Ordinances Chapter 1-29.2, Article V, sellers of residential lots are required to disclose to buyers whether abutting roadways will be maintained by Escambia County, and if not, what person or entity will be responsible for maintenance. The disclosure must additionally provide that Escambia County does not accept roads for maintenance that have not been built or improved to meet county standards. Escambia County Code of Ordinances Chapter 1-29.2, Article V requires this disclosure be attached along with other attachments to the deed or other method of conveyance required to be made part of the public records of Escambia County, Florida. Note: Acceptance for filing by County employees of this disclosure shall in no way be construed as an acknowledgement by the County of the veracity of any disclosure statements.

Name of Roadway: **STOUT ROAD**

Legal Address of Property: **STOUT ROAD, CANTONMENT, FLORIDA 32533**

The County has accepted () has not accepted the abutting roadway for maintenance.

This form completed by: **Stonewall Title Group
100 North Spring Street, Suite 1
Pensacola, Florida 32502**

AS TO SELLER(S):

Kurt Brackob
Witness' Name:
Kurt Brackob

[Signature]
SAMUEL EARL BLACKON FOR THE ESTATE OF
ROXIE MAE BLACKMON

Witness' Name:
Edwin F. Daugherty
Witness' Name:
EDWIN F. DAUGHERTY

Witness' Name:

AS TO BUYER(S):

Richard Fellgren
Witness' Name: Richard Fellgren

Peggy B. Jackson
PEGGY B. JACKSON

Kathleen A. Curry
Witness' Name: Kathleen A. Curry

Witness' Name:

Witness' Name:

THIS FORM APPROVED BY THE ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS Effective 4/15/95

Notice

Effective June 1, 2004

Pursuant to Florida Senate Bill 2962, Section 28.24(12)(e) of the Florida Statutes, an additional service charge of \$4 per page shall be paid to the Clerk of the Circuit Court for each instrument listed in s. 28.222, and recorded in the Official Records, with the exception of Lis Pendens.

Please read this notice or consult the Senate Bill 2962 for more information on this change.

**Escambia County Florida Clerk of the Circuit Court
Official Records Search
ONCORE
INSTRUMENT**

Instrument 2008060118	Date	08/11/2008
Book 6363	Time	8:56 AM
Page 96	Transfer Amt	\$.00
Pages 3	Finance Amt	\$66,000.00
Misc \$.00	Doc Stamps	\$.00
Document Code	Intangible Tax	\$.00
Document Type PERSONAL REP DEED	Recording Fee	\$.00
Legal SEC 21 TWN 2N RNG 31W		
Addtl Comments		
Case Number		

GRANTORS

- 1 BLACKMON SAMUEL EARL PER REP
- 2 BLACKMON ROXIE MAE DEC

GRANTEES

- 1 JACKSON PEGGY B

RELATED INSTRUMENTS

None

DOCUMENT IMAGE

Document Image Not Available on Public Internet

[Search Again]

INTERNET IMAGE REDACTION REQUEST FORMS

Public Records - Social Security Number / Bank Account Removal Request

Public Records - Military Discharge Removal Request

Public Records - Official Records Internet Image Removal Request

FLORIDA LAW AND PUBLIC RECORDS

Florida Statute Chapter 119 Public Records

Florida Statute 817.568 Criminal Use of Personal Identification Information

Florida Statute Chapter 28 Clerks of Court

THIS INSTRUMENT PREPARED BY:
Name: Robert Foster
Address: 4374 Fifth Ave
Pace, FL 32571
STATE OF FLORIDA
COUNTY OF ESCAMBIA

NOTICE OF COMMENCEMENT

Permit Number _____ Parcel ID Number (PID) 212N313301019001

THE UNDERSIGNED hereby gives notice that improvement will be made to certain real property, and in accordance with Chapter 713, Florida Statutes, the following information is provided in this Notice of Commencement.

1. **DESCRIPTION OF PROPERTY:** (legal description of the property, and street address if available. Attach a separate if necessary)
21-2N-31-3301-019-001 1950 Mathison Rd. Cantonment FL 32533
2. **GENERAL DESCRIPTION OF IMPROVEMENT:** construction of single family home
3. **OWNER INFORMATION:**
Name and address: Peggy Jackson 1955 Stout Rd. Cantonment 32533
Interest in property: owner
Name and address of fee simple titleholder (if other than Owner): _____
4. **CONTRACTOR:** (name, address and phone number): Robert Foster (Tri Star Custom Homes) 4374 Fifth Ave, Pace, FL 32571 850-393-9254
5. **SURETY:**
Name, address and phone number: N/A
Amount of bond \$ _____
6. **LENDER:** (name, address and phone number) N/A
7. Persons within the State of Florida designated by Owner upon whom notices or other documents may be served as provided by § 713.13(1)(a)7, Florida Statutes: (name, address and phone number) Robert Foster 4374 Fifth Ave. Pace, FL 32571
8. In addition to him/herself, Owner designates Robert Foster of Tri Star Custom Homes receive a copy of the Lienor's Notice as provided in § 713.13(1)(b), Florida Statutes.
9. Expiration date of notice of commencement (the expiration date is 1 year from the date of recording unless a different date is specified) _____

WARNING TO OWNER: ANY PAYMENTS MADE BY THE OWNER AFTER THE EXPIRATION OF THE NOTICE OF COMMENCEMENT ARE CONSIDERED IMPROPER PAYMENTS UNDER CHAPTER 713, PART 1, SECTION 713.13 FLORIDA STATUTES, AND CAN RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. A NOTICE OF COMMENCEMENT MUST BE RECORDED AND POSTED ON THE JOB SITE BEFORE THE FIRST INSPECTION. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE COMMENCING WORK OR RECORDING YOUR NOTICE OF COMMENCEMENT.

STATE OF FLORIDA COUNTY OF ESCAMBIA
Peggy B Jackson Peggy B Jackson
OWNER'S SIGNATURE OWNER'S PRINTED NAME

The foregoing instrument was acknowledged before me this 3rd day of December, 2009 by Peggy Jackson Who is personally known to me OR who has produced identification VERIFICATION PURSUANT TO § 92.525 FLORIDA STATUTES.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AND THAT THE FACTS STATED IN IF IT ARE TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

Robert Foster Veronica Waters
SIGNATURE OF OWNER OR OWNER'S AUTHORIZED OFFICER/DIRECTOR/PARTNER/MANAGER NOTARY PUBLIC - STATE OF FLORIDA

SIGNATORY'S TITLE/OFFICE PRINT OR STAMP COPY



ESCAMBIA COUNTY BUILDING INSPECTIONS DIVISION

DESCRIPTION (PER OFFICIAL RECORD BOOK 1115 PAGE 177) COMMENCE AT THE SOUTHWEST CORNER OF SECTION 21, TOWNSHIP 2 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, GO NORTH 02 DEGREES 42 MINUTES 43 SECONDS EAST ALONG THE WEST LINE OF THE AFORESAID SECTION 21 A DISTANCE OF 83 FEET, THENCE GO SOUTH 87 DEGREES 14 MINUTES 54 SECONDS EAST, PARALLEL TO THE SOUTH LINE OF THE AFORESAID SECTION 21 A DISTANCE OF 808 00 FEET TO THE POINT OF BEGINNING, THENCE GO NORTH 02 DEGREES 42 MINUTES 43 SECONDS WEST, PARALLEL TO THE AFORESAID WEST LINE OF SECTION 21, A DISTANCE OF 1205 94 FEET, THENCE GO SOUTH 87 DEGREES 14 MINUTES 07 SECONDS EAST A DISTANCE OF 202 00 FEET, THENCE GO SOUTH 02 DEGREES 42 MINUTES 43 SECONDS WEST A DISTANCE OF 1205 79 FEET, THENCE GO NORTH 87 DEGREES 14 MINUTES 54 SECONDS WEST, PARALLEL TO THE SOUTH LINE OF THE AFORESAID SECTION 21 A DISTANCE OF 202 00 FEET TO THE POINT OF BEGINNING

SURVEYORS NOTES

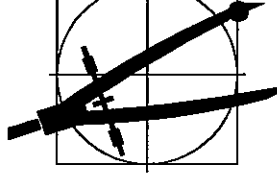
THIS SURVEY WAS PERFORMED FOR THE CLIENT SHOWN AND IS NOT TO BE USED FOR ANY OTHER PURPOSES OR TRANSACTIONS WITHOUT PRIOR CONSENT FROM THIS SURVEYOR.

ALL MEASUREMENTS WERE MADE ACCORDING TO UNITED STATES FOOT NO TITLE RESEARCH WAS PERFORMED BY THIS SURVEYOR, NOR WERE WE FURNISHED WITH SUCH NO INSTRUMENT OF RECORD REFLECTING EASEMENTS, RIGHT OF WAY, AND/OR OWNERSHIP WERE FURNISHED TO THIS SURVEYOR EXCEPT AS SHOWN NO UNDERGROUND INSTALLATIONS OR IMPROVEMENTS HAVE BEEN LOCATED EXCEPT AS SHOWN ALL BEARINGS AND DISTANCES ARE RECORD UNLESS OTHERWISE NOTED ERROR OF CLOSURE MEETS MINIMUM TECHNICAL STANDARDS IMPROVEMENT LOCATIONS SHOWN HEREON MAY BE EXAGGERATED AND NOT TO SCALE FOR CLARITY PURPOSES

THERE MAY BE ADDITIONAL RESTRICTIONS AFFECTING THIS PROPERTY THAT MAY BE FOUND RECORDED IN THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA THAT DO NOT APPEAR ON THE FACE OF THIS PLAN

DATE OF BEARING S 87°14'54" E FOR THE NORTH RIGHT-OF-WAY LINE MATHISON ROAD PER DEED REFERENCE SOURCE FIELD WORK AND EXISTING FIELD MONUMENTATION COPY OF DEED BOOK 1115, PAGE 117

SWINNEY & ASSOCIATES, INC.
 3603 SUNNYSIDE ST
 PENSACOLA, FLORIDA 32507
 (850) 453-4261 FAX (850) 458-2630
 D SWINNEY@ATTNET
 LICENSE BUSINESS NO. 7092



ADDRESS 1950 MATHISON ROAD
 REQUESTED BY LANCE MADRILL
 TYPE BOUNDARY WITH IMPROVEMENTS
 SECTION 21 TOWNSHIP 2 NORTH RANGE 31 WEST COUNTY ESCAMBIA
 SCALE 1"=60' DRAWN BY REM FIELD DATE 05/28/2011
 DATE 05/27/2011 CREW MS/ZL FIELD BOOK 246 PAGE 63
 REVISION DATE

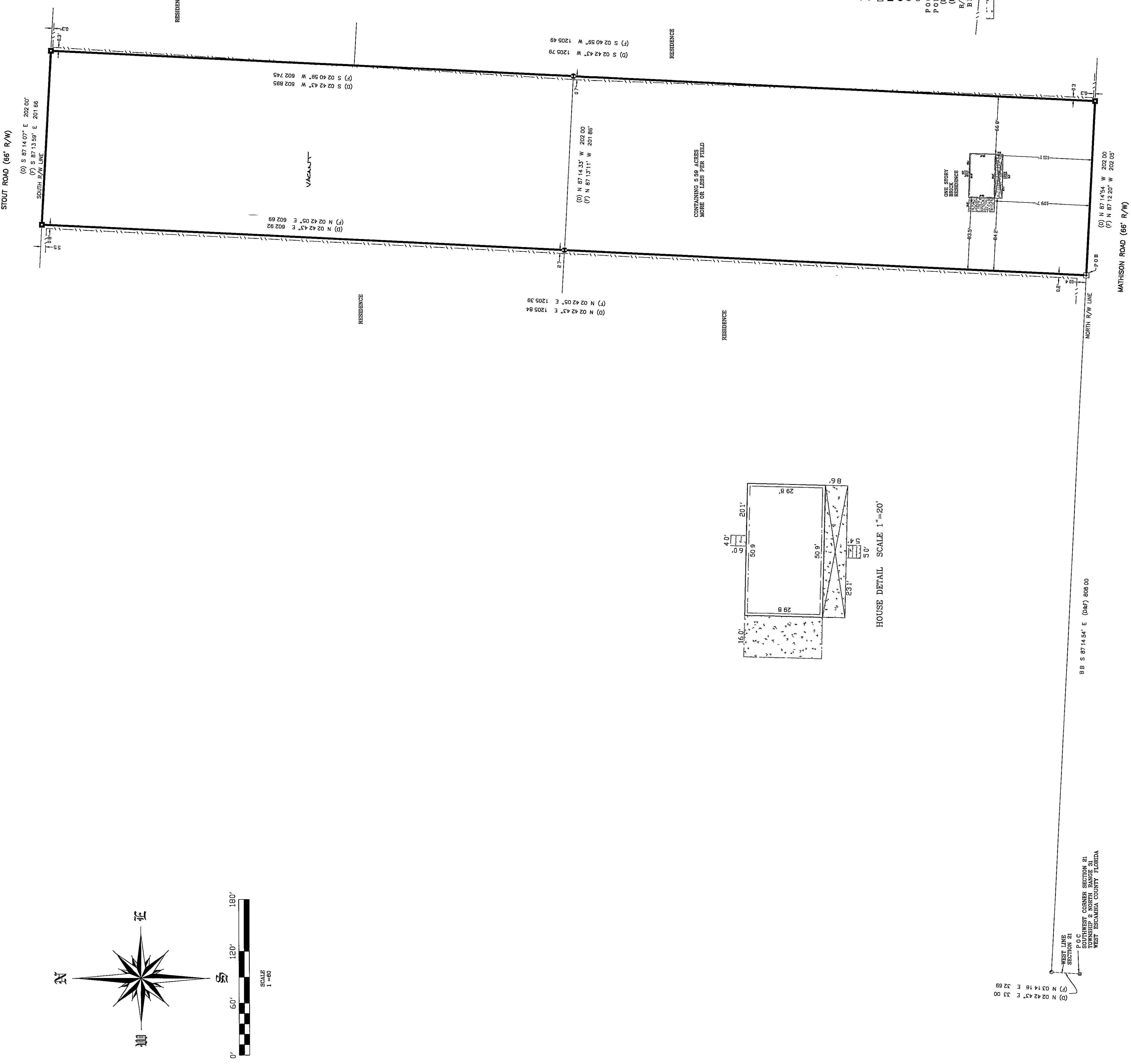
SURVEYORS CERTIFICATE

I, HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN CHAPTER 5J-17.050, 5J-17.051 AND 5J-17.052, PURSUANT TO SECTION 472.027 FLORIDA STATUTES

NOT VALID WITHOUT THE ORIGINAL SIGNATURE OF THE ORIGINAL RAISER OF SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

DAVID MARK SWINNEY
 REGISTERED SURVEYOR AND MAPPER NO. 5641
 STATE OF FLORIDA

DRAWING NUMBER
 11-12916



- LEGEND**
- - FOUND 4"x4" CONCRETE MONUMENT WITH DISK (ILLEGIBLE)
 - - FOUND 4"x4" CONCRETE MONUMENT WITH DISK #2535
 - - SET 1/2" CAPPED IRON ROD #7092
 - - FOUND 1/2" CAPPED IRON ROD #7312
 - ◎ - FOUND NAIL AND DISK #7277
 - - POINT OF COMMENCEMENT
 - - POINT OF BEGINNING
 - - FIELD
 - - FIELD
 - - RIGHT-OF-WAY
 - BB - BASE BEARING
 - BB - 4" WIRE FENCE
 - - CONCRETE
- POC
 POB
 B/W
 B/B

HOUSE DETAIL SCALE 1"=20'

BB S 87°14'54" E (0.48) 808.00

WEST LINE
 SECTION 21
 SOUTHWEST CORNER SECTION 21
 TOWNSHIP 2 NORTH
 RANGE 31 WEST
 ESCAMBIA COUNTY
 FLORIDA

Rezoning Criteria Findings

- **Consistency with the comprehensive plan:**

The proposed amendment is consistent with the comprehensive plan and furthers the goals set out by the comprehensive plan.

- **Consistency with Code:**

The proposed amendment is consistent with the land development code and is in compliance with the stated purpose and intent of the code.

- **Compatibility with surrounding uses:**

The proposed amendment is consistent with the surrounding uses for the area.

- **Changed Conditions:**

The proposed amendment will not change the conditions of the property

- **Effect on natural environment:**

The proposed amendment does not effect or have an impact on the natural environment. No water sources or natural habitat effected.

- **Development patterns:**

The proposed amendment would in fact result in a logical orderly development pattern.



Development Services Department

Escambia County, Florida

FOR OFFICE USE:

CASE #: _____

APPLICATION ATTACHMENTS CHECKLIST

- NA 1. For BOA, original letter of request, typed or written in blue ink & **must** include the reason for the request and address all criteria for the request as outlined in LDC Article 2.05 (dated, signed & notarized – notarization is only necessary if an agent will be used).
- 2. Application/Owner Certification Form - Notarized Original (page 1) (signatures of ALL legal owners or authorized agent are required)
- NA 3. Concurrency Determination Acknowledgment form - Original (if applicable) (page 2)
- 4. Affidavit of Owner & Limited Power of Attorney form - Notarized Original (if applicable) (page 3) (signatures of ALL legal owners are required)
- (5.) Legal Proof of Ownership (e.g. copy of Tax Notice or Warranty Deed). Include Corporation/LLC documentation or a copy of Contract for Sale if applicable.
- 6. Legal Description of Property Street Address / Property Reference Number
- 7. a. Rezoning: Boundary Survey of subject property to include total acreage, all easements, and signed & sealed by a surveyor registered in the state of Florida.
b. BOA: Site Plan drawn to scale.
- NA (8.) For Rezoning requests: If the subject parcel does not meet the roadway requirements of Locational Criteria (Comprehensive Plan 7.A.4.13 & LDC 7.20.00.), a compatibility analysis to request a waiver or an exemption to the roadway requirements will need to be submitted as part of the application.
- (9.) Pre-Application Summary Form, Referral Form, Zoning Verification Request Form and/or copy of citation from Code Enforcement Department if applicable.
- 10. Application fees. (See Instructions page for amounts) Payment cannot be accepted after 3:00pm.

Please note: Forms with signatures dated more than sixty (60) days prior to application submittal will not be accepted as complete.

Please make the following three appointments with the Coordinator.

- Appointment for pre-application meeting: 5-17-11 (BMW)
- Appointment to turn in application: 9:30 5-25-11 (BMW)
- Appointment to receive findings-of-fact: 5-31-11 (BMW)

CUTTING KEVIN L
1870 STOUT RD
CANTONMENT FL 32533

GLASS BARBARA J
392 MIRABELLE DR
PENSACOLA FL 325145311

MILSTID NORMAN E & JACQUELINE M
1980 STOUT RD
CANTONMENT FL 32533

MUMAW HUGHLETT R & JACQUELINE
3615 WILDER RD
CANTONMENT FL 32533

JACKSON PEGGY B
1950 MATHISON RD
CANTONMENT FL 32533

WHITE PHILLIP P & DIANA J
2000 MATHISON RD
CANTONMENT FL 32533

HUGGINS RUBY M PARKER
3455 BO PEG RD
CANTONMENT FL 32533

SANSING HOLDINGS LLC
5705 PENSACOLA BLVD
PENSACOLA FL 32505

MELIGAN WAYNE C &
3644 WILDER RD
CANTONMENT FL 32533

BOLTON DANIEL J JR &
3643 WILDER RD
CANTONMENT FL 32533

JOHNSON RONALD W
4697 KINGSTON DR
PENSACOLA FL 32526

JERNIGAN RONAL C & JANE E
1910 MATHISON RD
CANTONMENT FL 32533

MADRIL LANCE D
1965 STOUT RD
CANTONMENT FL 325337034

WHITFIELD JOHN A & CHARLOTTE B
2014 MATHISON RD
CANTONMENT FL 32533

MATHISON ROBERT P & VIRGINIA B
1844 MAGNOLIA AVE
PENSACOLA FL 32503

MADRILL BRYAN
909 BRANDERMILL DR
CANTONMENT FL 32533

ROCHEBLAVE APRIL
3665 WILDER RD
CANTONMENT FL 32533

KENNEDY ARNOLD M & CELINDA J
PO BOX 234
MOLINO FL 32577

CAINE DEAN W & LORIE
1976 STOUT RD
CANTONMENT FL 32533

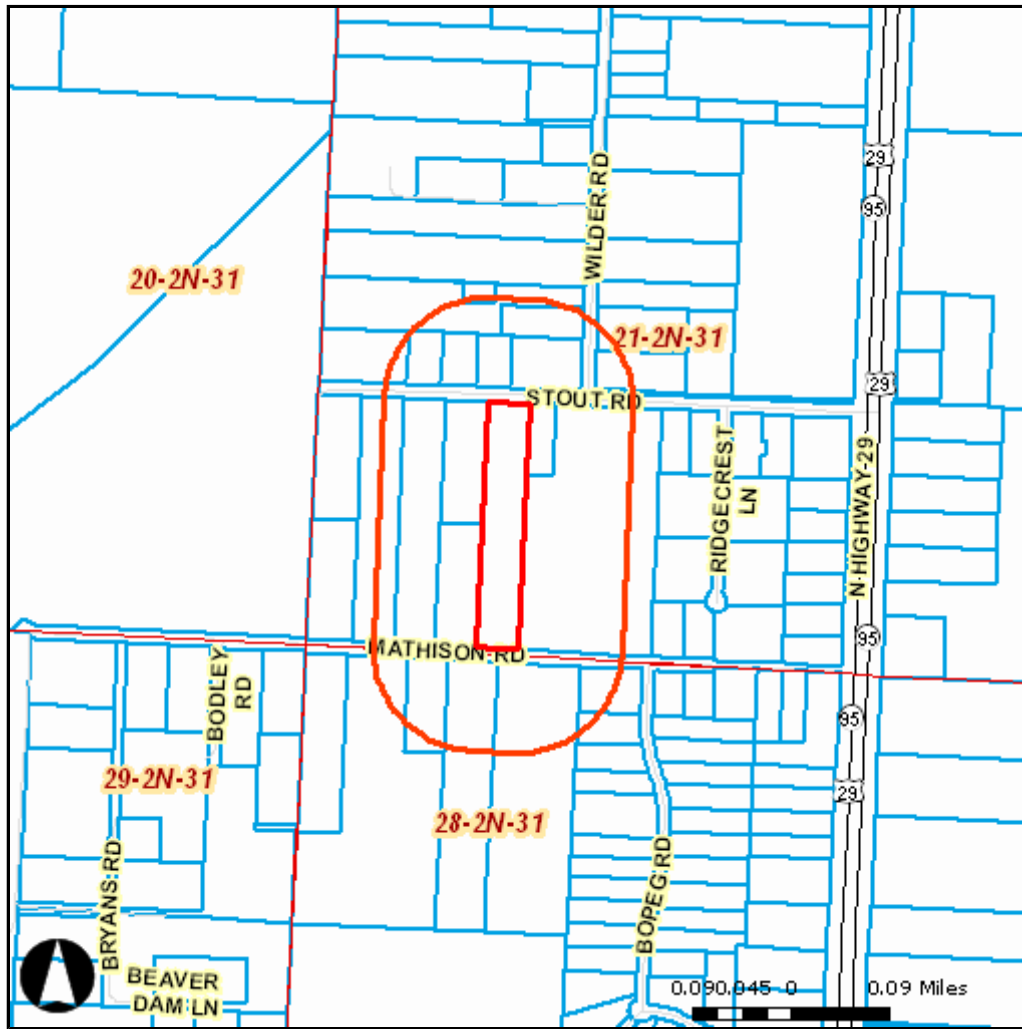
JERNIGAN RONAL C JR & LINDA
6225 FOXGROVE RD
MILTON FL 32570

MADRIL WILLIAM M
1988 MATHISON RD
CANTONMENT FL 32533

KIRSCH GERARD A & BECKY A
1911 MATHISON RD
CANTONMENT FL 32533

MATHISON JOHN E &
6472 WYNWOOD PL
MONTGOMERY AL 36117

ECPA Map



Map Grid

All Roads

Major Roads

Property Line

- County Road
- InterState
- State Road
- US Highway

PLEASE NOTE: This product has been compiled from the source data of the Inter-Local Mapping and Geographic Information Network (IMAGINE) project of Escambia County. The ESCAMBIA COUNTY PROPERTY APPRAISER I-MAP Service is for reference purposes only and not to be considered as a legal document or survey instrument. Relying on the information contained herein is at the user's own risk. We assume no liability for any use of the information contained in the I-MAP Service or any resultant loss.



Development Services Department
 Building Inspections Division
 3363 West Park Place
 Pensacola, Florida, 32505
 (850) 595-3550
 Molino Office - (850) 587-5770

RECEIPT

Receipt No. : 533173

Date Issued. : 06/01/2011

Cashier ID : VHOWENS

Application No. : PRZ110600012

Project Name : Z-2011-12

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Check	429	\$1,500.00	App ID : PRZ110600012
		\$1,500.00	Total Check

Received From : badril bryan c / BRIAN MADRILL

Total Receipt Amount : \$1,500.00

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PRZ110600012	627030	1,500.00	\$0.00	1950 MATHISON RD, CANTONMENT, FL, 32533

Total Amount:

1,500.00

\$0.00

Balance Due on this Invoice
 Application # PRZ110600012
 Application Date of 6/1/2011

Left meeting prior to speaking



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3475 - Phone
(850) 595-3481 - FAX
www.myescambia.com

Escambia County Planning Board

Public Hearing Speaker Request Form

Please Print Clearly

Rezoning Quasi-judicial Hearing

Regular Planning Board Meeting

Rezoning Case #: Z-2011-12

OR

Agenda Item Number/Description: _____

_____ In Favor Against

*Name: Wayne C. Meligan

*Address: 3644 Wilder Rd. *City, State, Zip: Cantonment, FL.

Email Address: wcmeligan@yahoo.com Phone: 587-5608

Please indicate if you:

would like to be notified of any further action related to the public hearing item.

do not wish to speak but would like to be notified of any further action related to the public hearing item.

All items with an asterisk * are required.

Chamber Rules

1. All who wish to speak will be heard.
2. You must sign up to speak. This form must be filled out and given to the Clerk in order to be heard.
3. When the Chairman calls you to speak, come to the podium, adjust the microphone so you can be heard, then state your NAME and ADDRESS for the record.
4. Please keep your remarks BRIEF and FACTUAL.
5. Everyone will be granted uniform time to speak (normally 3 - 5 minutes).
6. Should there be a need for information to be presented to the Board, please provide 13 copies for distribution. The Board will determine whether to accept the information into evidence. Once accepted, copies are given to the Clerk for Board distribution.
7. During quasi-judicial hearings (i.e., rezonings), conduct is very formal and regulated by Supreme Court decisions. Verbal reaction or applause is not appropriate.



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3475 - Phone
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www.myescambia.com

Left meeting prior to speaking

Escambia County Planning Board

Public Hearing Speaker Request Form

Please Print Clearly

Rezoning Quasi-judicial Hearing

Rezoning Case #: Z-2011-12

OR

Regular Planning Board Meeting

Agenda Item Number/Description:

 In Favor Against

*Name: Mary Meligaw

*Address: 3644 Wilder Rd. *City, State, Zip: Cent., FL, 32533

Email Address: wcmeligaw@yahoo.com Phone: 587-5608

Please indicate if you:

- would like to be notified of any further action related to the public hearing item.
- do not wish to speak but would like to be notified of any further action related to the public hearing item.

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Z-2011-13

PLANNING BOARD REZONING HEARINGS - JULY 11, 2011

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1 County Commissioners.

2 We do have Mr. Wayne Meligan signed up to

3 speak. Mr. Meligan, are you still here?

4 All right. I guess he left.

09:55AM 5 Ms. Mary Meligan. I guess I guess

6 they decided not to stay for it.

7 So anyone else who wishes to speak on this

8 case?

9 (None).

09:55AM 10 MR. BRISKE: All right, hearing none, the Chair

11 will close the public comment portion of the

12 hearing. And Board members, do you have any other

13 questions for the applicant or the staff?

14 MS. DAVIS: I just have a motion.

09:55AM 15 MR. BRISKE: All right. Please, proceed.

16 (Motion and vote by the Board.)

17 MS. DAVIS: I move that we accept the staff

18 Findings-of-Fact and approve the petitioner's

19 rezoning request.

09:55AM 20 MS. SINDEL: Second.

21 MR. BRISKE: Motion and a second. Any

22 discussion? All those in favor please say aye.

23 (Board members vote.)

24 MR. BRISKE: Opposed?

08:35AM 25 (None.)

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1 MR. BRISKE: The motion carries. Thank you,

2 sir.

3 (Conclusion of Z-2011-12. Transcript continues

4 on Page 63.)

5 * * *

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1 * * *

2 CASE NO: Z-2011-13

Location: 9015 Fowler Avenue

3 Parcel: 10-1S-30-1101-124-002

4 From: R-5, Urban Residential/Limited Office

District,(cumulative) High Density

(20 du/acre)

5 To: C-2, General Commercial and Light

Manufacturing District, (cumulative)

6 (25 du/acre)

FLU Category: MU-U, Mixed-Use Urban

7 BCC District: 5

Requested by: Wiley C. "Buddy" Page, Agent

8

9 MR. BRISKE: Our next case today is case

09:56AM 10 Z-2011-13, 9015 Fowler Road. A request from R-5 to

11 C-2. Charles Holt is the owner. And Buddy Page

12 will be acting as the agent.

13 Members of the Board, has there been any

14 ex parte communication between you, the applicant,

09:56AM 15 the applicant's agent, attorneys or witnesses or

16 with any fellow Planning Board members or anyone

17 from the general public prior to this hearing? I'll

18 also ask if you visited the subject property, and

19 also disclose if you are a relative, business

09:56AM 20 associate of the applicant or the agent.

21 And starting once again.

22 MS. ORAM: Once again, no to all.

23 MR. BRISKE: Thank you.

24 MR. GOODLOE: No to all.

09:56AM 25 MR. BARRY: No communication. I'm familiar

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1 with the site.

2 MR. BRISKE: Chairman, none.

3 MS. DAVIS: None for me.

4 MR. WINGATE: I just drove down the area.

09:56AM 5 MR. BRISKE: Okay. Thank you, sir.

6 Ms. Sindel.

7 MS. SINDEL: No communication, but I am

8 familiar with the site.

9 MR. BRISKE: All right. Thank you.

09:56AM 10 Staff, was the notice of the hearing sent to

11 all the interested parties?

12 MS. SPITSBERGEN: Yes, sir, it was.

13 MR. BRISKE: And was the notice also posted on

14 the subject property?

09:57AM 15 MS. SPITSBERGEN: Yes, sir, it was.

16 MR. BRISKE: All right. If there's no

17 objections from Mr. Page, we will show the maps and

18 photographs.

19 All right. Please proceed.

09:57AM 20 MS. CAIN: Z-2011-13, 9015 Fowler Avenue, from

21 R-5 to C-2.

22 This is the wetlands and locational map showing

23 that there are no wetlands on site. This is the

24 aerial view of the property. This is the future

09:57AM 25 land use and the existing land use map. This is the

TAYLOR REPORTING SERVICES, INCORPORATED

PLANNING BOARD REZONING HEARINGS - JULY 11, 2011

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1 zoning map showing the subject property is R-5, the
 2 surrounding properties R-3. This is the public
 3 notice sign as posted on the site.
 4 Looking northwest from Fowler Avenue on the
 09:57AM 5 subject property. This is looking southwest from
 6 Fowler Avenue. This is looking west across Fowler,
 7 the subject property. This is the 500 foot radius
 8 map from Chris Jones. And the mailing list.
 9 MR. BRISKE: Okay.
 09:58AM 10 MS. CAIN: That's the end of it.
 11 MR. BRISKE: Board members, any questions of
 12 the photographs or the maps?
 13 Mr. Page, if you will come forward, please.
 14 Once again, just state your name and address
 09:58AM 15 for the record.
 16 (Presentation by Wiley C. "Buddy" Page.)
 17 MR. PAGE: Mr. Chairman, Wiley Page, 5337
 18 Hamilton Lane, Pace, Florida, 32571.
 19 MR. BRISKE: Mr. Page, you were previously
 09:58AM 20 sworn in and are still under oath as part of this
 21 hearing, so we'll ask you to proceed at this point.
 22 Have you received a copy of the rezoning
 23 hearing package with the staff's Findings-of-Fact?
 24 MR. PAGE: Yes, sir.
 09:58AM 25 MR. BRISKE: All right. And do you understand
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1 that you have the burden of providing substantial
 2 competent evidence that the proposed rezoning is
 3 consistent with the Comprehensive Plan and also
 4 furthers the goals, objectives and policies of the
 09:58AM 5 Comprehensive Plan and is not in conflict with any
 6 portion of the Land Development Code?
 7 MR. PAGE: Yes, sir.
 8 MR. BRISKE: Please, proceed, Mr. Page.
 9 MR. PAGE: Mr. Chairman, this application comes
 09:59AM 10 before you this morning following several incidences
 11 where Mr. Holt had attempted to open up a web-based
 12 car sales operation on Fowler Avenue.
 13 Mr. Holt was cited for an activity that is not
 14 allowed in that area. He came down with other
 09:59AM 15 representation before this Board and presented an
 16 application request to change him to R-5. The Board
 17 granted that increase to Mr. Holt.
 18 Subsequent to that, Mr. Holt went back out
 19 understanding that that's what he needed, only to
 09:59AM 20 have another complaint filed and another notice of
 21 violation issued indicating that he really can't do
 22 that in an R-5 area.
 23 So we're back before the Board today to pick
 24 out a zoning category that will allow him to do a
 10:00AM 25 web-based auto sales business.
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1 And Mr. Chairman, with the Board's indulgence,
 2 I think it would be well to hear from Mr. Holt and
 3 one other representative in that area. And at this
 4 point, if you so allow, I would like for them to
 10:00AM 5 come forward and make a brief presentation.
 6 MR. BRISKE: Yes, sir. Mr. Page, that will be
 7 fine. And if they're not going to cover this in
 8 their comments, I would like also to know what the
 9 reliance was on how you found out that R-5 versus
 10:00AM 10 the C-2 was going to be required. In other words,
 11 was Mr. Holt informed that by a County staff member
 12 or how did he come upon the reliance of that. But
 13 I'll let you present that, but I do want to get that
 14 question answered before your presentation is over.
 10:00AM 15 MR. PAGE: Mr. Chairman, I think Mr. Holt can
 16 address that.
 17 MR. BRISKE: All right. Thank you, sir.
 18 Mr. Holt, if you'll come forward, please, sir.
 19 Good morning, sir.
 10:00AM 20 MR. HOLT: Good morning.
 21 MR. BRISKE: Please state your name and address
 22 for the record and be sworn in.
 23 MR. HOLT: Charles Holt, 9015 Fowler,
 24 Pensacola, Florida.
 10:01AM 25 (Mr. Charles Holt was sworn.)
 TAYLOR REPORTING SERVICES, INCORPORATED

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1 MR. BRISKE: Mr. Page, are you going to be
 2 asking questions or is Mr. Holt just going to give
 3 general comments?
 4 MR. PAGE: No, sir. I think he's going to give
 10:01AM 5 his presentation.
 6 MR. BRISKE: Thank you, sir.
 7 Mr. Holt, please proceed.
 8 MR. HOLT: Yes, sir. We purchased the property
 9 a little over a year ago with my intention of doing
 10:01AM 10 a web-based business. Previously, I had a big
 11 office, a big operation. I wanted to downsize, say
 12 semi retire, so I thought this was permissible.
 13 And the reason I thought this is I visited
 14 Mr. McNeal at Mustang Village, which is within our
 10:01AM 15 block. He is a licensed Florida auto dealer. He
 16 does also have a parts business. He said I'd have
 17 no problem. Being a little naive in this case, I
 18 went ahead.
 19 We had a complaint due to the fact that the
 10:01AM 20 State of Florida -- to hold my motor vehicle dealer
 21 license, I had to display a sign.
 22 I contacted a rep, not Mr. Page, and we kicked
 23 it back and forth and talked to some of the staff
 24 and felt that we would be okay with R-5. We went
 10:02AM 25 ahead and got the R-5. Did the sign.
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PLANNING BOARD REZONING HEARINGS - JULY 11, 2011

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1 Then it returned to us through the State of
 2 Florida with the outside storage issue, which due to
 3 my lack of due diligence, this was my fault, I
 4 didn't really follow up on it. I had to have the
 10:02AM 5 outside storage.
 6 We do not display cars. If anybody went --
 7 it's a web-based business. If anybody were to come,
 8 it would be by appointment only. They're all kept
 9 -- you saw pictures -- we have a privacy fence with
 10:02AM 10 even no trespassing signs on it. So we're not
 11 trying to attract walk up traffic, that's not what
 12 we do. We want to comply where we continue this
 13 web-based business and try to make everybody happy.
 14 We have spent lots of time and lots of dollars
 10:03AM 15 upgrading this property, and lots of dollars right
 16 here in this process. So I would like to get to the
 17 C-2 zoning so hopefully we don't have to come back
 18 and we can comply.
 19 MR. BRISKE: Okay. You mentioned that you had
 10:03AM 20 relied on information from the staff but then your
 21 business plan changed slightly and you added some
 22 additional requirements?
 23 MR. HOLT: Well, no. I didn't realize -- we
 24 rarely keep vehicles on site. But according to the
 10:03AM 25 State of Florida -- and I discussed that with staff
 TAYLOR REPORTING SERVICES, INCORPORATED

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1 and we were -- but according to the State of
 2 Florida, I have to hold a Florida dealer's license,
 3 which presently I do not hold. I did give it up
 4 because of this problem.
 10:03AM 5 We have to have space to park four cars. Well,
 6 I knew we had space, but I thought we were okay
 7 there. But we can't because of the R-5 zoning and
 8 the outside storage, we can't keep them there, which
 9 the State of Florida -- their designation to hold
 10:04AM 10 this license is you had to be able to store at
 11 least, I believe it's four cars on the property.
 12 MS. SINDEL: Mr. Chairman.
 13 MR. BRISKE: Yes, ma'am.
 14 MS. SINDEL: It sounds to me, and please feel
 10:04AM 15 free to correct me, that what you're doing is more
 16 what we consider fleet sales. I mean, you're not a
 17 car dealer, but you do have cars on site versus -- I
 18 know you were discussing the fact that it's a
 19 web-based business --
 10:04AM 20 MR. HOLT: Right.
 21 MS. SINDEL: -- but I think quite often when
 22 people hear web based they're not considering the
 23 fact that you have on-site products. You're doing
 24 car sales or fleet sales web based, but do you store
 10:04AM 25 an actual product on site for people to come
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1 purchase?
 2 MR. HOLT: Possibly. We do --
 3 MS. SINDEL: Let me rephrase that.
 4 MR. HOLT: Okay.
 10:04AM 5 MS. SINDEL: Are you storing -- if I buy from
 6 you online, are you simply acquiring the product I
 7 bought and storing it for me to come pick it up --
 8 MR. HOLT: No, ma'am.
 9 MS. SINDEL: -- or are you storing it where I
 10:04AM 10 can walk up and buy it?
 11 MR. HOLT: We would own that, but a lot of
 12 times we -- because we don't retail, if we have
 13 automobiles, we will place them with a dealer that
 14 is a retail dealer while we advertise them on the
 10:05AM 15 internet, and/or at either Pensacola Auto Auction or
 16 the American Auto Auction at the fairgrounds. So we
 17 may have a max of five vehicles that we would own.
 18 We would probably have no more than one or two on
 19 site at that time -- at each time.
 10:05AM 20 MS. SINDEL: Are these brought in by trailer?
 21 MR. HOLT: Well, they're usually bought either
 22 at an auction or somewhere. Possibly could be
 23 brought in on a trailer, yes, ma'am.
 24 MS. SINDEL: Thank you.
 10:05AM 25 MS. DAVIS: Mr. Chairman, may I ask. Are they
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1 your cars? Do you own them?
 2 MR. HOLT: Yes, ma'am. The business owns them.
 3 MR. BRISKE: Okay.
 4 MR. BARRY: Can we get a response from the
 10:05AM 5 County staff about Mr. Holt's statement about the
 6 previous?
 7 MR. BRISKE: Yes, we'll get that.
 8 Mr. Page.
 9 MR. PAGE: Yes, sir.
 10:06AM 10 MR. BRISKE: Anymore questions or did you wish
 11 to do anymore examination of Mr. Holt as a witness
 12 at this point?
 13 MR. PAGE: No, sir.
 14 MR. BRISKE: Mr. Holt, if you'll just step to
 10:06AM 15 the side there and we'll bring you back in just a
 16 moment, please.
 17 State your name and address, please.
 18 MR. JONES: Horace Jones, division manager.
 19 (Testimony by Horace Jones.)
 10:06AM 20 MR. JONES: Yes. We have had several meetings
 21 with Mr. Holt along with some Code Enforcement. And
 22 at the time of the R-5 zoning, we were lead to
 23 believe that, basically, this what going to be a
 24 home-based occupation where he would just have an
 10:06AM 25 office there. Therefore, he was given an
 TAYLOR REPORTING SERVICES, INCORPORATED

PLANNING BOARD REZONING HEARINGS - JULY 11, 2011

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1 opportunity to come to the rezoning and apply for an
 2 R-5, which R-5 does allow for that particular type
 3 of office.
 4 But then we were told again by Code Enforcement
 10:06AM 5 that there was, as Ms. Sindel alluded to, there were
 6 some cars being stored on site, so, therefore --
 7 whether it was periodically or one or two. So,
 8 therefore, Code Enforcement went out again -- and I
 9 think based upon a complaint -- and we met with
 10:07AM 10 Mr. Holt, again. And we told him, well, because of
 11 that aspect, you would need to, again, apply for a
 12 C-2 zoning, because a C-2 does allow for outside and
 13 it does allow for car sales.
 14 We did have several meetings with Mr. Holt. We
 10:07AM 15 discussed this issue very thoroughly with him. It
 16 was a very unanimous decision that even in an R-5
 17 you cannot have that type of use there because it
 18 does not allow for sales. It's just got to be an
 19 office.
 10:07AM 20 I finally told him that basically that after
 21 the R-5 was granted they needed to come through the
 22 DRC process to get the office -- meeting all of the
 23 office performance standards.
 24 But after that, the other citation was brought
 10:08AM 25 upon him. That's when we told him, again,
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1 basically, this does require -- and we've had --
 2 again, the conversation was stated over and over
 3 again with Mr. Holt, even with Code Enforcement
 4 present, and so we did discuss this issue with him.
 10:08AM 5 MS. SINDEL: Mr. Chairman.
 6 MR. BRISKE: Ms. Sindel.
 7 MS. SINDEL: Let's discuss a comment that you
 8 just made. I want to really make sure we're clear
 9 on this. R-5, when it comes to sales, it is a
 10:08AM 10 home-based business. If I see the sign out front
 11 and I want to walk in and there's no product
 12 anywhere on site, but Mr. Holt said, absolutely have
 13 a seat, and we can go online and find you a car,
 14 that is sales, but it's sales without on site
 10:08AM 15 product and that is allowed in R-5?
 16 MR. JONES: R-5 does allow for office type
 17 uses, yes.
 18 MS. SINDEL: So you can do sales in R-5, you
 19 just cannot do sales and store a product outside?
 10:08AM 20 MR. JONES: Yes.
 21 MS. SINDEL: If he were selling sunglasses and
 22 had them inside the building in R-5, is that okay?
 23 MR. JONES: Whatever the requirements for
 24 office setting -- if he has customers coming -- that
 10:09AM 25 once he gets site plan approval with meeting all the
 TAYLOR REPORTING SERVICES, INCORPORATED

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1 performance standards for the adequate parking,
 2 handicap parking, all of those things, he could be
 3 permitted and allowed and granted a development
 4 order meeting all those standards for an office.
 10:09AM 5 And if customers are coming there acquiring and
 6 doing things there -- but, basically, no type of
 7 auto sales or office or outside storage is allowed
 8 in R-5 uses.
 9 MS. SINDEL: So you can do sales but you have
 10:09AM 10 to be ADA compliant, you have to meet certain
 11 restrictions if you're going to sell a product? And
 12 I'm not talking about outside sales --
 13 MR. JONES: Yes.
 14 MS. SINDEL: -- I'm talking about if you're
 10:09AM 15 selling little bitty widgets that you can store in
 16 the closet?
 17 MR. JONES: Yes. Professional offices, yes.
 18 MS. SINDEL: You have to meet certain
 19 protocols.
 10:09AM 20 MR. BRISKE: Hold on just a moment. Let's make
 21 sure that we get everything on the record here.
 22 State your name and your position, please.
 23 (Testimony by Lloyd Kerr.)
 24 MR. KERR: Lloyd Kerr, director of Development
 10:10AM 25 Services. I just wanted to make a point of
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1 clarification on Ms. Sindel's comments. And I think
 2 Mr. Jones was getting to it, but it's professional
 3 offices. Retail sales are not permitted in R-5,
 4 retail sales of any kind, regardless of whether you
 10:10AM 5 come into an office and buy a widget. That is
 6 considered retail sales and that would not be
 7 permissible. The offices that are permitted in an
 8 R-5 are professional type offices, an insurance
 9 agent, an architect, those sorts of -- types of
 10:10AM 10 professional services. But retail sales of any kind
 11 there's a minimum you have to at least to be an R-6
 12 zone before you could do that. And, of course,
 13 outside sales or an outside storage would also be
 14 prohibited. Home offices are permitted or
 10:11AM 15 standalone offices are permitted in R-5.
 16 MS. SINDEL: Thank you.
 17 MR. BRISKE: Mr. Wingate first and then
 18 Mr. Barry. Go ahead, sir.
 19 MR. WINGATE: What I'm hearing here is if he is
 10:11AM 20 in an automobile sales business, whether it's online
 21 or whatever, at some point there will be a transfer
 22 or delivery. And in the State of Florida, having an
 23 automobile license, you've got to be in a commercial
 24 zone with a C-2 to do the automobile business. In
 10:11AM 25 other words, he can't say, well, I'm in the house
 TAYLOR REPORTING SERVICES, INCORPORATED

PLANNING BOARD REZONING HEARINGS - JULY 11, 2011

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1 doing this, but some way he's going to have to take
 2 delivery at some point. So if a person comes in and
 3 takes delivery, even though -- that makes him a
 4 licensed dealer, but if he's not -- it seems like
 10:11AM 5 there is some conflict at some point, when a person
 6 buys a car, no matter where they buy it from,
 7 they're going to want a point of delivery. And the
 8 point of delivery for that automobile dealer -- for
 9 that automobile person that sold it to you must be
 10:12AM 10 C-2 or at least R-6; am I correct?
 11 MR. KERR: I think that you are correct. If an
 12 order for -- the only activity that would be
 13 permitted within that R-5 would be that activity
 14 that would be able to be done inside of the office.
 10:12AM 15 If he's taking delivery of goods at the location,
 16 then I would say that puts it into a little
 17 different category. And if he's storing the
 18 vehicles there, then I think that takes a little bit
 19 of a different -- takes it into a little bit of a
 10:12AM 20 different category.
 21 That's probably a very fine line. I think it
 22 would really depend on exactly the activity, exactly
 23 what happens. I mean, I think it is possible for
 24 him to take delivery of a vehicle, sign for it and
 10:13AM 25 then drive it off the lot and go somewhere else to
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1 store the vehicle. I think that's permissible. But
 2 if he were to take delivery of a vehicle and the
 3 vehicle were to remain there any period of time,
 4 then I would say that that would cross into the
 10:13AM 5 outdoor sales, outdoor storage possibly even.
 6 MR. BRISKE: Mr. Barry.
 7 MR. BARRY: I have a question for Mr. Page.
 8 MR. BRISKE: Mr. Page, please come to the
 9 microphone. Thank you, sir.
 10:13AM 10 MR. BARRY: Was the C-2 the only option? With
 11 a full understanding of Mr. Holt's business now, was
 12 that the only option that you -- was it the most
 13 appropriate option, was it the only option that
 14 staff gave him?
 10:13AM 15 MR. PAGE: Mr. Chairman, in response the C-2
 16 was what staff had indicated to him. I suggested to
 17 him if you wanted to do away with any Code
 18 Enforcement actions perhaps in the future he needed
 19 to have C-2, which clearly allows outside storage.
 10:14AM 20 And he has the room for that paved in the rear of
 21 the building.
 22 MR. BARRY: Okay. Thank you.
 23 MR. BRISKE: Question for staff. It's not
 24 really too relevant to this, but you said there was
 10:14AM 25 another property, the Mustang shop or something like
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1 that --
 2 MR. HOLT: The Mustang Village, yes, sir.
 3 MR. BRISKE: -- where there was a similar
 4 property. Is that just a nonconforming use that is
 10:14AM 5 there or do we know?
 6 MR. HOLT: I believe it was grandfathered in,
 7 is what I was told. They've been there a lot of
 8 years.
 9 MR. KERR: I don't know the specifics on that,
 10:14AM 10 Mr. Chairman, and really would not be able to
 11 comment on that.
 12 MR. BRISKE: Right. I was trying to get an
 13 idea of what the surrounding uses were.
 14 MR. PAGE: Mr. Chairman, I think I'm going to
 10:14AM 15 cover that in a Powerpoint.
 16 MR. BRISKE: Okay, Mr. Page. I will ask that
 17 anyone who speaks -- let's keep this in order and
 18 come to the microphone. We have a court reporter
 19 recording verbatim here so we have to make sure we
 10:15AM 20 get everything on the record.
 21 Mr. Barry, did you have something else?
 22 MR. BARRY: No, sir.
 23 MR. BRISKE: Board members, anymore questions
 24 at this point for Mr. Holt? Obviously, they'll have
 10:15AM 25 a chance to rebut.
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1 MS. SINDEL: Not at this time.
 2 MR. BRISKE: Mr. Page, please proceed.
 3 MR. PAGE: Mr. Chairman, we've heard a number
 4 of references to the operation, how it is going to
 10:15AM 5 potentially move forward, describing the impacts in
 6 the immediate neighborhood. The neighbor that is
 7 most affected by this is the one who walks out his
 8 front door and looks straight across. If the land
 9 use map were up, again, I could show you where he
 10:15AM 10 is. He is directly across. He is the only house --
 11 he's -- you can't see it on yours, but he is right
 12 here. He is just west or just east of the word
 13 avenue. And he is the only house across the street
 14 that faces this piece of property. The other house
 10:16AM 15 across the street faces due north and they have a
 16 solid fence on the Fowler Street side.
 17 Mr. Chairman, that home is owned by Mr. Bud
 18 Arnold, who is here, who wanted to make a brief
 19 statement to the Board.
 10:16AM 20 MR. BRISKE: Okay.
 21 MR. PAGE: Mr. Arnold.
 22 MR. BRISKE: Is Mr. Arnold being called as a
 23 witnesses?
 24 MR. PAGE: Yes, sir.
 10:16AM 25 MR. BRISKE: Mr. Arnold, please state your name
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1 and address and be sworn in, sir.
 2 MR. ARNOLD: Clifton Arnold. 9010 Fowler
 3 Avenue, Pensacola, Florida.
 4 (Clifton Arnold was sworn.)
 10:16AM 5 MR. BRISKE: Yes, sir. Please, proceed.
 6 MR. ARNOLD: Yes. The house across the street
 7 from me has come up from where it was at. It used
 8 to be more of a drug house than anything else. The
 9 man has come in there and did wonders to it compared
 10 to what it was.
 11 I've got no complaints whatsoever. I don't see
 12 no cars. Every once in awhile you'll see a car
 13 there. But there's a privacy fence up in there to
 14 where you cannot see it. But to me, it's helped the
 10:17AM 15 community a whole lot.
 16 MR. BRISKE: Okay. Mr. Page, did you have
 17 other questions for this witness?
 18 MR. PAGE: Yes. Mr. Arnold, could you describe
 19 to the Board what you see when you walk out your
 10:17AM 20 front door and look across the street in terms of
 21 the visual appearance, landscaping and so forth?
 22 MR. ARNOLD: It's fine. It's beautiful.
 23 Better than mine, I hate to say it.
 24 MR. PAGE: Thank you.
 10:17AM 25 MR. BRISKE: All right. Board members, any
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1 questions of this witness?
 2 MS. SINDEL: No, thank you.
 3 MR. BRISKE: Thank you, Mr. Arnold. Mr. Page.
 4 MR. PAGE: Mr. Chairman, in looking at the
 10:17AM 5 criteria, to run through that very quickly.
 6 Criterion (1), consistency with the Comprehensive
 7 Plan. The staff does indicate that we are
 8 consistent with that.
 9 One of the continuing questions that always
 10:18AM 10 seems to come up, in my mind, anyway, is when
 11 statements are made, as it is under the findings,
 12 under Criterion (1), of the residential nature of
 13 the surrounding properties. Surrounding
 14 proprieties, we never really know how far that goes
 10:18AM 15 out to surround. Adjacent would mean properties
 16 right next door. Surrounding properties, when you
 17 think of the County's 500 foot notification, ground
 18 measurement device, that takes in a considerable
 19 amount. So we continue to wonder about the nature
 10:18AM 20 of the surrounding properties, that particular word.
 21 We sure would like to see that defined at some
 22 point. So they think we are consistent with the
 23 staff's recommendation, Mr. Chairman, for Criterion
 24 (1).
 10:18AM 25 Criterion (2), consistency with the Land
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1 Development Code. The Land Development Code, in
 2 requesting a C-2 category, one of the concerns that
 3 always comes up is the broad things that can be used
 4 under the C-2 listing.
 10:19AM 5 One of these is Item Number 20, which includes
 6 a lot of activities generally associated as adult
 7 entertainment, liquor stores, those types of things.
 8 The County rule says that if there is a religious
 9 institution within a quarter mile then none of those
 10:19AM 10 activities are allowed. I will show you shortly a
 11 presentation that there is a church within that
 12 distance which precludes and eliminates all of the
 13 things of concern in terms of adult activities and
 14 so forth that continually come up, only because car
 10:19AM 15 sales happens to be put into that C-2 category.
 16 The findings that the staff has regarding this,
 17 one of the criteria is the locational criteria. The
 18 locational criteria that we turned in originally,
 19 there was some comment and concern about the width
 10:20AM 20 of the right-of-way for Nine Mile Road and the width
 21 of the right-of-way for the southerly boundary road,
 22 which is on the southerly end. Mr. Chairman, what
 23 we did was to go back and review that. And we have
 24 compiled a revised compatibility analysis that I
 10:20AM 25 would like to submit to the Board as evidence item
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1 whatever, at this point, if I could.
 2 MR. BRISKE: If you'll submit it to our staff
 3 there. And then let's get a copy to each one of the
 4 Board members here. The Chair will ask that you
 10:21AM 5 review the document that we will consider bringing
 6 into evidence as Applicant's Exhibit Number 1. The
 7 Chair will entertain a motion for that.
 8 MS. SINDEL: So moved.
 9 MR. WINGATE: Second.
 10:21AM 10 MR. BRISKE: A motion and a second to bring in
 11 the revised compatibility analysis as the
 12 Applicant's exhibit. All these in favor say aye.
 13 (Board members vote.)
 14 MR. BRISKE: Opposed.
 10:21AM 15 (None).
 16 MR. BRISKE: All right. This will be marked as
 17 Applicant's Exhibit 1.
 18 (Applicant's Exhibit 1, Revised Compatibility
 19 Analysis, was identified.)
 10:21AM 20 MR. BRISKE: All right. Mr. Page, go ahead.
 21 MR. PAGE: Mr. Chairman, in this analysis we
 22 took a look at the 14 lots that are located on the
 23 west side of Fowler between Nine Mile Road and Bush
 24 Street on the south. As you might well understand,
 10:21AM 25 quarter sections and half sections in Escambia
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1 County are measured generally from centerline to
 2 centerline. The map that you see shows exactly one
 3 mile from Nine Mile Road to Bush. Halfway -- the
 4 halfway point is actually on the parcel of property
 10:22AM 5 just north of the subject property that we're here
 6 about today. It's owned by Ms. Werhan. And I'll
 7 get into more details about that.
 8 MR. HOLMER: Excuse me. Mr. Page, do you want
 9 me to pull up the presentation?
 10 MR. PAGE: Pardon me?
 11 MR. HOLMER: This presentation that you
 12 submitted.
 13 MR. PAGE: Let's see.
 14 MR. HOLMER: Do you want me to pull that?
 15 MR. PAGE: Yes. If you could, pull that up,
 16 please.
 17 MR. BRISKE: Mr. Page, I failed to ask you if
 18 you wish to be qualified as an expert in this case,
 19 so I think we need to go through that process to
 10:22AM 20 make sure that is part of our record here.
 21 Members of the Board, you've previously been
 22 provided with Mr. Page's qualifications in the area
 23 of expertise for land use for Escambia County. Are
 24 there any questions of the Board to qualify Mr. Page
 10:23AM 25 as an expert witness in this area?
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1 MS. DAVIS: No.
 2 MS. SINDEL: No.
 3 MR. BRISKE: The Chair will entertain a motion.
 4 MS. DAVIS: I so move that we will qualify him
 10:23AM 5 as an expert in land use.
 6 MR. BARRY: Second.
 7 MR. BRISKE: A motion and a second. Any
 8 discussion? All those in favor say aye.
 9 (Board members vote.)
 10:23AM 10 MR. BRISKE: Opposed.
 11 (None.)
 12 MR. BRISKE: The motion carries. Mr. Page, I
 13 will qualify you as an expert in this case on the
 14 area of land use. All right, sir.
 10:23AM 15 MR. PAGE: Thank you, Mr. Chairman.
 16 MR. BRISKE: I just wanted to make sure we got
 17 that on the record.
 18 MR. PAGE: Thank you. Mr. Chairman, as noted
 19 in our revised compatibility analysis, we are
 10:23AM 20 looking at properties and attempting to establish
 21 the fact that there are over 50 percent of the
 22 properties on the west side of Fowler between Nine
 23 Mile and Bush that are either zoned and/or used for
 24 commercial type of activities.
 10:23AM 25 In the summary you see, as far as the footage
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1 requirements go, at the bottom, the Lowe's property,
 2 which has several out parcels, that totals from the
 3 property appraiser's office a distance of 775 feet.
 4 The next property listed is Curly. Those of
 10:24AM 5 you that have been by the property notice that there
 6 is a -- it's a goat farm. Mr. Curly raises and
 7 sells goats and goat milk.
 8 The next piece of property is owned by Werhan.
 9 The next piece by Mr. Holt himself. And then
 10:24AM 10 jumping way down to Mustang Village at 300 feet.
 11 Those are all the footages of 1,818. In dividing
 12 that out it comes out to greater than 72 percent.
 13 Mr. Chairman, I would like to submit a couple
 14 of other documents here, too, if I can. I mentioned
 10:24AM 15 on that list the name of Werhan with 187 feet of
 16 frontage.
 17 Ms. Werhan is a jewelry maker. She lives
 18 adjacent and next door on the north side of
 19 Mr. Holt's property. I have copies of her business
 10:25AM 20 tax receipt renewal, which used to be a business
 21 license, is what it was formally titled. And I
 22 would like to submit that, together with Mustang
 23 Village, which is to the south, as we mentioned,
 24 with 300 feet of frontage. They are also on the
 10:25AM 25 list. That's owned by Mr. Bob McNeal, and he has
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1 been there, according to the records here, since
 2 1980.
 3 So these are two adjacent pieces of property,
 4 Mr. Chairman, that I do have documentation on that
 10:25AM 5 show that the property is being used for something
 6 in addition to residential, and I would like to
 7 submit those for the record.
 8 MR. BRISKE: Mr. Page, are you bringing those
 9 in individually or as a collective exhibit?
 10:26AM 10 MR. PAGE: The pleasure of the Board. I could
 11 do them individually, but if you want to
 12 collectively look at them, I have a collective
 13 total.
 14 MR. BRISKE: Okay. Let's bring them in
 10:26AM 15 collectively as -- and how many pages are there?
 16 MR. PAGE: Well, each one of them is only just
 17 a single page.
 18 MR. BRISKE: Okay. So total pages? I just
 19 want to make sure we get the exhibit correctly
 10:26AM 20 marked.
 21 MR. PAGE: Two.
 22 MR. BRISKE: Two pages. So Applicant's Exhibit
 23 Number 2 will collectively include two pages. And
 24 if you'll please submit them to the staff.
 10:26AM 25 Pressure of the Board to accept as additional
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1 evidence, Applicant's Exhibit 2, which is two pages.
 2 MR. GOODLOE: So moved.
 3 MS. SINDEL: Second.
 4 MR. BRISKE: All those in favor say aye.
 5 (Board members vote.)
 6 MR. BRISKE: Opposed.
 7 (None.)
 8 MR. BRISKE: All right. They will be marked as
 9 Applicant's Exhibit 2, two pages.
 10 (Applicant's Exhibit 2, Business Tax Receipt
 11 Renewal, was identified.)
 12 MR. BRISKE: Go ahead, Mr. Page.
 13 MR. PAGE: Mr. Chairman, I do not have
 14 competent and substantial evidence to present to the
 15 Board regarding Mr. Curly's goat farm, his sell of
 16 goats and milk. Mr. Curly is an elderly gentleman.
 17 And he does not have a business licenses. He has
 18 been doing this probably for somewhere greater than
 19 20 years. He did express some concern about his
 20 land being rezoned. I tried to indicate to him that
 21 we simply wanted to be able to say that he has been
 22 operating the sell of goats for something greater
 23 than ten years. He concurred with that and hoped
 24 that Code Enforcement would not be out to see him.
 25 Mr. Chairman, we used Mr. Curly in our
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1 calculations, as you can see. If you remove
 2 Mr. Curly of 430 feet, we are still greater than 60
 3 percent in attempting to show that we have complied
 4 with Section 7.20.03.B.
 5 So Mr. Chairman, that is the summary of our
 6 revised compatibility analysis. We have changed the
 7 figures of the width of that block to represent --
 8 as you know, it would be 2,640, half of a --
 9 one-half of a mile. And then you take away 100 feet
 10 for the right-of-way of Nine Mile Road, 25 feet or
 11 half of the right-of-way of Bush, and that nets out
 12 at 2,515 feet.
 13 MR. BRISKE: Staff members, any questions of
 14 Mr. Page on the revised compatibility analysis?
 15 MS. DAVIS: Yes, I do have a question. Are
 16 they all zoned R-3, or what are they zoned, these
 17 people that we're talking about?
 18 MR. PAGE: I think they are all zone from --
 19 with the exception of Mr. Holt, of course, who is
 20 R-5, I think everything else is zoned R-3.
 21 MS. DAVIS: How would this change -- I'm asking
 22 you, Mr. Kerr -- how would this change if we rezoned
 23 it to R-6, would that impact at all?
 24 MR. KERR: Well, he would not be able to -- the
 25 least zoning he would have to have would be C-1,
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1 which allows for a used car lot with a conditional
 2 use. So zoning it to R-6 probably would not -- if
 3 Mr. Holt needs to store the vehicles on his
 4 property, then that would be -- then that's
 5 certainly not going to help him.
 6 And I guess the only question that I would have
 7 on this analysis is whether or not -- my
 8 understanding is that Mr. Curly, Mr. or Ms. Werhan
 9 are both zoned R-3. And are those -- do they have
 10 residences there? I'm just curious on that.
 11 Because I think these may be home-based businesses
 12 which aren't really considered commercial uses. The
 13 primary use is of residential versus commercial.
 14 And I just had that question of Mr. Page.
 15 MR. BRISKE: Okay. Lloyd, I would ask, and all
 16 staff members, please, each time that you speak, if
 17 you'll just say your name first so that we can get
 18 all this on the record.
 19 Mr. Page, would you like to respond to
 20 Mr. Kerr's question?
 21 MR. PAGE: Yes, sir, Mr. Chairman. Under
 22 7.20.03.B, it indicates any properties zoned
 23 commercial or used for commercial purposes. It
 24 doesn't say used for commercial and may be a home or
 25 used for commercial and may be an RV, it just simply
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1 says the property is used commercially. And it is.
 2 MR. BRISKE: Drew, can we please bring that up
 3 so that the Planning Board members can review it?
 4 MR. HOLMER: Yes, sir.
 5 MR. BRISKE: Would you give the section again
 6 that you were referring to, Mr. Page.
 7 MR. PAGE: Yes, sir.
 8 MR. BRISKE: Ms. Sindel, when you're through
 9 reviewing the exhibits, if you'll send them back
 10 this way. I want to try to keep them all in order
 11 here. I'm going to keep them all together until the
 12 end so I can refer back to them.
 13 Okay. Let's make sure what we've got here.
 14 Now, staff, are you bringing this in as an exhibit
 15 to your case?
 16 MR. HOLMER: It's just a reference. That is a
 17 page from the Land Development Code, the Section
 18 7.20.03.B, refers to the infill development. This
 19 is the section Mr. Page is referring to.
 20 MR. BRISKE: Since this is a County code, we
 21 will not bring it in as evidence. It will be
 22 referenced in the record that a document was handed
 23 to the Planning Board for clarification so they
 24 could read it themselves, but it is part of the
 25 County code already.
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1 MR. PAGE: Mr. Chairman, could I have a copy of
 2 that, too, please?
 3 MR. BRISKE: Yes, sir. Please provide Mr. Page
 4 with that. It appears to be the most current LDC
 10:32AM 5 section that Drew referred to. Go ahead, sir.
 6 MR. PAGE: Mr. Chairman, in what's being passed
 7 out under 7.20.03.B, infill development, in areas
 8 where over 50 percent of a block is either zoned or
 9 used for commercial development, that was my
 10:32AM 10 reference.
 11 MR. BRISKE: Okay. That will be the first
 12 sentence there.
 13 Drew, did you wish to put anything else on the
 14 record for that?
 10:33AM 15 MR. HOLMER: No, sir.
 16 MR. KERR: Mr. Chairman, if I may. Lloyd Kerr,
 17 Development Services. It sounds to me like Mr. Page
 18 is making the argument that home occupations will be
 19 considered commercial uses. And I would dare say
 10:33AM 20 that the Board would not recommend approval of a
 21 petition where you had an R-1 subdivision where you
 22 may have 50 percent of a block of R-1 -- in an R-1
 23 subdivision where the members or the owners of those
 24 homes were involved in home based businesses, that
 10:33AM 25 that would be considered a commercial use, and,
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1 therefore, eligible for the waiver of the locational
 2 criteria.
 3 Certainly the Board has the authority to do
 4 that if they would like to recommend that waiver,
 10:33AM 5 but home-based businesses, I believe, are intended
 6 and have been considered not being considered
 7 commercial uses in the sense that -- for application
 8 in this particular case.
 9 MR. BRISKE: Mr. Kerr, you, I think, previously
 10:34AM 10 stated that the sale of retail type products was
 11 prohibited in that, and so is that consistent with
 12 what you're saying now? Because I think Mr. Page's
 13 testimony was that there was retail sales happening
 14 in these locations.
 10:34AM 15 MR. KERR: I think it's still consistent. We
 16 don't have any evidence, if you will, that that
 17 activity is going on. And we're basing this simply
 18 on the zoning and on what we understand to be the
 19 use. But I don't -- he's not produced any evidence
 10:34AM 20 except for the testimony of -- his testimony, but we
 21 don't have original testimony from property owners
 22 as to what type and to what extent they operate
 23 their businesses.
 24 MR. BRISKE: Yes, sir. Thank you.
 10:34AM 25 Mr. Page.
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1 MR. PAGE: Mr. Chairman, the competent and
 2 substantial evidence threshold, I believe, has been
 3 produced to you by a copy of the license. If
 4 Mr. Kerr is interested in how many goats are being
 10:35AM 5 sold or how much jewelry is actually being sold off
 6 of the front porch, perhaps those types of detail
 7 requirements should be part of the Land Development
 8 Code.
 9 The Land Development Code simply says
 10:35AM 10 commercial or commercial uses. If the notion that a
 11 commercial use is something that has to be greatly
 12 quantified, then the Land Development Code should
 13 spell that out for us. We're attempting to comply
 14 with exactly what the requirement says. And I think
 10:35AM 15 we've done that. I think we have produced both of
 16 those. Even in the absence of Mr. Curly's goat
 17 farm, we still are in excess of that 50 percent
 18 requirement. This Board approved that language, and
 19 that's simply the language that we're going by.
 20 MR. KERR: Mr. Chairman, if I may.
 21 MR. BRISKE: Yes, sir, Mr. Kerr.
 22 MR. KERR: Lloyd Kerr, Development Services.
 23 And I would just caution the Board that if you were
 24 to agree with his application of commercial uses as
 10:36AM 25 being those of home-based businesses, then the
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1 scenario that I presented to you a few moments ago,
 2 I think it would be very difficult for you to argue
 3 against recommending approval of the zoning based --
 4 utilizing that argument, that home-based businesses
 10:36AM 5 are considered commercial.
 6 And the ordinance is very specific on what is
 7 permitted in home-based business. I don't know
 8 whether or not these people are following those
 9 specific criteria. I don't have all of them in
 10:36AM 10 front of me.
 11 But I think what really is at issue here is
 12 whether or not he meets the locational or the infill
 13 requirement, whether 50 percent of that or greater
 14 of that block is zoned or being used as commercial
 10:36AM 15 properties. And I would -- I believe that if those
 16 properties were taken out of this, then I think our
 17 calculation is going to be -- I haven't done the
 18 calculation. I want to ask that you do that -- or
 19 Drew, have you done that?
 20 MR. HOLMER: I would like to clarify something
 21 regarding the measurements, if I may. We have two
 22 separate things going on with the measurements, the
 23 first being the section measurements.
 24 What I've got here on the screen, this is the
 10:37AM 25 County -- this is a section map. This section,
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1 Section 10, Township 1 South, Range 30 West, is
 2 broken into two halves. The section line to section
 3 line is 5,280 feet, one mile. A half section, as
 4 Mr. Page said, is 2,640. And what we have here is
 10:37AM 5 that north half of that section. Our subject
 6 property is right here. This unopened right-of-way
 7 down here at Bush Street is where our half line
 8 comes.
 9 Now, to clarify the measurement. While the
 10:38AM 10 sectional line is out there in the midst of that --
 11 in the middle of that right-of-way, our Land
 12 Development Code in this section here, this section
 13 that you have, defines the block as road frontage on
 14 one side of the street between the two
 10:38AM 15 rights-of-way. The way we measure that is from this
 16 parcel corner here -- not out to the road centerline
 17 -- from section corner down to this section corner,
 18 which gives us 2,505 feet. It's from those
 19 measurements then that staff would begin deducting
 10:38AM 20 the commercial zoning along that side.
 21 The goats in question -- staff did observe the
 22 goats on a site visit. The goats are confined to a
 23 pen up on this sliver here of this R-3 property,
 24 something along the lines of -- we'll give it 50
 10:39AM 25 feet. There were no goats observed in the rest of
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1 that entire chunk of property. There were maybe a
 2 half dozen out there. There was nothing to indicate
 3 to staff on that visit that there was a goat farm of
 4 sorts or sales.
 10:39AM 5 MR. BRISKE: Is that all one parcel that you're
 6 referring to there?
 7 MR. HOLMER: Yes, sir, it is. That is the -- I
 8 don't have their name.
 9 MR. BRISKE: You're stating that the goats were
 10:39AM 10 contained in one portion of the parcel; is that
 11 correct?
 12 MR. HOLMER: Yes, sir. I'm showing that parcel
 13 as being 429 feet along the front. The section that
 14 staff observed the goats just penned up in the yard
 10:39AM 15 there was approximately the northern 50 feet, not
 16 the entire parcel. That's just from our observation
 17 going out there and driving along.
 18 MS. SINDEL: Mr. Chairman.
 19 MR. BRISKE: Ms. Sindel.
 10:40AM 20 MS. SINDEL: I have a question for Mr. Kerr.
 21 Mr. Kerr, when a citizen files for a business
 22 license with the County, are you contacted or is
 23 your department contacted to confirm that that
 24 business is, for lack of a better term, allowed
 10:40AM 25 legal in specific zoning?
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1 MR. KERR: No, we are not.
 2 MS. SINDEL: So you have -- someone could apply
 3 for a business license selling whatever they want to
 4 or doing whatever they want to and until it,
 10:40AM 5 perhaps, becomes a Code Enforcement issue or a
 6 problem, you really don't know who holds a business
 7 license on that street or what the business is?
 8 MR. KERR: That's absolutely correct. It's not
 9 until -- that it's generally not until we have a
 10:40AM 10 code enforcement issue, and then we'll -- that --
 11 MS. SINDEL: And the fact that someone holds a
 12 business licenses doesn't actually mean that they
 13 are doing that business. They could, for whatever
 14 reason they want to, have that license, it doesn't
 10:41AM 15 mean that they -- we have no way of proving that
 16 unless you send someone from Code Enforcement to go
 17 and knock on the door, I mean, we don't really know
 18 what they're doing?
 19 MR. KERR: That's correct.
 10:41AM 20 MS. SINDEL: If it's not obvious. I think
 21 we've said the word goat enough today.
 22 MR. BRISKE: Mr. Wingate.
 23 MR. WINGATE: Mr. Chairman, I was just looking
 24 at this. And I'm always one of the ones that see
 10:41AM 25 how can we help to do this. But I have not been
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1 able to see a solution at this point. We look at
 2 the infill way, but that don't seem to give a
 3 solution there. Because, in other words, if we did
 4 do that, that would create -- and you look at
 10:41AM 5 Criterion (6), that would create, you know, I think
 6 one of the favorite words that's been around, spot
 7 zoning. And the only solution that I see here is
 8 looking from Nine Mile Road back to the number that
 9 Mr. Page has brought, and then looking at the
 10:42AM 10 existing -- what's happening in the area. If you
 11 drive through that area, there is other commercial
 12 businesses along Fowler if you came from Detroit
 13 back up that way. But you have the Mustang man, the
 14 Mustang business. You have the goats and then
 10:42AM 15 you've got some vacant property and you've got some
 16 residential.
 17 And then looking at the criteria it says --
 18 what it says in the findings of R-6, I don't see
 19 what the criteria that requires an automobile
 10:42AM 20 dealership -- I mean an automobile sales. I don't
 21 see -- if we did it, it still would probably put us
 22 in a position where we're doing site specific
 23 zoning, or a better word, spot zoning.
 24 MR. BRISKE: Thank you, Mr. Wingate. If I
 10:43AM 25 could ask Drew, if you would please bring up the
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1 home-based business list that was referred to. In
 2 our effort for due diligence here, I want to make
 3 sure that we get everything on record so that the
 4 Board members have an opportunity to review those
 10:43AM 5 businesses.

6 MR. HOLMER: I'm sorry.

7 MR. BRISKE: Please give a full description of
 8 what we're talking about here for the record.

9 MR. HOLMER: Are you referring to the permitted
 10:43AM 10 uses for R-5 or --

11 MR. BRISKE: Mr. Kerr referred to permitted
 12 home-based businesses that were within the zoning
 13 district, and I would just like to show the Board
 14 what type of professional office businesses are
 10:43AM 15 permitted and how they may impact the area.

16 MS. SINDEL: Is it current zoning?

17 MR. BRISKE: I think we're going to have to
 18 look at both the R-3 and the R-5 because we're
 19 talking about the length of the street there.

10:44AM 20 MR. KERR: Lloyd Kerr, Development Services.
 21 Mr. Chairman, what we'll look at is the criteria
 22 governing home occupations, which is in Section
 23 6.03, that will help guide us as to what would be
 24 permissible as home-based businesses.

10:44AM 25 MR. HOLMER: I believe Mr. Jones is relating to
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1 me -- are you referring to Section B here for home
 2 occupations? Conducted within the dwelling unit or
 3 accessory building by one or more residents of the
 4 dwelling unit shall not occupy more than 20 percent
 10:45AM 5 of the total floor area of the dwelling unit or more
 6 than 300 square feet of floor area, whichever is
 7 less. Upon commencement of that home occupation,
 8 the owner shall obtain all required business,
 9 professional or occupational licenses.

10:45AM 10 Any home occupation shall meet the following
 11 standards: Exterior evidence of operation. There
 12 shall be no exterior displays or storage or displays
 13 of goods or merchandise or stock in trade visible
 14 from the outside or exhibited on the premises by any
 10:45AM 15 method or devices whatever, including signs, which
 16 would indicate from the exterior that the dwelling
 17 unit or accessory building is being utilized in
 18 whole or in part as a home occupation.

19 And I do believe that is the section that
 10:45AM 20 Mr. Jones --

21 MR. JONES: There's more.

22 MR. BRISKE: And let's just make sure for the
 23 record, we're looking at the Article 6 zoning
 24 districts. Let's get on the record what section
 10:46AM 25 you're reading from, Drew, please.

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1 MR. HOLMER: This is 6.03.00, Home Occupations
 2 and Other Accessory Uses.

3 MR. BRISKE: All right. Thank you, sir.

4 MR. HOLMER: And if I may, instead of reading
 10:46AM 5 through every single one, if Mr. Jones could point
 6 out the one that he would like.

7 MR. JONES: Horace Jones, again. It's very
 8 very specific on what they are supposed to --
 9 basically, in summarizing it, basically, you have a
 10:46AM 10 home occupation with a computer, you live there and
 11 you don't have any customers coming, no display, no
 12 nothing, you just -- your computer and you're doing
 13 some work. And you have a file cabinet. But no
 14 customers, not any of that type of thing. It's very
 10:46AM 15 very specific on the uses that allow for home-based
 16 occupation.

17 MR. BRISKE: Okay.

18 MR. JONES: And from R-3 zoning does not allow
 19 for -- R-3 zoning just allows, basically, for a
 10:47AM 20 house or a duplex.

21 MR. BRISKE: Okay. And Mr. Page, from what I
 22 understand, you're saying that that's not really
 23 what's going on here, that the businesses that are
 24 operating are operating outside of those criteria;
 10:47AM 25 is that correct?

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1 MR. PAGE: Yes, Mr. Chairman. And I might also
 2 add, too, that from the statements of the staff,
 3 what they have observed as far as things at the goat
 4 farm, if we can call it that, they were there one
 10:47AM 5 day. If the Board would indulge me, I think both of
 6 the gentlemen that previously spoke could give you a
 7 more accurate over-the-years use of that particular
 8 property.

9 MR. BRISKE: Mr. Page, you're certainly welcome
 10:47AM 10 to bring them back as rebuttal witnesses.

11 MR. PAGE: Yes, sir.

12 MR. BRISKE: All right.

13 MR. HOLT: Charles Holt.

14 MR. BRISKE: Mr. Holt, I'll remind you that you
 15 still are under oath.

16 MR. HOLT: Yes, sir. The goat farmer, as we've
 17 been calling him, does move those goats. There's
 18 different sections where they move.

19 The particular section where I believe staff
 10:48AM 20 saw them was a garden area. He grew a garden. The
 21 garden was harvested and he put the goats in there.
 22 I've previously owned goats myself and they're good
 23 at cleaning up greenery. And I believe that's what
 24 he did. Because many times they're on the other end
 10:48AM 25 or in the middle of the property or even right at

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1 the house.
 2 MR. BRISKE: Okay. Mr. Page.
 3 MR. PAGE: Mr. Arnold, if you could share.
 4 MR. BRISKE: Once again, Mr. Clifton Arnold.
 10:48AM 5 You are still under oath, sir.
 6 MR. ARNOLD: Yes, sir. I've been up there and
 7 fed the goats many a times. I've been there for
 8 more than 10 years and they're there. If we have
 9 leftovers, I take them up there, fruits and stuff.
 10:48AM 10 They go from one end to the other, back and forth
 11 all the time. He sections them off sometimes when
 12 -- he'll let them eat it off and then he'll move
 13 them down here to this section.
 14 MR. PAGE: So all of the property you've seen
 10:48AM 15 over time --
 16 MR. ARNOLD: They're all over it, the little
 17 ones and the big ones.
 18 MR. PAGE: Thank you.
 19 MR. BRISKE: Staff, any questions for the two
 10:48AM 20 witnesses?
 21 MS. SINDEL: No, thank you.
 22 MR. BRISKE: Mr. Page.
 23 MR. PAGE: Mr. Chairman, the calculations that
 24 staff came up with, we were using 2,515 feet as that
 10:49AM 25 measurement. They came out with 2,505. So I think
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1 based on that we are still within a percentage point
 2 or two of showing that we do, in fact, pass the 50
 3 percent rule considerably.
 4 Mr. Chairman, we left off at the comments
 10:49AM 5 regarding adult entertainment and the church that's
 6 located -- Drew, if you wouldn't mind, in my
 7 presentation or your Powerpoint, rather, I believe
 8 it's going to be -- further, further. On this
 9 particular one I can show it right there. If I can
 10:49AM 10 use my pointer and you can --
 11 MR. BRISKE: Okay. Hold on just a minute,
 12 Mr. Page. The Powerpoint presentation needs to be
 13 brought into evidence. Could you please describe
 14 what your evidence is there, Mr. Page, in your
 10:50AM 15 Powerpoint and approximately how many pages it is
 16 and what you'll be describing by your Powerpoint.
 17 MR. PAGE: Mr. Chairman, the Powerpoint
 18 consists of about eight or nine photographs, both of
 19 -- an aerial photograph of the County, produced by
 10:50AM 20 the County, and several other photographs that I've
 21 made on site along Fowler at Nine Mile Road. And
 22 that generally is the consensus of what's there.
 23 MR. BRISKE: Okay. And you wish for this to be
 24 entered into evidence?
 10:50AM 25 MR. PAGE: I do.
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1 MR. BRISKE: Pleasure of the Board.
 2 MS. SINDEL: So moved.
 3 MR. BARRY: Second.
 4 MR. BRISKE: All these in favor say aye.
 10:50AM 5 (Board members vote.)
 6 MR. BRISKE: Opposed.
 7 (None.)
 8 MR. BRISKE: The Powerpoint will be listed as
 9 Applicant's Exhibit 3 containing the Powerpoint
 10:50AM 10 presented by Mr. Page.
 11 (Applicant's Exhibit 3, Powerpoint, was
 12 identified.)
 13 MR. PAGE: Mr. Chairman, this particular
 14 photograph here shows -- let's see. Well, it
 10:51AM 15 doesn't go far enough. Drew, if we could, move on
 16 down to perhaps another one. One more. More.
 17 MR. HOLMER: It's slow.
 18 MR. PAGE: Is that the end?
 19 MR. HOLMER: No, sir. It's the computer.
 10:51AM 20 MR. PAGE: Oh, I'm sorry. Here is the church
 21 that is located within 1,000 feet of the property
 22 owned by Mr. Holt, Mr. Chairman. This particular
 23 property is owned by the gentleman that owned all of
 24 Lowe's and all of Home Depot, Mr. Clyde Pearson.
 10:51AM 25 Mr. Pearson rents this out to this particular
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1 church.
 2 And, again, as I say, it is within that
 3 distance. I do have a photograph with an orange
 4 arrow on it that shows the distance from the
 10:52AM 5 property, which is located right in here. And the
 6 back corner of that property to the front edge of
 7 the church -- that's the driveway we just saw -- is
 8 a little over 982 feet.
 9 We reference that, Mr. Chairman, to show that
 10:52AM 10 it would eliminate, again, those portions of the C-2
 11 that are generally found to be of interest and
 12 objectionable activities by the neighbors.
 13 Mr. Chairman, under findings then for this, the
 14 staff has found that it is not consistent with the
 10:52AM 15 general commercial and light manufacturing uses.
 16 And they cite a number of things. Of course, we
 17 think that it is given our compatibility study.
 18 But I would like to point out one other thing,
 19 Mr. Chairman, if I can. One of the statements that
 10:52AM 20 is made -- or one of the references, rather, by the
 21 staff, the staff analysis, references Future Land
 22 Use 1.3.1. And it says that we are inconsistent --
 23 MR. BRISKE: Mr. Page, if you'll just hold on
 24 right there. Let's get that up on the screen so
 10:53AM 25 everybody can review what he's referring to, please.
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1 Did you say 1.3.1 --

2 MR. PAGE: Yes, sir.

3 MR. BRISKE: -- of the Comprehensive Plan

4 Future Land Use category, is that what you're

10:53AM 5 referring to, Mr. Page?

6 MR. PAGE: Yes, sir.

7 MR. BRISKE: All right. 1.3.1, Drew.

8 MR. PAGE: Thank you. Mr. Chairman, the

9 statement made is that the use is incompatible with

10:54AM 10 the residential nature of the surrounding properties

11 with the intent of FLU 1.3.1.

12 What you see there -- if we could go to the top

13 under the OBJ-FLU, under the policies.

14 MR. BRISKE: Mr. Page, speak into the

10:54AM 15 microphone, please, to make sure we pick you up.

16 MR. PAGE: Yes, sir. Under the policies right

17 there.

18 MR. BRISKE: And to get it on the record, let's

19 make sure that you read in what you're referring to

10:54AM 20 so it's on the record.

21 MR. PAGE: Mr. Chairman, when the statement is

22 made that we are inconsistent with the residential

23 nature of the surrounding properties, we read here

24 under 1.3.1, under policies -- let's see. Designate

10:55AM 25 land uses on the FLUM to discourage urban sprawl,
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1 promote mixed use, compact development in urban

2 areas and support development compatible with the

3 protection and preservation of rural areas.

4 Mr. Chairman, those are four items that are

10:55AM 5 referenced. I think we could strike the last one.

6 We're not dealing with protection and preservation

7 of a rural area. But how could we be inconsistent

8 with discouraging urban sprawl? I don't see that at

9 this particular location.

10:55AM 10 Number 2, we are promoting a mixed use. As a

11 matter of fact, this category that we'll read in a

12 moment promotes intense mixed uses.

13 And then finally compact development in urban

14 areas. This is certainly an urban area and it's

10:56AM 15 going to be compact. I don't seem to see a

16 connection between the intent that I just read from

17 and what we're attempting to do.

18 Mr. Chairman, if we move further down into the

19 category itself of Mixed Use Urban, if we could

10:56AM 20 scroll down to that. Mr. Chairman, it says in the

21 upper left-hand corner right about in this area

22 here, that the intended use for intense mixture of

23 residential and nonresidential uses and so on and so

24 forth.

10:56AM 25 Over to the right of that and toward the
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1 bottom, it says Escambia County -- right in that

2 general area right there -- it says Escambia County

3 -- this is an interesting statement -- intends to

4 achieve the following mix of land uses for new

10:56AM 5 development within a quarter mile of the arterial

6 roadway or transit corridor by 2030 as follows. And

7 if you take a look at the types of things that the

8 County is going to be promoting within that boundary

9 on the south side of Nine Mile Road, which comes up

10:57AM 10 almost cheek to jaw to this particular piece of

11 property, there's a fair amount of nonresidential

12 retail service at 20 to 50 percent, and also light

13 industrial at five to ten percent.

14 Now, Mr. Holt is not within that first quarter

10:57AM 15 mile. He is about 100 feet south of where that line

16 comes across. So if you take a look at the next

17 statement to the right underneath what I just read

18 it says, in areas beyond the quarter mile of

19 arterial roadways or transit corridors the following

10:57AM 20 mix of land uses are anticipated. And, again,

21 nonresidential is five to 10 percent.

22 Mr. Chairman, I don't know if those

23 calculations are available for the Planning Board,

24 and certainly I would like to see them, but I don't

10:57AM 25 know that we are anywhere close to that threshold.
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1 And I don't know that -- the staff can correct me,

2 but I don't know that those calculations are

3 anywhere to be found at this point.

4 I point that out only to tell you that the

10:58AM 5 future for 2030 seems to indicate the staff will be

6 promoting, however that promotion comes about, in

7 having it to be used for these types of activities.

8 And we would suggest then that our activity is

9 consistent with 1.3.1.

10:58AM 10 MR. BRISKE: Okay.

11 MR. PAGE: Mr. Chairman, moving right along. I

12 think we're on Number 4 -- or Number 3,

13 compatibility with surrounding uses. Let's see. I

14 think we talked about that. Criterion (4), changed

10:58AM 15 conditions.

16 We're not real sure what the frame of reference

17 here is for changed conditions. The finding is that

18 there are no changed conditions. I'm not sure if

19 that goes back to the original Land Development Code

10:58AM 20 that we adopted back in the late eighties and

21 early nineties, but since that time I think every

22 Board member here should be familiar with the fact

23 that at the intersection of Fowler and Nine Mile

24 Road, there's a new Lowe's. There is a brand-new

10:59AM 25 Racetrack. There's a Home Depot. Fowler Avenue,
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1 within the past year, has been designated as a
 2 transit route from north to south between Detroit
 3 and Nine Mile Road. DOT has seen it sufficient to
 4 place a traffic light at that intersection. And all
 10:59AM 5 of these things being considered, the Florida DOT's
 6 main concern in that traffic light is what is at the
 7 very south end of Fowler, and that is McKenzie Tank
 8 Lines.
 9 And Mr. Chairman, if I could ask for the aerial
 10:59AM 10 for the south end of Fowler. I think I have that in
 11 the packet.
 12 MR. BRISKE: Mr. Page, is this in your
 13 Powerpoint presentation?
 14 MR. PAGE: Yes, sir.
 10:59AM 15 MR. BRISKE: Drew, if you will bring that up,
 16 please.
 17 MR. HOLMER: Which slide, Mr. Page?
 18 MR. PAGE: I should have these numbered.
 19 That's not it.
 11:00AM 20 MR. HOLMER: This is McKenzie Tank Lines.
 21 MR. PAGE: This is it. Mr. Chairman, as we
 22 look at this, dead center is McKenzie Tank Lines at
 23 the northeast corner of the intersection of Detroit
 24 and Fowler.
 11:00AM 25 The day we were out, we counted 67 traffic
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1 trailers at that intersection. Why is all that
 2 important? We think it's important because with the
 3 installation of the traffic light at Nine Mile Road,
 4 the preference now for McKenzie Tank Lines, rather
 11:00AM 5 than go west through that subdivision all the way
 6 out Detroit and come out at Pine Forest Road, or to
 7 go east on Detroit and hit Highway 29 and try to mix
 8 in with the traffic there, come back around and get
 9 on the interstate only then to go west, their
 10:01AM 10 traffic pattern now is to simply go out the front
 11 door. Turn to the right. Hit the traffic light and
 12 go westbound, a straight shot to the interstate.
 13 That is a traffic corridor that is very
 14 interesting to the Florida DOT. And I mention all
 11:01AM 15 of this because I'm aiming at the use of that
 16 roadway. When we talked about there are no changes
 17 out in that area, there are considerable changes.
 18 In talking to the County, Mr. Tom Brown and Mr.
 19 Moxley, who just retired, they gave me a copy of the
 11:01AM 20 Federal Urban Boundary and Federal Functional
 21 Classification Handbook. Mr. Chairman, I would like
 22 to submit this in a moment to you.
 23 Every ten years the Florida DOT goes around and
 24 reevaluates all of their roadways. They either
 11:02AM 25 leave them the same, upgrade them or downgrade them.
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1 This particular neighborhood rural road is now
 2 within easy striking distance of being classified as
 3 a minor arterial highway. And Mr. Chairman, the
 4 reason for that is their criteria, that Mr. Moxley
 11:02AM 5 pointed out to me, is that it has -- and this is
 6 just one sentence long -- these major routes that
 7 provide access to regional or international
 8 airports, seaports, handling oceangoing, river barge
 9 traffic and/or rail, truck intermodal facilities are
 10:02AM 10 designated by the Department and approved by the
 11 Federal Highway Administration.
 12 Mr. Moxley says that this type of activity on
 13 the end constitutes a traffic corridor and there is
 14 a multimodal mix of activities within these 60 or 70
 11:03AM 15 trucks that come in, unload, go out into a smaller
 16 bobtail truck for delivery. This is an intermodal
 17 defined piece of property.
 18 So we called the State, at Mr. Moxley's
 19 insistence, and talked to the State person, Mr. Jim
 11:03AM 20 Newsom, who is the urban transportation planner for
 21 classification of roads. I asked him, if roadways
 22 are changed every ten years, when is the last time
 23 you evaluated this area out here. And he said 1989
 24 -- 1999 and the year 2000. And I asked about when
 11:03AM 25 is it going to be looked at again given the criteria
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1 here. He said, we have the information right now to
 2 do that, but we don't have the budget because we've
 3 been cut back. It may be 2012 or '13 before we get
 4 back up.
 11:04AM 5 I discussed this with him. He indicated that
 6 the roadway would be upgraded, given the criteria.
 7 He was aware of the location of McKenzie Tank Lines,
 8 and, of course, being aware of the traffic light on
 9 the highway, as well.
 10:04AM 10 So Mr. Chairman, we think that we meet
 11 criteria, federal highway criteria that Mr. Moxley,
 12 head of the County traffic division, provided to us.
 13 I would like to present that for evidence.
 14 MR. BRISKE: Okay. It will be noted as
 11:04AM 15 Applicant's Exhibit 4. Pleasure of the Board.
 16 MS. SINDEL: So moved to accept as evidence.
 17 MR. BARRY: Second.
 18 MR. BRISKE: Thank you. All those in favor say
 19 aye.
 20 (Board members vote.)
 21 MR. BRISKE: Opposed.
 22 (None.)
 23 MR. BRISKE: It's accepted as Applicant's
 24 Exhibit 4.
 11:04AM 25 (Applicant's Exhibit 4, Federal Urban Boundary
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1 & Federal Functional Classification Handbook
 2 identified.)
 3 MR. PAGE: So Mr. Chairman, I say all of this
 4 to indicate to the Board and hopefully provide some
 11:04AM 5 additional competent and substantial evidence that
 6 there have been changes within the past 10 years in
 7 that area. Even though none are listed here, I
 8 think we're all familiar with some of these that I
 9 have cited for you.
 11:05AM 10 Effect on the natural environment. I don't
 11 think we have any indication of any wetlands there
 12 at that location.
 13 And Mr. Chairman, on development patterns, the
 14 proposed amendment would not result in a logical and
 11:05AM 15 orderly development pattern. We think that it does
 16 result in an orderly and logical development
 17 pattern, especially as you move down from Nine Mile
 18 Road with the uses that are currently zoned
 19 commercial and those uses that are in commercial
 11:05AM 20 activities, however that might be classified.
 21 And you also take a look at the Mustang
 22 Village, which is all the way at the other end. And
 23 you notice in the staff analysis, Mr. Chairman,
 24 Mustang Village was not even shown in the County
 11:05AM 25 calculations even though we discussed that in detail
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1 with the staff of using that 300 feet as an item
 2 that is being used commercially but not zoned, but
 3 somehow it was not a part of the County
 4 calculations.
 11:06AM 5 So, Mr. Chairman, we think with the information
 6 provided to you here today, we are in compliance
 7 with all six of the items. And we ask for favorable
 8 consideration of the Board. I certainly will
 9 attempt to answer any questions.
 11:06AM 10 MR. BRISKE: Okay. Board members, questions
 11 for Mr. Page?
 12 MS. SINDEL: Not right now. Thank you.
 13 MR. BRISKE: Okay. Staff, questions of
 14 Mr. Page.
 11:06AM 15 MR. HOLMER: Andrew Holmer, Senior Planner. I
 16 don't have a question for Mr. Page. I do want to go
 17 on the record with something that needs to be
 18 corrected. In this presentation we have a map that
 19 shows the distance from the church property.
 11:06AM 20 MR. BRISKE: Drew, let me make sure. Are you
 21 talking about the staff's Findings-of-Facts that you
 22 wish to amend?
 23 MR. HOLMER: No, sir. No, sir. This is just
 24 for the record. This map right here.
 11:07AM 25 MR. BRISKE: You're referring to the
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1 Applicant's Exhibit 3, which is the Powerpoint?
 2 MR. HOLMER: Yes, sir.
 3 MR. BRISKE: I just want to make sure we have
 4 it all on the record right.
 11:07AM 5 MR. HOLMER: The last slide of that is titled
 6 distance to church, 982 feet. We need to have on
 7 the record now because the argument was made that if
 8 this were to go to C-2 there couldn't be a bar or
 9 liquor sales or anything.
 11:07AM 10 In actuality, the Land Development Code in
 11 Section 7.14 gives staff the procedures for
 12 measuring distances. This distance that's shown
 13 here on this map is from the rear property line of
 14 the one we're discussing, the subject site, to the
 11:07AM 15 front property line of the church property. 7.14
 16 says the measurement for the 1,000 foot radius needs
 17 to be from the nearest corner of the place of
 18 business, which would be the potential bar sort of
 19 thing, excluding eaves, projections and overhangs,
 11:08AM 20 to the nearest corner of the place of worship,
 21 excluding eaves, projections and overhangs, et
 22 cetera. And if we're looking at 982 feet from the
 23 rear property line, we would need to add several
 24 hundred feet to that. The measurement would be
 11:08AM 25 outside the 1,000 foot radius. So it would be
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1 possible.
 2 MR. BRISKE: I'm not sure I'm following you.
 3 Maybe can you show us with the pointer what you're
 4 talking about.
 11:08AM 5 MS. SINDEL: Are you saying the potential is to
 6 go from the closest corner of the subject property
 7 to the closest corner of the church property, and
 8 the potential measurement would make it so that it's
 9 actually over 1,000 feet?
 11:09AM 10 MR. HOLMER: Yes, ma'am. The measurement, just
 11 roughly off of here, is 1,336, which is over the
 12 1,000 foot measurement. So there is a potential
 13 that that could be there. It was proposed that
 14 there would be no option for putting in that sort of
 15 use, but there actually is.
 11:09AM 16 MR. BRISKE: Okay. Show us from corner to
 17 corner what you're talking about. Put the pointer
 18 on each corner.
 19 MR. HOLMER: It's the corner of the business --
 11:09AM 20 corner of the structure to the corner of the
 21 structure.
 22 MR. BRISKE: Okay.
 23 MR. HOLMER: I'm going to zoom in here to give
 24 myself a reference.
 11:09AM 25 MS. SINDEL: Because if I remember correctly
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1 from many years ago, that was an issue we had with a
 2 business I think called Goat Lips, because it was
 3 from corner to corner, they were like five feet shy
 4 of the required distance, which meant that they
 11:09AM 5 couldn't sell alcohol at the time.
 6 MR. HOLMER: And I'm coming up with just over
 7 1,300 feet, nearest corner to nearest corner.
 8 MR. BRISKE: Okay. So your clarification is
 9 that it's not from property line to property line,
 11:10AM 10 it's from structure to structure.
 11 MR. HOLMER: Yes, sir. And it is over the
 12 1,000 foot, so that potential is there.
 13 MR. BRISKE: Mr. Page, anything to add on that
 14 subject?
 11:10AM 15 MR. PAGE: Mr. Chairman, we were supposing
 16 here, I guess, that if a bar opened up in the
 17 building that they are in now they would be excluded
 18 from that requirement. We don't know where a new
 19 bar might be built, if one is even contemplated at
 11:10AM 20 all. I think given the location, Mr. Holt has no
 21 interest in opening a bar. We were simply adding
 22 that on as a way to eliminate unsavory type uses
 23 within C-2.
 24 MR. BRISKE: Okay.
 11:10AM 25 MR. HOLMER: And it is over 1,000 feet from the
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1 rear property line of the subject parcel to the
 2 front corner of the church. So at any point on that
 3 parcel, that use, in theory, could be there.
 4 MR. BRISKE: Okay.
 11:11AM 5 MR. WINGATE: So when you're saying a person is
 6 in a safety zone, put up a restaurant and had to
 7 move from the place in that area, and most
 8 restaurants does sell alcoholic beverages and that's
 9 what we're dealing with?
 11:11AM 10 MR. HOLMER: We are discussing theoreticals at
 11 this point. With the Planning Board having to
 12 consider any uses that would be allowed under that
 13 zoning category, I was just clarifying that in the
 14 current situation with the church where it is, the
 11:11AM 15 church as it is outside the 1,000 foot
 16 prohibition from any point of the subject parcel.
 17 MR. WINGATE: If you could give him -- we could
 18 create a condition -- are we allowed to do that?
 19 MR. HOLMER: My point would be alcohol could be
 11:12AM 20 sold on the subject property without going through
 21 the conditional use process. It outside the
 22 prohibition.
 23 MR. BRISKE: Any permitted use within the
 24 zoning would be allowed, so we would have to
 11:12AM 25 consider what is allowed in C-2. And we don't get
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1 project specifics, we consider everything that can
 2 be possible or is approved in C-2.
 3 MR. WINGATE: Mr. Chairman.
 4 MR. BRISKE: Yes, sir, Mr. Wingate.
 11:12AM 5 MR. WINGATE: I want to make kind of an
 6 observation comment. With all the information that
 7 Mr. Page has brought and looking at all this stuff
 8 here and -- I mean, recalling my drive through the
 9 area from Detroit to Nine Mile, looking at this
 11:12AM 10 particular area and looking at what's in the area,
 11 and I'm halfway familiar with some of this document
 12 because I have talked to someone that -- what's
 13 happening in the area with Nine Mile in the future.
 14 So somewhere in the area between part of Fowler on
 11:13AM 15 one side or the other, looking at -- and the
 16 criteria don't spell it out, we're in a growth area
 17 that commercial is coming that way. No one knew
 18 that Lowe's and Raceway and all was coming in there.
 19 That residential is kind of getting to be
 11:13AM 20 unacceptable unless it's multifamily.
 21 So I would say that area between Untreiner and
 22 Fowler looks like it's more leaning towards a
 23 commercial type as the older people with homes move
 24 out. And if it was changed to a higher use, at some
 11:13AM 25 point all someone would have to do is say, well,
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1 from here down we should be C-1 from this point to
 2 Nine Mile in order to take in the Mustang corner.
 3 Because he's not -- if he comes in and he says,
 4 well, okay I want to be C-2. Because at some point
 11:14AM 5 the car business could be C-2.
 6 If we look at the big picture for the future, I
 7 think that we not -- that looks at this site makes
 8 us eventually look at the whole big picture of the
 9 whole total area of future development.
 11:14AM 10 MR. BRISKE: Thank you, Mr. Wingate.
 11 Mr. Kerr.
 12 MR. KERR: Lloyd Kerr, Developmental Services.
 13 I just, if I could, Mr. Chairman, wanted to address
 14 a couple of Mr. Page's comments. One was in
 11:14AM 15 relation to the Comprehensive Plan Policy 1.3.1. I
 16 think the operative word there is compatible to
 17 promote compatible infill development. I think
 18 that's the key there, is whether or not it's
 19 compatible.
 11:15AM 20 Secondly, I wanted to just bring your attention
 21 to -- regardless of what information Mr. Page may
 22 have obtained from FDOT, the road is still
 23 classified as a local road. It only has 50 feet of
 24 right-of-way. In order to be an arterial road,
 11:15AM 25 which it may one day be, it very well may be, but in
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1 order to be an arterial or even a minor arterial
 2 there would have to be significant right-of-way
 3 acquired and upgrades to the road in order to make
 4 that happen.
 11:15AM 5 No doubt some of those trucks are probably
 6 using that route today. However, what we have to
 7 base our analysis on is based on what the road
 8 classification is today. And it currently is still
 9 classified as a local road.
 11:15AM 10 Thirdly, I just would mention that one of the
 11 issues that we -- one of the issues that we
 12 typically have to deal with is also the ribbon blank
 13 expansion of commercial areas, and certainly we
 14 would want to try to maintain those commercial areas
 11:16AM 15 around those and so forth around major intersections
 16 so as not to have this ribbon type development,
 17 which is a type of urban sprawl. Thank you.
 18 MR. PAGE: Mr. Chairman, a question of
 19 Mr. Kerr.
 11:16AM 20 MR. BRISKE: Yes, sir, Mr. Page.
 21 MR. PAGE: My understanding, Mr. Kerr, is that
 22 you're suggesting that we have to look at Fowler
 23 Avenue and the classifications as they are written
 24 in the rule books today; is that correct?
 11:16AM 25 MR. KERR: I'm saying based on the information
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1 that we have, yes, we do. That's one of the things
 2 that we have to consider in this, yes.
 3 MR. PAGE: Well, if we're looking at the
 4 information that's on the books today, and we're
 11:16AM 5 going by the language that's on the books today,
 6 wouldn't you agree with me then that our earlier
 7 arguments regarding commercial or commercial uses,
 8 if we're going to go by roadway type of
 9 classifications, because that's way the rules state,
 11:17AM 10 then wouldn't you see it to be the same to go by
 11 commercial or commercial uses because that's what
 12 the rules state?
 13 MR. KERR: No. I think you're comparing apples
 14 and oranges here, Mr. Page, and I would not agree
 11:17AM 15 with you on that.
 16 MR. BRISKE: Okay.
 17 MR. PAGE: Mr. Chairman, as a final note, I did
 18 notice in the Powerpoint presentation that was up
 19 just a moment ago two other pictures that might be
 11:17AM 20 helpful to the Board. Drew, if I could ask you one
 21 more time to bring those up.
 22 MR. HOLMER: Yes, sir.
 23 MR. BRISKE: Mr. Page, let's describe exactly
 24 what we're looking at.
 11:17AM 25 MR. PAGE: Yes. We're looking at the
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1 Powerpoint presentation. These will be two
 2 photographs taken generally from the intersection of
 3 Fowler Road and Nine Mile Road looking south.
 4 MR. BRISKE: For the record, the Powerpoint
 11:18AM 5 presentation is Exhibit 3, Applicant's Exhibit 3.
 6 MR. PAGE: Mr. Chairman, this is standing in
 7 the right-of-way of Fowler looking due south. That
 8 is a tractor trailer rig that came from McKenzie. I
 9 talked to the driver. You can see where they pull
 10 off has already started to erode the asphalt. The
 11:18AM 11 driver says that once they get loaded, if they're
 12 headed for Mobile or whatever, they pull over here
 13 to visit the Racetrack -- which is right here,
 14 that's the entranceway to Racetrack -- to go get
 11:18AM 15 Cokes and cookies or whatever.
 16 If we could go to the next slide regarding the
 17 trucks. Here's a shot of it from the side showing
 18 that they pull up to Fowler at Nine Mile Road, go in
 19 and do whatever they're going to do at the
 11:18AM 20 convenience store and then turn left at the light.
 21 So it is another indication, Mr. Chairman, of what
 22 we we're attempting to point out as a changed
 23 condition based upon the traffic light in this one
 24 particular instance.
 11:19AM 25 And I think I also did mention to you earlier
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1 that Fowler Road is a designated westerly boundary
 2 line for ECAT Transit in that area, as well, to take
 3 people up to Lowe's, Home Depot and so forth. And
 4 those are changed conditions. Those are real
 11:19AM 5 changed conditions that simply are not listed in the
 6 staff findings.
 7 That's all I have, Mr. Chairman.
 8 MR. BRISKE: Mr. Wingate.
 9 MR. WINGATE: Go ahead.
 11:19AM 10 MR. BRISKE: Okay. Mr. Page, do you have any
 11 other witnesses or information to present at this
 12 time?
 13 MR. PAGE: No, sir.
 14 MR. BRISKE: Staff, any other witnesses or
 11:19AM 15 information to present?
 16 MR. KERR: Mr. Chairman, just to comment in
 17 regards to this, we've had a lot of discussion about
 18 whether or not uses were commercial or
 19 noncommercial. If you were to exclude the Curly
 11:20AM 20 property and the Werhan property out of Mr. Page's
 21 calculations, that would leave you with 1,201 feet
 22 of road frontage, which would give you a 47 percent
 23 number, therefore, the amount of commercial use --
 24 commercial area zoning property.
 11:20AM 25 MR. BRISKE: Okay. Mr. Page.
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1 MR. PAGE: Mr. Chairman, we have not seen any
 2 of those calculations. Our calculations stand.
 3 We've submitted that to you. We've documented that.
 4 And to have something just tossed to the Board
 11:20AM 5 indicating a different percentage without knowing
 6 exactly which ones of those parcels are used I think
 7 is a stretch at this point, Mr. Chairman.
 8 MR. KERR: Okay. Our calculations stand. We
 9 are basing that on the information Mr. Page gave --
 11:20AM 10 had given to us. And simply using his calculation
 11 of -- I'm sorry -- using the recalculation of the
 12 road frontage from 2,515 to 2,505, and then
 13 subtracting from that 430 for Mr. Curly or
 14 Ms. Curly, the Curly property, and then 187 feet for
 11:21AM 15 the Werhan property, which would then be subtracted
 16 from that 18 -- 118, as Mr. Page has put it on here,
 17 then that would give us 1,201 -- 1,201 divided by
 18 2,505 would give us 47.
 19 MR. BRISKE: So you're basing your
 11:21AM 20 calculations, Mr. Kerr, on the Applicant's exhibit?
 21 MR. KERR: All I'm saying -- that's correct.
 22 If the Board were to chose to eliminate those from
 23 the calculation then it would not meet that 50
 24 percent rule. And the staff does not agree with
 11:22AM 25 Mr. Page's inclusion of those properties as part of
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1 that calculation.
 2 MR. BRISKE: For that record, that is
 3 Applicant's Exhibit 1, the revised compatibility
 4 analysis that Mr. Page presented.
 11:22AM 5 Mr. Page, any counter?
 6 MR. PAGE: Mr. Chairman, we presented to the
 7 Board competent and substantial evidence that Werhan
 8 and Mustang Village are places that are doing
 9 business now. Why the staff chooses to ignore what
 11:22AM 10 we have turned in -- all we have to do is produce
 11 competent and substantial evidence. We stand by our
 12 calculations. Even if you take Curly out, we are
 13 still greater than 60 percent with those
 14 calculations. I think our figures stand,
 11:22AM 15 Mr. Chairman.
 16 We submitted those two copies licenses in good
 17 faith, and we hate to see them discredited so by
 18 Mr. Kerr.
 19 MR. BRISKE: Thank you.
 11:23AM 20 MR. KERR: For the record, Mr. Chairman,
 21 Mustang Village was not even included in that
 22 calculation.
 23 MR. BRISKE: Okay. I would ask that we bring
 24 up a larger version of the zoning map that's kind of
 11:23AM 25 zoomed out a little bit. I just wanted to get a
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1 perception of the surrounding areas. Yes, that one.
 2 All right. And click on our subject property there.
 3 Okay.
 4 At this point we do have a speaker on the case.
 09:05AM 5 For those members of the public who wish to speak on
 6 this matter, please note that the Planning Board
 7 bases its decisions on the criteria and exceptions
 8 described in Section 2.08.02.D of the Escambia
 9 County Land Development Code.
 10 MR. WEST: Mr. Chairman.
 11 MR. BRISKE: Yes.
 12 MR. WEST: We have not yet gone through the
 13 staff's findings even though there's been a
 14 considerable discussion.
 11:24AM 15 MR. BRISKE: I apologize. Thank you, Mr. West,
 16 for keeping me on track. I have so many exhibits
 17 and papers up here. Thank you, sir. I'll give you
 18 a chance to present your case. All right. Allyson.
 19 (Presentation by Allyson Cain, previously
 11:24AM 20 sworn.)
 21 MS. CAIN: Zoning Case Z-2001-13. 9015 Fowler
 22 Avenue. Zoning request from R-5 to C-2.
 23 Criterion (1), consistent with the
 24 Comprehensive Plan. Findings. The proposed
 25 amendment to C-2 is consistent with the intent and
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1 purpose of the Future Land Use category Mixed-Use
 2 Urban. As stated in the Comp Plan Future Land Use
 3 1.1.1, due to the proposed used of the property, is
 4 one permitted under Mixed-Use Urban Future Land Use.
 5 However, the proposed use is not consistent with the
 6 intent of Future Land Use 1.3.1 because such use is
 7 incompatible with the residential nature of the
 8 surrounding properties.
 9 The proposed amendment is consistent with the
 10 intent of the Future Land Use Category 1.5.3 that
 11 does promote for the efficient use of existing
 12 public roads, utilities and service infrastructure.
 13 The proposed amendment also encourages redevelopment
 14 of an underutilized property.
 15 Criterion (2), consistent with the Land
 16 Development Code.
 17 The finding is that the amendment is not
 18 consistent with the general commercial and light
 19 manufacturing uses locational criteria requirements.
 20 The parcel is not located at or in proximity to the
 21 intersections of an arterial/arterial roadways or
 22 along an arterial roadway within one-quarter mile of
 23 the intersection, as stated in the Escambia County
 24 Land Development Code 7.20.06.
 25 The applicant's agent submitted a compatibility
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1 analysis with the application to request an
 2 exemption to the roadway requirements based on
 3 infill development, LDC 7.20.03.B. The article
 4 defines infill development as an area where over 50
 5 percent of the block is either zoned or used for
 6 commercial development. This article also defines a
 7 block as the road frontage on one side of the street
 8 between two public rights-of-way. In this case, the
 9 block is identified as the road frontage along the
 10 west side of Fowler Road between Nine Mile and Bush
 11 Street.

12 There are 14 properties in the block currently
 13 zoned as follows: Three are zoned C-2, two are
 14 zoned C-1, eight are zoned R-3 and one is zoned R-5.
 15 The existing commercial zone properties, C-1 and C-2
 16 combined, represent only 35 percent of the overall
 17 zoning of the identified block, which does not meet
 18 the infill development requirements as stated
 19 in LDC 7.20.03.B.

20 When applicable, further review from the DRC
 21 will be needed to ensure the buffering requirement
 22 and other performance standards have been met should
 23 this amendment of C-2 be granted.

24 Criterion 3, compatible with surrounding uses.

25 The proposed amendment is not compatible with
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1 the surrounding and existing uses in the area.
 2 Within the 500 foot radius impact, staff observed
 3 three zoning districts, C-2, R-3 and R-5. The
 4 majority of the surrounding uses within the 500 foot
 5 area are of residential nature. There are 20 single
 6 family residences, one commercial property, two
 7 vacant residential, one mobile home park and one
 8 County owned parcel.

9 Changed conditions. Staff found no changed
 10 conditions that would impact the amendment or the
 11 property.

12 Criterion (5), effect on natural environment.
 13 According to the National Wetland Inventory, there
 14 were no wetlands or hydric soils indicated on the
 15 subject property. And further review from the
 16 Development Review Committee will be necessary to
 17 determine if there would be any impacts or any
 18 change of this property.

19 Criterion (6), development patterns.

20 The proposed amendment would not result in a
 21 logical and orderly development pattern. The
 22 property is located along a collector road in a
 23 predominately residential area. The permitted uses
 24 of a C-2 zoning district are not of a comparable
 25 intensity of the surrounding uses and the property
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1 does not meet the locational criteria for a
 2 commercial development.

3 That is the end of the staff findings.

4 MR. BRISKE: Thank you, Allyson.

5 Board members, any questions for staff?

6 Mr. Page, do you wish to cross-examine staff's
 7 findings?

8 MR. PAGE: No, sir.

9 MR. BRISKE: Now I think we're ready for the
 10 public. Let me get our statement on the record
 11 here. Those members of the public who wish to speak
 12 on this matter, please note that the Planning Board
 13 bases its decisions on the criteria and exceptions
 14 described in Section 2.08.2.D of the Escambia County
 15 Land Development Code. During our deliberations,
 16 the Planning Board will not consider general
 17 statements of support or opposition. Accordingly,
 18 please limit your testimony to the criteria and
 19 exceptions described in Section 2.08.02.D.

20 Please also note that only those individuals
 21 who are here today and give testimony on the record
 22 before the Planning Board will be allowed to speak
 23 at the subsequent hearing before the Board of County
 24 Commissioners.

25 I do have Ms. Gwen Butler signed up to speak.
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1 Please come forward, ma'am, and state your name and
 2 address for the record and be sworn in.

3 MS. BUTLER: Gwen Butler, 699 Hawkins Street,
 4 Pensacola, Florida, 32504.

5 MR. BRISKE: Thank you.
 6 (Gwen Butler was sworn.)

7 MR. BRISKE: Yes, ma'am. Your comments,
 8 please.

9 MS. BUTLER: Sunrise Wholesale moved into our
 10 neighborhood as a used car lot last August. And
 11 this is something that we've been fighting -- at
 12 least I've been fighting since then. For about six
 13 months I supplied photos to Code Enforcement of cars
 14 displayed on the front lawn, signs put up without
 15 permits. Just basically everything that they could
 16 do wrong, they did wrong.

17 And they've been stressing the properties on
 18 the west side of Fowler. They haven't brought up
 19 anything on the east side of Fowler. On the street
 20 that I live on, Hawkins Street, we have eight
 21 residences. And if you look in a circle around this
 22 property, it is all residential. A used car lot
 23 does not belong in the middle of residential
 24 properties.

25 And as for his stock, he -- well, it's a Code
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1 Enforcement issue, but they've been hiding cars
 2 behind the garage and throwing the gates shut as
 3 soon as Code Enforcement shows up.
 4 They mentioned ECAT. ECAT extended their route
 11:31AM 5 due to the heavy residency of this area. Before
 6 ECAT only came halfway up Fowler, turned around and
 7 went back to Detroit. But due to the heavy
 8 residency with the trailer pack and the residences,
 9 they extended their route up. We have a stop on one
 10 side of my house and a stop on the other.
 11 So it's just really not a good fit to have a
 12 used car lot in the middle of residential
 13 properties.
 14 MR. BRISKE: Questions. Board members,
 11:31AM 15 questions for Ms. Butler?
 16 MS. DAVIS: Can you tell me what the maximum
 17 number of cars was that you've seen there?
 18 MS. BUTLER: At one time they had four cars
 19 parked on the front lawn until Code Enforcement told
 11:31AM 20 them they couldn't do that. And then there was a
 21 Sunday in December, a car hauler unloaded, I think,
 22 about four cars on Sunday and then brought in two
 23 more on Monday. So there's probably been six to ten
 24 cars there at any time. Plus, the garage houses
 11:32AM 25 motorcycles. They keep their motorcycle stock in
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1 the garage on the property.
 2 MR. BRISKE: Okay. Any other questions from
 3 the Board of Ms. Butler?
 4 MS. SINDEL: No, thank you.
 11:32AM 5 MR. BRISKE: Mr. Page, do you wish to
 6 cross-examine?
 7 MR. PAGE: Yes, sir.
 8 MR. BRISKE: Ms. Butler, if you'll just step to
 9 the side, please, and Mr. Page will ask the
 10 questions.
 11 MR. PAGE: Ms. Butler, you indicated that the
 12 area rounding you is pretty much residential except
 13 for what's across the street. Based on the
 14 photographs we have of what's just adjacent to you
 15 to the east, could you describe to the Board what
 11:32AM 16 type of operation is ongoing next door to you,
 17 please.
 18 MR. BRISKE: Okay. Ms. Butler, come back to
 19 the microphone, please, so we can get it on the
 11:33AM 20 record.
 21 MS. BUTLER: My neighbor Narragone (phonetic)
 22 Inis raises and sells plants as a hobby.
 23 MR. BRISKE: Can we identify which parcel
 24 you're identifying, Mr. Page, so we know where we're
 11:33AM 25 talking about?
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1 MR. PAGE: I think that's it right there.
 2 MR. BRISKE: Okay. So that property,
 3 Ms. Butler, your testimony is that it's --
 4 MS. BUTLER: It's a hobby. We have been to the
 11:33AM 5 flea market with her selling. And she doesn't make
 6 her -- she doesn't cover her costs. I used to be a
 7 tax preparer, so under, I believe, IRS regulations
 8 it would be considered a hobby because her income
 9 just -- you know, it takes up most of her yard. It
 10 would be a hobby because she doesn't go out and sell
 11 regularly. She sells at flea markets occasionally,
 12 but it is a hobby. It's like a hobby farm.
 13 MR. BRISKE: Okay. Mr. Page, another question.
 14 MR. PAGE: Mr. Chairman, in talking to the
 11:33AM 15 nursery folks there, I wonder if Ms. Butler could
 16 tell us if she or her husband has ever actually been
 17 employed at that nursery next door.
 18 MR. BRISKE: Okay. Ms. Butler.
 19 MS. BUTLER: No, we've never been employed
 11:34AM 20 there. My 11-year-old son, he helps her with yard
 21 work a few times a week. He helps her rake and cut
 22 the grass. And he gets paid \$20 a week for helping
 23 her clean up.
 24 MR. BRISKE: Okay. Mr. Page.
 11:34AM 25 MR. PAGE: Mr. Chairman, I think the casual
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1 observer that drives down that street can take a
 2 look at the acreage that's there, the signage that's
 3 there and know that it is something a step beyond a
 4 hobby.
 11:34AM 5 My guess is that they would not be any
 6 different there than the two or three people that
 7 I've cited on Fowler doing their thing, if you will,
 8 goats, jewelry and the like. This particular lady
 9 has an up and coming operation. And she is at the
 10 back door of Ms. Butler. So when Ms. Butler says
 11 that it's principally residential, I want the Board
 12 to be sure they have a complete picture of that
 13 area.
 14 MR. BRISKE: Mr. Page, a question for you.
 11:35AM 15 Have you observed signage advertising a business on
 16 this location?
 17 MR. PAGE: No. A sign selling tomatoes, hot
 18 peppers and cucumbers for sale.
 19 MR. BRISKE: Okay. Ms. Butler.
 11:35AM 20 MS. BUTLER: I never seen any signage like
 21 that. When the flea market was there she did take a
 22 couple of buckets of plums from her fruit tree and
 23 sold them. And as for signage, no, there's no
 24 signage on the property now.
 11:35AM 25 She also works as a seamstress doing
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1 alterations, but her business is on Burgess Road.
 2 And she has little magnetic signs on her vehicles
 3 advertising that. And that is advertising her
 4 seamstress business, which is correct.
 11:35AM 5 MR. BRISKE: Okay. Mr. Page, any further
 6 questions for the witness?
 7 MR. PAGE: Mr. Chairman, just one other comment
 8 perhaps from a resident that's lived right there for
 9 about ten years on the level of activity for what
 10 we're describing as just a hobby.
 11 MR. BRISKE: Bring your witness forward,
 12 please. Ms. Butler, if you'll just have a seat for
 13 just a moment, please.
 14 MR. PAGE: Mr. Arnold.
 11:36AM 15 MR. BRISKE: Yes, sir. You're still under
 16 oath, sir.
 17 MR. ARNOLD: I seen the lady back there loading
 18 her trucks up. And she's got a trailer she hauls,
 19 too, to the flea market. So it's not -- to me,
 20 that's not just casual, that's making money. She
 21 started out in one part of the yard and now the
 22 whole complete thing is nursery, is all it is.
 23 MR. BRISKE: Mr. Arnold, have you witnessed any
 24 sales of those items on site?
 11:36AM 25 MR. ARNOLD: No. I asked her husband about it
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1 when they first moved there about buying some of the
 2 roses, because she had beautiful roses. She said,
 3 no, we only wholesale.
 4 MR. BRISKE: And have you observed any signage
 5 advertising a business there?
 6 MR. ARNOLD: No. I don't go back there, no.
 7 MR. BRISKE: All right.
 8 MR. ARNOLD: Part of her property is behind me,
 9 too. I mean, it's behind her and behind --
 10 MR. BRISKE: Staff, any questions for this
 11 witness?
 12 Okay. Mr. Page.
 13 MR. PAGE: That's all I have.
 14 MR. BRISKE: All right. Ms. Butler, were you
 15 complete with your comments or would you like to
 16 continue?
 17 MS. BUTLER: I'm done.
 18 MR. BRISKE: Okay. Board members, any
 19 questions for any of the witnesses that have spoken?
 20 MS. SINDEL: No.
 21 MR. GOODLOE: I do have a question,
 22 Mr. Chairman.
 23 MR. BRISKE: Yes, sir.
 24 MR. GOODLOE: This goes back to the history
 25 part of it when it was zoned R-5. Was there any
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1 discussion or does the staff recall any discussion
 2 with the applicant at that time about the storage of
 3 vehicles on the lot and the fact that --
 4 MR. JONES: Yes, sir. Again, we've had
 5 several.
 6 MR. BRISKE: Horace, state your name.
 7 MR. JONES: My name is Horace Jones. We've had
 8 several meeting with Mr. Holt. We took a look at
 9 all of those issues. He was getting citations from
 10 the Land Development Code -- with Code Enforcement
 11 with him, as well. So we did discuss this issue.
 12 And it's documented and verified, as well.
 13 MR. GOODLOE: Thank you very much, Horace.
 14 MR. BRISKE: Mr. Page.
 15 MR. PAGE: Buddy Page, again, Mr. Chairman. I
 16 think Mr. Holt has a different take on portions of
 17 that conversation. If we could allow him to come
 18 forward one more time.
 19 MR. BRISKE: Yes, sir. Mr. Holt, you've been
 20 previously sworn in, sir.
 21 MR. HOLT: Charles Holt. Yes, again, several
 22 discussions with staff and with Mr. Jones. And I
 23 met with Mr. Jones at one -- several times. But one
 24 particular instance, his direct comment to me was,
 25 you get R-5 and we will make it work. So that's
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1 what I thought we were going to do. It hasn't
 2 worked out that so we are back.
 3 MR. BRISKE: Thank you. Mr. Jones, did you
 4 want to --
 5 MR. JONES: Yes. I did say that. Based upon
 6 the information that was disclosed to me, I did say
 7 that. It was in the presence -- it was recorded.
 8 It was well documented. It was in the presence of
 9 Code Enforcement. And we did tell him, if you get
 10 the R-5 use based upon what you told me and stay
 11 with that particular use only, not a car dealership,
 12 not a used auto sales, not anything of that nature,
 13 with only R-5 permitted uses, that we could go and
 14 we could go through the DRC process doing the R-5
 15 allowable uses only. Yes, sir, I did say that based
 16 upon that knowledge from him.
 17 MR. BRISKE: Okay. Board members -- well,
 18 let's stop for just a moment.
 19 Mr. Page, does that conclude all of your
 20 witnesses and rebuttal witnesses?
 21 MR. PAGE: Yes.
 22 MR. BRISKE: Staff, does that conclude your
 23 case?
 24 MR. HOLMER: Yes.
 25 MR. BRISKE: Pleasure of the Board. Open for
 TAYLOR REPORTING SERVICES, INCORPORATED

PLANNING BOARD REZONING HEARINGS - JULY 11, 2011

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1 discussion. Does anyone have a motion to make?
 2 (Motion and vote by the Board.)
 3 MR. GOODLOE: Mr. Chairman, I recommend denial
 4 of the rezoning application to the Board of County
 11:40AM 5 Commissioners and adopt the Findings-of-Fact
 6 provided in the zoning hearing package as Exhibit 4
 7 for Property Z-2011-13.
 8 MR. BRISKE: Okay. I have a motion to deny.
 9 Is there a second?
 11:40AM 10 MS. SINDEL: Second.
 11 MR. BRISKE: Okay. We have a motion and a
 12 second to deny. Open for discussion. Okay. Any
 13 discussion from the Board members?
 14 All right. We will call the question. All
 11:41AM 15 those in favor of denial of the motion -- excuse me
 16 -- of denial of the application and acceptance of
 17 the motion, say aye.
 18 (Board members vote.)
 19 MR. BRISKE: And opposed.
 11:41AM 20 MR. WINGATE: Yes.
 21 MR. BRISKE: The motion is denied. Excuse me
 22 -- the application is denied for the rezoning
 23 unanimously by the Board. I'm sorry. Did we have
 24 one opposition?
 11:41AM 25 MR. WINGATE: Yes.

TAYLOR REPORTING SERVICES, INCORPORATED

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1 MR. BRISKE: All right. We had one opposition.
 2 Thank you.
 3 At this point, let's go ahead and just take a
 4 very short break to give everybody a chance to get
 11:41AM 5 their documents together. We'll come back at 20
 6 until 12:00, so 11:40.
 7 (WHEREUPON, the rezoning hearings were
 8 concluded.)
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TAYLOR REPORTING SERVICES, INCORPORATED

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1 CERTIFICATE OF REPORTER
 2
 3 STATE OF FLORIDA
 4 COUNTY OF ESCAMBIA
 5
 6 I, JAMES M. TAYLOR, Court Reporter and Notary
 7 Public at Large in and for the State of Florida, hereby
 8 certify that the foregoing Pages 2 through 146 both
 9 inclusive, comprise a full, true, and correct transcript of
 10 the proceeding; that said proceeding was taken by me
 11 stenographically, and transcribed by me as it now appears;
 12 that I am not a relative or employee or attorney or counsel
 13 of the parties, or relative or employee of such attorney or
 14 counsel, nor am I interested in this proceeding or its
 15 outcome.
 16 IN WITNESS WHEREOF, I have hereunto set my hand
 17 and affixed my official seal on July 21, 2011.
 18
 19 _____
 JAMES M. TAYLOR, COURT REPORTER
 20
 21
 22
 23
 24
 25

TAYLOR REPORTING SERVICES, INCORPORATED



DEVELOPMENT SERVICES DEPARTMENT FINDINGS-OF-FACT

REZONING CASE: Z-2011-013
July 11, 2011

I. SUBMISSION DATA:

BY: Wiley C. Buddy Page, Agent
FOR: Charles Holt, Owner
PROPERTY REFERENCE NO.: 10-1S-30-1101-124-002
PROJECT ADDRESS: 9015 Fowler Ave
FUTURE LAND USE: MU-U, Mixed-Use Urban
COMMISSIONER DISTRICT: 5
BCC MEETING DATE: August 8, 2011

II. REQUESTED ACTION:

REZONE

FROM: R-5, Urban Residential/Limited Office District, (cumulative) High Density (20 du/acre)
TO: C-2, General Commercial and Light Manufacturing District, (cumulative) (25 du/acre)

III. RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings) Resolution 96-13 (Ex-parte Communications)

CRITERION (1)

Consistent with the Comprehensive Plan.

Whether the proposed amendment is consistent with the Comprehensive Plan.

Comprehensive Plan Policy (CPP) FLU 1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map (FLUM). The 2030 FLUM is attached herein to this ordinance as Exhibit B.

CPP FLU 1.3.1 Future Land Use Categories. The Mixed-Use Urban (MU-U) Future Land Use (FLU) category is intended for an intense mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole. Range of allowable uses include: Residential, Retail and Services, Professional Office, Light Industrial, Recreational Facilities, Public and Civic. The minimum residential density is 3.5 dwelling units per acre and the maximum residential density is 25 dwelling units per acre.

CPP FLU 1.5.3 New Development and Redevelopment in Built Areas. To promote the efficient use of existing public roads, utilities and service infrastructure, the County will encourage redevelopment in underutilized properties to maximize development densities and intensities located in the Mixed-Use Suburban, Mixed-Use Urban, Commercial and Industrial Future Land Use district categories (with the exception of residential development).

FINDINGS

The proposed amendment to C-2 **is consistent** with the intent and purpose of Future Land Use category Mixed-Use Urban as stated in **CPP FLU 1.1.1** because the proposed use of the property is one permitted under Mixed-Use Urban FLU. However, the proposed use is **not consistent** with the intent of **CPP FLU 1.3.1** because such use is incompatible with the residential nature of the surrounding properties. The proposed amendment **is consistent** with the intent of **CPP FLU 1.5.3** that promotes for the efficient use of existing public roads, utilities and service infrastructure; the proposed amendment also encourages redevelopment of an underutilized property.

CRITERION (2)

Consistent with the Land Development Code.

Whether the proposed amendment is in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.

Land Development Code (LDC) 6.05.12. R-5 urban residential/limited office district, (cumulative) high density. This district is intended to provide for high density urban residential uses and compatible professional office development, and designed to encourage the establishment and maintenance of a suitable higher

density residential environment and low intensity services. These uses form a transition area between lower density residential and commercial development.

LDC 6.05.16. C-2 General commercial and light manufacturing district (cumulative). This district is composed of certain land and structures used to provide for the wholesaling and retailing of commodities and the furnishing of several major services and selected trade shops. The district also provides for operations entailing manufacturing, fabrication and assembly operations where all such operations are within the confines of the building and do not produce excessive noise, vibration, dust, smoke, fumes or excessive glare. Outside storage is allowed with adequate screening being provided (see section 7.01.06.E.). Characteristically, this type of district occupies an area larger than that of the C-1 retail commercial district, is intended to serve a considerably greater population, and offers a wider range of services. The maximum density for residential uses is 25 dwelling units per acre.

All general commercial and light manufacturing (C-2) development, redevelopment, or expansion must be consistent with the locational criteria in the Comprehensive Plan (Policies 7.A.4.13 and 8.A.1.13) and in Article 7.

B. Permitted uses.

1. Any use permitted in the C-1 district.
2. Amusement and commercial recreational facilities such as, but not limited to, amusements parks, shooting galleries, miniature golf courses, golf driving ranges, baseball batting ranges and trampoline centers.
3. Carnival-type amusements when located more than 500 feet from any residential district.
4. Distribution warehousing, and mini-warehouses with ancillary truck rental services.
5. New and used car sales, mobile home and motorcycle sales and mechanical services. No intrusions are permitted on the public right-of-way (see section 6.04.09).
6. Automobile rental agencies. No intrusions are permitted on the public right-of-way (see section 6.04.09).
7. Truck, utility trailer, and RV rental service or facility. No intrusions are permitted on the public right-of-way (see section 6.04.09).
8. Automobile repairs, including body work and painting services.
9. Radio broadcasting and telecasting stations, studios and offices with on-site towers 150 feet or less in height. See section 7.18.00 for performance standards.
10. Commercial food freezers and commercial bakeries.
11. Building trades or construction office and warehouses with outside on-site storage.
12. Marinas, all types including industrial.
13. Cabinet shop.
14. Manufacturing, fabrication and assembly type operations which are contained and enclosed within the confines of a building and do not produce excessive noise, vibration, dust, smoke, fumes or excessive glare.

15. Commercial communication towers 150 feet or less in height.
16. Taxicab companies.
17. Bars and nightclubs.
18. Boat sales and service facilities.
19. Boat and recreational vehicle storage. (No inoperable RVs, untrailered boats, repair, overhaul or salvage activity permitted. Storage facility must be maintained to avoid nuisance conditions as defined in section 7.07.06.)
20. Adult entertainment uses subject to the locational criteria listed below (See Escambia County, Code of Ordinances sections 18-381 through 18-392 for definitions and enforcement; additionally refer to Chapter 6, article IV, Division 2, titled "Nudity and Indecency"). However, these C-2 type uses are not permitted in the Gateway Business Districts.
 - a. Adult entertainment uses must meet the minimum distances as specified in the following locational criteria:
 - (1) One thousand feet from a preexisting adult entertainment establishment;
 - (2) Three hundred feet from a preexisting commercial establishment that in any manner sells or dispenses alcohol for on-premises consumption;
 - (3) One thousand feet from a preexisting place of worship;
 - (4) One thousand feet from a preexisting educational institution;
 - (5) One thousand feet from parks and/or playgrounds;
 - (6) Five hundred feet from residential uses and areas zoned residential within the county.
21. Borrow pits and reclamation activities thereof (subject to local permit and development review requirements per Escambia County Code of Ordinances, Part I, Chapter 42, article VIII, and performance standards in Part III, the Land Development Code, article 7).
22. Temporary structures. (See section 6.04.16)
23. Arcade amusement centers and bingo facilities.
24. Other uses similar to those permitted herein. Determination on other permitted uses shall be made by the planning board (LPA).

LDC 7.20.06. General commercial and light manufacturing locational criteria (C-2).

- A. General commercial land uses shall be located at or in proximity to intersections of arterial/arterial roadways or along an arterial roadway within one-quarter mile of the intersection.
- B. They may be located along an arterial roadway up to one-half mile from the intersection provided that all of the following criteria are met:
 1. Does not abut a single-family residential zoning district (R-1, R-2, V-1, V-2, V-2A or V-3);
 2. Includes a six-foot privacy fence as part of any required buffer and develops the required landscaping and buffering to ensure long-term compatibility with adjoining uses as described in Policy 7.A.3.8 and article 7;
 3. Negative impacts of these land uses on surrounding residential areas shall be minimized by placing the lower intensity uses on the site (such as stormwater ponds and parking) next to abutting residential dwelling units and placing the

- higher intensity uses (such as truck loading zones and dumpsters) next to the roadway or adjacent commercial properties;
4. Intrusions into recorded subdivisions shall be limited to 300 feet along the collector or arterial roadway and only the corner lots in the subdivision;
 5. A system of service roads or shared access facilities shall be required, to the maximum extent feasible, where permitted by lot size, shape, ownership patterns, and site and roadway characteristics;
 6. The property is located in areas where existing commercial or other intensive development is established and the proposed development would constitute infill development. The intensity of the use must be of a comparable intensity of the zoning and development on the surrounding parcels and must promote compact development and not promote ribbon or strip commercial development.

LDC 7.20.02B Waivers, The planning board (PB) may waive the roadway requirements when determining consistency with the Comprehensive Plan and Land Development Code for a rezoning request when unique circumstances exist. In order to determine if unique circumstances exist, a compatibility analysis shall be submitted that provides competent and substantial evidence that the proposed use will be able to achieve long-term compatibility with surrounding uses as described in Comprehensive Plan Policy 7.A.3.8. Infill development would be an example of when a waiver could be recommended. Although a waiver to the roadway requirement is granted, the property will still be required to meet all of the other performance standards for the zoning district as indicated below. The additional landscaping, buffering, and site development standards cannot be waived without obtaining a variance from the board of adjustment.

LDC 7.01.06. Buffering between zoning districts and uses. Spatial relationships between C-2 zoning districts where they are adjacent to multiple-family and office districts (R-3PK, R-4, R-5, R-6, V-4, VM-1, VM-2, PUD), require a buffer and that commercial land uses, where they are adjacent to residential uses require a buffer.

FINDINGS

The proposed amendment **is not consistent with** the general commercial and light manufacturing uses locational criteria requirements; the parcel is not located at or in proximity to intersections of arterial/arterial roadways or along an arterial roadway within one-quarter mile of the intersection, as stated in the Escambia County Land Development Code (LDC 7.20.06.)

The applicant's agent submitted a compatibility analysis with the application to request an exemption to the roadway requirements based on infill development (LDC 7.20.03.B.). The article defines infill development as an area where over 50 percent of a block is either zoned or used for commercial development. This article also defines a block as the road frontage on one side of a street between two public rights-of-way. In this case the block is identified as the road frontage along the West side of Fowler Rd between Nine Mile Rd and Bush St. There are 14 properties in the

block currently zoned as follows: three (3) are zoned C-2, two (2) are zoned C-1, eight (8) are zoned R-3 and one (1) is zoned R-5. The existing commercial zone properties, C1 and C-2 combined, represent only 35% of the overall zoning of the identified block, which does not meet the infill development requirements as stated in LDC 7.20.03.B.

When applicable, further review from the Development Review Committee (DRC) will be needed to ensure the buffering requirements and other performance standards have been met, should this amendment to C-2 be granted.

CRITERION (3)

Compatible with surrounding uses.

Whether and the extent to which the proposed amendment is compatible with existing and proposed uses in the area of the subject property(s).

FINDINGS

The proposed amendment **is not compatible** with surrounding existing uses in the area. Within the 500' radius impact area, staff observed three (3) zoning districts, C-2, R-3 and R-5. The majority of the surrounding uses within the 500' area are of a residential nature. There are 20 single family residences, one (1) commercial property, (2) vacant residential (1) one mobile home park and one (1) County owned parcel.

CRITERION (4)

Changed conditions.

Whether and the extent to which there are any changed conditions that impact the amendment or property(s).

FINDINGS

Staff found **no changed** conditions that would impact the amendment or property(s).

CRITERION (5)

Effect on natural environment.

Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment.

FINDINGS

According to the National Wetland Inventory, wetlands and hydric soils **were not** indicated on the subject property. When applicable, further review during the Development Review Committee (DRC) process will be necessary to determine if there would be any significant adverse impact on the natural environment.

CRITERION (6)

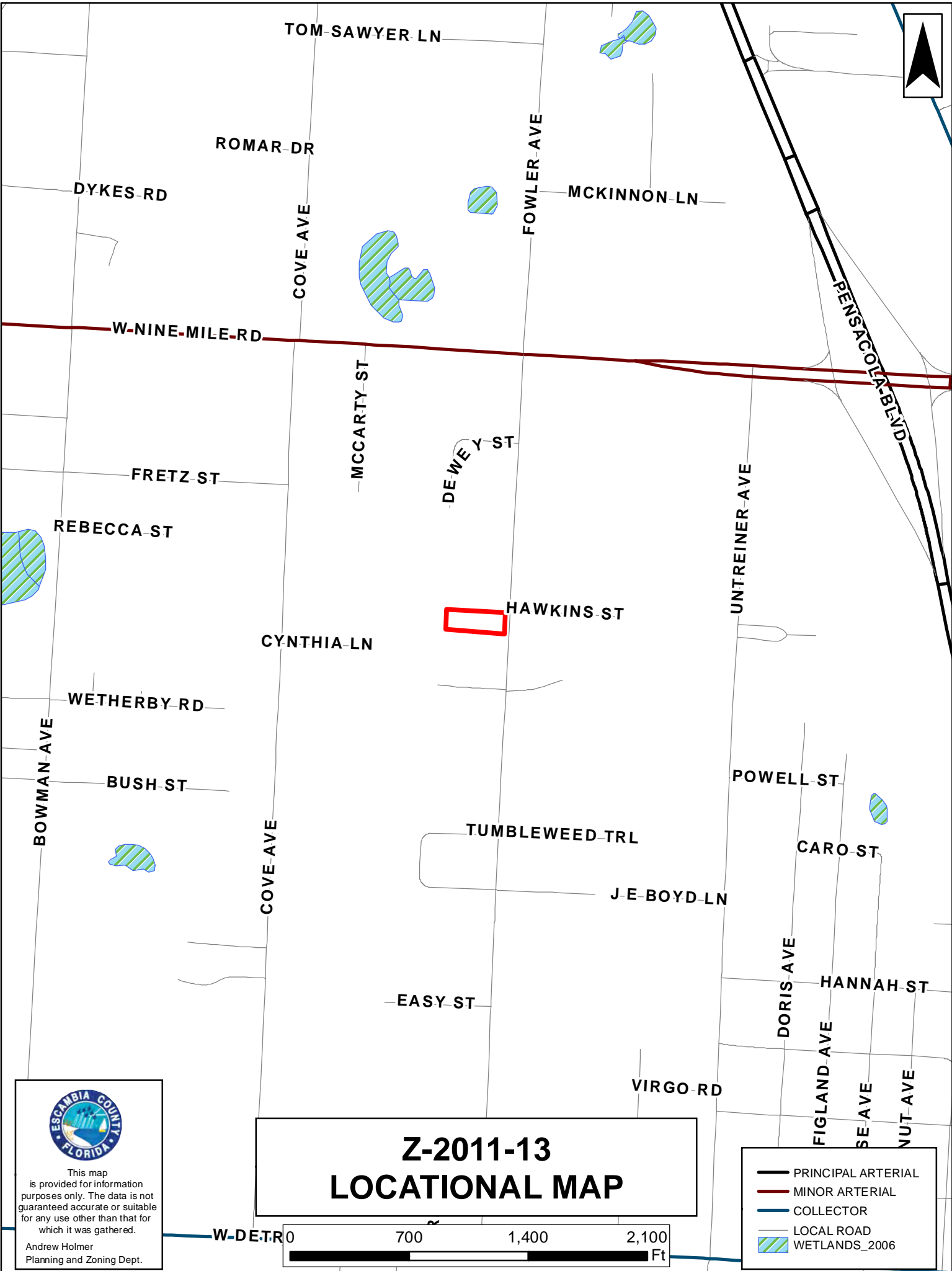
Development patterns.

Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

FINDINGS

The proposed amendment **would not result** in a logical and orderly development pattern. The property is located along a collector road in a predominately residential area. The permitted uses of the C-2 zoning district are not of a comparable intensity of the surrounding uses and the property does not meet locational criteria for commercial development.

Note: The above technical comments and conclusion are based upon the information available to Staff prior to the public hearing; the public hearing testimony may reveal additional technical information.




Z-2011-13

LOCATIONAL MAP

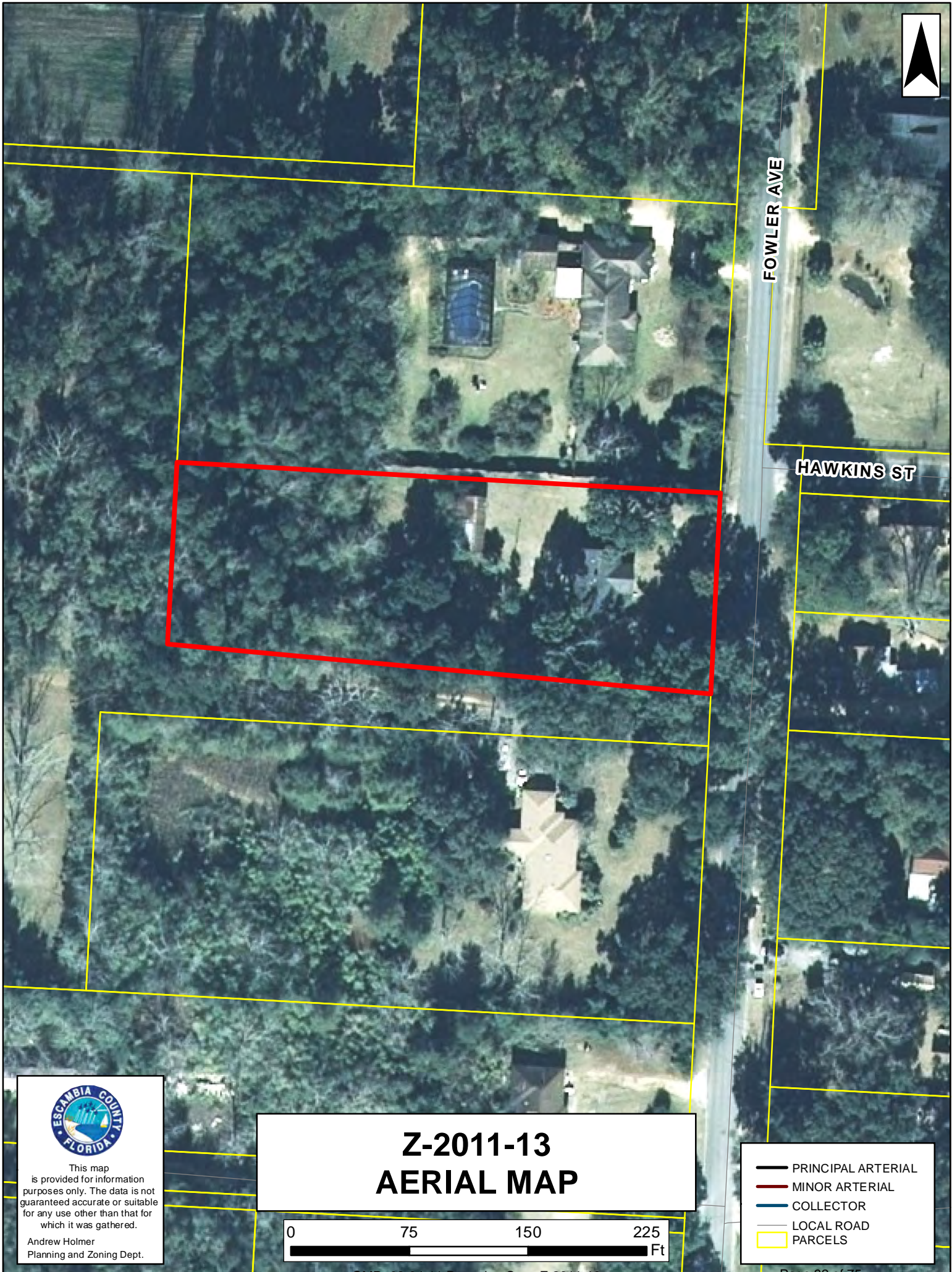


- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- WETLANDS_2006




This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.



FOWLER AVE

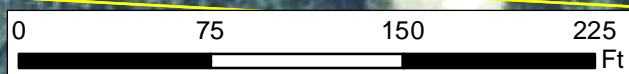
HAWKINS ST








This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2011-13 AERIAL MAP



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  PARCELS

MCCARTY ST

MU-U

LOWE'S

DEWEY ST

SF

C

VACANT COMMERCIAL



SF

SF

COUNTY OWNED

SF

MU-U

SF

SF

SF

SF

SF

SF

SF

SF

MU-U

SF

HAWKINS ST

SF

SF

SF

SF

MH

SF

SF

SF

MOBILE HOME PARK

SF

SF

V

V

SF

SF

SF

FOWLER AVE

MU-U

MU-U



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2011-13 FLU/ELU MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- ▭ PARCELS



MCCARTHY ST

DEWEY ST

C-2

C-1

C-1

R-3

R-5

HAWKINS ST

R-5

FOWLER AVE

R-3

R-5



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2011-13 ZONING MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS

Public Notice Sign





Looking Northwest From Fowler



Looking Southwest From Fowler



Looking West Across Fowler

Wiley C. "Buddy" Page, MPA, APA
Professional Growth Management Services, LLC

5337 Hamilton Lane
Pace, Florida 32571
Office 850.994.0023 Cell 850.232.9853
budpage1@mchsi.com

May 29, 2011
VIA HAND DELIVERY

Ms. Allyson Cain
Development Services Dept.
3363 West Park Place
Pensacola, Florida 32505

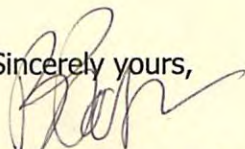
124 PB
RE: Holt Rezoning Request
Property Parcel: 10-1S-30-1101-240-002
Address: 9015 Fowler Ave., Escambia County, FL

Dear Ms. Cain:

PB
C-2 The attached application requests consideration to rezone the reference parcel from R-5 to ~~SI~~ C-2. We are requesting a waiver to the locational requirements under LDC Se. 7.20.03.B because over 50% of properties on the west side of Fowler Avenue are either zoned or used for commercial activities. Moreover, Fowler has become a major roadway now that Lowe's and Home Depot have opened and a traffic signal has been installed by the Florida DOT.

Please contact me if you have any questions or require anything further. Thank you.

Sincerely yours,


Wiley C. "Buddy" Page

copy: Mr. Rip Holt



Development Services Department
Escambia County, Florida

APPLICATION

Please check application type:

Administrative Appeal

Development Order Extension

Conditional Use Request for: _____

Variance Request for: _____

Rezoning Request from: R-5 to: C-2 C-7

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: Patricia D. Holt Phone: _____

Address: 9130 Cove Avenue Pensacola, Florida 32534 Email: N/A

Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: 9015 Fowler Avenue Pensacola, Florida 32534

Property Reference Number(s)/Legal Description: 10-1S-30-1101-240-002

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

Patricia D. Holt Signature of Owner/Agent

Patricia D. Holt Printed Name Owner/Agent

_____ Date

_____ Signature of Owner

_____ Printed Name of Owner

_____ Date

STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 25th day of May 20 11,
by Charles Holt

Personally Known OR Produced Identification . Type of Identification Produced: _____

Amanda Montgomery Signature of Notary
(notary seal must be affixed)

Amanda Montgomery Printed Name of Notary



FOR OFFICE USE ONLY

Meeting Date(s): 7/4/11 Accepted/Verified by: ACai Date: 6/2/11

Fees Paid: \$ 15.00 Receipt #: 533312 Permit #: PRZ110600013

3363 West Park Place Pensacola, FL 32505
(850) 595-3475 * FAX: (850) 595-3481



CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

130-124

Property Reference Number(s): 10-1S-30-1101-240-002

Property Address: 9015 Fowler Avenue Pensacola, Florida 32534

I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed in the future development's permit application.

I/We also acknowledge and agree that approval of a zoning district amendment (rezoning) or Future Land Use Map amendment does not certify, vest, or otherwise guarantee that concurrency of required facilities and services is, or will be, available for any future development of the subject parcels.

I/We further acknowledge and agree that no development for which concurrency must be certified shall be approved unless at least one of the following minimum conditions of the Comprehensive Plan will be met for each facility and service of the County's concurrency management system prior to development approval:

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 25 DAY OF MAY, YEAR OF 2011.

[Signature]
Signature of Property Owner

CHARLES M. Patricia D. Holt
Printed Name of Property Owner

5/25/11
Date

Signature of Property Owner

Printed Name of Property Owner

Date



AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 9015 Fowler Avenue Pensacola, FL 32534, Florida, property reference number(s) 10-1S-30-1101(240-002) I hereby designate Wiley C. "Buddy" Page for the sole purpose of completing this application and making a presentation to the:

- Planning Board and the Board of County Commissioners to request a rezoning on the above referenced property.
Board of Adjustment to request a(n) on the above referenced property.

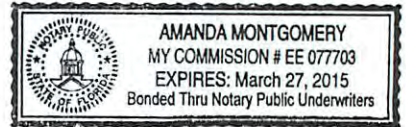
This Limited Power of Attorney is granted on this day of the year of, and is effective until the Board of County Commissioners or the Board of Adjustment has rendered a decision on this request and any appeal period has expired. The owner reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice to the Development Services Bureau.

Agent Name: Wiley C. "Buddy" Page Email: budpage1@mchsi.com
Address: 5337 Hamilton Lane Pace, FL 32571 Phone: 850.232.9853

Signature of Property Owner (handwritten signature)
Printed Name of Property Owner: CHARLES H. Patricia D. Holt
Date

STATE OF Florida COUNTY OF Escambia
The foregoing instrument was acknowledged before me this 25th day of May 20 11, by Charles Holt

Personally Known OR Produced Identification. Type of Identification Produced:
Signature of Notary (handwritten signature)
Printed Name of Notary: Amanda Montgomery (Notary Seal)



Quitclaim Deed

THIS QUITCLAIM DEED, executed this 11 day of MAY, 2011,
by first party, Grantor, PATRICIA D. HOLT
whose post office address is 9130 COVE AVE PENSACOLA FL 32534
to second party, Grantee, CHARLES H. HOLT
whose post office address is 9015 FOWLER AVE PENSACOLA FL 32534

WITNESSETH, That the said first party, for good consideration and for the sum of 1.00
One dollar 00/100 Dollars (\$ 1.00)
paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the
said second party forever, all the right, title, interest and claim which the said first party has in and to the following described
parcel of land, and improvements and appurtenances thereto in the County of ESCAMBIA
State of FLORIDA to wit:

**Escambia County Property Appraiser
101S301101124002 - Full Legal Description**

BEG AT NE COR OF LT 12 BLK 2 S/D PLAT DB 89 P 369 N 88 DEG 25 MIN 21 SEC W ALG N
LI OF LT 12 FOR 25 FT TO W R/W LI FOWLER AVE (50 FT R/W) S 1 DEG 24 MIN 41 SEC W
ALG W R/W LI 187 76/100 FT FOR POB CONT SAME COURSE S 1 DEG 24 MIN 41 SEC W 126
91/100 FT N 85 DEG 44 MIN 7 SEC W 353 05/100 FT N 1 DEG 24 MIN 12 SEC E 115 27/100 FT
S 87 DEG 37 MIN 28 SEC E 352 67/100 FT TO POB OR 6610 P 260

IN WITNESS WHEREOF, The said first party has signed and sealed these presents the day and year first above written.
Signed, sealed and delivered in presence of:

Signature of Witness: [Signature]
Print name of Witness: GEORGE ROBERTS

Signature of Witness: [Signature]
Print name of Witness: Clyde Higgins

Signature of First Party: [Signature]
Print name of First Party: PATRICIA D. HOLT

Signature of Second Party: [Signature]
Print name of Second Party: CHARLES H. HOLT

Signature of Preparer [Signature]

Print Name of Preparer CHARLES H. HOLT

Address of Preparer 9015 Fowler Ave Pensacola FL

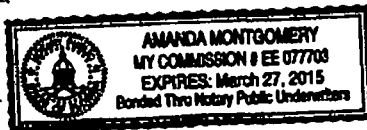
State of Florida
County of Escambia }

On May 11, 2011 before me, Patricia Holt and Charles Holt
appeared _____

personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

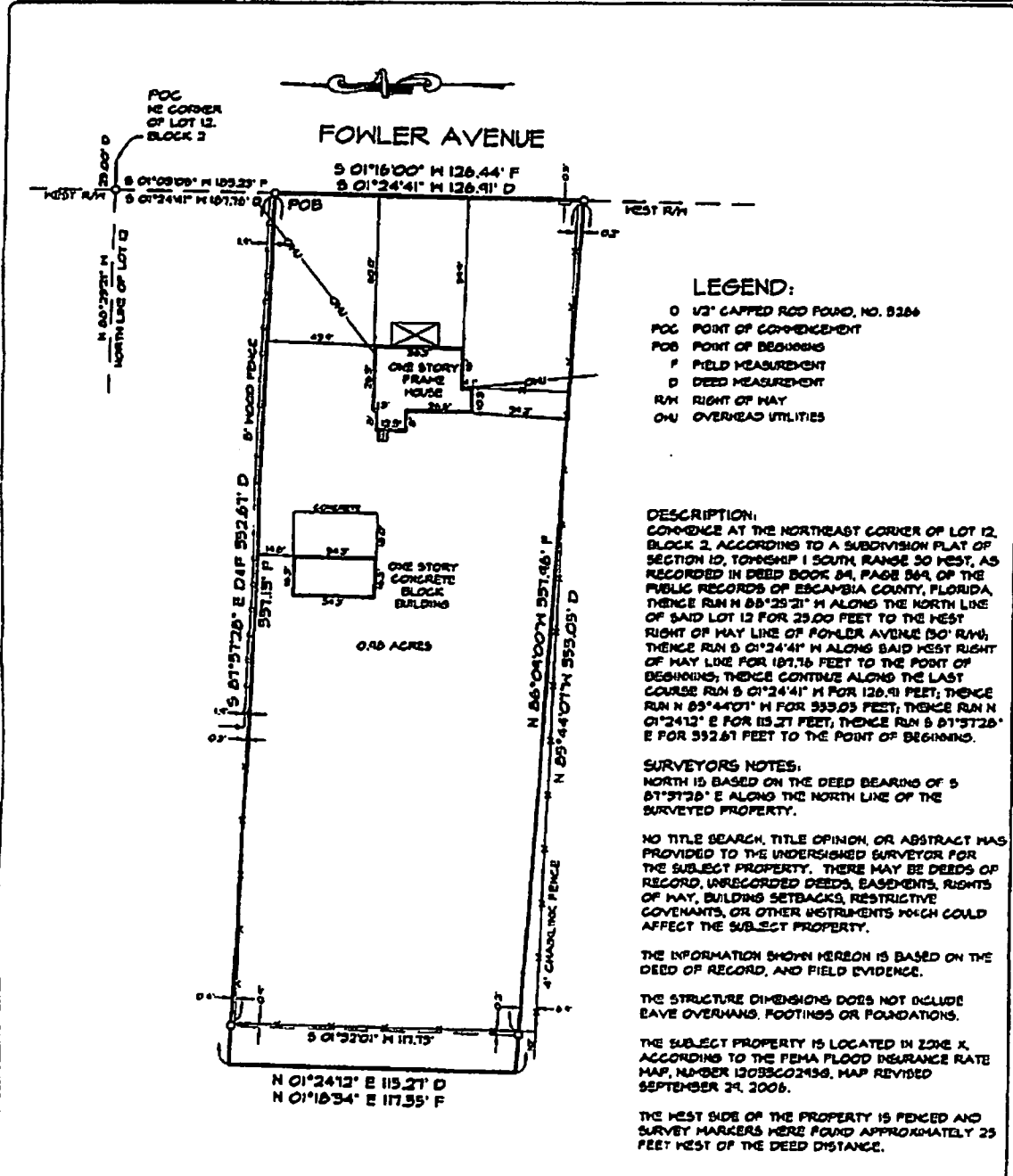
[Signature]
Signature of Notary



Affiant Known Produced ID
Type of ID FL DL HUBDOLK4509480
(Seal)

RBSears Land Surveying, Inc.

5941 BERRYHILL ROAD, SUITE D, MILTON, FL 32570
 TELEPHONE: (850) 983-6449 FAX: (850) 623-3284
 pacelandsurveyor@yahoo.com



BOUNDARY SURVEY
 A PART OF SECTION 10
 TOWNSHIP 1 SOUTH, RANGE 30 WEST
 ESCAMBIA COUNTY, FLORIDA

PREPARED FOR:
 MR. RUP HOLT

SURVEYORS CERTIFICATE:
 I CERTIFY THE SURVEY SHOWN HEREON COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR SURVEYING PER CHAPTER 55-7, FLORIDA ADMINISTRATIVE CODE, SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND HAPPENS PURSUANT TO SECTION 412021 FLORIDA STATUTES, SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.

W.B.S.
 RICHY B. SEARS, P.S.M. DATE
 FLORIDA PROFESSIONAL SURVEYOR AND MAPPER, LICENSE NO. 4511

UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF THE FLORIDA LICENSED SURVEYOR NAMED ABOVE THIS DRAWING, SKETCH PLAT OR MAP IS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT VALID.

SCALE: 1"=40'	FILE: 10114	DRAWN BY: P.J.K.	FIELD DATE: 10/09/10	DATE: 10/09/10
JOB NUMBER: 10114	CHECKED BY: RBS	FIELD BOOK: 53	PAGE (S): 72-75	

Compatibility Analysis

9015 Fowler Avenue

This site is located on the west side of Fowler Avenue between Nine Mile Road on the north and Bush Street on the south. This block of Fowler Avenue measures some 2,655 feet between these two public rights-of-way.

The Escambia County Land Development Code (LDC) Locational Criteria provides the following at **Sec.7.20.03.B:**

B. Infill development. In areas where over **50 percent of a block is either zoned or used for commercial development**, new commercial development or zoning may be considered without being consistent with the roadway requirements. The intensity of the proposed development or new zoning district must be of a comparable intensity of the zoning and development on the surrounding parcels. Typically, a block is defined as the road frontage on one side of a street between two public rights-of-way. Exceptions will be considered on a case-by-case basis and must be supported by competent and substantial evidence that the proposed rezoning will accomplish "infill" development. The evidence must show that the proposed development or rezoning will promote compact commercial development and will not promote ribbon commercial development.

Using the above, four parcels located between the public rights-of-way previously noted are measured as follows:

Lowe's	906'
Johnson	187'
Holt	126'
Mustang	<u>336'</u>

Total commercial use/zoned prop. 1,555'

Therefore: $1,555 \div 2,655 = 56.86\%$

Based upon the calculations, this segment of Fowler Avenue exceeds the 50% commercially zoned or used rule found in Sec.7.20.03.B above. This should provide the Planning Board competent and substantial evidence to grant the requested waiver.

NOTICE OF NO OBJECTION

TO WHOM IT MAY CONCERN:

This Notice will serve to advise that I have no objection to the proposed zoning change to Commercial requested by neighbor Rip Holt.

RONALD V TRINE

Name

8911 FOWLER AVE

Address

PENSACOLA, FL 32534

Date

6/11/11



NOTICE OF NO OBJECTION

TO WHOM IT MAY CONCERN:

This Notice will serve to advise that I have no objection to the proposed zoning change to Commercial requested by neighbor Rip Holt.

Cynthia B. Werhan Cynthia B. Werhan

Name

9101 Fowler Ave Pensacola, FL 32534

Address

6-01-2011

Date

850-207-1302



Development Services Bureau
Escambia County, Florida

**PLANNING BOARD
REZONING PRE-APPLICATION SUMMARY FORM**

10-15-30-1101-¹²⁴240-002
Property Reference Number

Buddy Page (Patricia Holt)
Name

9015 Fowler Ave
Address

Owner

Agent

Referral Form
Included? Y / N

MAPS PREPARED

- Zoning
- FLU
- Aerial
- Other: _____

PROPERTY INFORMATION

Current Zoning: R-5 Size of Property: .96 +/-
 Future Land Use: MU-U Commissioner District: 5
 Overlay/AIPD: NA Subdivision: -
 Redevelopment Area: NA

COMMENTS

Desired Zoning: C-2

Is Locational Criteria applicable? _____ If so, is a compatibility analysis required? yes

Agent brought in rezoning application to rezone to C-1 from R-5

Case Z-2010-14- rezoned from R-3 to R-5
BCC Approved 12/9/10

- Applicant will contact staff for next appointment
- Applicant decided against rezoning property
- Applicant was referred to another process
 - BOA
 - DRC
 - Other: _____
Process Name

Staff present: Allyson Cain Date: 6/2/11

Applicant/Agent Name & Signature: _____

No comment made by any persons associated with the County during any pre-application conference or discussion shall be considered either as approval or rejection of the proposed development, development plans, and/or outcome of any process.

HENSON JOSEPH R & LYNDIA
9110 FOWLER AVE
PENSACOLA FL 32534

HOLT PATRICIA D
9130 COVE AVE
PENSACOLA FL 32534

ENNIS TOLBERT L & NARAGON
641 HAWKINS RD
PENSACOLA FL 32534

SOWELL MELBA
650 HAWKINS RD
PENSACOLA FL 32534

SHUBERT KELLY L
8904 FOWLER AVE
PENSACOLA FL 32534

MERIDETH JUANITA L
8932 COVE AVE
PENSACOLA FL 32534

WILLIAMS HILDA T
1129 JACKS BRANCH RD
CANTONMENT FL 32533

STEELE ROCKY B
C/O JANICE STEELE
6530 TOETUCK DR
PENSACOLA FL 32526

KEARLEY JERALD T
41 EMORY DR
PENSACOLA FL 32506

HALL DEBRA L
741 PINEY LN
CANTONMENT FL 325339668

NELLOMS MINNIE BELLE &
9010 FOWLER AVE
PENSACOLA FL 32534

CUTLER AMICK & CRYSTAL A
2224 LIBERTY LOOP RD
CANTONMENT FL 32533-9211

WASSERMAN WADE & LINDA
9121 CARABELLA ST
PENSACOLA FL 32514

WELCH WILLIAM M & MAUREEN H
1000 CYNTHIA LN
PENSACOLA FL 32534

STEELE ROCKY B
6530 TOETUCK DR
PENSACOLA FL 32526

CROFT SALLIE EST OF
3000 W JACKSON ST
PENSACOLA FL 32507

WERHAN WAYNE J &
9101 FOWLER AVE
PENSACOLA FL 32534

LOWES HOME CENTERS INC
ATTN TAX DEPT (2ETA)
1000 LOWES BLVD
MORRESVILLE NC 28117

PAGE BUDDY
5337 HAMILTON LANE
PACE FL 32571

BUTLER KENNETH R & GWEN E
9014 FOWLER AVE
PENSACOLA FL 32534

STEWART TERESA HENDRICKSON
99 MEADE HEIGHTS
PIKEVILLE KY 415012129

GOBI LLC
12689 HWY 231 SOUTH # 51
TROY AL 36081

BOHANNON ROBERT L & BETTY L
8880 FOWLER AVE
PENSACOLA FL 32534

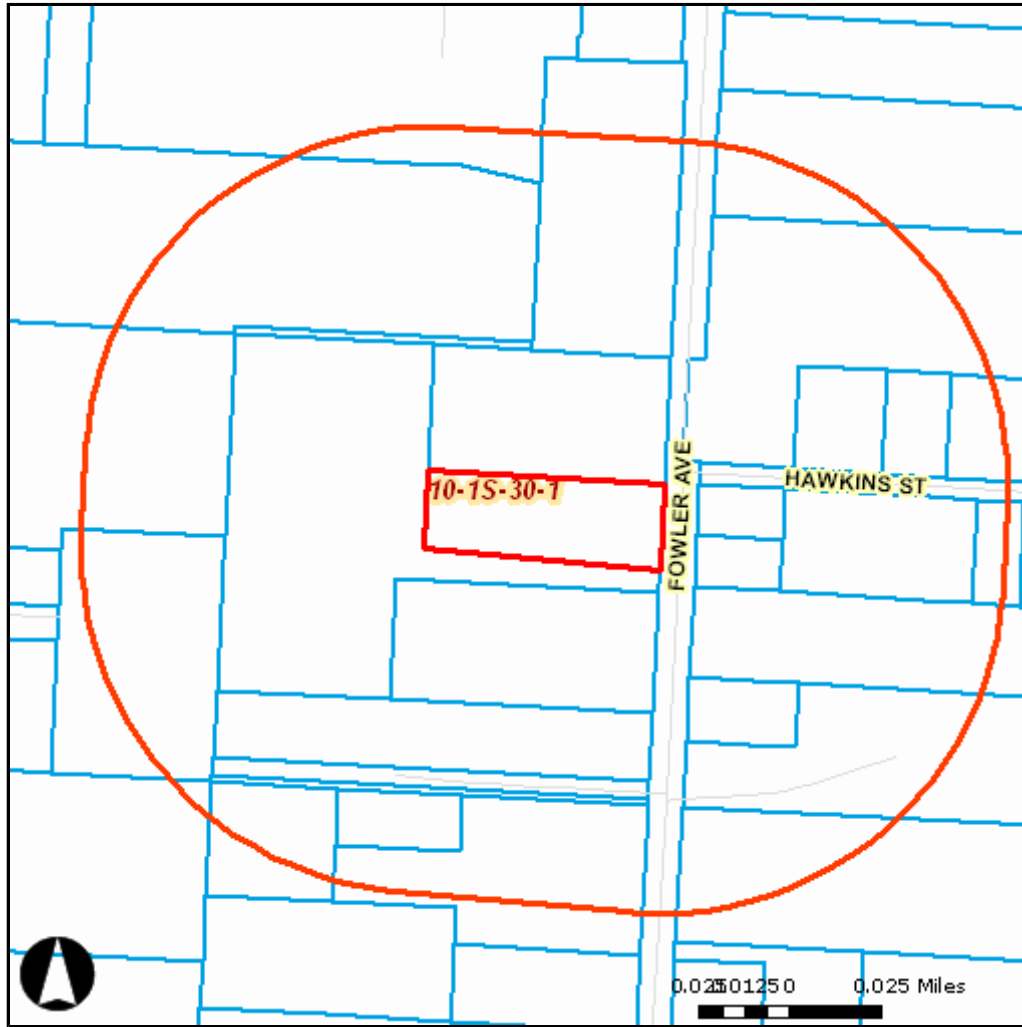
TARKUS JOSEPH M
8903 FOWLER AVE
PENSACOLA FL 32534

TRINE RONALD V JR & AUDREY M
8911 FOWLER AVE
PENSACOLA FL 32534

HOLT PATRICIA D
9130 COVE AVE
PENSACOLA FL 32534

PAGE BUDDY
5337 HAMILTON LANE
PACE FL 32571

ECPA Map



Map Grid



Major Roads

- County Road
- InterState
- State Road
- US Highway

All Roads



Property Line



PLEASE NOTE: This product has been compiled from the source data of the Inter-Local Mapping and Geographic Information Network (IMAGINE) project of Escambia County. The ESCAMBIA COUNTY PROPERTY APPRAISER I-MAP Service is for reference purposes only and not to be considered as a legal document or survey instrument. Relying on the information contained herein is at the user's own risk. We assume no liability for any use of the information contained in the I-MAP Service or any resultant loss.



Development Services Department

Building Inspections Division

3363 West Park Place
 Pensacola, Florida, 32505
 (850) 595-3550
 Molino Office - (850) 587-5770

RECEIPT

Receipt No. : **533312**

Date Issued. : 06/02/2011

Cashier ID : VHOWENS

Application No. : PRZ110600013

Project Name : Z-2011-13

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Check			
	4436	\$1,500.00	App ID : PRZ110600013
		\$1,500.00	Total Check

Received From : sunrise partners inc / RHODES SEAN C & ALLISON L

Total Receipt Amount : **\$1,500.00**

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PRZ110600013	627153	1,500.00	\$0.00	9015 FOWLER AVE, PENSACOLA, FL, 32534

Total Amount :	1,500.00	\$0.00	Balance Due on this/these Application(s) as of 6/3/2011
-----------------------	-----------------	---------------	---



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3475 - Phone
(850) 595-3481 - FAX
www.myescambia.com

Applicant
Exhibit 3 is
Powerpoint presentation

Escambia County Planning Board

Public Hearing
Speaker Request Form

Agent

Please Print Clearly

Rezoning Quasi-judicial Hearing

Regular Planning Board Meeting

Rezoning Case #: 2011-13

OR

Agenda Item Number/Description:

In Favor Against

*Name: BUDDY PAGE

*Address: 5337 HAMILTON

*City, State, Zip: PAGE 32571

Email Address: budp@page1@mchsi.com

Phone: 232-9853

Please indicate if you:

would like to be notified of any further action related to the public hearing item.

do not wish to speak but would like to be notified of any further action related to the public hearing item.

All items with an asterisk * are required.

Chamber Rules

1. All who wish to speak will be heard.
2. You must sign up to speak. This form must be filled out and given to the Clerk in order to be heard.
3. When the Chairman calls you to speak, come to the podium, adjust the microphone so you can be heard, then state your NAME and ADDRESS for the record.
4. Please keep your remarks BRIEF and FACTUAL.
5. Everyone will be granted uniform time to speak (normally 3 - 5 minutes).
6. Should there be a need for information to be presented to the Board, please provide 13 copies for distribution. The Board will determine whether to accept the information into evidence. Once accepted, copies are given to the Clerk for Board distribution.
7. During quasi-judicial hearings (i.e., rezonings), conduct is very formal and regulated by Supreme Court decisions. Verbal reaction or applause is not appropriate.



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3475 - Phone
(850) 595-3481 - FAX
www.myescambia.com

owner
and
Witness #1

Escambia County Planning Board

Public Hearing
Speaker Request Form

Please Print Clearly

Rezoning Quasi-judicial Hearing

Rezoning Case #: Z-2011-13

OR

Regular Planning Board Meeting

Agenda Item Number/Description:

In Favor Against

*Name: CHARLES HOYT

*Address: 9015 Fowler Ave *City, State, Zip: 32534

Email Address: RipHOYT@AOL.com Phone: 850-554-4240

Please indicate if you:

- would like to be notified of any further action related to the public hearing item.
- do not wish to speak but would like to be notified of any further action related to the public hearing item.

All items with an asterisk * are required.

Chamber Rules

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6. Should there be a need for information to be presented to the Board, please provide 13 copies for distribution. The Board will determine whether to accept the information into evidence. Once accepted, copies are given to the Clerk for Board distribution.
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BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3475 - Phone
(850) 595-3481 - FAX
www.myescambia.com

Applicant
Witness #2

Escambia County Planning Board

Public Hearing
Speaker Request Form

Please Print Clearly

Rezoning Quasi-judicial Hearing

Rezoning Case #: 22013

OR

Regular Planning Board Meeting

Agenda Item Number/Description:

In Favor Against

*Name: Clepton Arnold

*Address: 9010 Fowler *City, State, Zip: 32534

Email Address: _____ Phone: 478 2051

Please indicate if you:

- would like to be notified of any further action related to the public hearing item.
- do not wish to speak but would like to be notified of any further action related to the public hearing item.

All items with an asterisk * are required.

Chamber Rules

1. All who wish to speak will be heard.
2. You must sign up to speak. This form must be filled out and given to the Clerk in order to be heard.
3. When the Chairman calls you to speak, come to the podium, adjust the microphone so you can be heard, then state your NAME and ADDRESS for the record.
4. Please keep your remarks BRIEF and FACTUAL.
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7. During quasi-judicial hearings (i.e., rezonings), conduct is very formal and regulated by Supreme Court decisions. Verbal reaction or applause is not appropriate.



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3475 - Phone
(850) 595-3481 - FAX
www.myescambia.com

Escambia County Planning Board

Public Hearing
Speaker Request Form

Please Print Clearly

Rezoning Quasi-judicial Hearing

Regular Planning Board Meeting

Rezoning Case #: Z-2011-13

OR

Agenda Item Number/Description:

In Favor [check] Against

*Name: Gwen Butler

*Address: 699 Hawkins St

*City, State, Zip: Pensacola FL 32534

Email Address: butlerpensacola@aol.com

Phone: 850-450-9480

Please indicate if you:

[check] would like to be notified of any further action related to the public hearing item.

[] do not wish to speak but would like to be notified of any further action related to the public hearing item.

All items with an asterisk * are required.

Chamber Rules

- 1. All who wish to speak will be heard.
2. You must sign up to speak. This form must be filled out and given to the Clerk in order to be heard.
3. When the Chairman calls you to speak, come to the podium, adjust the microphone so you can be heard, then state your NAME and ADDRESS for the record.
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7. During quasi-judicial hearings (i.e., rezonings), conduct is very formal and regulated by Supreme Court decisions. Verbal reaction or applause is not appropriate.

Revised Compatibility Analysis

9015 Fowler Avenue

This site is located on the west side of Fowler Avenue between Nine Mile Road on the north and Bush Street on the south. This block of Fowler Avenue measures some 2,515 feet between these two public rights-of-way.

The Escambia County Land Development Code (LDC) Locational Criteria provides the following at **Sec.7.20.03.B**:

B. Infill development. In areas where over **50 percent of a block is either zoned or used for commercial development**, new commercial development or zoning may be considered without being consistent with the roadway requirements. The intensity of the proposed development or new zoning district must be of a comparable intensity of the zoning and development on the surrounding parcels. Typically, a block is defined as the road frontage on one side of a street between two public rights-of-way. Exceptions will be considered on a case-by-case basis and must be supported by competent and substantial evidence that the proposed rezoning will accomplish "infill" development. The evidence must show that the proposed development or rezoning will promote compact commercial development and will not promote ribbon commercial development.

The first five (5) lots on the west side of Fowler south from Nine Mile Road measure **775** feet according to the attached Escambia County Section Map. These parcels are all zoned C-1 Commercial. The sixth lot south from the intersection (Kearly) is zoned R-3, however, the site is used for raising and selling goats and goats milk, thus being used for non-residential uses. This property measures **430** feet frontage on Fowler Avenue. The 7th lot South on Fowler is owned by Werhan and measures some **187** feet in width facing Fowler Avenue. This site is used to produce and sell jewelry as evidenced by the attached copy of her County Business License. Next is the subject property with **126** ' frontage owned by Holt who conducts on-line sales of automobiles. The final property is known as Mustang Village with **300** feet of frontage on Fowler Avenue. Collectively, these nine lots are either zoned or used for commercial uses and total as follows:

Lowes group	775'
Kearly	430
Werhan	187
Holt	126
Mustang Village	<u>300</u>

Total frontage: 1,818'

Therefore: $1,818 \div 2,515 = 72.28\%$

Based upon the calculations, this segment of Fowler Avenue exceeds the 50% commercially zoned or used rule found in Sec.7.20.03.B above. This should provide the Planning Board competent and substantial evidence to grant the requested waiver



Applicants Exhibits
(page 1)



JANET HOLLEY

ESCAMBIA COUNTY TAX COLLECTOR

Business Tax Receipt Renewal



Business Name
1 of 1

Last Update: 7/10/2011 4:28:02 PM CDT

Business Tax Receipt Renewal

Account Number	New Business Date	Business Tax Receipt Year		
650227	12/4/2007	2011		
Business Address WERHAN CYNTHIA ESCAMBIA COUNTY County FL		Mailing Address WERHAN CYNTHIA 9101 FOWLER AVE PENSACOLA FL 32534		
Units 0	Status **ACTIVE**			
Occupation RETAIL PEDDLER		<table border="1"> <tr> <td>Business Tax Receipt Fee</td> <td>\$26.25</td> </tr> </table>	Business Tax Receipt Fee	\$26.25
Business Tax Receipt Fee	\$26.25			
If Paid By	Amount Due			
9/30/2011	\$26.25			

[Click Here To Pay Now](#)

Details

Business Tax Receipt Renewal

» Print View

Tax Payment

Searches

Business Type

Account Number

Business Name

Owner Name

Site Functions

Welcome

Property Taxes

Local Business

Tax

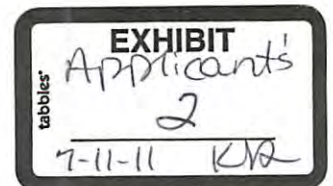
Feedback

County Login

Home

[Print](#) | [Print](#) | << First < Previous Next > Last >>

Powered by
MANATRON



Applicants Exhibit 2
(page 2)



JANET HOLLEY

ESCAMBIA COUNTY TAX COLLECTOR

Business Tax Receipt Renewal



Business Name
1 of 1

Last Update: 7/10/2011 4:18:24 PM CDT

Business Tax Receipt Renewal

Account Number	New Business Date	Business Tax Receipt Year
121263	3/17/1980	2011
Business Address MUSTANG VILLAGE 8833 FOWLER AVE County FL 32534		Mailing Address MCNEAL BOB 8833 FOWLER AVE PENSACOLA FL 32534
Units 0	Status **ACTIVE**	
Occupation RETAIL		
		Business Tax Receipt Fee \$26.25
If Paid By	Amount Due	
9/30/2011	\$26.25	

[Click Here To Pay Now](#)

Details

Business Tax Receipt Renewal

» Print View

Tax Payment

Searches

Business Type

Account Number

Business Name

Owner Name

Site Functions

Welcome

Property Taxes

Local Business

Tax

Feedback

County Login

Home

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9015 Fowler Avenue

Legend

- 01 - Principal Arterial - FIHS - SIS RURAL
- 02 - Principal Arterial - RURAL
- 06 - Minor Arterial RURAL
- 07 - Major Collector RURAL
- 08 - Minor Collector RURAL
- 11 - Principal Arterial - FIHS - SIS URBANIZED
- 14 - Principal Arterial URBANIZED
- 16 - Minor Arterial URBANIZED
- 17 - Collector URBANIZED - Major and Minor



McKenzie Tank Lines - 67 tractor/trailers on site



Disclaimer
This map is for informational purposes only. It is not intended to be used as a legal document. The information is provided as a service to the public and is not guaranteed. The user assumes all responsibility for the use of this information.







JANET HOLLEY

ESCAMBIA COUNTY TAX COLLECTOR

Business Tax Receipt Renewal



Business Name
1 of 1

Last Update: 7/10/2011 4:18:21 PM CDT

Details

Business Tax Receipt Renewal

[Print/View](#)

[Tax Payment](#)

Searches

- [Business Type](#)
- [Account Number](#)
- [Business Name](#)
- [Owner Name](#)

Site Functions

- [Welcome](#)
- [Property Taxes](#)
- [Local Business Tax](#)
- [Feedback](#)
- [County Login](#)
- [Home](#)

Business Tax Receipt Renewal

Account Number	New Business Date	Business Tax Receipt Year
121263	3/17/1980	2011
Business Address MUSTANG #121263 2001 SHELTON AVE MONTICELLO FL 32184		Mailing Address MUSTANG DEP 2001 SHELTON AVE MONTICELLO FL 32184
Units :		Status : **00223**
Occupation RESTAURANT		
if Paid By 9/30/2011		Amount Due \$26.25

Business Fee	Business Tax	Business
--------------	--------------	----------

[Click Here To Pay Now](#)

[Print](#) | [Print](#) | << First < Previous Next > Last >>



//10/2011



JANET HOLLEY

ESCAMBIA COUNTY TAX COLLECTOR

Business Tax Receipt Renewal



Business Name
1 of 1

Last Update: 9/30/2011 4:25:11 PM CDT

Details

Business Tax Receipt Renewal

[Print/View](#)

[Tax Payment](#)

Searches

[Business Type](#)

[Account Number](#)

[Business Name](#)

[Owner Name](#)

Site Functions

[Welcome](#)

[Property Taxes](#)

Local Business Tax

[Feedback](#)

[County Login](#)

[Home](#)

Business Tax Receipt Renewal

Account Number	New Business Date	Business Tax Receipt Year
650227	12/4/2007	2011
Business Address MORAN, JANET 1234567890 MORAN, FL		Mailing Address MORAN, JANET 1234567890 MORAN, FL 32074
Units : 1	Status : ***02222**	
Occupation MORAN, JANET		
<input type="button" value="Business Tax Receipt Renewal"/> <input type="button" value="Print"/>		
If Paid By		Amount Due
9/30/2011		\$26.25

[Click Here To Pay Now](#)

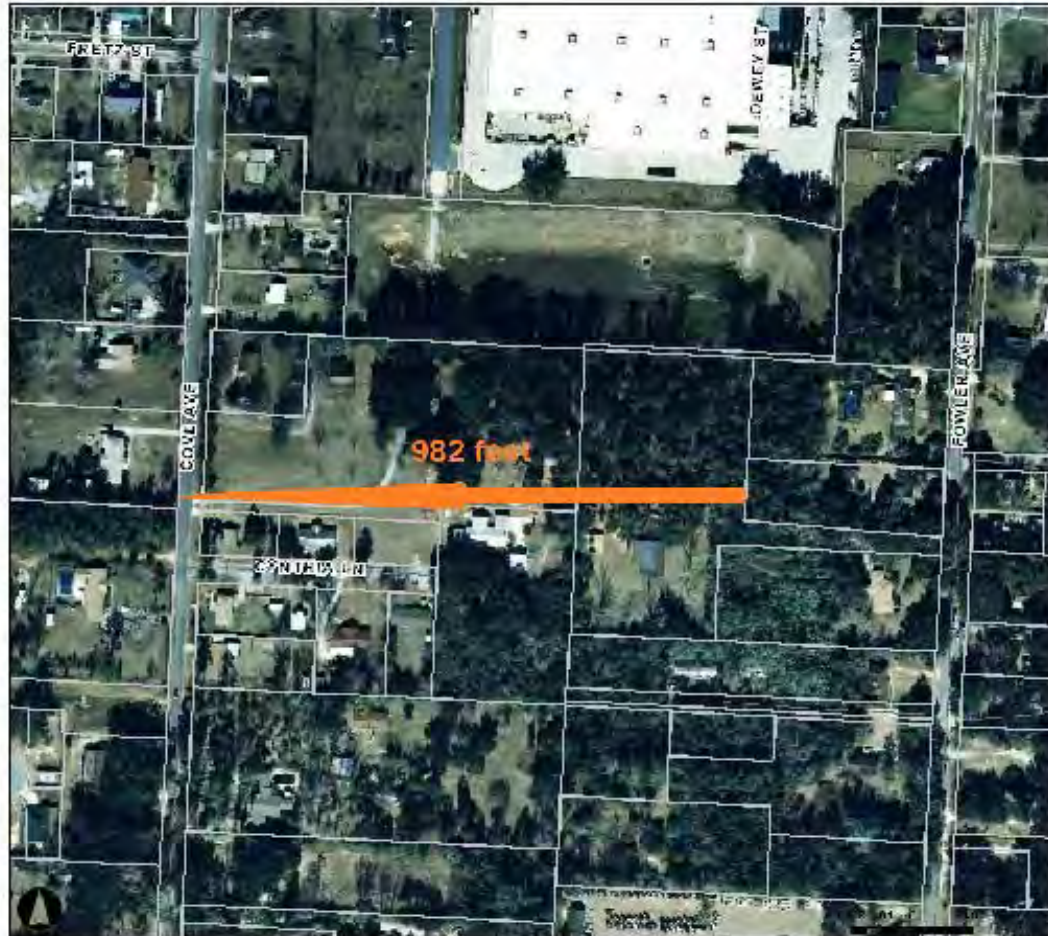
[Print](#) | [Print](#) | << First < Previous Next > Last >>



//10/2011



Distance to Church: 982'



Disclaimer

This map and associated information are provided for informational purposes only. The data and information do not constitute a warranty of any kind, and the user assumes all responsibility for its use.

FHWA URBAN BOUNDARY and FEDERAL FUNCTIONAL CLASSIFICATION HANDBOOK

Transportation Statistics Office
Florida Department of Transportation
Tallahassee, Florida

April 4, 2003



jointly by the Department, local governments, and where applicable, the Metropolitan Planning Organization. These designations are subject to approval by the Federal Highway Administration following submission by the Department.

Future routes should be functionally classified with the existing system if they are included in an approved short range improvement program (i.e.; 5 year work program) or there is a good probability that the route will be under construction within 6 years. Where applicable, the same classification should be given to the future route and to the existing route that it will replace until the future route is constructed.

A road located within an adjusted Census urban area boundary shall be classified as urban. Those roads located outside urban areas shall be classified as rural.

The classification of a road will change where there is a change in traffic conditions, land use and development, and other factors. Trip purposes may change at intersections or large developments.

Functional classification designations usually remain stable over many years being changed only when necessary to recognize evolving travel patterns, relocated urban area boundaries, and other factors. These are changes that should be considered during the ten year Census boundary revisions. FHWA usually accepts revisions at this time without having detailed justification.

Interim re-evaluations can occur when the Department or a local government has indications that the usage of a road has changed so as to indicate a possible change in function. A local government or a Metropolitan Planning Organization may request re-evaluation by writing to the appropriate District Secretary. If a local government is requesting a review of a road or roads located within the area influenced by a Metropolitan Planning Organization, then both parties shall be involved in the re-evaluation process and concur with the outcome of the review. District staff shall complete the Department's portion of the re-evaluation work within 6 months from the date the request is received.

Changes to urban area boundaries, feature 124 (HWYLOCAL) and proposed federal functional classification, feature 121 (PROFUNCL) must be updated in the Roadway Characteristics Inventory database by the District staff. The Transportation Statistics Office will update feature 112 (FAHWYSYS) and batch load the proposed federal functional classification from PROFUNCL to the current federal functional classification (FUNCLASS). **Attachment 5** is a sample screen print for feature 121. DO NOT ENTER OR CHANGE INFORMATION IN FUNCLASS.

CRITERIA AND METHODS FOR CLASSIFYING ROADS

Trip purpose identified by one or more quantifiable conditions

The ***Federal Highway Functional Classification Manual*** calls for the grouping of similarly ranked travel generators. This procedure delineates twelve traffic generators, more precisely referred to in this procedure as trip purposes. When evaluating the function of a road, the Department shall consider the character of service these roads are intended to provide. A road may serve more than one significant trip purpose.

Trip purpose identified by concept of service and consideration of proximity

It is not necessary for a road to go directly to the main entrance of a particular facility for it to serve that facility. A number of connections may exist between the primary access route and the facility itself. For example, a state university has many entrances accessed by local roads that connect to the major road network at multiple points. It may be sufficient for a major road to pass along or near a boundary of the university for it to be "served" by that road. In the same way, an Interstate highway that passes along the periphery of an urban area serves that urban area if a direct connection is provided between the Interstate highway and the urban area. The ***Federal Highway Functional Classification Manual*** provides a general guideline on the topic for rural inter-urban routes.

ARTERIALS

The **arterial system** provides the highest level of mobility at the highest speed, for long, uninterrupted travel. The Interstate Highway System is an arterial network. Arterials generally have higher design standards than other roads, often with multiple lanes and some degree of access control.

A road serving two trip purposes listed in 1 through 7 will be classified as a principal arterial road. All limited-access highways and all roads serving the purpose of connecting urbanized areas to each other are considered to serve several trip purposes and are thus classified as principal arterial roads. A road serving only one of the trip purposes listed in 1 through 7 will be classified as a minor arterial road.

The **urban principal arterial system** is divided into principal and minor arterials. The urban principal arterial system is the most important group; it includes Interstate highways, other freeways and expressways, and other principal arterials. The urban principal arterial system serves the major centers of activity of a metropolitan area, have the highest traffic volume corridors, and the longest trip desires; and should carry a high portion of the total urban area travel on a minimum of mileage. It carries most trips entering and leaving urban areas, and it provides continuity for all rural arterials that intercept urban boundaries.

The **urban minor arterial system** provides service for trips of moderate length and at a lower level of mobility. They connect with urban principal arterial roads and rural collector routes.

A rural principal arterial highway network provides interstate and inter-county service so that all developed areas are within a reasonable distance of an arterial highway. The principal arterial network is more significant. It serves virtually all urban areas with populations greater than 50,000 people. Additionally, most urban areas larger than 25,000 people are served by rural principal arterial highways. Rural principal arterial highways provide an integrated network without stub connections except where needed because of unusual geographic or traffic conditions (for example, connections to international borders, coastal cities, water ports and airports). The rural principal arterial network is divided into two subsystems, Interstate highways and other principal arterials.

A rural minor arterial highway serves an urban area if it penetrates or comes within 2 miles of the urban boundary. A road connecting the rural minor arterial highway to the urban area is not necessary.

1. Travel to and through urbanized areas

These are primary routes that connect one urbanized area to another. In selecting the primary route between two adjacent urbanized areas when more than one direct route exists, the Department shall first consider the route that extends to the largest number of distant urbanized areas. If that test does not provide a clear selection, the Department may then consider which road serves the largest volume of traffic traveling between the two adjacent urbanized areas. A connected urbanized area may be in another state. Two routes may be considered when the amount of travel in a given corridor connecting two urbanized areas is substantially served by trips on more than one highway. This is also true when an urbanized area is so geographically large as to result in multiple corridors having been established. This two-connector option will be applied in very limited cases. The Manager of the Transportation Statistics Office will review two-connector options as proposed by the District Planning Offices and present them to FHWA for consideration. In general, the use of multiple highways to serve the trip needs of a single corridor for this trip purpose may be recognized only when the two facilities are of different access control types; i.e., one is limited-access and the other is not. For example: I-10 is a limited access facility. US 90 that parallels I-10 is not a limited access facility.

2. Travel to and through small urban areas

These are primary routes that connect one small urban area to an adjacent small urban area, an adjacent urbanized area, or to the network of roads connecting urbanized areas to each other. If there is no urban area in the county, connection should be made to the county seat.

3. National defense

A national defense route is identified as a primary National Strategic Highway Corridor Network (STRAHNET) route. National defense routes also include connector routes

identified in the STRAHNET Connector Atlas that may be judged as serving the purpose of major or minor public facility access, as described in 6 and 7, according to the size of the facility and the degree of mobility provided by the connector route.

4. Interstate and regional commerce

Routes serving this trip purpose are identified by relatively high volumes of freight movements over long distances. A United States Route designation granted by the American Association of State Highway Transportation Officials (AASHTO) may often indicate that the so designated route serves the primary purpose of interstate commerce. Those roads that serve the purpose of travel to and through urbanized areas are considered to serve the needs of regional commerce and thus meet both trip purposes, and vice versa. Identification of this trip purpose may involve evaluating the appropriateness of existing U.S. route designations. Any needed changes, including proposed route changes, will be submitted by the Transportation Statistics Office on the appropriate forms to the American Association of State Highway Transportation Officials at the next meeting of the Special Committee on U.S. Route Numbering.

5. Access to airports, seaports, and major rail terminals or intermodal transfer facilities

McKenzie Tank Lines?

These major routes that provide access to regional or international airports, seaports handling ocean-going or river barge traffic, and rail/truck intermodal facilities, are designated by the Department and approved by the Federal Highway Administration.

6. Access to major public facilities

A route to the major point of entrance to a major public facility is considered the primary access route. Major public facilities are distinguished from minor public facilities by their frequency of use and customer service. The general guide for selecting facilities meeting this purpose is to identify those for which the generated traffic would substantially impact the performance of connecting roads; i.e., the number and frequency of trips to or from the facility would place a significant demand on the facility during the time evaluated for purposes of concurrency management. For the purposes of this procedure, major public facilities are: state or private universities; community colleges; regional medical centers; natural attractions, such as beaches, rivers, and state parks, that draw from a regional area and serve an average daily attendance of 1,000 persons in a single area; manmade attractions, such as theme parks, that attract audiences from a regional area; publicly-owned cultural and historic facilities, such as performing arts centers, civic centers, and museums, that attract audiences from a regional area.

7. Access to minor public facilities

A route providing access to the major point of entrance to a minor public facility is considered the primary access route. For the purposes of this procedure, minor public

facilities are those not meeting the requirements listed in 6, and include manmade attractions and publicly owned cultural and historical facilities that attract local audiences.

COLLECTORS

Collectors provide a lower degree of mobility than arterials. They are designed for travel at lower speeds and for shorter distances. Collectors are typically two-lane roads that collect and distribute traffic from the arterial system.

The **urban collector system** provides traffic circulation within residential neighborhoods and commercial and industrial areas. Unlike arterials, collector roads may penetrate residential communities, distributing traffic from the arterials to the ultimate destination for many motorists. Urban collectors also channel traffic from local streets onto the arterial system.

The **rural collector system** is stratified into two systems: major and minor collectors. **Major collectors** provide service to any county seat not on an arterial route. They also serve larger towns not accessed by higher order roads, and important industrial or agricultural centers that generate significant traffic (but are avoided by arterials). **Minor collectors** are spaced at intervals, consistent with population density, to collect traffic from local roads and to insure that all urbanized areas are within a reasonable distance of a collector road.

A road serving any of the purposes given in 8, 9, 10, and 11, will be classified as an urban collector road. In rural areas, where a distinction is recognized between major and minor collector roads, those serving any of the purposes given in 8, 9, and 10 will be considered to be rural major collector roads and those serving number 11 only will be considered to be rural minor collector roads.

8. Interconnection of major thoroughfares

A route that provides a high-volume cross-connection between roads that meet at least two of the trip purposes listed under 1 through 6 qualifies for this trip purpose. The intent is to ensure that the trips being observed are for through traffic seeking to reach the distant major road.

9. Interconnection of minor thoroughfares

A route that provides cross-connection between roads that meet at least one of the trip purposes listed under 1 through 7 qualifies for this trip purpose.

10. Access to concentrated land use areas

This is a route that connects major thoroughfares to concentrations of land use, such as the primary connection to a community, large residential subdivision, neighborhood shopping center, or a public facility serving a local audience.

11. Access to diffused land use areas

A route that connects major thoroughfares to diffused areas of a single or mixed land use serves this trip purpose. Such areas include the primary connection to a farming area consisting of large acreage tracts or scattered small residential developments.

LOCALS

Local roads represent the largest element in the road network in terms of mileage. For rural and urban areas, all public road mileage below the collector system is considered local. Local roads provide basic access between residential and commercial properties, connecting with higher order highways. A route meeting this purpose would connect a home, work, or entertainment trip by connecting the final destination to the roads serving longer trips. Examples of roads meeting the purpose described in this paragraph include those located within a residential subdivision or a cluster of commercial buildings.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1095

Growth Management Report Item #: 12. 2.

BCC Regular Meeting

Public Hearing

Meeting Date: 08/04/2011

Issue: 5:45 p.m. - Public Hearing- Amendment to the Official Zoning Map

From: T. Lloyd Kerr, AICP

Organization: Development Services

RECOMMENDATION:

5:45 p.m. A Public Hearing for Consideration for Adopting an Ordinance Amending the Official Zoning Map

That the Board adopt an Ordinance to amend the Official Zoning Map to include the rezoning cases heard by the Planning Board on July 11, 2011 and approved during the previous agenda item and to provide for severability, inclusion in the code, and an effective date.

BACKGROUND:

Rezoning cases Z-2011-10, Z-2011-11, Z-2011-12, Z-2011-13 were heard by the Planning Board on July 11, 2011. Under the Land Development Code (LDC), the Board of County Commissioners reviews the record and the recommended order of the Planning Board and conducts a Public Hearing for adoption of the LDC Zoning Map Amendment.

As a means of achieving the Board's goal of "decreasing response time from notification of citizen needs to ultimate resolution," the Board is acting on both the approval of the Planning Board's recommendation and the LDC Map Amendment for this month's rezoning cases. The previous report item addresses the Board's determination regarding the Planning Board's recommendation. This report item addresses only the Public Hearing and adoption of the Ordinance amending the LDC Official Zoning Map.

BUDGETARY IMPACT:

No budgetary impacts are expected as a result of the recommended Board action.

LEGAL CONSIDERATIONS/SIGN-OFF:

A copy of the standardized Ordinance has initially been provided to the County Attorney's office for review regarding compliance with rezoning requirements in Florida Statutes and the Land Development Code.

PERSONNEL:

No additional personnel are anticipated for the implementation of this recommended Board action.

POLICY/REQUIREMENT FOR BOARD ACTION:

The Board Chairman will need to sign the Ordinance to amend the Official Zoning Map.

IMPLEMENTATION/COORDINATION:

This Ordinance, amending the Land Development Code Official Zoning Map, will be filed with the Department of State following adoption by the Board.>br /> This Ordinance is coordinated with the County Attorney's Office, the Development Services Department and interested citizens. The Development Services Department will ensure proper advertisement.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-963 **Growth Management Report** **Item #: 12. 3.**
BCC Regular Meeting **Public Hearing**

Meeting Date: 08/04/2011
Issue: 5:46 p.m. - Public Hearing - LDC Ordinance - Article 6 "Motorized Commercial Recreational Uses"
From: T. Lloyd Kerr, AICP
Organization: Development Services

RECOMMENDATION:

5:46 p.m. A Public Hearing Concerning the review of an LDC Ordinance Article 6, Motorized Commercial Recreational Uses

That the Board review and adopt an Ordinance to the Land Development Code (LDC) amending Article 6, Section 6.05.22.B. to add motorized commercial recreational uses (with a minimum lot size of 20 acres) as a permitted use in the VAG zoning districts, and add golf courses, tennis centers, swimming clubs and customary attendant facilities and accessory buildings as permitted uses in the VAG zoning districts. Amending Article 6, Section 6.05.22.D.2, to remove golf courses, tennis centers, swimming clubs and customary attendant facilities and accessory buildings as conditional uses in the VAG zoning districts.

This hearing serves as the second of two required public hearings before the Board of County Commissioners (BCC) as set forth in LDC Section 2.08.04(b) and F.S. 125.66(4)(b).

BACKGROUND:

At the March 7, 2011 Planning Board meeting, a citizen presented a question to the Planning Board to allow motorized commercial recreational uses in the VAG zoning districts. Because of the large land area in the VAG zoning districts, the Planning Board directed staff to research this type of use in other surrounding counties. At the April 11, 2011 Planning Board meeting, the board directed staff to draft an Ordinance allowing motorized commercial recreational uses (with a minimum lot size of 20 acres) as a permitted use in the VAG zoning districts. In addition, change golf courses, tennis centers, swimming clubs and customary attendant facilities and accessory buildings from conditional uses to permitted uses in the VAG zoning districts.

BUDGETARY IMPACT:

No budgetary impact is anticipated by the adoption of this Ordinance.

LEGAL CONSIDERATIONS/SIGN-OFF:

The attached Ordinance was reviewed and approved for legal sufficiency by Stephen West, Assistant County Attorney. Any suggested legal comments are attached herein with the respective Ordinance to which they pertain.

PERSONNEL:

No additional personnel are required for implementation of this Ordinance.

POLICY/REQUIREMENT FOR BOARD ACTION:

The proposed Ordinance is consistent with the Board's goal "to increase citizen involvement in, access to, and approval of, County government activities."

IMPLEMENTATION/COORDINATION:

Implementation of this Ordinance will consist of an amendment to the LDC and distribution of a copy of the adopted Ordinance to interested citizens and staff.

The proposed Ordinance was prepared in cooperation with the Development Services Department, the County Attorney's Office and all interested citizens. The Development Services Department will ensure proper advertisement.

Attachments

Legal Approval: Ordinance Draft; Ordinance Clean Copy

Legal Review

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Article 6, "Motorized Commercial Recreational Uses"

Date: June 1, 2011

Date requested back by: 6/13/11

Requested by: Allyson CAin

Phone Number: 595-3547



(LEGAL USE ONLY)

Legal Review by 

Date Received: June 9, 2011

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

Art. 6 "Motorized Commercial Recreational Uses"

LDC Ordinance

Ordinance Draft 2A

ORDINANCE NUMBER 2011- _____

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, AS AMENDED; AMENDING ARTICLE 6, SECTION 6.05.22.B., TO ADD MOTORIZED COMMERCIAL RECREATIONAL USES (WITH A MINIMUM LOT SIZE OF 20 ACRES) AND GOLF COURSES, TENNIS CENTERS, SWIMMING CLUBS AND CUSTOMARY ATTENDANT FACILITIES AND ACCESSORY BUILDINGS AS PERMITTED USES IN THE VAG ZONING DISTRICTS; AMENDING ARTICLE 6, SECTION 6.05.22.D.2, TO REMOVE GOLF COURSES, TENNIS CENTERS, SWIMMING CLUBS AND CUSTOMARY ATTENDANT FACILITIES AND ACCESSORY BUILDINGS AS A CONDITIONAL USE IN THE VAG ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the intent of this Ordinance is to add motorized commercial recreation uses as a permitted use in VAG zoning districts with a minimum lot size of 20 acres and change golf courses, tennis centers, swimming clubs and customary attendant facilities and accessory buildings as conditional uses to permitted uses in VAG zoning districts.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:

Section 1. Part III of the Escambia County Code of Ordinances (1999) the Land Development Code of Escambia County, Article 6, "Section 6.05.22", is hereby amended as follows:

6.05.22. VAG villages agriculture districts.

VAG 1-- Gross density (five dwelling units per 100 acres on one-acre parcels).

VAG 2-- Gross density (one dwelling unit per five acres). Minimum lot size = five acres unless clustered. If clustered, minimum lot size = one acre.

B. Permitted uses.

23. Motorized commercial recreation uses (minimum lot size 20 acres).

24. Golf courses, tennis centers, swimming clubs and customary attendant facilities and accessory buildings.

D. *Conditional uses.*

- 1. Hunting preserves, shooting ranges, gun and rifle clubs, etc.
- ~~2. Golf courses, tennis centers, swimming clubs and customary attendant facilities and accessory buildings.~~
- ~~3.~~ 2. Public buildings for general administrative, executive or studio functions, or for general warehousing or maintenance operations (see section 6.08.02).
- ~~4.~~ 3. Wastewater treatment facilities, electric power generation facilities or substations, and solid waste transfer stations, collection points and/or processing facilities.
- ~~5.~~ 4. Oil wells/mineral extraction and commercial antenna towers more than 150 feet in height.
- ~~6.~~ 5. Hospitals, clinics, nursing homes and similar uses.
- ~~7.~~ 6. Borrow pits and reclamation activities thereof (subject to local permit and development review requirements per Escambia County Code of Ordinances, Part I, Chapter 42, article VIII, and performance standards in Part III, the Land Development Code, article 7).
- ~~8.~~ 7. Junkyards, salvage yards, and waste tire processing facilities.

Section 2. Severability.

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 3. Inclusion in Code.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall be codified as required by 125.68, Fla. Stat. (2010); and that the sections, subsections and other provisions of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

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DRAFT

1 **Section 4. Effective Date.**

2
3 This Ordinance shall become effective upon filing with the Department of State.

4
5 **DONE AND ENACTED** this _____ day of _____, 2011.

6
7 **BOARD OF COUNTY COMMISSIONERS**
8 **OF ESCAMBIA COUNTY, FLORIDA**

9
10 By: _____
11 **Kevin W. White, Chairman**

12
13 **ATTEST: ERNIE LEE MAGAHA**
14 **Clerk of the Circuit Court**

15
16 By: _____
17 **Deputy Clerk**

18
19 **(SEAL)**

20
21 **ENACTED:**

22
23 **FILED WITH THE DEPARTMENT OF STATE:**

24
25 **EFFECTIVE DATE:**

Article 6 "Motorized Commercial Recreational Uses"

LDC Ordinance

Clean Copy

ORDINANCE NUMBER 2011- _____

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, AS AMENDED; AMENDING ARTICLE 6, SECTION 6.05.22.B., TO ADD MOTORIZED COMMERCIAL RECREATIONAL USES (WITH A MINIMUM LOT SIZE OF 20 ACRES) AND GOLF COURSES, TENNIS CENTERS, SWIMMING CLUBS AND CUSTOMARY ATTENDANT FACILITIES AND ACCESSORY BUILDINGS AS PERMITTED USES IN THE VAG ZONING DISTRICTS; AMENDING ARTICLE 6, SECTION 6.05.22.D.2, TO REMOVE GOLF COURSES, TENNIS CENTERS, SWIMMING CLUBS AND CUSTOMARY ATTENDANT FACILITIES AND ACCESSORY BUILDINGS AS A CONDITIONAL USE IN THE VAG ZONING DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the intent of this Ordinance is to add motorized commercial recreation uses as a permitted use in VAG zoning districts with a minimum lot size of 20 acres and change golf courses, tennis centers, swimming clubs and customary attendant facilities and accessory buildings as conditional uses to permitted uses in VAG zoning districts.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:

Section 1. Part III of the Escambia County Code of Ordinances (1999) the Land Development Code of Escambia County, Article 6, "Section 6.05.22", is hereby amended as follows:

6.05.22. VAG villages agriculture districts.

VAG 1-- Gross density (five dwelling units per 100 acres on one-acre parcels).

VAG 2-- Gross density (one dwelling unit per five acres). Minimum lot size = five acres unless clustered. If clustered, minimum lot size = one acre.

B. *Permitted uses.*

23. Motorized commercial recreation uses (minimum lot size 20 acres).

24. Golf courses, tennis centers, swimming clubs and customary attendant facilities and accessory buildings.

D. *Conditional uses.*

1. Hunting preserves, shooting ranges, gun and rifle clubs, etc.
- ~~2. Golf courses, tennis centers, swimming clubs and customary attendant facilities and accessory buildings.~~
- ~~3.~~ 2. Public buildings for general administrative, executive or studio functions, or for general warehousing or maintenance operations (see section 6.08.02).
4. 3. Wastewater treatment facilities, electric power generation facilities or substations, and solid waste transfer stations, collection points and/or processing facilities.
- ~~5.~~ 4. Oil wells/mineral extraction and commercial antenna towers more than 150 feet in height.
- ~~6.~~ 5. Hospitals, clinics, nursing homes and similar uses.
7. 6. Borrow pits and reclamation activities thereof (subject to local permit and development review requirements per Escambia County Code of Ordinances, Part I, Chapter 42, article VIII, and performance standards in Part III, the Land Development Code, article 7).
- ~~8.~~ 7. Junkyards, salvage yards, and waste tire processing facilities.

Section 2. Severability.

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 3. Inclusion in Code.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall be codified as required by 125.68, Fla. Stat. (2010); and that the sections, subsections and other provisions of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

INTENTIONALLY LEFT BLANK

Section 4. Effective Date.

This Ordinance shall become effective upon filing with the Department of State.

DONE AND ENACTED this _____ day of _____, 2011.

**BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA**

By: _____
Kevin W. White, Chairman

**ATTEST: ERNIE LEE MAGAHA
Clerk of the Circuit Court**

By: _____
Deputy Clerk

(SEAL)

ENACTED:

FILED WITH THE DEPARTMENT OF STATE:

EFFECTIVE DATE:



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1109

Growth Management Report Item #: 12. 4.

BCC Regular Meeting

Public Hearing

Meeting Date: 08/04/2011

Issue: 5:47 p.m. A Public Hearing - LDC Ordinance - Article 6 "Uses and Parking of Recreational Vehicles"

From: T. Lloyd Kerr, AICP

Organization: Development Services

RECOMMENDATION:

5:47 p.m. A Public Hearing Concerning the review of an LDC Ordinance Article 6 "Uses and Parking of Recreational Vehicles"

That the Board review an Ordinance to the Land Development Code (LDC) amending Article 6 "General Provisions", Section 6.04.04 to redefine "uses and parking of recreational vehicles."

BACKGROUND:

Currently, the LDC prohibits the use of RV's as living quarters for more than 14 days in a calendar year except in licensed RV parks or mobile home parks. The Development Services staff was directed to explore possible changes to the Land Development Code (LDC) regarding the use of Recreational Vehicles (RV's) as living quarters.

At the June 13, 2011 Planning Board meeting, the Board rendered a recommendation to the BCC that the language be removed that pertained to a conditional use permit, being that no such permit exists.

BUDGETARY IMPACT:

No budgetary impact is anticipated by the adoption of this Ordinance.

LEGAL CONSIDERATIONS/SIGN-OFF:

The attached Ordinance was reviewed and approved for legal sufficiency by Stephen West, Assistant County Attorney. Any suggested legal comments are attached herein with the respective Ordinance to which they pertain.

PERSONNEL:

No additional personnel are required for implementation of this Ordinance.

POLICY/REQUIREMENT FOR BOARD ACTION:

The proposed Ordinance is consistent with the Board's goal "to increase citizen involvement in, access to, and approval of, County government activities."

IMPLEMENTATION/COORDINATION:

Implementation of this Ordinance will consist of an amendment to the LDC and distribution of a copy of the adopted Ordinance to interested citizens and staff.

The proposed Ordinance was prepared in cooperation with the Development Services Department, the County Attorney's Office and all interested citizens. The Development Services Department will ensure proper advertisement.

Attachments

Legal Approval:Draft2A Ordinance

Legal Review

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Article 6 "Recreational Vehicle as Living Quarters Draft 1A

Date: May 11, 2011

Date requested back by: 5/18/2011

Requested by: Allyson Cain

Phone Number: 595-3547



(LEGAL USE ONLY)

Legal Review by 

Date Received: May 11, 2011

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

Article 6 LDC Ordinance
“Uses and Parking of Recreational Vehicles”
Draft

ORDINANCE NUMBER 2011-_____

1
2
3 AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING
4 PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES
5 (1999), THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY,
6 FLORIDA, AS AMENDED; AMENDING ARTICLE 6, SECTION 6.04.04
7 TO REDEFINE “USES AND PARKING OF RECREATIONAL
8 VEHICLES”; PROVIDING FOR SEVERABILITY; PROVIDING FOR
9 INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE
10 DATE.

11
12 *WHEREAS, the intent of this Ordinance is to redefine “uses and parking of*
13 *recreational vehicles” for clarity purposes.*

14
15 NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY
16 COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:

17
18 **Section 1.** Part III of the Escambia County Code of Ordinances, the Land Development
19 Code of Escambia County, Article 6, “General Provisions”, Section 6.04.04, is hereby
20 amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

21
22 *6.04.04. General provisions.*

23
24 Uses and parking of recreational vehicles. As of the adoption date of this Code, the use
25 of recreational vehicles as living quarters for more than 14 days in any calendar year
26 (~~any time in excess of 14 days is subject to a conditional use permit~~) is prohibited,
27 except in duly licensed campgrounds or mobile home parks. All recreational vehicles
28 located in residential districts, except for those being stored and not occupied and
29 located on the same lot with the principal structure, shall be removed within 60 days
30 from notification.

31
32 **Section 2.** **Severability.**

33
34 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or
35 unconstitutional by any Court of competent jurisdiction, then said holding shall in no way
36 affect the validity of the remaining portions of this Ordinance.

37
38 **Section 3.** **Inclusion in Code.**

39
40 It is the intention of the Board of County Commissioners that the provisions of this
41 Ordinance shall be codified as required by F.S. § 125.68 (2011); and that the sections,
42 subsections and other provisions of this Ordinance may be renumbered or re-lettered
43 and the word “ordinance” may be changed to “section,” “article,” or such other
44 appropriate word or phrase in order to accomplish such intentions.

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Section 4. Effective Date.

This Ordinance shall become effective upon filing with the Department of State.

DONE AND ENACTED this _____ day of _____, 2011.

**BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA**

By: _____
Kevin W. White, Chairman

**ATTEST: ERNIE LEE MAGAHA
Clerk of the Circuit Court**

By: _____
Deputy Clerk

(SEAL)

ENACTED:

FILED WITH THE DEPARTMENT OF STATE:

EFFECTIVE DATE:

H:\DEV SRVCS\PRO-000 Projects\LDC Ordinances\Art. 6 Recreational Vehicle as Living Quarters\PB 06-13-11\Ordinance Draft 1A.doc



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1108 **Growth Management Report** **Item #: 12. 5.**
BCC Regular Meeting **Public Hearing**

Meeting Date: 08/04/2011
Issue: 5:48 p.m. A Public Hearing - Comprehensive Plan Amendment-
Chapter 7, "Future Land Use Element"
From: T. Lloyd Kerr, AICP
Organization: Development Services

RECOMMENDATION:

5:48 p.m. A Public Hearing Concerning the review and transmittal of the proposed Comprehensive Plan Amendment, Future Land Use Element

That the Board approve for transmittal the proposed Comprehensive Plan Amendment, Future Land Use Element herein, amending Part II of the Escambia County Code of Ordinances , the Escambia County Comprehensive Plan:2030; Amending Chapter 7, "The Future Land Use Element," to add Policy 5.4.6, establishing a process for protection and management of regionally significant natural resources within the Optional Sector Plan; Amending Policy 5.6.1 to delete certain requirements regarding conservation areas from the detailed specific area plans boundary determination analysis.

BACKGROUND:

The BCC adopted the 2030 Comprehensive Plan and EAR Based Amendments on January 20, 2011. Recent changes to Chapter 163 Florida Administrative Code (FAC) and the repeal of Rule 9J-5 have necessitated amending certain comprehensive plan policies pertaining to wetlands and other environmentally sensitive areas within a DSAP. This amendment will serve to further strengthen the ability to make land use decisions locally. On July 11, 2011at the first of two transmittal public hearings to consider the amendment, the Planning Board reviewed the Comprehensive Plan Amendment and by majority vote recommended approval.

BUDGETARY IMPACT:

No budgetary impact are anticipated as a result of the recommended Board action.

LEGAL CONSIDERATIONS/SIGN-OFF:

The attached comprehensive plan amendment was reviewed and approved for legal sufficiency by Stephen West, Assistant County Attorney. Any suggested legal comments are attached herein with the respective ordinance to which they pertain.

PERSONNEL:

No additional personnel are required for implementation of this amendment.

POLICY/REQUIREMENT FOR BOARD ACTION:

Comprehensive Plan Section 4.08 requires review in a public hearing by the Board of County Commissioners on the recommendation of the local planning agency (Planning Board) regarding any proposed amendment to the plan.

IMPLEMENTATION/COORDINATION:

Upon recommended approval by the Board of County Commissioners, the amendment package is forwarded to the the reviewing agencies for their review and written comment consistent with the State Coordinated review process. Once comments are received, the Board of County Commissioners will hold a public hearing to review and adopt the amendment package.

The proposed amendment was prepared in cooperation with the Development Services Department, the County Attorney's Office and all interested citizens. The Development Services Department will ensure proper advertisement.

Attachments

Legal Review:Ordinance Draft 2A

Legal Review

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Comp Plan Amendment -Chapter 7 "Future Land Use Element" Draft 1D

Date: 06-24-11

Date requested back by: 06-27-11

Requested by: Allyson Cain

Phone Number: 595-3547



(LEGAL USE ONLY)

Legal Review by *[Signature]*

Date Received: *June 27, 2011*

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

Please see my emails from June 24-27, 2011

Allyson Cain

From: Stephen G. West
Sent: Friday, June 24, 2011 2:28 PM
To: Allyson Cain
Cc: T. Lloyd Kerr; Horace L Jones; Brenda J. Spencer
Subject: RE: Comprehensive Plan Amendment - Chapter 7, "Future Land Use Element"

Allyson:

I'll need more information on this. The term "conservation" is defined and used throughout the Comp Plan, but the proposed change introduces a new term – "low impact natural resource area." As far as I can tell, this term is not defined. I don't know what this is, how it relates to or differs from a conservation area, or what prompted the change.

Please understand that I am a little uncomfortable with the way this Comp Plan change has unfolded. This is the second week in a row where our office has received a request for a short-notice review in order to make a PNJ deadline. Last week I approved a proposed change that was contrary to the provisions of the new Community Planning Act based on staff's assurance that DCA was OK with it. I later learned that this was not the case.

Please ask Lloyd or Horace call me.

From: Allyson Cain
Sent: Friday, June 24, 2011 9:27 AM
To: Stephen G. West
Cc: Brenda J. Spencer; Horace L Jones; T. Lloyd Kerr
Subject: Comprehensive Plan Amendment - Chapter 7, "Future Land Use Element"

Steve,

As per direction from Lloyd, there are some slight changes in the draft ordinance. I have attached the document and have highlighted the additional language, which replaces the word "conservation". We have contacted the PNJ to hold for your final review and approval. Please return to us as soon as possible so we do not miss the summittal deadline for PNJ.

Thank you,

*Allyson Cain, Planner II
Development Services Department*

Escambia County is striving to maintain a high level of Customer Service and we would love to hear about your experience with us. Please complete the attached customer service survey and fax it to 595-3481.

<http://www.zoomerang.com/Survey/WEB22C6W7A4DVC/>

From: Stephen G. West
To: Allyson Cain
Cc: T. Lloyd Kerr; Horace L Jones; Brenda J. Spencer
Subject: RE: See this attachment!
Date: Monday, June 27, 2011 10:15:17 AM

Allyson:

I understand from talking with Horace that the intent underlying the change to “low impact natural resource area” is to allow the potential for some type of development in what would otherwise be a conservation area. My concern is that low impact natural resource area is an undefined term. So the comp plan would have no guidance on what development is allowed. The County may find later that the developers had a much different (more intense) expectation of the type of development that would be allowed. And, of course, we don’t know if DCA is OK with this. I’ve discussed this with Alison and our office will sign off on the ordinance, subject to this caution.

CHAPTER 7
FUTURE LAND USE ELEMENT
ORDINANCE
DRAFT 2A

ORDINANCE NO. 2011-____

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART II OF THE ESCAMBIA COUNTY CODE OF ORDINANCES, THE ESCAMBIA COUNTY COMPREHENSIVE PLAN: 2030; AMENDING CHAPTER 7, "THE FUTURE LAND USE ELEMENT," TO ADD POLICY FLU 5.4.6, ESTABLISHING A PROCESS FOR ENSURING APPROPRIATE IDENTIFICATION, PROTECTION AND MANAGEMENT OF REGIONALLY SIGNIFICANT NATURAL RESOURCES WITHIN THE OPTIONAL SECTOR PLAN; AMENDING POLICY FLU 5.6.1 TO DELETE CERTAIN REQUIREMENTS REGARDING CONSERVATION AREAS FROM THE DETAILED SPECIFIC AREA PLANS BOUNDARY DETERMINATION ANALYSIS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 163, Part II, Florida Statutes, Escambia County adopted its current Comprehensive Plan on January 20, 2011; and

WHEREAS, Chapter 125, Florida Statutes, empowers the Board of County Commissioners of Escambia County, Florida to prepare, amend and enforce comprehensive plans for the development of the County; and

WHEREAS, the Escambia County Planning Board conducted a public hearing and forwarded a recommendation to the Board of County Commissioners, which has conducted a public hearing, reviewed and approved the changes to the Comprehensive Plan and authorized the transmittal of the proposed changes to the Florida Department of Community Affairs (DCA) for review and comment prior to considering the changes (amendments) for adoption; and

WHEREAS, the Board of County Commissioners, Escambia County, Florida finds that the adoption of these amendments is in the best interest of the County and its citizens;

NOW THEREFORE BE IT ORDAINED by the Board of County Commissioners of Escambia County, Florida, as follows:

Section 1. Purpose and Intent

This Ordinance is enacted to carry out the purpose and intent of, and exercise the authority set out in, the Community Planning Act, Sections 163.3161 through 163.3215, Florida Statutes.

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Section 2. Title of Comprehensive Plan Amendment

This Comprehensive Plan Amendment for Escambia County, Florida shall be entitled – "Comprehensive Plan Amendment 2011-01." This is the first amendment to be submitted to the DCA for the Year 2011.

Section 3. Future Land Use Element

Part II, of the Escambia County Code of Ordinances, the Escambia County Comprehensive Plan: 2030, Chapter 7, "Future Land Use Element," Sections 5.4.6 and 5.6.1 and all notations, references and information shown thereon is amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

OBJ FLU 5.4 Environment

FLU 5.4.6 To ensure appropriate identification, protection and management of regionally significant natural resources within the OSP, the following process is established:

1. Regionally significant natural resources, including waterbodies, wetlands, listed species habitat, unique vegetative communities and publicly owned lands acquired for conservation purposes, shall be identified at the long-term master plan level utilizing publicly available data. These resources shall be depicted on the long-term master plan framework map as "Anticipated Conservation Areas."
2. At the Detailed Specific Area Plan (DSAP) level, Anticipated Conservation Areas shall be subject to further study and refinement. Methods such as photo-interpretation and ground-truthing shall be utilized to verify, and where appropriate, revise Anticipated Conservation Area boundaries. These areas shall be depicted as low impact natural resource areas on the DSAP land use map.
3. At the time of issuance of an Escambia County development order, areas identified through the permitting process for preservation shall be protected through the recordation of conservation easements consistent

1 with Section 704.06, Florida Statutes. Escambia County shall
2 administratively amend the boundaries of areas designated low impact
3 natural resource areas on the DSAP land use map to reflect the executed
4 conservation easements final boundaries as identified during the
5 development review process.

6 **OBJ FLU 5.6 Specific Area Plans**

7 FLU 5.6.1 Development within the OSP shall be subject to the adoption of Detailed
8 Specific Area Plans (DSAP). Each DSAP must be a minimum of 1,000 acres in size
9 and developed in sufficient detail to allow evaluation of the interrelationship of its parts
10 and establish consistency with principles and criteria contained in FLU 5.1.1 – FLU
11 5.5.5. Until and unless a DSAP is approved by the Escambia County Board of County
12 Commissioners and found in compliance by the Florida Department of Community
13 Affairs, the property in the OSP shall maintain the underlying future land use category
14 (e.g. Agricultural , Rural Community, Mixed-Use Suburban) and zoning district (e.g. the
15 agricultural, the rural community, the mixed-use low density zonings or the equivalents),
16 except for those projects that are vested.

17 All applications for development approvals (i.e. lot splits, special exceptions, variances,
18 etc.) on any property within the OSP shall be reviewed on a case-by-case basis for the
19 effect of such development approval on adopted or future DSAPs and in compliance
20 with the general principles established in FLU Policy 5.1.2. At a minimum, development
21 of a DSAP must include the following information:

22 **I. DSAP Boundary Determination Analysis**

23 Conduct a preliminary site analysis of the proposed DSAP area to determine
24 appropriate boundaries. This analysis shall include the following:

- 25
- 26 1. Identification of the extent and location of natural resources.
- 27
- 28 2. Identification of the environmental opportunities and constraints to
29 development within the area.
- 30
- 31 3. Identification of the net usable land area.
- 32
- 33 4. Determination of a maximum development scenario based upon the uses,
34 densities and intensities identified in the Conceptual Long-term Build-out
35 Overlay.
- 36

- 1 5. A Jobs-to housing balance assessment consistent with policy FLU 5.3.4
2 and utilizing a professionally acceptable methodology.
3
- 4 6. Identification of public facilities and services available to the area;
5 available capacity; potential deficiencies; and an approximation of
6 necessary improvements.
7

8 ~~If a DSAP contains areas designated as Anticipated Conservation Areas on the Long-~~
9 ~~Range Conceptual Framework Map, the boundaries of those Anticipated Conservation~~
10 ~~Areas shall be finalized during the DSAP process and designated as Conservation on~~
11 ~~the Future Land Use Map as part of the DSAP plan amendment. No development shall~~
12 ~~be permitted on lands designated Conservation within a DSAP except as specifically~~
13 ~~provided for in the DSAP. Prior to the commencement of any development within a~~
14 ~~DSAP, a perpetual conservation easement meeting the requirements of Section 704.06,~~
15 ~~Florida Statutes, shall be placed over all of the lands designated Conservation within~~
16 ~~that DSAP and shall be recorded in the public records of Escambia County. The total~~
17 ~~acreage of lands subject to the conservation easement shall be no less than the total~~
18 ~~acreage of lands designated Conservation within a DSAP. The conservation easement~~
19 ~~shall be granted to, and provide for enforcement rights by, the County, the Department~~
20 ~~of Community Affairs, and either the Department of Environmental Protection or a~~
21 ~~recognized statewide land trust.~~

22 23 **Section 4. Severability**

24
25 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or
26 unconstitutional by any Court of competent jurisdiction, then said holding shall in no way
27 affect the validity of the remaining portions of this Ordinance.
28

29 **Section 5. Inclusion in the Code**

30
31 It is the intention of the Board of County Commissioners that the provisions of this
32 Ordinance shall be codified as required by Section 125.68, Florida Statutes, and that
33 the sections, subsections and other provisions of this Ordinance may be renumbered or
34 relettered and the word "ordinance" may be changed to "section," "article," or such other
35 appropriate word or phrase in order to accomplish such intentions.
36

37 **Section 6. Effective Date**

38
39 Pursuant to Section 163.3184(4)(e)5, Florida Statutes, this plan amendment shall go
40 into effect pursuant to the State Land Planning Agency's notice of intent. If timely
41 challenged, this plan amendment will not become effective until the State Land Planning

DRAFT

1 Agency or the Administration Commission enters a final order determining the adopted
2 amendment to be in compliance.

3
4

5 **DONE AND ENACTED** this _____ day of _____, 2011.

6
7

BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA

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By: _____
Kevin W. White, Chairman

12
13

14 ATTEST: ERNIE LEE MAGAHA
15 CLERK OF THE CIRCUIT COURT

16
17

18 By: _____
19 Deputy Clerk

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21

22 (SEAL)

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24

25 ENACTED:

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27

28 FILED WITH THE DEPARTMENT OF STATE:

29
30

EFFECTIVE DATE:



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1123 **Growth Management Report** **Item #: 12. 1.**

BCC Regular Meeting

Action

Meeting Date: 08/04/2011

Issue: Action Item – Robert’s Ridge Final Plat Permit # 07050710

From: T. Lloyd Kerr, AICP

Organization: Development Services

CAO Approval:

RECOMMENDATION:

Recommendation Concerning the recording of the Final Plat of Robert's Ridge Subdivision

That the Board take the following actions concerning recording of the Final Plat of Robert’s Ridge, (a 61 lot single family residential subdivision), located in the Cantonment Community on West Robert’s Road, lying west of U.S. Highway 29. The Subdivision is owned and developed by West Robert’s, LLC. Prior to recording, the County Engineer, County Surveyor, Development Services 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 County Land Development Code. Also, prior to recording the County Surveyor must sign the Final Plat as set forth in Chapter 177.081 (1) Florida Statutes;

A. Approve the final plat for recording;

B. Approve the street names “Redford Drive” and” Deniro Court”;

C. Accept all public easements, drainage improvements within public easements/public parcels, as depicted upon the final plat for permanent County maintenance subject to the transfer of the stormwater system to operation and maintenance phase through the water management district. The cost of maintenance for drainage improvements are to be funded through the establishment of a stormwater management MSBU (Municipal Services Benefit Unit); and

D. Authorize the Chairman or Vice Chairman to execute a Two Year Warranty Agreement without Surety and a Hold Harmless Agreement.

BACKGROUND:

The preliminary plat was approved on July 25, 2007. Construction Plans were approved on April 2, 2008. The Escambia County Department of Public Safety approved the street names “Redford Drive” and” Deniro Court”; on August 12, 2010. Development Services Department inspected the improvements on July 15, 2011 and found improvements substantially complete and in accordance with applicable County requirements. An executed Two Year Warranty Agreement without Surety and Hold Harmless Agreement will be recorded with the final plat. Staff has reviewed the final plat.

BUDGETARY IMPACT:

There will be indirect staff costs associated with the review of the final plat, inspections and preparation of this recommendation. The Road Department is being copied to ensure all future maintenance requirements can be accommodated in upcoming budgets.

LEGAL CONSIDERATIONS/SIGN-OFF:

This recommendation is consistent with previous practices of the County Attorney's Office. The Two Year Warranty Agreement without Surety and Hold Harmless Agreement were reviewed and approved by Stephen West on June 29, 2011.

PERSONNEL:

All work associated with this recommendation was done in-house and no additional staff was required. Future Road Department budgets will reflect additional cost to maintain these improvements.

POLICY/REQUIREMENT FOR BOARD ACTION:

Based on the County Land Development Code – providing procurement for surety to warrant subdivision improvements (Ord. #2002-9) and the Florida State Plat Act - Chapter 177.

IMPLEMENTATION/COORDINATION:

Once the final plat has been approved by the Board and final sign-offs given by the County Engineer, County Surveyor and Development Services Director, it will be transmitted to the Clerk of Court's Office for recording in the public records of Escambia County, Florida. Staff has been in contact with the developer's engineer/surveyor, County Road Department, County Building Inspections and Development Services Department.

Attachments

Street Letter Approval

2 Year Warranty Agreement

Hold Harmless Agreement

Final Plat Drawing



Michael Weaver
Interim Bureau Chief

BOARD OF COUNTY COMMISSIONERS ESCAMBIA COUNTY, FLORIDA

Public Safety Bureau
6575 North "W" Street
Pensacola, Florida 32504
850-471-6400
850-471-6455
www.myescambia.com

August 12, 2010

The following names have been submitted for approval:

Redford Drive
DeNiro Court

The street is located in:

Robert's Ridge

The name was requested by:

Hammond Engineering, Inc.

Escambia County Public Safety concurs the street names above are not duplicates of any other street names in Escambia County Florida.

A handwritten signature in black ink, appearing to be "WJB", is written above a horizontal line.

9-1-1 Coordinator

Prepared by:

THOMAS G. HAMMOND JR
HAMMOND ENGINEERING, INC
3802 N. 15TH ST.
PENSACOLA, FL 32505

**TWO-YEAR WARRANTY AGREEMENT
FOR STREETS AND DRAINAGE IMPROVEMENTS WITHOUT
SURETY/FINANCIAL SECURITY
(Limited Liability Company)**

This Two-Year Warranty Agreement (Agreement) is entered by and between WEST ROBERTS, LLC, a limited liability company organized under the laws of the State of FLORIDA whose address is 106 STONE BLVD, CANTONMENT, FL (Developer) and Escambia County, a political subdivision of the State of Florida, whose address is Post Office Box, 1591, 221 Palafox Place, Pensacola, Florida 32591 (County).

WITNESSETH:

WHEREAS, Developer has undertaken to develop and construct certain streets and drainage improvements in and for ROBERTS RIDGE Development, more particularly described as follows:

See Exhibit A (Legal Description) for ROBERTS RIDGE PG ___; and

WHEREAS, Developer wishes to have the streets and drainage improvements dedicated to the public and accepted for maintenance by the County; and

WHEREAS, the streets and drainage improvements have been built and approved in accordance with County standards; and

WHEREAS, a condition of the County accepting the streets and drainage improvements is the Developer's agreement to provide a warranty for the improvements in accordance with Section 4.03.03.C., Escambia County Land Development Code;

NOW, THEREFORE, in consideration of the County accepting the streets and drainage improvements, and for other good and sufficient consideration, the receipt of which is acknowledged, Developer and the County agree as follows:

1. The foregoing recitals are incorporated in this Agreement by reference.
2. Developer warrants that it shall, at its sole expense, for a period of two years from the date of the County's acceptance of the above-referenced streets and drainage improvements (Warranty Period):
 - a. repair all defects due to design, construction, materials or workmanship that may be discovered during the Warranty Period; and

b. take every reasonable precaution during the course of any repairs to protect the work from damage by the elements and provide and maintain suitable barricades and signs, which shall remain lighted from sunset to sunrise; and

c. indemnify, pay on behalf of, protect, defend, and hold harmless the County, or its officers, agents, and employees from and against any demand, claim, suit, loss, expense or damage that may be asserted against any of them by reason of any alleged damage to property or injury to or death of any person arising out of or in any way related to a defect in streets and drainage improvements or Developer's obligations under this Agreement.

3. During the Warranty Period, if in the judgment of the County Engineer or her designee repairs to the streets and drainage improvements become necessary due to any defect in the design, construction, materials, or workmanship, then upon notice from the County, Developer shall, at its sole expense, remove and replace all defective materials, repair any defects, and otherwise bring the improvements into compliance with the construction drawings and specifications approved by the Escambia County Development Review Committee. Developer shall correct any defect within thirty (30) calendar days, or, if the defect cannot reasonably be corrected within that period, commence corrective action within thirty (30) calendar days and thereafter diligently pursue the corrective action to completion. The County Engineer, in her sole discretion, may require the Developer to fulfill its obligations within a shorter period of time in order to comply with federal, state or local regulations or to protect the public health, safety, or welfare. Should the Developer fail to fulfill its obligations, the County may perform the repairs necessary to correct the defect, and the Developer shall be responsible for the costs of any such repairs, even if the County performs the repairs after the expiration of the Warranty Period. If the Developer fails to pay the costs incurred by the County within thirty (30) days of County's written demand, then the County may pursue collection of such costs in a court of competent jurisdiction.

4. In any judicial action brought by the County to enforce the provisions of this Agreement, Developer agrees to pay the costs, including reasonable attorney's fees through appeal, that the County may incur. Venue for any judicial action shall lie in Escambia County, Florida.

5. The parties shall execute the original Agreement with all attached exhibits. The Developer shall record the executed Agreement in the public records and provide a certified copy of the recorded Agreement to the County's Engineering Department.

6. During the Warranty Period, Developer shall advise the County in writing of any change in address, contact information or corporate status.

7. Developer's obligations under this Agreement shall include, but not be limited to, those minor infrastructure deficiencies listed in Section 4.03.03.C, Escambia County Land Development Code.

8. Developer's failure to perform its obligations under this Agreement may result in the denial of building permits and certificates of occupancy in accordance with Section 4.03.02.A, Escambia County Land Development Code.

IN WITNESS THEREOF, the parties have executed this Agreement on the dates shown below.

WITNESS:

Russell T. Weayer
RUSSELL T. WEAYER
(printed name)

WITNESS:

Leanna M. Carriac
LEANNA CARRIAC
(printed name)

DEVELOPER/OWNER:

WEST ROBERTS, LLC
(name of limited liability company)

By: CR
(signature)
CODY RAWSON
(printed name)
MGR
(select one title: manager/member/managing member)

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 27th day of June, 2001, by Cody Rawson as Manager (select one title: Manager/Member/Managing Member) of West Roberts LLC (name of limited liability company). He/She () is personally known to me, or () has produced _____ as identification.

(Notary Seal)



Jill E. Rhodes
Signature of Notary
JILL E. RHODES
Name of Notary (printed)

Escambia County, through its Board of County Commissioners

By: Kevin W. White, Chairman

ATTEST: Ernie Lee Magaha
Clerk of the Circuit Court

____ day of _____, 200__

Deputy Clerk

BCC Approved: _____

This document approved as to form and legal sufficiency.

By [Signature]
Title Asst. County Attorney
Date June 29, 2011

Exhibit A
Legal Description of Development

NOTE: ATTACH AN EXHIBIT A LEGAL DESCRIPTION WHICH MATCHES THE FINAL PLAT
AND INDICATE WHO PREPARED THE EXHIBIT A

Prepared by: SOUTHEAST LAND SURVEY, LLC
CANTONMENT, FL

EXHIBIT A

DESCRIPTION AS FURNISHED:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (1/4) OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA; THENCE NORTH 00 DEGREES 02 MINUTES 01 SECONDS EAST ALONG THE EAST LINE OF BROOKHOLLOW SUBDIVISION AS RECORDED IN PLAT BOOK 10 AT PAGE 1 OF THE PUBLIC RECORDS OF SAID COUNTY, ALSO BEING THE EAST LINE OF THE WEST HALF OF THE SAID SECTION, FOR A DISTANCE OF 1313.87 FEET TO THE NORTHEAST CORNER OF SAID SUBDIVISION SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION, THENCE CONTINUE NORTH 00 DEGREES 02 MINUTES 01 SECONDS EAST ALONG THE SAID EAST LINE FOR A DISTANCE OF 2312.74 FEET TO THE SOUTH LINE OF A PARCEL DESCRIBED IN O.R. BOOK 504 AT PAGE 728; THENCE NORTH 89 DEGREES 28 MINUTES 19 SECONDS WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 970.00 FEET TO THE WEST LINE OF SAID PARCEL DESCRIBED IN O.R. BOOK 504 AT PAGE 728; THENCE NORTH 00 DEGREES 02 MINUTES 01 SECONDS EAST ALONG SAID WEST LINE FOR A DISTANCE OF 315.00 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 1286.64 FEET TO THE SOUTHERLY R/W OF WEST ROBERTS ROAD, (100' R/W) AS PER D.O.T.; THENCE NORTH 89 DEGREES 53 MINUTES 47 SECONDS WEST ALONG SAID SOUTHERLY R/W FOR A DISTANCE OF 510.00 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE NORTH 89 DEGREES 53 MINUTES 47 SECONDS WEST ALONG SAID SOUTHERLY R/W FOR A DISTANCE OF 264.00 FEET; THENCE SOUTH 54 DEGREES 23 MINUTES 22 SECONDS WEST FOR A DISTANCE OF 196.85 FEET; THENCE SOUTH 20 DEGREES 45 MINUTES 29 SECONDS WEST FOR A DISTANCE OF 667.80 FEET; THENCE SOUTH 25 DEGREES 29 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 404.33 FEET; THENCE SOUTH 06 DEGREES 01 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 169.42 FEET; THENCE SOUTH 11 DEGREES 03 MINUTES 48 SECONDS WEST FOR A DISTANCE OF 718.72 FEET; THENCE SOUTH 23 DEGREES 28 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 608.93 FEET; THENCE NORTH 61 DEGREES 40 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 395.16 FEET; THENCE SOUTH 85 DEGREES 12 MINUTES 40 SECONDS EAST FOR A DISTANCE OF 536.20 FEET; THENCE NORTH 77 DEGREES 18 MINUTES 28 SECONDS EAST FOR A DISTANCE OF 470.48 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION; THENCE NORTH 00 DEGREES 07 MINUTES 49 SECONDS WEST ALONG THE SAID EAST LINE FOR A DISTANCE OF 1679.63 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 141.03 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 610.00 FEET TO SAID SOUTHERLY RIGHT OF WAY LINE AND THE POINT OF BEGINNING; ALL LYING AND BEING IN SECTION 21, TOWNSHIP 1 NORTH, RANGE 30 WEST AND SECTION 38, TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA.

COUNTY ATTORNEYS
OFFICE

JUN 28 AM 10 14

RECEIVED

This document prepared by:

THOMAS G. HAMMOND JR
HAMMOND ENGINEERING, INC.
3802 N. 'S' ST.
PENSACOLA, FL 32505
(name and address)

STATE OF FLORIDA
COUNTY OF ESCAMBIA

RELEASE OF CLAIMS FOR DAMAGES,
HOLD HARMLESS, AND
INDEMNIFICATION AGREEMENT
(Corporation)

THIS RELEASE OF CLAIMS FOR DAMAGES, HOLD HARMLESS, AND INDEMNIFICATION AGREEMENT (Agreement) is entered, by and between WEST ROBERTS, LLC, a corporation organized under the laws of the State of FLORIDA, whose mailing address is 106 STONE BLVD. CANTONMENT, FL (Property Owner) and Escambia County, a political subdivision of the State of Florida, whose address is 221 Palafox Place, Pensacola, Florida 32502 (County).

(Wherever used, the term "Property Owner" and "County" shall include singular and plural, masculine and feminine, heirs, legal representatives, successors and assigns, when the context so admits or requires.)

WITNESSETH

WHEREAS, the Property Owner is the owner of property (Property) located in Escambia County, Florida, more particularly described as:

SEE ATTACHED
EXHIBIT 'A'

WHEREAS, the County maintains certain public facilities on or adjacent to the Property;
and

WHEREAS, the County requires as consideration for approval of the Property Owner's proposed development or use of the Property certain protections against claims resulting from surface or storm waters standing or flowing, or which have stood or flowed over, across, and through the Property;

NOW, THEREFORE, in consideration of the foregoing, and other good and valuable consideration, the sufficiency and receipt of which is acknowledged, the Property Owner and the County agree as follows:

1. The above-recitals are true and correct and incorporated herein by reference.
2. The Property Owner shall release, indemnify, defend, and hold harmless the County, its elected and appointed officials, employees, representatives, agents, and volunteers from any and all claims, suits, actions, damages, penalties, interests, liabilities and expenses, including costs and attorneys' fees, incurred in connection with the loss of life, bodily or personal injury, environmental damage, property damage, including the loss of use thereof, zoning or like issues, directly or indirectly caused by, resulting from, arising out of, or occurring in connection with surface or storm waters standing or flowing, or which have stood or flowed over, across, or through the Property.
3. The Property Owner acknowledges that this Agreement constitutes an absolute bar to his recovery in any suit instituted on account of injury or damages to persons or the Property as a result of surface or storm waters standing or flowing, or which have stood or flowed over, across, and through the Property.
4. The Property Owner agrees to pay on behalf of the County a legal defense, which shall be done only if and when requested by the County, for all claims encompassed by this Agreement. Such payment on behalf of the County shall be in addition to any other legal remedies available to the County and shall not be considered its exclusive remedy.
5. The Property Owner warrants that he holds all right, title, and interest in the Property, and that no third-party joinder or consent is necessary to effectuate this Agreement as it relates to the Property.
6. This Agreement and the obligations contained herein shall run with the land and shall be binding on Property Owner's heirs, executors, administrators, successors, and assigns.

[SIGNATURES ON FOLLOWING PAGE(S)]

IN WITNESS WHEREOF, the undersigned has made and executed this Agreement this 27th day of June, 2011.

PROPERTY OWNER
WEST ROBERTS, LLC
(name of corporation)

Witness [Signature]
Print Name RUSSELL T. WEAVER

Witness [Signature]
Print Name LEANNE M. CARRERA

By: [Signature] [Signature]
(signature)
MANAGING MEMBER
(printed name/title)

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 27th day of June, 2011, by Cody Rawson as managing mbr (title) of West Roberts LLC (name of corporation) on behalf of the corporation. He/She is personally known to me, or produced current _____ as identification.



[Signature]
Signature of Notary Public
Jill E. Rhodes
Printed Name of Notary Public

(Notary Seal)

ACCEPTANCE

This Release of Claims for Damages, Hold Harmless, and Indemnification Agreement is executed this _____ day of _____, 20____, by _____, on behalf of Escambia County, Florida, as authorized by its Board of County Commissioners at a meeting on the _____ day of _____, 20____.

Escambia County, Florida, a political
subdivision of the State of Florida

ATTEST: Ernie Lee Magaha
Clerk of the Court

(Deputy Clerk)

By: _____

This document approved as to form
and legal sufficiency.

By *[Signature]*
Title *Asst. County Attorney*
Date *June 29, 2011*

EXHIBIT A

DESCRIPTION AS FURNISHED:

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (1/4) OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA; THENCE NORTH 00 DEGREES 02 MINUTES 01 SECONDS EAST ALONG THE EAST LINE OF BROOKHOLLOW SUBDIVISION AS RECORDED IN PLAT BOOK 10 AT PAGE 1 OF THE PUBLIC RECORDS OF SAID COUNTY, ALSO BEING THE EAST LINE OF THE WEST HALF OF THE SAID SECTION, FOR A DISTANCE OF 1313.87 FEET TO THE NORTHEAST CORNER OF SAID SUBDIVISION SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF SAID SECTION, THENCE CONTINUE NORTH 00 DEGREES 02 MINUTES 01 SECONDS EAST ALONG THE SAID EAST LINE FOR A DISTANCE OF 2312.74 FEET TO THE SOUTH LINE OF A PARCEL DESCRIBED IN O.R. BOOK 504 AT PAGE 728; THENCE NORTH 89 DEGREES 28 MINUTES 19 SECONDS WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 970.00 FEET TO THE WEST LINE OF SAID PARCEL DESCRIBED IN O.R. BOOK 504 AT PAGE 728; THENCE NORTH 00 DEGREES 02 MINUTES 01 SECONDS EAST ALONG SAID WEST LINE FOR A DISTANCE OF 315.00 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 1286.64 FEET TO THE SOUTHERLY R/W OF WEST ROBERTS ROAD, (100' R/W) AS PER D.O.T.; THENCE NORTH 89 DEGREES 53 MINUTES 47 SECONDS WEST ALONG SAID SOUTHERLY R/W FOR A DISTANCE OF 510.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89 DEGREES 53 MINUTES 47 SECONDS WEST ALONG SAID SOUTHERLY R/W FOR A DISTANCE OF 264.00 FEET; THENCE SOUTH 54 DEGREES 23 MINUTES 22 SECONDS WEST FOR A DISTANCE OF 196.85 FEET; THENCE SOUTH 20 DEGREES 45 MINUTES 29 SECONDS WEST FOR A DISTANCE OF 667.80 FEET; THENCE SOUTH 25 DEGREES 29 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 404.33 FEET; THENCE SOUTH 06 DEGREES 01 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 169.42 FEET; THENCE SOUTH 11 DEGREES 03 MINUTES 48 SECONDS WEST FOR A DISTANCE OF 718.72 FEET; THENCE SOUTH 23 DEGREES 28 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 608.93 FEET; THENCE NORTH 61 DEGREES 40 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 395.16 FEET; THENCE SOUTH 85 DEGREES 12 MINUTES 40 SECONDS EAST FOR A DISTANCE OF 536.20 FEET; THENCE NORTH 77 DEGREES 18 MINUTES 28 SECONDS EAST FOR A DISTANCE OF 470.48 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION; THENCE NORTH 00 DEGREES 07 MINUTES 49 SECONDS WEST ALONG THE SAID EAST LINE FOR A DISTANCE OF 1679.63 FEET; THENCE NORTH 89 DEGREES 53 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 141.03 FEET; THENCE NORTH 00 DEGREES 06 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 610.00 FEET TO SAID SOUTHERLY RIGHT OF WAY LINE AND THE POINT OF BEGINNING, ALL LYING AND BEING IN SECTION 21, TOWNSHIP 1 NORTH, RANGE 30 WEST AND SECTION 38, TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA.

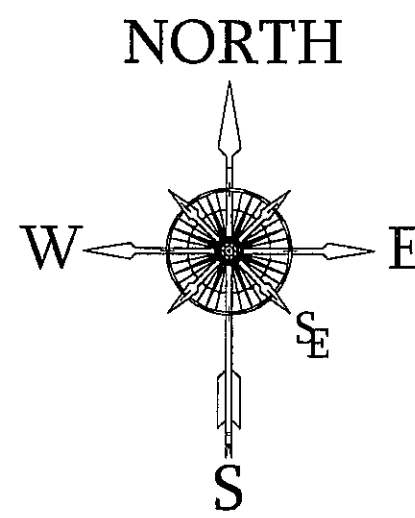
COUNTY ATTORNEYS
OFFICE

JUN 28 6A 10 14

RECEIVED

PLAT PREPARED BY
RUSSELL T. WEAVER
PROFESSIONAL SURVEYOR AND MAPPER
110 STONE BOULEVARD, CANTONMENT, FLORIDA 32533
PHONE (850) 968-0991 FAX (850) 968-9104

ENGINEER OF RECORD
HEI HAMMOND ENGINEERING, INC
3802 N 5TH STREET
PENSACOLA, FLORIDA 32505
(850) 434-2600
(850) 434-2650 FAX



Final Plat Of Robert's Ridge

Being A Single Family Residential Subdivision Of A Portion Of Section 21, Township 1 North, Range 30 West, & Section 38, Township 1 North, Range 31 West, Escambia County, Florida. July 2011

DEDICATION:
KNOW ALL MEN BY THESE PRESENTS THAT WEST ROBERTS, LLC, A FLORIDA LIMITED LIABILITY COMPANY OWNER, AND RBC BANK, MORTGAGEE OF THE LAND HEREIN DESCRIBED AS ROBERT'S RIDGE, DO HEREBY SUBDIVIDE THE LANDS AS SET FORTH ON THIS PLAT AND DEDICATE TO THE PUBLIC FOREVER, ALL OF THE STREETS, RIGHTS-OF-WAYS, PUBLIC UTILITY AND DRAINAGE EASEMENTS AS SHOWN, RETENTION AREAS KNOWN AS PARCELS "A", "B", AND "C", AND ALL OTHER EASEMENTS LABELED PUBLIC AS SHOWN HEREON, AND DO HEREBY DEDICATE TO THE ESCAMBIA COUNTY UTILITY AUTHORITY PARCEL "D" AS SHOWN HEREON AND DO AUTHORIZE AND REQUEST THE FILING OF THIS PLAT IN THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA

WEST ROBERTS, LLC
A FLORIDA LIMITED LIABILITY COMPANY,
By: _____ SEAL
CODY RAWSON, PRESIDENT
RBC BANK
By: _____ SEAL
BLAISE ADAMS, SENIOR VICE PRESIDENT

ACKNOWLEDGMENT
State of Florida
County of Escambia
THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2011,
by CODY RAWSON, PRESIDENT OF WEST ROBERTS, LLC, A FLORIDA LIMITED LIABILITY COMPANY

ACKNOWLEDGMENT
State of Florida
County of Escambia
THE FOREGOING INSTRUMENT was acknowledged before me this _____ day of _____, 2011,
by BLAISE ADAMS, Senior Vice President of RBC BANK

CERTIFICATE OF APPROVAL OF COUNTY COMMISSIONERS:
I, ERNIE LEE MAGAHA, CLERK OF THE CIRCUIT COURT OF ESCAMBIA COUNTY, FLORIDA, HEREBY CERTIFY THAT THE WITHIN PLAT BEING PRESENTED TO THE BOARD OF COUNTY COMMISSIONERS OF SAID COUNTY AT THEIR MEETING HELD ON THE _____ DAY OF _____, 2011, WAS APPROVED FOR FILING BY SAID BOARD, AND I AS SAID CLERK OF THE CIRCUIT COURT, WAS INSTRUCTED TO SO CERTIFY HEREON

CERTIFICATE OF APPROVAL OF CLERK OF THE COURT:
I, ERNIE LEE MAGAHA, CLERK OF THE CIRCUIT COURT OF ESCAMBIA COUNTY, FLORIDA, HEREBY CERTIFY THAT THE WITHIN PLAT COMPLES WITH ALL THE REQUIREMENTS OF THE PLAT ACT (CHAPTER 171-330, SECTIONS 177-011 THROUGH 177-151 OF THE 1998 ACTS OF THE FLORIDA LEGISLATURE) AND THE SAME WAS FILED FOR RECORD ON THE _____ DAY OF _____, 2011, AND FILED IN PLAT BOOK _____ PAGE _____ OF SAID COUNTY

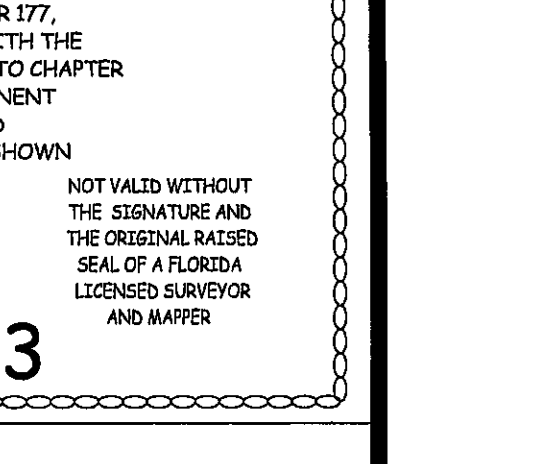
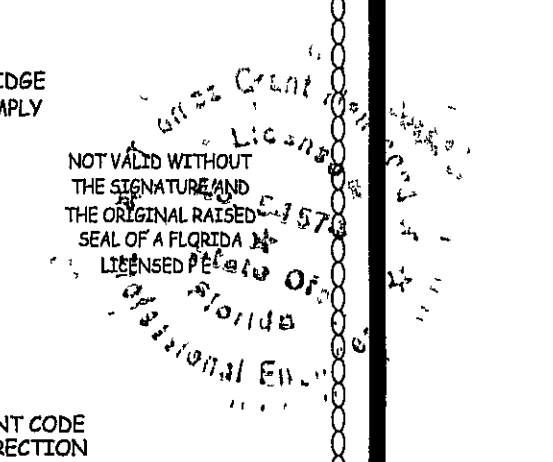
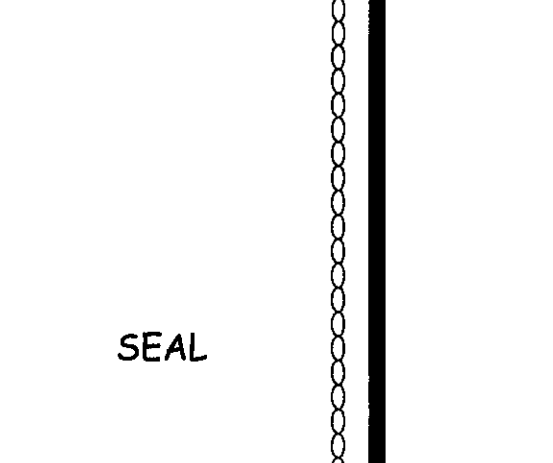
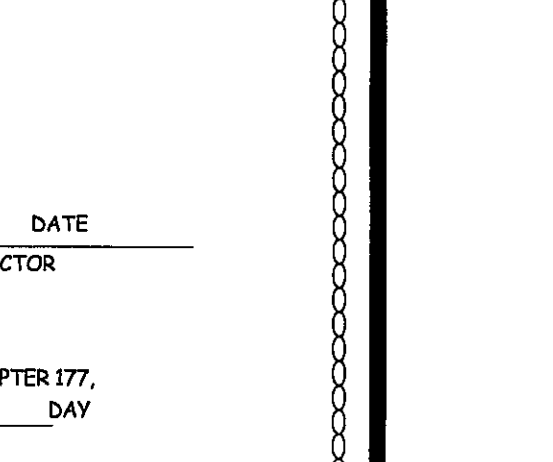
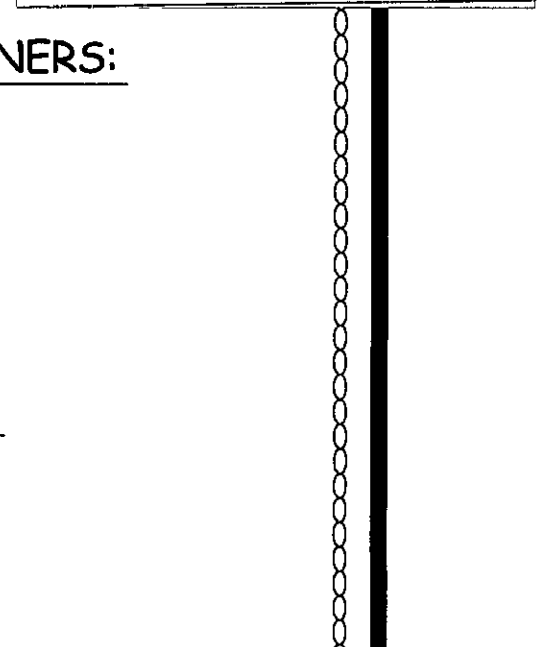
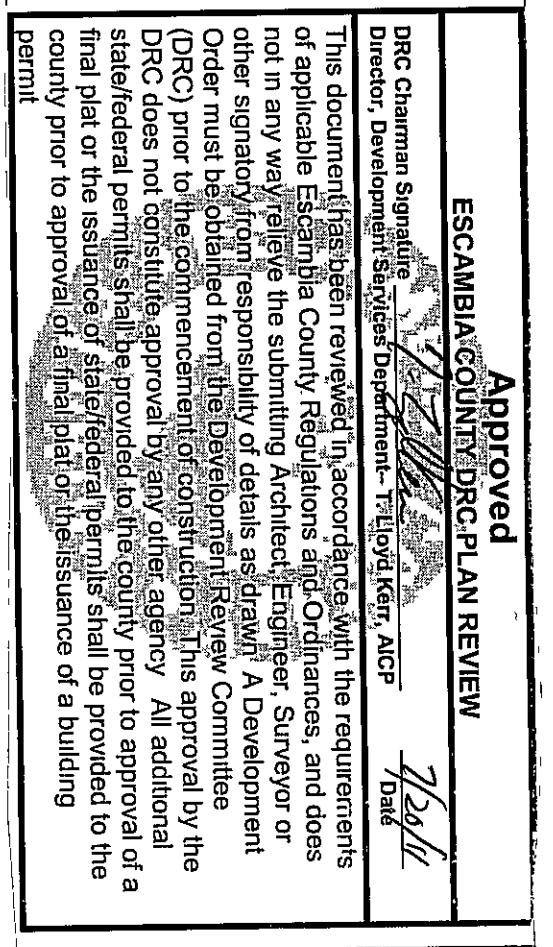
COUNTY APPROVALS:
DATE _____ DATE _____
COUNTY ENGINEER JOY D BLACKMON, P.E. DEVELOPMENT SERVICES DIRECTOR T LLOYD KEAR, AICP
PUBLIC WORKS DIRECTOR

CERTIFICATE OF ATTORNEY:
I, STEPHEN R MOORHEAD, AS A MEMBER OF THE FLORIDA BAR, AND ON BEHALF OF THE OWNERS HEREBY CERTIFY THAT I HAVE EXAMINED THE PLAT HEREON AND THE ACCOMPANYING DOCUMENTS AND HAVE FOUND THEM TO BE IN PROPER LEGAL FORM AND TO MEET ALL THE REQUIREMENTS OF THE FLORIDA PLAT ACT AND ARTICLE 4 OF THE ESCAMBIA COUNTY LAND DEVELOPMENT CODE, AS AMENDED
SIGNED THIS _____ DAY OF _____, 2011

ENGINEER'S CERTIFICATE:
I, THOMAS G HAMMOND JR, P.E., HEREBY CERTIFY THAT I AM THE ENGINEER OF RECORD FOR ROBERT'S RIDGE AND THAT ALL CONVEYED ROADS, DRAINAGE, AND OTHER IMPROVEMENTS ARE DESIGNED TO COMPLY WITH ALL APPLICABLE FEDERAL, STATE, AND LOCAL DEVELOPMENT REQUIREMENTS
SIGNED THIS _____ DAY OF _____, 2011

SURVEYOR'S CERTIFICATE:
THIS PLAT COMPLES WITH ALL PROVISIONS OF ARTICLE 4 OF THE ESCAMBIA COUNTY LAND DEVELOPMENT CODE IT IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SURVEYED AND WAS PREPARED UNDER MY DIRECTION AND SUPERVISION THIS PLAT COMPLES WITH ALL THE PROVISIONS OF THE FLORIDA PLAT ACT, CHAPTER 177, SECTION 177-011 - 177-151, FLORIDA STATUTES. THE BOUNDARY INFORMATION ON THIS PLAT COMPLES WITH THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF LAND SURVEYORS PURSUANT TO CHAPTER 57-17, FLORIDA ADMINISTRATIVE CODE AND SECTION 472.027, FLORIDA STATUTES, AND THAT ALL PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED AS REQUIRED BY ARTICLE 4 OF THE ESCAMBIA COUNTY LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA AND THAT SAID LAND HAS BEEN SUBDIVIDED AS SHOWN
SIGNED THIS _____ DAY OF _____, 2011

RUSSELL T WEAVER PROFESSIONAL SURVEYOR & MAPPER
STATE OF FLORIDA P.S.M. LICENSE # 6224
106 STONE BOULEVARD, CANTONMENT, FLORIDA, 32533



DESCRIPTION:
COMMENCE AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (1/4) OF SECTION 21, TOWNSHIP 1 NORTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA. THENCE NORTH 00 DEGREES 02 MINUTES 01 SECONDS EAST ALONG THE EAST LINE OF BROOKHOLLOW SUBDIVISION AS RECORDED IN PLAT BOOK 10 AT PAGE 1 OF THE PUBLIC RECORDS OF SAID COUNTY, ALSO BEING THE EAST LINE OF THE WEST HALF OF THE SAID SECTION, FOR A DISTANCE OF 1313.87 FEET TO THE NORTHEAST CORNER OF SAID SUBDIVISION SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION. THENCE CONTINUE NORTH 00 DEGREES 02 MINUTES 01 SECONDS EAST ALONG THE SAID EAST LINE FOR A DISTANCE OF 2312.74 FEET TO THE SOUTHERLY R/W OF WEST ROBERTS ROAD, (100' R/W) AT PAGE 728. THENCE NORTH 89 DEGREES 28 MINUTES 19 SECONDS WEST ALONG SAID SOUTH LINE FOR A DISTANCE OF 970.00 FEET TO THE WEST LINE OF SAID PARCEL DESCRIBED IN R/O BOOK 504 AT PAGE 728. THENCE NORTH 00 DEGREES 02 MINUTES 01 SECONDS EAST ALONG SAID WEST LINE FOR A DISTANCE OF 315.00 FEET. THENCE NORTH 00 DEGREES 06 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 1286.64 FEET TO THE SOUTHERLY R/W OF WEST ROBERTS ROAD, (100' R/W) AS PER D.O.T. THENCE NORTH 89 DEGREES 53 MINUTES 47 SECONDS WEST ALONG SAID SOUTHERLY R/W FOR A DISTANCE OF 510.00 FEET TO THE POINT OF BEGINNING. THENCE CONTINUE NORTH 89 DEGREES 53 MINUTES 47 SECONDS WEST ALONG SAID SOUTHERLY R/W FOR A DISTANCE OF 264.00 FEET. THENCE SOUTH 54 DEGREES 22 MINUTES 22 SECONDS WEST FOR A DISTANCE OF 196.85 FEET. THENCE SOUTH 20 DEGREES 45 MINUTES 29 SECONDS WEST FOR A DISTANCE OF 667.80 FEET. THENCE SOUTH 25 DEGREES 29 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 404.33 FEET. THENCE SOUTH 06 DEGREES 02 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 169.42 FEET. THENCE SOUTH 11 DEGREES 03 MINUTES 48 SECONDS WEST FOR A DISTANCE OF 718.72 FEET. THENCE SOUTH 23 DEGREES 28 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 608.93 FEET. THENCE NORTH 61 DEGREES 40 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 399.16 FEET. THENCE SOUTH 85 DEGREES 12 MINUTES 40 SECONDS EAST FOR A DISTANCE OF 536.20 FEET. THENCE NORTH 77 DEGREES 18 MINUTES 28 SECONDS WEST FOR A DISTANCE OF 470.48 FEET TO THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION. THENCE NORTH 00 DEGREES 07 MINUTES 49 SECONDS WEST ALONG THE SAID EAST LINE FOR A DISTANCE OF 1679.63 FEET. THENCE NORTH 89 DEGREES 53 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 141.03 FEET. THENCE NORTH 00 DEGREES 06 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 610.00 FEET TO SAID SOUTHERLY RIGHT OF WAY LINE AND THE POINT OF BEGINNING, ALL LYING AND BEING IN SECTION 21, TOWNSHIP 1 NORTH, RANGE 30 WEST AND SECTION 38, TOWNSHIP 1 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA

SURVEYORS' NOTES:
1 THE SIGN (°) MEANS DEGREES, THE SIGN (') MEANS MINUTES OR FEET, THE SIGN (") MEANS SECONDS
2 THE RECORD PLAT AS SHOWN HEREON WAS PREPARED BY TED WALKER JR. UNDER THE DIRECTION AND SUPERVISION OF RUSSELL T. WEAVER, P.S.M., NO. 6224, 106 STONE BOULEVARD, CANTONMENT, FLORIDA 32533, (850) 968-0991
3 THE ENGINEER OF RECORD IS THOMAS G. HAMMOND, JR., P.E. NO. 94574, AT HAMMOND ENGINEERING, INC., 3802 NORTH 5TH STREET, PENSACOLA, FLORIDA 32505, (850) 434-2600
4 THE NORTH ARROW AND BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE ASSUMED BEARINGS OF NORTH 00 DEGREES 07 MINUTES 49 SECONDS WEST ALONG THE EAST LINE OF SUBJECT PROPERTY
5 THE SURVEY DATUM AS SHOWN HEREON IS REFERENCED TO DEEDS OF RECORD, AND TO EXISTING FIELD MONUMENTATION
6 THE MEASUREMENTS AS SHOWN HEREON WERE MADE TO UNITED STATES STANDARDS
7 THE ENCROACHMENTS ARE AS SHOWN
8 THE OWNER OF THE PROPERTY AS SHOWN HEREON IS WEST ROBERTS, LLC, RUSSELL WEAVER, OPERATIONS MANAGER, 106 STONE BOULEVARD, CANTONMENT, FLORIDA 32533 (850) 968-0991
9 THIS IS A SPECIFIC PUBLIC AND BOUNDARY SURVEY FOR RECORD PLATTING PURPOSES
10 BOUNDARY FIELD DATE 11/19/2010
11 NO TITLE SEARCH WAS PERFORMED BY THE UNDERSIGNED SURVEYOR FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OR RECORD, UNRECORDED DEEDS, EASEMENTS, RIGHTS-OF-WAYS, STATE AND/OR FEDERAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF THE SUBJECT PROPERTY
12 THE PROPERTY SHOWN HEREON IS LOCATED IN FLOOD ZONE "X", (AREA'S DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL FLOOD CHANGE FLOODPLAIN) BASE FLOOD ELEVATIONS FOR THIS ZONE ARE NOT APPLICABLE, AS DETERMINED FROM FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAPS OF ESCAMBIA COUNTY, FLORIDA, (UNINCORPORATED AREAS), COMMUNITY PANEL NUMBER 120080-0285 G, AND 120080-0285 G, REVISED 09/29/2006
13 THIS SURVEY DOES NOT DETERMINE OWNERSHIP
14 THE PROPERTY AS SHOWN HEREON IS CURRENTLY ZONED "V-5" (VILLAGES CLUSTERED RESIDENTIAL), HAVING A GROSS DENSITY OF FOUR UNITS PER ACRE, THE FUTURE LAND USE IS MU-5
15 LOT COVERAGE THE PERVIOUS AREA SHALL BE AT LEAST 25 PERCENT OF EACH LOT (75 PERCENT MAXIMUM IMPERVIOUS COVER RATIO)
16 SETBACK REQUIREMENTS
THERE SHALL BE A FRONT YARD HAVING A DEPTH OF NOT LESS THAN 20 FEET. THE MINIMUM REAR YARD SHALL NOT BE LESS THAN 15 FEET IN DEPTH. THE MINIMUM SIDE YARD ON EACH SIDE SHALL BE TEN PERCENT OF THE LOT WIDTH MEASURED AT THE FRONT BUILDING LINE BUT NOT EXCEED 15 FEET ON EACH SIDE. HOWEVER, REQUIRED SIDE YARD SHALL NOT BE LESS THAN 5 FEET ON EACH SIDE. A MINIMUM SIDE YARD OF 15 FEET SHALL BE REQUIRED BETWEEN BUILDING CLUSTERS AND TOWNHOUSE GROUPS. NO SIDE YARDS SHALL BE REQUIRED IN ATTACHED CLUSTERS, TOWNHOUSES, OR ZERO LOT LINE PROJECTS EXCEPT AT THE ENDS OF THE PROJECTS WHERE A MINIMUM OF 15 FEET SHALL BE REQUIRED. ON PROPERTY ABUTTING ESTUARINE, RIVERINE OR CREEK SYSTEM, THE SETBACK SHALL BE IN ACCORDANCE WITH THE MARINE / ESTUARINE / RIVERINE SETBACK (MERS) PROVISION OR 30 FEET, WHICHEVER IS GREATER
17 BUILDING HEIGHT REQUIREMENT NO BUILDING SHALL EXCEED 35 FEET IN HEIGHT
18 THE PROPERTY (TAX ID # 1-1-N-30-W) IS LOCATED IN A PORTION OF SECTION 21, T-1-N, R-30-W, & SECTION 38, T-1-N, R-31-W, ESCAMBIA COUNTY, FLORIDA AND CONTAINS 47,732 ACRES TO BE SUBDIVIDED INTO 61 LOTS WITH A PROPOSED DENSITY OF 1.34 UNITS PER ACRE
19 THE BOUNDARY SURVEY AS SHOWN HEREON COMPLES WITH THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYORS IN THE STATE OF FLORIDA
20 THE PROPERTY AS SHOWN HEREON IS TO BE DEVELOPED AS A SINGLE FAMILY RESIDENTIAL SUBDIVISION
21 ALL STREETS SHALL HAVE A 25'00" RADIUS AT ALL STREET INTERSECTIONS
22 ALL LOT LINES ARE NON-CURVED UNLESS DENOTED OTHERWISE WITH THE SYMBOL (R)
23 PLATTED UTILITY EASEMENTS SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR CONSTRUCTION, INSTALLATION AND MAINTENANCE OF CABLE TELEVISION SERVICES
24 NO FENCING, LANDSCAPING, OR SIGNAGE IS TO BE INSTALLED WITHIN THE 35' SIGHT TRIANGLES AS SHOWN ON THIS PLAT
25 NO FENCING OF ANY KIND SHALL BE CONSTRUCTED WITHIN THE PUBLIC DRAINAGE EASEMENTS AS SHOWN ON THIS PLAT, PUBLIC DRAINAGE EASEMENTS SHALL BE ACCESSIBLE AT ALL TIMES, AND STRUCTURES SHALL NOT BE LOCATED WITHIN THEM THAT MAY PROHIBIT OR RESTRICT FLOW OF STORMWATER
26 PROJECT FALLS WITHIN THE TRAVEL CONTOUR OF A PROTECTED WELL HEAD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPORTING SPILLS OF POTENTIALLY HAZARDOUS SUBSTANCES (IE GASOLINE, DIESEL FUEL, HYDROLY FLUID ETC.) TO THE APPROPRIATE STATE (FDEP STATE WARNING POINT 1-800-320-0519) AND LOCAL ESCAMBIA COUNTY HEALTH DEPARTMENT/ENVIRONMENTAL HEALTH (595-6712) AGENCIES
27 NO SIGN IS PROPOSED FOR THIS SUBDIVISION

OWNER & DEVELOPER
WEST ROBERTS, LLC
RUSSELL WEAVER, OPERATIONS MANAGER
106 STONE BOULEVARD
CANTONMENT, FLORIDA, 32533
850-968-0991

POINT OF COMMENCEMENT
THE S E CORNER OF THE S W 1/4 OF SECTION 21, T-1-N, R-30-W, ESCAMBIA COUNTY, FLORIDA

GRAPHIC SCALE
(IN FEET)
1 inch = 300 ft

FLOOD ZONE (S)	COMMUNITY NUMBER	MAP NUMBER	PANEL NUMBER	SUFFIX	MAP REVISION DATE
"X"	120080	12033C	0285	G	SEPTEMBER 29, 2006
"X"	120080	12033C	0295	G	SEPTEMBER 29, 2006

IF SITE LIES WITHIN MORE THAN ONE FLOOD ZONE, PLEASE DELINEATE AND LABEL EACH ZONE INCLUDE INFORMATION IN LEGEND. INCLUDE ALL FEMA PANEL #'S PARCEL FALLS WITHIN

G I S MAPPING COORDINATES TABLE
HORIZONTAL DATUM: NAD 83 (1990) FLORIDA NORTH ZONE (GROUND COORDINATES)

STATION	NORTHINGS (FT)	EASTINGS (FT)	DESCRIPTION
G.C.P. # 1	579054.6989	1089940.9270	P.R.M. @ THE SOUTHEAST R/W INTERSECTION CORNER OF WEST ROBERTS ROAD AND REDFORD DRIVE
G.C.P. # 2	578439.6884	1090567.1278	P.R.M. @ THE NORTHEAST CORNER OF LOT 1 ROBERT'S RIDGE SUBDIVISION
G.C.P. # 3	578099.4592	1089911.1820	P.R.M. @ THE SOUTHWEST CORNER OF LOT 28 ROBERT'S RIDGE SUBDIVISION
G.C.P. # 4	577883.2528	1089749.6784	P.R.M. @ THE NORTHWEST CORNER OF LOT 48 ROBERT'S RIDGE SUBDIVISION

THE INTENDED USE FOR THESE COORDINATES IS FOR G.I.S. BASED MAPPING PURPOSES. THE GEODETIC CONTROL RELIED UPON FOR THESE VALUES IS THE ESCAMBIA COUNTY CONTROL NETWORK

NOTICE:
THIS PLAT AS RECORDED IN ITS GRAPHIC FORM IS THE OFFICIAL DESCRIPTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF ESCAMBIA COUNTY

RESTRICTIVE COVENANTS,
OFFICIAL RECORDS BOOK _____, PAGE(S) _____
PLAT BOOK _____, PAGE _____

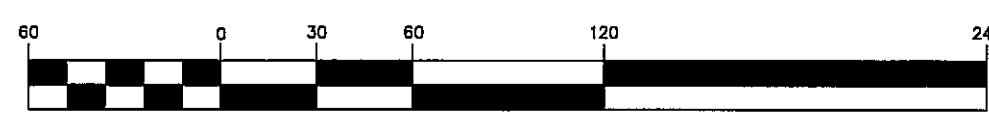
APPROVED
7-20-11

Final Plat Of Robert's Ridge

Being A Single Family Residential Subdivision Of A Portion Of Section 21, Township 1 North, Range 30 West, & Section 38, Township 1 North, Range 31 West, Escambia County, Florida.

July 2011

GRAPHIC SCALE

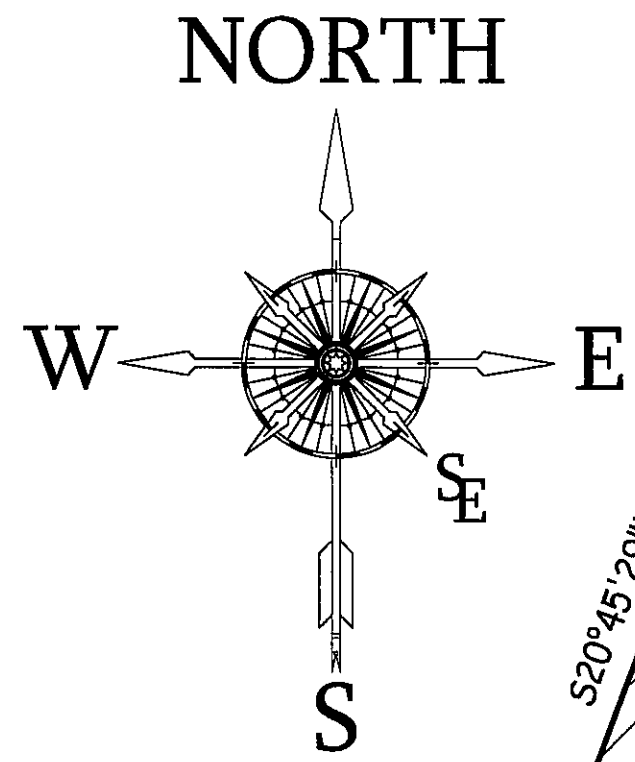


(IN FEET)
1 inch = 60 ft

WETLAND LINE TABLE								
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	17.52	N83°39'49"E	L35	28.39	N83°42'11"E	L70	41.24	N89°48'29"W
L2	34.61	S74°56'22"E	L36	21.92	S65°33'28"E	L71	34.73	N62°51'49"W
L3	19.18	S30°27'14"E	L37	15.32	N87°10'23"E	L72	21.59	S89°50'39"W
L4	29.61	N89°00'46"E	L38	22.33	N88°14'16"E	L73	29.61	N64°09'24"E
L5	14.79	N29°19'50"E	L39	12.68	N01°58'43"W	L74	28.95	N44°19'45"E
L6	22.27	N76°24'02"E	L40	19.77	S82°54'37"E	L75	28.62	N50°40'22"E
L7	22.86	N65°53'25"E	L41	20.13	N48°19'10"E	L76	22.99	N13°32'57"W
L8	24.91	N48°16'28"E	L42	19.50	N23°13'47"E	L77	24.75	N28°46'18"W
L9	18.79	N86°06'04"E	L43	18.67	N31°07'13"E	L78	17.73	N24°32'16"E
L10	19.64	N87°00'04"E	L44	23.50	N20°25'02"E	L79	31.47	N85°24'47"E
L11	23.99	N20°10'01"E	L45	19.62	N72°42'59"E	L80	30.63	N83°23'53"E
L12	20.49	N87°18'31"E	L46	20.49	N10°05'35"W	L81	25.71	N80°54'40"E
L13	39.87	N18°14'39"E	L47	11.04	N50°21'59"E	L82	24.91	N54°50'21"E
L14	24.94	N50°09'42"E	L48	21.41	N02°12'13"E	L83	21.00	N46°18'50"W
L15	30.81	N26°12'46"W	L49	15.65	N62°24'39"W	L84	20.76	N00°48'22"E
L16	23.73	N32°01'30"W	L50	16.09	N31°00'49"W	L85	28.25	N59°38'05"E
L17	21.13	N21°51'47"W	L51	21.24	N58°02'19"W	L86	29.27	N78°22'52"E
L18	31.21	N46°29'28"E	L52	21.35	N33°21'16"W	L87	35.53	N31°57'04"E
L19	26.20	N26°39'17"W	L53	9.83	N09°58'31"E	L88	19.44	N09°47'32"W
L20	29.92	N37°39'46"E	L54	11.57	N10°56'36"W	L89	38.62	N01°50'09"W
L21	16.94	N10°08'42"E	L55	16.48	N32°52'59"W	L90	20.55	N43°35'14"W
L22	17.53	N71°03'26"W	L56	17.42	N01°40'33"E	L91	27.44	N59°24'40"W
L23	18.77	N54°02'21"W	L57	20.89	N12°24'33"E	L92	24.95	N07°33'07"W
L24	13.56	N51°56'24"W	L58	16.68	N47°12'34"W	L93	17.13	N06°11'36"E
L25	15.64	S82°28'01"W	L59	20.60	N49°06'45"W	L94	21.50	N18°58'47"E
L26	20.37	N10°07'54"W	L60	18.46	S56°37'20"W	L95	30.87	N04°19'25"W
L27	17.17	N14°14'36"E	L61	21.41	N31°19'47"W	L96	30.98	N42°03'33"E
L28	20.86	N52°03'29"W	L62	31.24	N73°05'52"W	L97	25.99	N15°00'39"W
L29	19.26	N01°58'51"E	L63	30.47	N85°42'14"W	L98	19.98	N87°18'36"W
L30	30.47	N37°57'14"E	L64	15.04	N59°12'27"W	L99	40.47	N57°03'31"E
L31	26.80	N71°50'54"E	L65	22.82	N02°23'00"W	L100	27.65	N20°07'05"W
L32	26.19	N23°46'49"E	L66	22.46	N80°26'37"W	L101	47.82	N12°21'48"E
L33	24.25	N17°08'00"W	L67	38.89	N58°25'46"W	L102	52.32	N30°04'13"W
L34	17.84	N17°30'43"E	L68	22.22	N83°54'43"W	L103	55.50	N83°48'24"E
			L69	23.34	S50°49'33"W	L104	20.55	N06°03'08"W
			L105	30.17	N25°53'28"E	L106	28.75	N57°39'56"E
			L107	35.22	N25°38'47"E	L108	24.36	N03°19'00"E
			L109	31.80	N10°03'17"E	L110	28.78	N31°26'24"W
			L111	29.77	N15°09'53"W	L112	22.84	N10°23'52"E
			L113	52.76	N69°50'01"E	L114	33.37	N48°03'08"E
			L115	24.42	N17°36'03"E	L116	35.69	N03°04'39"E
			L117	24.38	N13°26'22"E	L118	55.91	N23°12'12"W
			L119	44.65	N27°36'03"E	L120	106.86	N89°05'59"W
			L121	34.99	N79°20'41"W	L122	34.58	N19°33'11"W
			L123	30.19	S72°15'29"W	L124	18.99	S78°24'59"W
			L125	34.73	S36°32'44"W	L126	38.07	S87°10'41"W
			L127	33.91	S84°35'18"W	L128	16.63	S54°38'17"W
			L129	28.98	N89°07'14"W	L130	57.81	N79°49'04"W
			L131	43.23	S66°22'08"W	L132	35.09	S43°56'14"W
			L133	24.60	S32°50'10"W	L134	20.53	S44°58'43"W
			L135	29.98	N77°08'16"W	L136	35.54	N79°59'27"W
			L137	32.43	S30°21'54"W	L138	12.35	S77°16'37"W

CENTERLINE CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	20.77	75.00	15°32'11"	S07°49'53"E	20.71
C2	49.48	125.00	22°40'44"	N04°25'36"W	49.16
C3	9.26	75.00	7°04'19"	S03°22'37"W	9.25
C4	23.54	75.00	17°59'09"	N08°50'02"E	23.45

RIGHT OF WAY CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C5	4.99	144.61	1°58'37"	N00°06'13"E	4.99
C6	22.71	100.00	13°00'48"	S09°19'34"E	22.66
C7	39.58	100.00	22°40'44"	N04°25'36"W	39.32
C8	9.87	100.00	5°39'17"	S04°08'08"W	9.87
C9	2.47	100.00	1°25'02"	S00°32'58"W	2.47
C10	39.27	25.00	90°00'00"	N44°50'27"E	35.36
C11	6.40	25.00	14°40'16"	S82°49'29"E	6.38
C12	14.61	25.00	33°28'25"	S58°45'04"E	14.40
C13	47.04	50.00	83°54'10"	N68°57'56"W	45.32
C14	73.47	50.00	84°11'31"	S41°59'13"W	67.04
C15	58.95	50.00	67°33'00"	S33°53'03"E	59.99
C16	61.73	50.00	70°44'04"	N16°58'25"E	57.88
C17	14.56	25.00	33°22'41"	S58°17'43"W	14.36
C18	6.48	25.00	14°51'23"	S82°24'49"W	6.46
C19	39.27	25.00	90°00'00"	N48°09'33"W	35.36
C20	3.63	25.00	8°19'33"	N04°00'14"E	3.63
C21	24.45	25.00	56°01'50"	N36°10'55"E	23.49
C22	41.98	50.00	48°06'18"	S40°08'41"W	40.76
C23	154.97	50.00	170°11'21"	S69°00'08"E	99.63
C24	30.48	50.00	42°18'49"	N04°44'46"E	36.09
C25	8.30	50.00	3°31'00"	N21°02'08"W	8.30
C26	11.24	25.00	25°14'05"	S13°02'46"E	11.15
C27	2.47	50.00	2°50'07"	S01°15'30"W	2.47
C28	3.70	50.00	4°14'13"	S04°47'40"W	3.70
C29	39.51	150.00	15°05'24"	N00°37'56"W	39.39
C30	19.87	150.00	7°35'20"	N11°58'18"W	19.85
C31	13.85	50.00	15°52'11"	S07°49'53"E	13.80



UNPLATTED LAND

UNPLATTED LAND

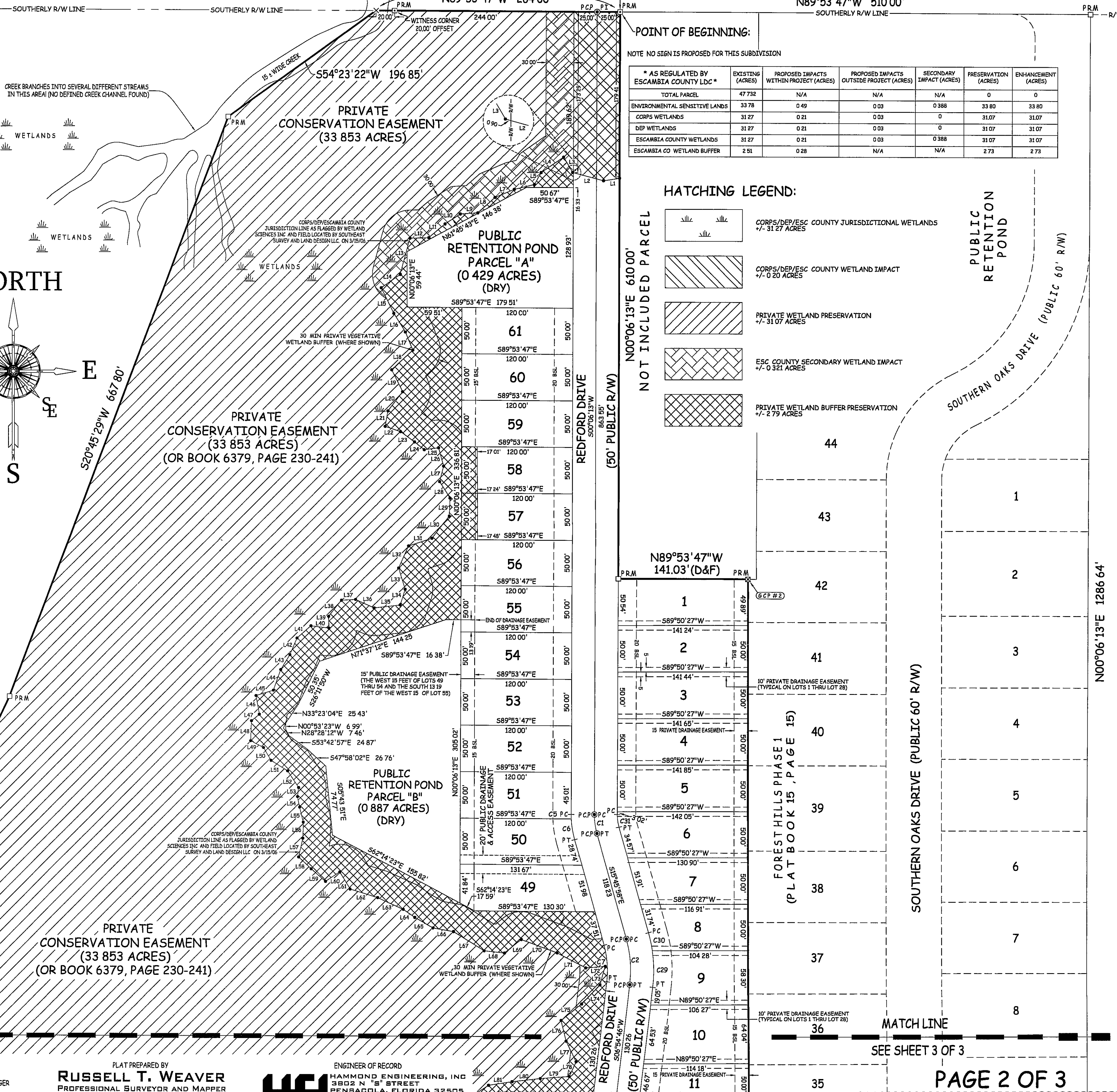
OWNER AND DEVELOPER
WEST ROBERTS, LLC
RUSSELL WEAVER, OPERATIONS MANAGER
106 STONE BOULEVARD
CANTONMENT, FLORIDA, 32533
850-968-0991

PLAT PREPARED BY
RUSSELL T. WEAVER
PROFESSIONAL SURVEYOR AND MAPPER
106 STONE BOULEVARD, CANTONMENT, FLORIDA, 32533
PHONE (850) 968-0991 FAX (850) 968-9104

ENGINEER OF RECORD
HAMMOND ENGINEERING, INC
38102 N "B" STREET
PENSACOLA, FLORIDA 32505
(850) 434-2603
(850) 434-2600 FAX
(850) 434-2650 FAX

WEST ROBERTS ROAD (ASPHALT ROADWAY)
(100' PUBLIC R/W)

N89°53'47"W 510.00'



POINT OF BEGINNING:

NOTE: NO SIGN IS PROPOSED FOR THIS SUBDIVISION.

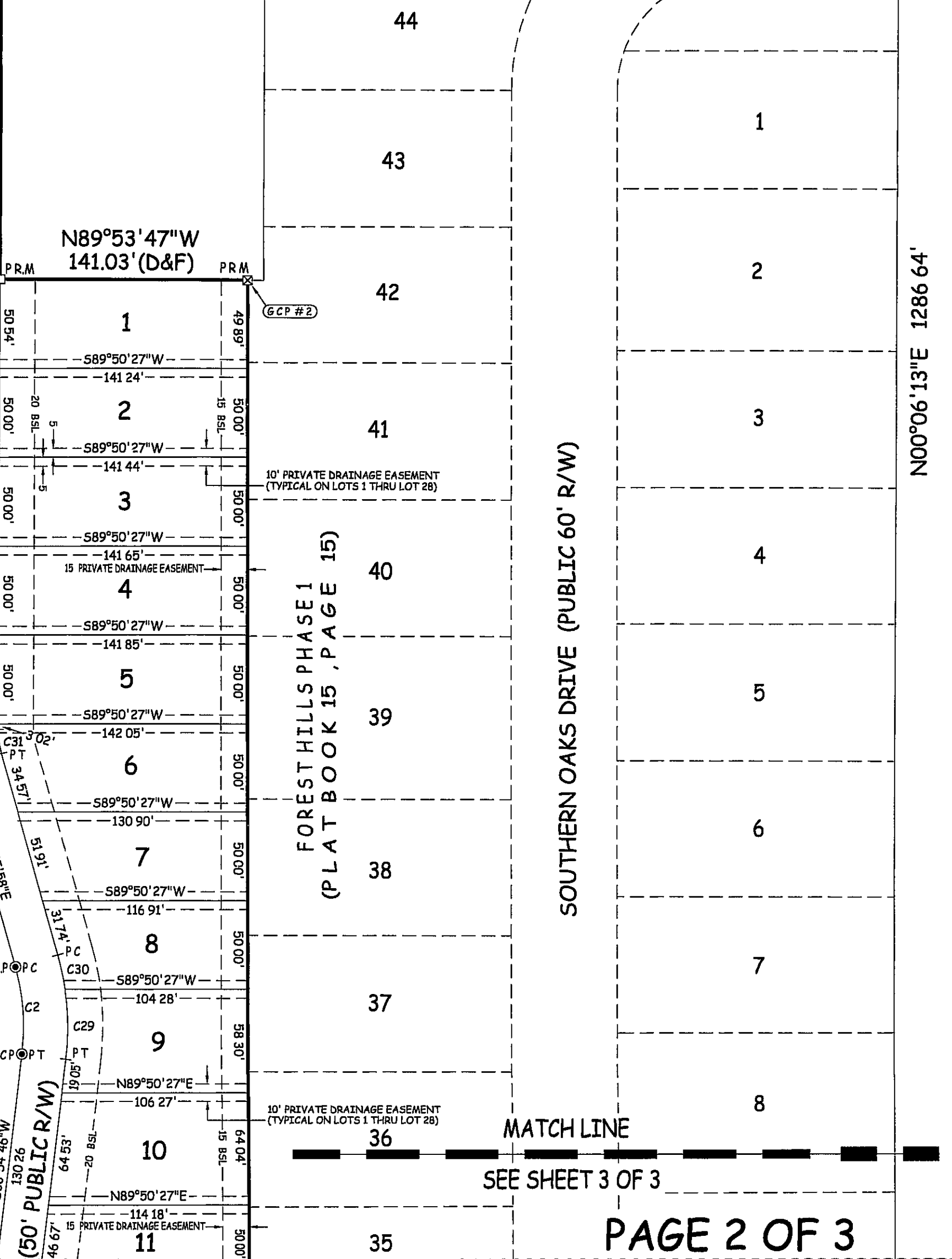
* AS REGULATED BY ESCAMBIA COUNTY LDC *	EXISTING (ACRES)	PROPOSED IMPACTS WITHIN PROJECT (ACRES)	PROPOSED IMPACTS OUTSIDE PROJECT (ACRES)	SECONDARY IMPACT (ACRES)	PRESERVATION (ACRES)	ENHANCEMENT (ACRES)
TOTAL PARCEL	47.732	N/A	N/A	N/A	0	0
ENVIRONMENTAL SENSITIVE LANDS	33.78	0.49	0.03	0.388	33.80	33.80
COEPS WETLANDS	31.27	0.21	0.03	0	31.07	31.07
DEP WETLANDS	31.27	0.21	0.03	0	31.07	31.07
ESCAMBIA COUNTY WETLANDS	31.27	0.21	0.03	0.388	31.07	31.07
ESCAMBIA CO WETLAND BUFFER	2.91	0.28	N/A	N/A	2.73	2.73

HATCHING LEGEND:

- CORPS/DEP/ESC COUNTY JURISDICTIONAL WETLANDS +/- 31.27 ACRES
- CORPS/DEP/ESC COUNTY WETLAND IMPACT +/- 0.20 ACRES
- PRIVATE WETLAND PRESERVATION +/- 31.07 ACRES
- ESC COUNTY SECONDARY WETLAND IMPACT +/- 0.321 ACRES
- PRIVATE WETLAND BUFFER PRESERVATION +/- 2.79 ACRES

NOT INCLUDED PARCEL

PUBLIC RETENTION POND



MATCH LINE
SEE SHEET 3 OF 3

MATCH LINE
SEE SHEET 3 OF 3

NOTICE:
THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THIS PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF ESCAMBIA COUNTY.

Final Plat Of Robert's Ridge

Being A Single Family Residential Subdivision
Of A Portion Of Section 21, Township 1 North,
Range 30 West, & Section 38, Township 1 North,
Range 31 West, Escambia County, Florida.

July 2011

GRAPHIC SCALE

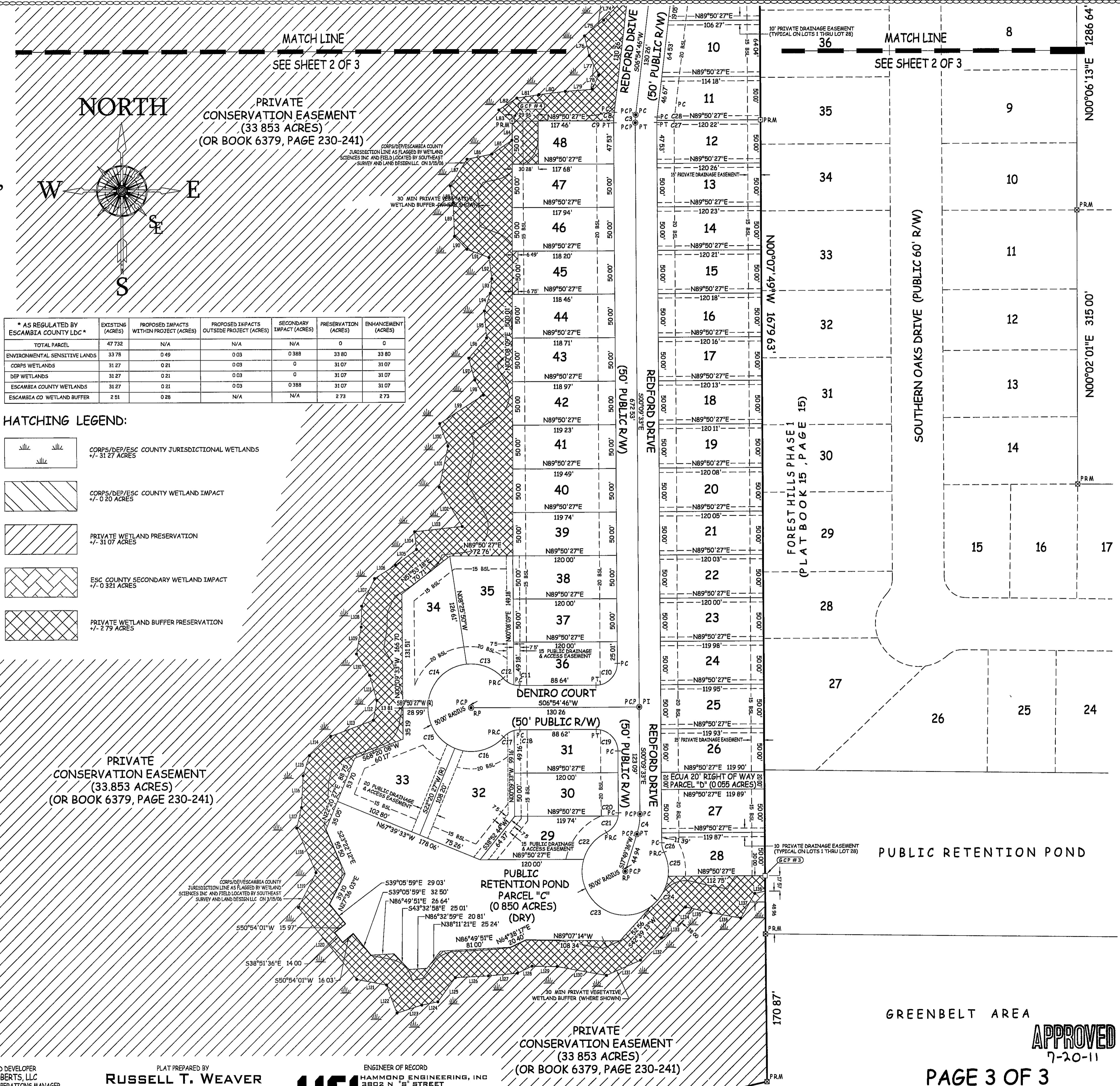


(IN FEET)
1 inch = 60 ft

WETLAND LINE TABLE											
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING	LINE	LENGTH	BEARING	LINE		
L1	17.62	N81°39'49"E	L35	28.39	N83°42'11"E	L70	41.24	N69°48'29"W	L105	30.17	N57°33'28"E
L2	34.61	S74°56'22"E	L36	21.92	S65°53'29"E	L71	34.73	N62°51'49"W	L106	28.75	N57°39'56"E
L3	19.18	S39°27'14"E	L37	15.32	N87°10'23"E	L72	21.59	S88°50'39"W	L107	35.22	N29°38'47"E
L4	29.64	N50°00'46"E	L38	22.33	N38°14'16"E	L73	20.61	N16°09'24"E	L108	24.36	N01°37'00"E
L5	14.79	N29°19'30"E	L39	12.68	N01°58'43"W	L74	28.95	N44°19'48"E	L109	31.80	N10°03'17"E
L6	22.27	N76°24'02"E	L40	19.77	S82°34'37"E	L75	28.62	N50°40'22"E	L110	28.78	N31°26'24"W
L7	22.86	N66°33'29"E	L41	20.13	N48°57'10"E	L76	23.99	N33°30'27"W	L111	29.77	N16°09'53"W
L8	24.91	N48°16'28"E	L42	19.50	N23°13'47"E	L77	24.75	N29°46'16"W	L112	22.84	N10°23'32"E
L9	18.79	N48°05'04"E	L43	18.57	N31°57'13"E	L78	17.73	N24°32'16"E	L113	32.76	N69°59'01"E
L10	19.64	N57°00'04"E	L44	23.50	N20°02'02"E	L79	31.47	N89°24'47"E	L114	33.37	N48°03'08"E
L11	22.99	N50°01'01"E	L45	19.62	N72°42'50"E	L80	30.63	N83°23'53"E	L115	24.42	N17°36'03"E
L12	20.49	N88°18'31"E	L46	20.49	N10°05'35"W	L81	25.71	N80°54'40"E	L116	36.69	N03°04'35"E
L13	39.87	N19°14'35"E	L47	11.04	N50°21'59"E	L82	24.91	N56°50'21"E	L117	24.38	N13°26'22"E
L14	24.94	N55°09'42"E	L48	21.41	N02°12'13"E	L83	21.00	N46°18'50"W	L118	59.91	N23°22'12"W
L15	30.81	N26°12'46"W	L49	15.65	N62°24'33"W	L84	20.76	N00°48'22"E	L119	44.65	N27°36'03"E
L16	23.73	N32°01'30"W	L50	16.09	N31°00'49"W	L85	28.25	N05°38'05"E	L120	106.86	N39°05'59"W
L17	21.13	N21°51'47"W	L51	21.24	N58°02'19"W	L86	29.27	N78°22'52"E	L121	34.99	N79°20'41"W
L18	31.21	N45°29'28"E	L52	21.35	N33°21'16"W	L87	36.53	N13°57'04"E	L122	34.58	N19°53'11"W
L19	26.20	N24°39'17"W	L53	9.83	N29°58'31"E	L88	19.44	N09°47'32"W	L123	30.19	S72°16'59"W
L20	25.92	N37°39'46"E	L54	11.67	N10°56'36"W	L89	38.62	N01°50'09"W	L124	16.99	S78°24'59"W
L21	16.94	N10°05'42"E	L55	16.65	N13°52'59"W	L90	20.55	N43°35'14"W	L125	34.75	S32°32'44"W
L22	17.53	N71°03'26"W	L56	17.42	N01°40'33"E	L91	27.44	N69°24'40"W	L126	38.07	S87°10'41"W
L23	18.77	N54°02'21"W	L57	20.89	N12°24'33"E	L92	24.55	N07°33'07"W	L127	33.91	S84°38'18"W
L24	13.56	N51°56'24"W	L58	18.68	N47°12'34"W	L93	17.13	N06°11'36"E	L128	18.63	S64°38'17"W
L25	15.64	S82°25'01"W	L59	20.60	N49°06'49"W	L94	21.50	N16°58'47"E	L129	28.98	N82°07'14"W
L26	20.37	N15°07'54"W	L60	19.46	S55°37'32"W	L95	30.87	N04°19'29"W	L130	57.81	N79°49'06"W
L27	17.17	N14°41'38"E	L61	21.41	N31°19'47"W	L96	30.98	N42°03'33"E	L131	43.23	S65°22'08"W
L28	20.86	N32°03'29"W	L62	31.24	N73°08'52"W	L97	25.99	N18°00'59"W	L132	35.59	S43°56'14"W
L29	19.26	N01°58'51"E	L63	30.47	N65°42'14"W	L98	19.98	N30°18'34"W	L133	24.60	S32°50'10"W
L30	30.47	N37°57'14"E	L64	15.02	N59°12'27"W	L99	60.47	N57°03'31"E	L134	20.53	S44°58'43"W
L31	26.80	N71°30'54"E	L65	22.82	N60°23'00"W	L100	27.66	N20°07'08"W	L135	29.98	N77°06'16"W
L32	26.19	N23°45'49"E	L66	22.46	N80°26'37"W	L101	47.82	N12°21'48"E	L136	35.64	N79°59'27"W
L33	24.25	N17°08'00"W	L67	38.89	N58°25'48"W	L102	92.32	N30°04'13"W	L137	32.43	S30°21'26"W
L34	17.84	N17°30'43"E	L68	22.22	N83°34'43"W	L103	55.50	N83°48'24"E	L138	12.35	S77°16'37"W
			L69	23.34	S50°49'33"W	L104	20.55	N04°03'08"W			

CENTERLINE CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C1	20.77	75.00	15°52'11"	S07°49'53"E	20.71
C2	49.48	125.00	22°40'44"	N04°25'36"W	49.16
C3	9.26	75.00	7°04'19"	S03°22'37"W	9.25
C4	23.54	75.00	17°59'09"	N08°50'02"E	23.45

RIGHT OF WAY CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	BEARING	CHORD
C5	4.99	144.61	1°58'37"	N00°06'13"E	4.99
C6	22.71	100.00	13°00'48"	S09°15'34"E	22.66
C7	39.58	100.00	22°40'44"	N04°25'36"W	39.32
C8	9.87	100.00	5°39'17"	S04°05'08"W	9.87
C9	2.47	100.00	1°25'02"	S00°32'58"W	2.47
C10	39.27	25.00	90°00'00"	N44°50'27"E	39.36
C11	6.40	25.00	14°40'16"	S82°49'25"E	6.38
C12	14.61	25.00	33°28'29"	S58°45'04"E	14.40
C13	47.04	50.00	53°54'10"	N48°57'56"W	45.32
C14	73.47	50.00	84°11'31"	S41°59'13"W	67.04
C15	58.95	50.00	67°33'00"	S33°53'03"E	55.59
C16	61.73	50.00	70°44'04"	N76°58'25"E	57.88
C17	14.56	25.00	33°22'41"	S58°17'43"W	14.36
C18	6.48	25.00	14°51'23"	S82°24'48"W	6.46
C19	39.27	25.00	90°00'00"	N45°09'33"W	39.36
C20	3.63	25.00	8°19'33"	N04°00'14"E	3.63
C21	24.45	25.00	56°01'50"	N36°10'55"E	23.49
C22	41.98	50.00	48°06'18"	S40°08'41"W	40.76
C23	154.97	50.00	170°11'21"	S49°00'08"E	99.63
C24	30.48	50.00	42°18'49"	N04°44'46"E	36.09
C25	8.30	50.00	9°31'00"	N21°10'08"W	8.30
C26	11.24	25.00	25°46'05"	S19°02'36"E	11.15
C27	2.47	50.00	2°50'07"	S01°15'30"W	2.47
C28	3.70	50.00	4°14'13"	S04°47'40"W	3.70
C29	39.51	150.00	15°05'24"	N00°37'56"W	39.39
C30	19.87	150.00	7°35'20"	N11°58'18"W	19.85
C31	13.85	50.00	15°52'11"	S07°49'53"E	13.80



NOTICE:
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APPROVED
7-20-11



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1098 **Growth Management Report** **Item #: 12. 1.**
BCC Regular Meeting **Consent**

Meeting Date: 08/04/2011
Issue: Schedule of Public Hearings
From: T. Lloyd Kerr, AICP
Organization: Development Services

RECOMMENDATION:

Recommendation Concerning the Scheduling of Public Hearings

That the Board authorize the scheduling of the following Public Hearings:

Thursday September 1, 2011

1. 5:45 p.m. - A Public Hearing to amend the Official Zoning Map to include the following Rezoning Cases to be heard by the Planning Board on August 8, 2011.

Case No.: **Z-2011-14**
Location: 1991 W Detroit Blvd
Property Reference No.: 13-1S-31-1100-001-004
Property Size: 8.69 (+/-) acres
From: R-2/R-3
To: R-6, Neighborhood Commercial and Residential District (cumulative), High Density (25 du/acre)
FLU Category: MU-U, Mixed Use Urban
Commissioner District 3
Requested by: Jean McPhee, Agent for Nicole Zubon, Owner

Case No.: **Z-2011-15**
Location: 2240 W Detroit Blvd
Property Reference No.: 12-1S-31-3102-001-003
Property Size: 3.17 (+/-) acres
From: C-1 Retail Commercial District (cumulative) (25 du/acre)
To: C-2, General Commercial and Light Manufacturing District (cumulative) (25 du/acre)
FLU Category: C, Commercial
Commissioner District 5
Requested by: Harold Pridgen, Owner

2. 5:46 p.m. - A Public Hearing - LDC Ordinance - Article 6 "Uses and Parking of Recreational Vehicles"

3. 5:47 p.m. - A Public Hearing - LDC Ordinance - Article 6 "Firearm Regulations"



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1009

County Administrator's Report Item #: 12. 1.

BCC Regular Meeting

Technical/Public Service Consent

Meeting Date: 08/04/2011

Issue: Disposition of Property for Development Services Department

From: T. Lloyd Kerr, AICP

Organization: Development Services

CAO Approval:

RECOMMENDATION:

Recommendation Concerning the Requests for Disposition of Property for the Development Services Department - T. Lloyd Kerr, AICP, Development Services Department Director

That the Board approve ten Request for Disposition of Property Forms for the Development Services Department, Building Inspections Division, for property which is described and listed on the forms, with the reasons for disposition stated on each, with the items to be disposed of as indicated.

BACKGROUND:

The items listed on the Request for Disposition of Property forms are no longer used by the Development Services Department, are in bad condition, and will be disposed of as indicated on the forms.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

This recommendation is in compliance with F.S. 274.07 and Board Policy, Section II, Part B. 1, Procedures for Disposition of County Property.

IMPLEMENTATION/COORDINATION:

Upon approval by the Board, the items will be disposed of according to the Disposition of County Property Policy.

Attachments

BID Disposition Forms - 8-4-11

REQUEST FOR DISPOSITION OF PROPERTY ESCAMBIA COUNTY, FLORIDA

TO: Clerk & Comptroller's Finance Department
 FROM: Disposing Bureau: Development Services-BID COST CENTER NO: 250114

Deborah A. Overton DATE: 06/08/11
 Property Custodian (PRINT FULL NAME)

Property Custodian (Signature): *DA Overton* Phone No: 850-595-3572

REQUEST THE FOLLOWING ITEM(S) TO BE DISPOSED:

TAG (Y / N)	PROPERTY NUMBER	DESCRIPTION OF ITEM	SERIAL NUMBER	MODEL	YEAR	CONDITION
Y	55761	Plastic Card Printer			2007	good

Disposal Comments: No longer being used. Not needed.

INFORMATION TECHNOLOGY (IT Technician): _____
 Print Name

Conditions: _____ Dispose-Good Condition-Unusable for BOCC
 _____ Dispose-Bad Condition-Send for recycling-Unusable

Computer is Ready for Disposition

Date: _____ Information Technology Technician Signature: _____

TO: County Administration Date: 6/13/11
 FROM: Escambia County Bureau Bureau Chief (Signature): *T. Cloyd Kera*
 Department Director
 Department Director
 Bureau Chief (Print Name): T. CLOYD KERA

RECOMMENDATION: Date: 6/15/11
 TO: Board of County Commissioners
 FROM: County Administration
Charles R. "Randy" Oliver
 Charles R. "Randy" Oliver
 County Administrator or designee

Approved by the County Commission and Recorded in the Minutes of: _____
 Ernie Lee Magaha/Clerk of the Circuit Court & Comptroller
 By (Deputy Clerk) _____

This Equipment Has Been Auctioned / Sold
 by: _____
 Print Name Signature Date

Property Tag Returned to Clerk & Comptroller's Finance Department

 Clerk & Comptroller's Finance Signature of Receipt Date

REQUEST FOR DISPOSITION OF PROPERTY ESCAMBIA COUNTY, FLORIDA

TO: Clerk & Comptroller's Finance Department
 FROM: Disposing Bureau: Development Svcs - BID COST CENTER NO: 250101

Deborah A. Overton DATE: 06/07/11
 Property Custodian (PRINT FULL NAME)

Property Custodian (Signature): *DA Overton* Phone No: 850-595-3572

REQUEST THE FOLLOWING ITEM(S) TO BE DISPOSED:

TAG (Y / N)	PROPERTY NUMBER	DESCRIPTION OF ITEM	SERIAL NUMBER	MODEL	YEAR	CONDITION
Y	44902	File Cabinet			1997	good
Y	44903	File Cabinet			1997	good
Y	44904	File Cabinet			1997	good
Y	44905	Card file 5 X 8 Cabinet			1997	good

Disposal Comments: File cabinets were taken to Wedgewood after the move from Town & Country Plaza to Central Office Complex

INFORMATION TECHNOLOGY (IT Technician): _____
 Print Name

Conditions: _____ Dispose-Good Condition-Unusable for BOCC
 _____ Dispose-Bad Condition-Send for recycling-Unusable

Computer is Ready for Disposition

Date: _____ Information Technology Technician Signature: _____

TO: County Administration Date: 6/14/11
 FROM: Escambia County Bureau Bureau Chief (Signature): *T. J. G. [Signature]*
 Department Director
 Department Director
 Bureau Chief (Print Name): T. LLOYD KERR

RECOMMENDATION: Date: 6/15/11
 TO: Board of County Commissioners
 FROM: County Administration
Charles R. Oliver
 Charles R. "Randy" Oliver
 County Administrator or designee

Approved by the County Commission and Recorded in the Minutes of: _____
 Ernie Lee Magaha/Clerk of the Circuit Court & Comptroller
 By (Deputy Clerk) _____

This Equipment Has Been Auctioned / Sold

by: _____
 Print Name Signature Date

Property Tag Returned to Clerk & Comptroller's Finance Department

Clerk & Comptroller's Finance Signature of Receipt Date

Property Custodian, please complete applicable portions of disposition form. See Disposal process charts for direction. dg 02-16-11

REQUEST FOR DISPOSITION OF PROPERTY ESCAMBIA COUNTY, FLORIDA

TO: Clerk & Comptroller's Finance Department
 FROM: Disposing Bureau: Development Svcs - BID COST CENTER NO: 250118

Deborah A. Overton DATE: 06/07/11
 Property Custodian (PRINT FULL NAME)

Property Custodian (Signature): *DA Overton* Phone No: 850-595-3572

REQUEST THE FOLLOWING ITEM(S) TO BE DISPOSED:

TAG (Y / N)	PROPERTY NUMBER	DESCRIPTION OF ITEM	SERIAL NUMBER	MODEL	YEAR	CONDITION
Y	55953	Fire Proof File Cabinet			2007	good

Disposal Comments: File cabinet was taken to Wedgewood when BID moved from the Town & Country Plaza to the Central Office Complex.

INFORMATION TECHNOLOGY (IT Technician): _____
 Print Name

Conditions: _____ Dispose-Good Condition-Unusable for BOCC
 _____ Dispose-Bad Condition-Send for recycling-Unusable

Computer is Ready for Disposition

Date: _____ Information Technology Technician Signature: _____

TO: County Administration Date: 6/11/11
 FROM: Escambia County Bureau Bureau Chief (Signature): *T. Lloyd Kee*
 Department Director
 Department Director
 Bureau Chief (Print Name): T. LLOYD KEE

RECOMMENDATION: Date: 6/15/11
 TO: Board of County Commissioners
 FROM: County Administration *Charles R. Oliver*
 Charles R. "Randy" Oliver
 County Administrator or designee

Approved by the County Commission and Recorded in the Minutes of: _____
 Ernie Lee Magaha/Clerk of the Circuit Court & Comptroller
 By (Deputy Clerk) _____

This Equipment Has Been Auctioned / Sold

by: _____
 Print Name Signature Date

Property Tag Returned to Clerk & Comptroller's Finance Department

 Clerk & Comptroller's Finance Signature of Receipt Date

Property Custodian, please complete applicable portions of disposition form. See Disposal process charts for direction. dg 02-16-11

**REQUEST FOR DISPOSITION OF PROPERTY
ESCAMBIA COUNTY, FLORIDA**

TO: Clerk & Comptroller's Finance Department
 FROM: Disposing Bureau: Development Services-BID COST CENTER NO: 250108

Deborah A. Overton DATE: 06/08/11
 Property Custodian (PRINT FULL NAME)

Property Custodian (Signature): *DA Overton* Phone No: 850-595-3572

REQUEST THE FOLLOWING ITEM(S) TO BE DISPOSED:

TAG (Y / N)	PROPERTY NUMBER	DESCRIPTION OF ITEM	SERIAL NUMBER	MODEL	YEAR	CONDITION
Y	48120	Fax Machine			1999	fair

Disposal Comments: Fax machine was taken to Wedgewood when BID moved from Town & Country Plaza to the Central Office Complex

INFORMATION TECHNOLOGY (IT Technician): _____
 Print Name

Conditions: _____ Dispose-Good Condition-Unusable for BOCC
 _____ Dispose-Bad Condition-Send for recycling-Unusable

Computer is Ready for Disposition

Date: _____ Information Technology Technician Signature: _____

TO: County Administration Date: 6/11/11
 FROM: Escambia County Bureau Bureau Chief (Signature): *T. Lloyd Kerr*
 Department Director
 Department Director
 Bureau Chief (Print Name): T. LLOYD KERR

RECOMMENDATION: Date: 6/15/11
 TO: Board of County Commissioners
 FROM: County Administration *Charles R. Oliver*
 Charles R. "Randy" Oliver
 County Administrator or designee

Approved by the County Commission and Recorded in the Minutes of: _____
 Ernie Lee Magaha/Clerk of the Circuit Court & Comptroller
 By (Deputy Clerk) _____

This Equipment Has Been Auctioned / Sold

by: _____
 Print Name Signature Date

Property Tag Returned to Clerk & Comptroller's Finance Department

 Clerk & Comptroller's Finance Signature of Receipt Date

**REQUEST FOR DISPOSITION OF PROPERTY
ESCAMBIA COUNTY, FLORIDA**

TO: Clerk & Comptroller's Finance Department
 FROM: Disposing Bureau: Development Services-BID COST CENTER NO: 250111

Deborah A. Overton DATE: 06/08/11
 Property Custodian (PRINT FULL NAME)

Property Custodian (Signature): *DA Overton* Phone No: 850-595-3572

REQUEST THE FOLLOWING ITEM(S) TO BE DISPOSED:

TAG (Y / N)	PROPERTY NUMBER	DESCRIPTION OF ITEM	SERIAL NUMBER	MODEL	YEAR	CONDITION
Y	49940	Sharp Fax Machine			2001	fair

Disposal Comments: Fax machine was taken to Wedgewood when BID moved from Town & Country Plaza to the Central Office Complex

INFORMATION TECHNOLOGY (IT Technician): _____
 Print Name

Conditions: _____ Dispose-Good Condition-Unusable for BOCC
 _____ Dispose-Bad Condition-Send for recycling-Unusable

Computer is Ready for Disposition

Date: _____ Information Technology Technician Signature: _____

TO: County Administration Date: 6/11/11
 FROM: Escambia County Bureau Bureau Chief (Signature): *T. Lotts*
 Department Director
 Department Director
 Bureau Chief (Print Name): T Lotts ICEN

RECOMMENDATION: Date: 6/15/11
 TO: Board of County Commissioners
 FROM: County Administration
Charles R. Oliver
 Charles R. "Randy" Oliver
 County Administrator or designee

Approved by the County Commission and Recorded in the Minutes of: _____
 Ernie Lee Magaha/Clerk of the Circuit Court & Comptroller
 By (Deputy Clerk) _____

This Equipment Has Been Auctioned / Sold
 by: _____
 Print Name Signature Date

Property Tag Returned to Clerk & Comptroller's Finance Department

 Clerk & Comptroller's Finance Signature of Receipt Date

**REQUEST FOR DISPOSITION OF PROPERTY
ESCAMBIA COUNTY, FLORIDA**

TO: Clerk & Comptroller's Finance Department
 FROM: Disposing Bureau: Development Services-BID COST CENTER NO: 250114

Deborah A. Overton DATE: 06/08/11
 Property Custodian (PRINT FULL NAME)

Property Custodian (Signature): *DA Overton* Phone No: 850-595-3572

REQUEST THE FOLLOWING ITEM(S) TO BE DISPOSED:

TAG (Y/N)	PROPERTY NUMBER	DESCRIPTION OF ITEM	SERIAL NUMBER	MODEL	YEAR	CONDITION
Y	52526	Computer			2003	bad

Disposal Comments: _____

INFORMATION TECHNOLOGY (IT Technician): *Teresa A. Creech*
 Print Name

Conditions: Dispose-Good Condition-Unusable for BOCC
 Dispose-Bad Condition-Send for recycling-Unusable

Computer is Ready for Disposition

Date: 6/14/11 Information Technology Technician Signature: *Teresa A. Creech*

TO: County Administration Date: 6/15/11
 FROM: Escambia County Bureau Bureau Chief (Signature): *[Signature]*
 Department Director
 Department Director
 Bureau Chief (Print Name): T LLOYD KERR

RECOMMENDATION: Date: _____
 TO: Board of County Commissioners
 FROM: County Administration
 Charles R. "Randy" Oliver
 County Administrator or designee *[Signature]* Acting County Administrator

Approved by the County Commission and Recorded in the Minutes of: _____
 Ernie Lee Magaha/Clerk of the Circuit Court & Comptroller
 By (Deputy Clerk) _____

This Equipment Has Been Auctioned / Sold
 by: _____
 Print Name Signature Date

Property Tag Returned to Clerk & Comptroller's Finance Department
 Clerk & Comptroller's Finance Signature of Receipt Date

REQUEST FOR DISPOSITION OF PROPERTY ESCAMBIA COUNTY, FLORIDA

TO: Clerk & Comptroller's Finance Department
 FROM: Disposing Bureau: Development Services-BID COST CENTER NO: 250101

Deborah A. Overton DATE: 06/08/11
 Property Custodian (PRINT FULL NAME)

Property Custodian (Signature): *DA Overton* Phone No: 850-595-3572

REQUEST THE FOLLOWING ITEM(S) TO BE DISPOSED:

TAG (Y / N)	PROPERTY NUMBER	DESCRIPTION OF ITEM	SERIAL NUMBER	MODEL	YEAR	CONDITION
Y	50912	Computer			2002	bad
Y	52376	Computer			2003	bad
Y	52378	Computer			2003	bad
Y	52530	Computer			2003	bad
Y	54008	Computer			2005	bad

Disposal Comments: _____

INFORMATION TECHNOLOGY (IT Technician): *Terese A. Creech*
 Print Name

Conditions: Dispose-Good Condition-Unusable for BOCC
 Dispose-Bad Condition-Send for recycling-Unusable

Computer is Ready for Disposition

Date: 6/14/11 Information Technology Technician Signature: *Terese A. Creech*

TO: County Administration Date: 6/15/11
 FROM: Escambia County Bureau Bureau Chief (Signature): *T. Woods Kerr*
 Department Director
 Department Director
 Bureau Chief (Print Name): T. WOODS KERR

RECOMMENDATION: Date: _____
 TO: Board of County Commissioners
 FROM: County Administration
 Charles R. "Randy" Oliver
 County Administrator or designee *Charles R. Oliver* Acting County Administrator

Approved by the County Commission and Recorded in the Minutes of: _____
 Ernie Lee Magaha/Clerk of the Circuit Court & Comptroller
 By (Deputy Clerk) _____

This Equipment Has Been Auctioned / Sold
 by: _____
 Print Name Signature Date

Property Tag Returned to Clerk & Comptroller's Finance Department

Clerk & Comptroller's Finance Signature of Receipt Date

REQUEST FOR DISPOSITION OF PROPERTY ESCAMBIA COUNTY, FLORIDA

TO: Clerk & Comptroller's Finance Department
 FROM: Disposing Bureau: Development Services-BID COST CENTER NO: 250101

Deborah A. Overton DATE: 06/08/11
 Property Custodian (PRINT FULL NAME)

Property Custodian (Signature): *DA Overton* Phone No: 850-595-3572

REQUEST THE FOLLOWING ITEM(S) TO BE DISPOSED:

TAG (Y / N)	PROPERTY NUMBER	DESCRIPTION OF ITEM	SERIAL NUMBER	MODEL	YEAR	CONDITION
Y	55236	Optiplex GX620 Computer			2006	bad

Disposal Comments: _____

INFORMATION TECHNOLOGY (IT Technician): *Teresa A. Cree*
 Print Name

Conditions: Dispose-Good Condition-Unusable for BOCC
 Dispose-Bad Condition-Send for recycling-Unusable

Computer is Ready for Disposition

Date: 6/14/11 Information Technology Technician Signature: *Teresa A. Cree*

TO: County Administration Date: 6/15/11
 FROM: Escambia County Bureau Bureau Chief (Signature): *T. Cloyd Carr*
 Department Director
 Department Director
 Bureau Chief (Print Name): T. CLOYD CARR

RECOMMENDATION: Date: _____
 TO: Board of County Commissioners
 FROM: County Administration
 Charles R. "Randy" Oliver
 County Administrator or designee
Ray M. ...
Acting County Administrator

Approved by the County Commission and Recorded in the Minutes of: _____
 Ernie Lee Magaha/Clerk of the Circuit Court & Comptroller
 By (Deputy Clerk) _____

This Equipment Has Been Auctioned / Sold
 by: _____
 Print Name Signature Date

Property Tag Returned to Clerk & Comptroller's Finance Department

Clerk & Comptroller's Finance Signature of Receipt Date

**REQUEST FOR DISPOSITION OF PROPERTY
ESCAMBIA COUNTY, FLORIDA**

TO: Clerk & Comptroller's Finance Department
 FROM: Disposing Bureau: Development Services-BID COST CENTER NO: 250111

Deborah A. Overton DATE: 06/08/11
 Property Custodian (PRINT FULL NAME)

Property Custodian (Signature): *DA Overton* Phone No: 850-595-3572

REQUEST THE FOLLOWING ITEM(S) TO BE DISPOSED:

TAG (Y / N)	PROPERTY NUMBER	DESCRIPTION OF ITEM	SERIAL NUMBER	MODEL	YEAR	CONDITION
Y	47361	Computer for Fire Alarm Server			1999	fair

Disposal Comments: Computer was taken to Wedgewood after BID moved from Town & Country Plaza to the Central Office Complex

INFORMATION TECHNOLOGY (IT Technician): *Teresa A. Cree*
 Print Name

Conditions: Dispose-Good Condition-Unusable for BOCC
 Dispose-Bad Condition-Send for recycling-Unusable

Computer is Ready for Disposition

Date: 6/14/11 Information Technology Technician Signature: *Teresa A. Cree*

TO: County Administration Date: 6/15/11
 FROM: Escambia County Bureau Bureau Chief (Signature): *T. Lloyd Kern*
 Department Director
 Department Director
 Bureau Chief (Print Name): T-LLOYD Kern

RECOMMENDATION: Date: _____
 TO: Board of County Commissioners
 FROM: County Administration
 Charles R. "Randy" Oliver *Charles R. "Randy" Oliver*
 County Administrator or designee Acting County Administrator

Approved by the County Commission and Recorded in the Minutes of: _____
 Ernie Lee Magaha/Clerk of the Circuit Court & Comptroller
 By (Deputy Clerk) _____

This Equipment Has Been Auctioned / Sold
 by: _____
 Print Name Signature Date

Property Tag Returned to Clerk & Comptroller's Finance Department
 Clerk & Comptroller's Finance Signature of Receipt Date

REQUEST FOR DISPOSITION OF PROPERTY ESCAMBIA COUNTY, FLORIDA

TO: Clerk & Comptroller's Finance Department
 FROM: Disposing Bureau: Development Services-BID COST CENTER NO: 250101

Deborah A. Overton DATE: 06/16/11
 Property Custodian (PRINT FULL NAME)

Property Custodian (Signature): *DA Overton* Phone No: 850-595-3572

REQUEST THE FOLLOWING ITEM(S) TO BE DISPOSED:

TAG (Y / N)	PROPERTY NUMBER	DESCRIPTION OF ITEM	SERIAL NUMBER	MODEL	YEAR	CONDITION
Y	54105	Dell Computer			2005	bad

Disposal Comments: _____

INFORMATION TECHNOLOGY (IT Technician): *Teresa A. Creech*
 Print Name

Conditions: _____ Dispose-Good Condition-Unusable for BOCC
 Dispose-Bad Condition-Send for recycling-Unusable

Computer is Ready for Disposition

Date: *6/17/11* Information Technology Technician Signature: *Teresa A Creech*

TO: County Administration Date: _____
 FROM: Escambia County Bureau Bureau Chief (Signature): *[Signature]*
 Bureau Chief (Print Name): _____

RECOMMENDATION: Date: *6-21-11*
 TO: Board of County Commissioners
 FROM: County Administration
[Signature]
 Charles R. "Randy" Oliver
 County Administrator or designee

Approved by the County Commission and Recorded in the Minutes of: _____
 Ernie Lee Magaha/Clerk of the Circuit Court & Comptroller
 By (Deputy Clerk) _____

This Equipment Has Been Auctioned / Sold
 by: _____
 Print Name Signature Date

Property Tag Returned to Clerk & Comptroller's Finance Department
 Clerk & Comptroller's Finance Signature of Receipt Date



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1178

County Administrator's Report Item #: 12. 2.

BCC Regular Meeting

Technical/Public Service Consent

Meeting Date: 08/04/2011

Issue: Disposition of County Surplus Property-GMC Sonoma Trucks

From: Ron Sorrells

Organization: Human Resources

CAO Approval:

RECOMMENDATION:

Recommendation Concerning the Request for Disposition of Property for the Human Resources Department - Ron Sorrells, Human Resources Department Director

That the Board approve the Request for Disposition of Property Form for the Human Resources Department for property which is described and listed on the Disposition Form, with Department and reason for disposition stated.

BACKGROUND:

The properties at issue are property number#: 47401 and 47717, GMC Sonoma Trucks, purchased in 1999. These trucks are unusable.

BUDGETARY IMPACT:

N/a

LEGAL CONSIDERATIONS/SIGN-OFF:

N/a

PERSONNEL:

N/a

POLICY/REQUIREMENT FOR BOARD ACTION:

This recommendation is in compliance with FS 274.07 and BCC Policy B-1, 2, Section II, Procedures for Disposition of County Property.

IMPLEMENTATION/COORDINATION:

N/a

Attachments

Disposition Form-Sonoma Trucks

**REQUEST FOR DISPOSITION OF PROPERTY
ESCAMBIA COUNTY, FLORIDA**

TO: Clerk & Comptroller's Finance Department

FROM: Disposing Department: Human Resources

COST CENTER NO: 140601

Ron Sorrells

DATE: 6/30/11

Property Custodian (PRINT FULL NAME)

Property Custodian (Signature): *Ron Sorrells*

Phone No: 595-4680

REQUEST THE FOLLOWING ITEM(S) TO BE DISPOSED:

TAG (Y/N)	PROPERTY NUMBER	DESCRIPTION OF ITEM	SERIAL NUMBER	MODEL	YEAR	CONDITION
Y	47401	Truck, Parking Enforcement	1GTCS1441C8515725	GMC Sonoma	1999	Unsueable
	47717	Truck, Parking Enforcement	1GTCS1447X8528155	GMC Sonoma	1999	Unsueable

Disposal Comments: _____

INFORMATION TECHNOLOGY (IT Technician): _____

Print Name

Conditions: Dispose-Good Condition-Unusable for BOCC

Dispose-Bad Condition-Send for recycling-Unusable

Computer is Ready for Disposition

Date: _____ Information Technology Technician Signature: _____

TO: County Administration

Date: 7/27/11
Department Director
Bureau Chief (Signature): *Ron Sorrells*

FROM: Escambia County Bureau

Department Director
Bureau Chief (Print Name): RON SORRELLS

RECOMMENDATION:

TO: Board of County Commissioners

FROM: County Administration

Date: _____

Charles R. Oliver 7/6/11
Charles R. "Randy" Oliver
County Administrator or designee

Approved by the County Commission and Recorded in the Minutes of:

Ernie Lee Magaha/Clerk of the Circuit Court & Comptroller
By (Deputy Clerk) _____

This Equipment Has Been Auctioned / Sold

by: _____

Print Name

Signature

Date

Property Tag Returned to Clerk & Comptroller's Finance Department

Clerk & Comptroller's Finance Signature of Receipt

Date



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1140 County Administrator's Report Item #: 12. 3.
BCC Regular Meeting Technical/Public Service Consent
Meeting Date: 08/04/2011
Issue: Request for Disposition of Property
From: Mike Weaver
Organization: Public Safety
CAO Approval:

RECOMMENDATION:

Recommendation Concerning the Request for Disposition of Property for the Public Safety Department - Michael D. Weaver, Public Safety Department Director

That the Board approve the two Request for Disposition of Property Forms for the Public Safety Department, for property which is no longer in service, has been damaged beyond repair and/or is obsolete, and is to be auctioned as surplus or properly disposed of, all of which is described and listed on the Disposition Forms noting the reason for disposal.

BACKGROUND:

Escambia County establishes policy for disposing of surplus or obsolete equipment. This policy and procedure is in accordance with Florida Statutes 274.07.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

This recommendation is in compliance with Florida Statutes 274.07 and BCC Policy B-1, 2, Section II, Procedures for Disposition of County Property.

IMPLEMENTATION/COORDINATION:

Upon Board approval, the items listed will be sent to Electronic recycling.

Attachments

public safety dispositions

**REQUEST FOR DISPOSITION OF PROPERTY
ESCAMBIA COUNTY, FLORIDA**

TO: Clerk & Comptroller's Finance Department

FROM: Disposing Bureau: Public Safety COST CENTER NO: 330206/330402 /405

John Sims DATE: 15-Jul-11

Property Custodian (PRINT FULL NAME)

Property Custodian (Signature):  Phone No: 475-5530

REQUEST THE FOLLOWING ITEM(S) TO BE DISPOSED:

TAG (Y / N)	PROPERTY NUMBER	DESCRIPTION OF ITEM	SERIAL NUMBER	MODEL	YEAR	CONDITION
Y	501338	Radio Base Station	267ASA0019	Spectra	1992	Obsolete
Y	41309	Projector	405311151	VG-850-U	1994	Obsolete
Y	502091	Copier	96300667	AR 200	2000	Unrepairable
Y	54893	Laser Jet Printer	JPDLR83285	8150DN	2006	Unrepairable
Y	52102	Projector	208313676	XC SOX	2003	Obsolete

Disposal Comments: _____


INFORMATION TECHNOLOGY (IT Technician): _____

Print Name

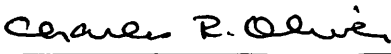
Conditions: Dispose-Good Condition-Unusable for BOCC
 Dispose-Bad Condition-Send for recycling-Unusable

Computer is Ready for Disposition

Date: _____ Information Technology Technician Signature: 

TO: County Administration Date: 7/18/11
 FROM: Public Safety Department Department Director 

Department Director (Print Name): Michael D. Weaver

RECOMMENDATION: Date: 7/29/11
 TO: Board of County Commissioners
 FROM: County Administration

 Charles R. "Randy" Oliver,
 County Administrator or designee

Approved by the County Commission and Recorded in the Minutes of: _____
 Ernie Lee Magaha/Clerk of the Circuit Court & Comptroller
 By (Deputy Clerk) _____

This Equipment Has Been Auctioned / Sold

by: _____
 Print Name Signature Date

Property Tag Returned to Clerk & Comptroller's Finance Department

Clerk & Comptroller's Finance Signature of Receipt Date

REQUEST FOR DISPOSITION OF PROPERTY ESCAMBIA COUNTY, FLORIDA

TO: Clerk & Comptroller's Finance Department

FROM: Disposing Bureau: Public Safety COST CENTER NO: 330404/330206

John Sims DATE: 15-Jul-11

Property Custodian (PRINT FULL NAME)

Property Custodian (Signature): *John L Sims* Phone No: 475-5530

REQUEST THE FOLLOWING ITEM(S) TO BE DISPOSED:

TAG (Y/N)	PROPERTY NUMBER	DESCRIPTION OF ITEM	SERIAL NUMBER	MODEL	YEAR	CONDITION
Y	48031	Computer	55KGT	GX1	1999	Obsolete
Y	502136	Laptop	OGKSA21390	Toughbook	2000	Obsolete

Disposal Comments: _____

INFORMATION TECHNOLOGY (IT Technician): _____

Print Name

Conditions: _____ Dispose-Good Condition-Unusable for BOCC
 _____ Dispose-Bad Condition-Send for recycling-Unusable

Computer is Ready for Disposition

Date: 15 JUL 11 Information Technology Technician Signature: *Frank Post*

TO: County Administration Date: 7/18/11
 FROM: Public Safety Department Department Director *[Signature]*

Department Director (Print Name): Michael D. Weaver

RECOMMENDATION: Date: 7/20/11

TO: Board of County Commissioners
 FROM: County Administration
Charles R Oliver
 Charles R. "Randy" Oliver,
 County Administrator or designee

Approved by the County Commission and Recorded in the Minutes of: _____
 Ernie Lee Magaha/Clerk of the Circuit Court & Comptroller
 By (Deputy Clerk) _____

This Equipment Has Been Auctioned / Sold

by: _____
 Print Name Signature Date

Property Tag Returned to Clerk & Comptroller's Finance Department

Clerk & Comptroller's Finance Signature of Receipt Date



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1175 County Administrator's Report Item #: 12. 4.
BCC Regular Meeting Technical/Public Service Consent
Meeting Date: 08/04/2011
Issue: Board of Adjustment Appointment - At-Large Position
From: Charles R. (Randy) Oliver
Organization: County Administrator's Office
CAO Approval:

RECOMMENDATION:

Recommendation Concerning Escambia County Board of Adjustment Appointment - At-Large Position - Charles R. "Randy" Oliver, County Administrator

That the Board appoint CDR John N. Lund, USN (ret.), to the Escambia County Board of Adjustment at-large position, effective August 4, 2011, through April 5, 2012, to fill the unexpired term of Mr. Tom Bell, who resigned.

BACKGROUND:

Mr. John N. Lund, CDR USN (ret.), expressed the desire to serve on the Escambia County Board of Adjustment. Mr. Lund's Resume is provided for your review. No other names were received for consideration for this position.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

In accordance with Section I B, of the Board of County Commissioners Policy Manual, Board approval is required for all appointments / reappointments to Boards and Committees established by the Board of County Commissioners.

IMPLEMENTATION/COORDINATION:

N/A

Attachments

T Bell BOA Resignation Letter
John Lund Resume

July 6, 2011

Mr. Charles R Oliver
Escambia County Administrator
221 Palafox Place, Suite 420
Pensacola, Florida 32502

RECEIVED
JUL 07 2011
County Administrator's Office

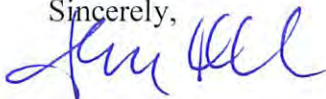
Re: Board of Adjustment.

Dear Mr. Oliver,

This letter will serve as my resignation notification from the Escambia County Board of Adjustments. I have not been the best BOA member attendance wise, having missed on average every other meeting. The meeting date falls on a day that tends to be my busiest and the upsurge in Commercial real estate activity will surely result in continued BOA absences.

The Board is important to the citizenry and the County and I wish it well.

Sincerely,



Tom Bell

CC: Grover Robinson
Karen Spitsbergen

CDR. John N. Lund USN (ret)
106 S. Tarragona St.
Pensacola, FL 32502
Email: jnlund@aol.com
Phone: 850 554 6810

Date: 7/20/2011

Mr. Gene M. Valentino
Commissioner Escambia County, District Two

Regarding: "At Large" Position Opening with the Escambia County Board of Adjustment

Dear Commissioner Valentino,

Please accept the attached resume' as an application for the "at large" position that recently came open with the Escambia County Board of Adjustment (BOA).

As we discussed I am a recently retired Navy O-5, who has chosen to make Pensacola and Northwest Florida his permanent home. As a 26 year military veteran currently living in the Pensacola Historic District and having lived through the aftermath of Hurricanes Ivan and Dennis, I have developed a great appreciation for this County and its inhabitants. With that in mind, I would welcome the opportunity serve Escambia County and the city of Pensacola as a member of the Escambia County BOA.

During the past two years that I have been in Pensacola I have started and sold a Construction Management / High Voltage Electrical Contracting company and served as its President and Chief Financial Officer. Immediately prior to that I worked directly for the Assistant Secretary of the Navy (FM&C) as the Lead Program Manager / Budget Analyst for the US Marine Corps' Personnel and Operations and Maintenance Budgets; for fiscal year 2010 these budgets combined, exceeded \$21B.

I am confident that my professional and military experience has provided me with the analytical ability, common sense, leadership and financial analysis skills to professionally serve the Commissioners and inhabitants of Escambia County as a member of the BOA. Additionally, the fact I live in Escambia County and the city of Pensacola provides the motivation to serve in proudly this capacity.

I welcome the opportunity to discuss this position with you and the other County Commissioners.

If you have any questions about my background, or if I need to submit further information please contact me.

Thank you for your consideration and I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read 'JNL', with a long horizontal line extending to the left.

John N. Lund
CDR USN (ret.)

CDR. JOHN N. LUND USN (RET.)

106 S. TARRAGONA ST. ♦ PENSACOLA, FL 32502

(850) 554-6810 ♦ jnlund@aol.com

Extremely experienced, goal-oriented Director with multiple graduate degrees and a 20 plus year record of successful leadership in both military and municipal environments. An accomplished Executive with a history of identifying and analyzing complex issues and problems in management areas, designing and implementing solutions. A proven Financial Administrator with direct experience managing budgets in excess of \$21B and staffs ranging in size from 15 to 75 members. Talented leader directing highly skilled management teams to support the achievement of overall corporate goals and objectives. *Core competencies include:*

- Leadership
 - Strategic Planning
 - Project/Program Management
 - Budgeting
 - Team Building
 - Financial Management
 - Practice Management
 - Regulatory Compliance
 - Systems Management
-

SECURITY CLEARENCE

Top Secret/SCI (Updated August 2008)

EDUCATION

- Masters in Business Administration, Financial Management (2007), Naval Postgraduate School
- Master of Science, Industrial Management (1996), Northern Illinois University
- Bachelor of Arts, Political Science (1983), University of Illinois

CAREER EXPERIENCE

Financial Management and Budgeting

A qualified Financial Manager. Developed financial statements and constructed, analyzed and executed budgets ranging from \$60K to \$21.5B. Personally conducted a comprehensive analysis of a military Personnel Budget that uncovered a shortfall of \$47M.

Strategic Planning

Adept at strategic corporate personnel growth. Restructured and grew organizations. Participated in the development of a practical and executable plan for growing an organization from 175K to 202K personnel in less than three years.

Project Management Leadership

Over 20 years of experience in Project Management, Leadership, Coordination, and Analysis working with diverse budgets, assets and personnel. Managed a diverse community of 300 people. Handpicked to lead the Centennial Navy Marine Corps Relief Society fund drive for all Department of the Navy organizations in Northwest Florida. Result: Highest grossing fund drive in history.

Practice Management

Experienced personnel recruiter with extensive experience in training, team development, professional standards and work product quality control.

Team Building

Experience in leveraging knowledge of change management and organizational behavior to improve organizational practices during periods of significant realignment and change. Fully versed in corporate ethical standards. Led the transition from an open community to a secure military base following the events of 9/11. Result: No security incidents during two year tenure.

Systems Management

Conducted a complete analysis and replacement of all computer and security systems for an organization of 300 personnel. This analysis included operational audits, cost/benefit analysis, systems design and development, and overall productivity.

CAREER HISTORY

INTEGRATED POWER SOLUTIONS, LLC, President and Chief Financial Officer

- Developed and initiated a Start-up Small Business providing contracting services in the fields of high voltage power distribution, renewable power, and electrical infrastructure construction.
- Directly responsible for all business development and corporate financial management. Other responsibilities included overseeing corporate investor relations, building and analyzing corporate financial statements, creating corporate performance objectives.
- Results: Due to its success, the corporation was purchased by its Mentor Corporation after two years.

OFFICE OF THE ASSISTANT SECRETARY OF THE NAVY (OASN), FINANCIAL MANAGEMENT AND COMPTROLLER (FM&C), Program Manager / Lead Financial Analyst

- Lead Financial Management Analyst working directly for the Deputy Assistant Secretary of the Navy overseeing the US Marine Corps' Military Personnel and Operations and Maintenance accounts. Provided Program Management, Variance Analysis, Forecasting, Budget Planning, and Auditing for the \$13.5B and \$8B accounts.
- Conducted a complete analysis of planned future budgets based on planned increases in end strength and identified underfunding of both budgets by a total of \$47M. Result: Completely funded and executable budgets through Fiscal Year 2015.

NAVAL POSTGRADUATE SCHOOL, MBA in Financial Management

- The Financial Management concentration emphasized Strategic Vision and Budgeting, Funds Management, Cost Management and Analysis, Control, and Auditing. Specifically this coursework resulted in the ability to acquire and analyze financial data and communicate the results to a diverse audience, including maintaining an integrated financial information systems and appropriate internal controls to ensure timely, accurate, and consistent financial information, and assure the completeness and integrity of financial reports.

NAVAL AVIATION SCHOOLS COMMAND, NAS Pensacola, FL., Head Administrator, Director of Advanced Officer Training

- Directed all administration efforts for the changing needs of an organization responsible for the training of 500 students annually with a staff of 50 personnel.
- Responsible for formulating, implementing and managing all aspects of internal organization policy, resulting in a 20% reduction in personnel costs during a time of military to civilian transition.

COMMANDER FLEET ACTIVITIES, Chinhae, Republic of South Korea, Chief of Staff, Deputy Base Commander

- Deputy Mayor Equivalent. Supervised a staff of 80 personnel. Responsible for the daily operations, morale and security for a community of 300 residents on an 80 acre post. No significant personnel or infrastructure issues during two year tenure.
- Planned and executed a \$4.5M budget, not including personnel costs. Conceived, negotiated and constructed a \$500K Force Protection Center and \$1.4M Dining and Conference Center.
- Planned and implemented major infrastructure improvements to include: A new base communication and warning system and the under grounding of the towns entire electrical distribution system.

NAVAL AIR RESERVE CENTER, Great Lakes Naval Training Center, Executive Officer, Chief Operating Officer

- Coordinated the successful mobilization of 500 reserve forces worldwide, to include combat operations in the Balkans and training exercises in Thailand, Korea and Europe.
- Evaluated the overall deployment results through the effective implementation of Personnel Assessment tools and Cost Analysis, achieving a significant increase in the effectiveness of future deployments.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1177

County Administrator's Report Item #: 12. 5.

BCC Regular Meeting

Technical/Public Service Consent

Meeting Date: 08/04/2011

Issue: Appointment/Reappointment to Escambia-Pensacola Human Relations Commission

From: Charles R. (Randy) Oliver

Organization: County Administrator's Office

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Escambia-Pensacola Human Relations Commission Reappointment/Appointment - Charles R. "Randy" Oliver, County Administrator

That the Board take the following action concerning reappointment/appointment to the Escambia-Pensacola Human Relations Commission, as requested by Dr. Calvin Avant, Executive Director:

A. Waive the Board's Policy, Section I, Part B 1. (D), Appointment Policy and Procedures, and reappoint Ebbin a. Spellman, effective August 17, 2010, through August 17, 2013; and

B. Appoint Robert C. Allen, P.A., effective August 4, 2011, through November 6, 2014, to fill the unexpired term of Janice E. Monks, who resigned, plus an additional three-year term.

BACKGROUND:

Mr. Spellman and Mr. Allen have expressed the desire to serve. **Their Resumes are provided for your review.** No other nominees were received from the Board of County Commissioners

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

In accordance with Section 2, Governing Board, of the Interlocal Agreement between the City of Pensacola and Escambia County creating the Escambia-Pensacola Human Relations Commission, Board approval is required for all its appointments / reappointments to the Human Relations Commission.

IMPLEMENTATION/COORDINATION:

N/A

Attachments

Spellman Resume

HRC Letter-Robert Allen Resume

EBBIN SPELLMAN

1408 East Hatton Street • Pensacola, FL 32503

Home (850) 433-3904 • Cell (850) 232-0498 • E-mail ebbin@att.net

OBJECTIVE

Accomplished manager with over 15 years of experience as an Emergency Management Coordinator, Crisis Management Specialist and Environmental, Health & Safety Advisor with the ability to analyze operations, pinpoint areas for improvement to redesign and implement progressive plans.

AREAS OF STRENGTHS & EXPERIENCE

Quality Control & Compliance Program Implementation
National Incident Management System Execution
Health and Safety Instructor
Threat and Risk Assessment Coordinator

Emergency Response Systems Coordination
Emergency Management Operations
Emergency Preparedness
Incident Command System

EDUCATION & PROFESSIONAL DEVELOPMENT

Master of Public Administration, American University, *Charles Town, WV*
Major: Public Administration in Disaster Management
Anticipated Graduation: December 2012

Certified Public Manager Leadership Institute, Florida State University, *Tallahassee, FL*
Certification: Certified Public Manager for State and Local Government

Bachelor of Arts Degree, Southern University, *Baton Rouge, LA*
Major: Political Science

Developing a State/Regional (CBRNE) Task Force Training
Emergency Operation Center (EOC) Management and Operations Training (G-275)
Homeland Security Planning for Local Communities (G-408)
Incident Command System (ICS) Curricula Train-the Trainer (L-449)
GPS/GIS and USNG Multilevel Technician Training
ARC GIS Training – Advance and Basic
Rapid Assessment Planning (G-250.7)
NIMS Resource Management Training (IS-703)
Multi-Agency Coordination System Training (MCAST-701)
United States Coast Guard, Incident Command System Training (ICS-100 & ICS-200)
Intermediate (ICS 300) and Advanced Incident Command System Training (ICS-400)
National Incident Management System Training (NIMS-700)
National Response Plan Training
Disaster Recovery (G-270.4)
Principles of Emergency Management Training
Enhance Risk and Threat Assessment Training
Emergency Operations Center Interface (G-191)
Community Emergency Response Team Trainer
Department of Homeland Security and EMS Concepts for Weapons of Mass Destruction Training
Florida Emergency Management System Operations & Planning Training
Texas A & M University, Strategy & Tactics Incident Command Training

*Educational & Professional Development (Continued)***EDUCATION & PROFESSIONAL DEVELOPMENT**

Emergency Medical Technician
National Firefighter Association Incident Safety Officer
Wild Land Fire Behavior Training
Hazmat Technician Training
Mass Casualty Training

COMMUNITY INVOLVEMENT**Commissioner of Escambia-Pensacola County Human Relations Commission**

Coordinate Emergency Response Agencies by disseminating information to the public during the time of natural or man-made disasters and provides assistance to individual, state, local and other agencies, both public and private, including agencies of the federal government during disasters.

Escambia County Expressway Authority Commission

Member of the Commission that reviewed various engineering phases of project development and environmental studies, public information and public involvement meetings, determination of roadway alignments, interchanges modification report and Traffic and Revenue Report.

EMPLOYMENT CHRONICLE**2007-Present Emergency Management Operations Manager and Coordinator ~ Alachua County Gainesville, Florida**

Serves as the REP Lead for Nuclear and Radiological Preparedness for Alachua County and serves as the Liaison to on-site plant Progress Energy company officials. Responsible for the administration and operation of Alachua County's Radiological Emergency Preparedness (REP) Program for the Progress Energy Crystal River Nuclear Power Plant as well as various other programs which would pose a radioactive threat to the citizens of Alachua County.

Coordinate program activities to ensure administrative efficiency and compliance with emergency management standards and expanding current programs by developing and implementing new programs and undertaking new projects and developments to meet the needs of the County.

Supervise and coordinate the activities of subordinate employees including determining work procedures and schedules; issuing instructions and assigning duties; reviewing work; recommending personnel actions, conducting performance reviews; and conducting departmental training and orientation.

Direct and coordinate the activities of County staff assigned as Emergency Support Function personnel in the Emergency Operations Center which included determining work procedures and schedules; issuing instructions and assigning duties; reviewing work; and conducting departmental training and orientation.

Emergency Management Operations Manager Coordinator (Continued)

Perform various statistical research and comparative analyses for the purpose of evaluating impacts to proposed planning objectives and application to areas of responsibility; modifies proposed objectives and directions accordingly. Confer with upper management to keep them informed of key issues and progress toward goals and objectives, and to garner or ensure continued support and approval for strategic initiatives.

Compile, maintain and update planning operational data for analysis purposes; analyze planning data to identify trends/problems and determine appropriate actions. Develop planning forecasts to identify future planning/transportation/growth management deficiencies; assists in development of planning improvements accordingly.

Perform the bi-annual Hazardous Materials Hazardous Analysis of EPCRA SARA Title III Section 302 chemical sites located throughout the County in accordance with the Inter-local Agreement.

Confer with staff and citizen groups to explain program and individual responsibilities for functions and phases of the emergency management program. Modify and/or change program methodology as required to redirect activities and to attain program objectives

Identify and analyze the effects of potential hazards present in the community in order to develop effective emergency/disaster preparedness plans. Review emergency plans from outside agencies, businesses and other governmental jurisdictions, providing recommended revisions and additions to those plans.

Respond to emergency scenes requiring multi-agency coordination and oversee volunteer programs to include Community Emergency Response Team (CERT) program.

**1994-2007 Chemical Operator, Industrial Fire Fighter Lieutenant ~ Solutia
Pensacola, Florida**

Identified potential hazards in order to develop effective emergency/disaster preparedness plans. Reviewed all emergency contingency plans and proposed revisions and additions as needed.

Trained in gathering information and immediately disseminating critical counter-terrorist intelligence information to federal, state and local authorities/agencies. Coordinated and directed law enforcement and initial emergency respondents with respect to counter-terrorism and domestic security during emergencies.

Trained to streamline and consolidate coordination procedures between federal, state and local resources to reduce fragmented/duplicated counter-terrorism efforts and information and provided domestic security training for police officers, public safety employees and emergency medical technicians on standard safety operating procedures, emergency management crisis, trouble shooting techniques and environmental policies. Educated to execute and supervise legislated procedures for Weapons of Mass Destruction, NIMS and ICS.

Interpreted, formulated and implemented regulatory guidance for emergency crisis management and safety requirements. Maintained and updated emergency and disaster plans, and integrated emergency planning with outside jurisdictions and organizations and ensured that planning efforts were in accordance with federal and state guidelines.

Chemical Operator (Continued)

Mitigated control of hazardous industrial waste materials through identification, analysis, and removal of materials. Prepared documentation of hazardous materials required by local regulatory agencies and the EPA.

Trained and completed courses in OSHA compliance.

Directed and organized a minimum of 100 classes for up to 140 employees in critical safety, security, disaster response and environmental programs.

Directed and organized over 300 safety and health inspections consisting of a comprehensive cross-section of operations that would be conducted at a facilities such as major military bases, which included but not limited to; rail & port operations, trenching and roofing projects, confined space operations, motor pools, childcare facilities, military housing, office environments, power plant operations, carpentry/maintenance shops, firing ranges, painting, welding & fueling operations, electrical installations & repair, pipeline installation and repairs, asbestos removal projects, demolitions and major facility renovation projects.

Directed and organized over 500 hours of safety and health training classes for over 250 personnel. Training included but was not limited to field/tactical safety, risk management, motor pool safety, accident investigation and reporting, The Army Safety Program, hazard communication, lockout/tagout, confined space entry and hearing conservation.

**2006-2007 Emergency Medical Specialist ~ Escambia County
Pensacola, Florida**

Recorded patient care data and information obtaining demographic data from patients, information regarding medical conditions and/or illnesses, current prescription use; documents patient reactions to treatment; and/or other related information.

Initiated patient treatment and care utilizing initial protocol treatment based on patient condition, which may have included: implementing automated external defibrillators, performing basic airway management; and performing other related activities.

Initiated advanced and basic life support by following protocols and physician orders. Communicated medical conditions with patients, family members, and applicable medical staff. Secured and disposed of biohazard waste. Attended continuing education and other programs to maintain clinical knowledge and certification requirements.

**2006 HAZMAT Instructor and Neo-natal EMT ~ Sacred Heart Health System
Pensacola, Florida**

Conducted classroom training and directed hospital staff in emergency response procedures for hazardous materials, area decontamination, patient decontamination, incident command systems, recognition of health signs and symptoms and risk communications.

Responded to emergency calls, performed rescue operations and administered emergency medical care. Assessed nature and extent of illness to establish and prioritize medical procedures.

AFFILIATIONS & LEADERSHIP

State of Florida Radiological Task Force
Board Member of Escambia County Expressway Authority
Board Member of Escambia County Home Inspector Licensing
Contributing Editor of Book Entitled “*Industrial Fire Fighting for Municipal Firefighters*”
Instructor for Incident Command System (ICS) Classes
Instructor for Community Emergency Response Team (CERT) and Emergency Preparedness
Member of Alachua County Emergency Response Team (CERT)
Member of the State of Florida Emergency Response Team (SERT)
Commissioner of Escambia-Pensacola Human Relations Commission
Firefighter of the Year 2007

References upon Request

ROBERT ALLEN
376 W. CHASE STREET
PENSACOLA, FL 32502
850-438-6800

EDUCATION

Pensacola High School

Pensacola Florida

PENSACOLA JUNIOR COLLEGE
Associate of Arts Degree,

Pensacola, FL

UNIVERSITY OF FLORIDA
Bachelor of Arts,

Gainesville, FL

UNIVERSITY OF FLORIDA
Juris Doctor

Gainesville, FL

EXPERIENCE

1990 – to present

Practicing Attorney, Private Practice

Civic Organizations

A Will & Way, Inc.
3300 N Pace Blvd, Ste. 125
Pensacola, FL 32505

Top to the Bottom-Board Member

Affiliations:

Truth for Youths



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1155

County Administrator's Report Item #: 12. 1.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/04/2011

Issue: Federal Elections Activities Funds FY 2011/2012

From: David H. Stafford

Organization: Escambia County Super. of Elections

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Request that the Board Approve the Federal Elections Activities Grant Funding for the Office of the Supervisor of Elections - David H. Stafford, Supervisor of Elections

That the Board take the following action concerning Federal Elections Activities Grant Funds from the Department of State:

A. Certify that the County will match State Grant funds with \$5,336.32 from the Supervisor of Elections' Fiscal Year 2011/2012 Budget; and

B. Authorize the Chairman to sign the Certificate Regarding Matching Funds.

In order to receive the Federal Elections Activities funds, the Legislature has required that the Chairman of the Board of County Commissioners certify that the County will match the State funds with a 15% County match. Both the State funds and the County matching funds must be held in a separate account to be used solely for activities relating to Federal Elections. The required match for this Grant is \$5,336.32. The match is included in the Supervisor of Elections' Fiscal Year 2011/2012 Budget under Cost Center 550101 and various Object Codes.

BACKGROUND:

The 2011 Legislature appropriated \$2,000,000 specifically for federal elections activities. These funds will be distributed to the Supervisor of Elections pursuant to a formula based on active registered voters in each county as of the 2010 General Election, as certified by the Department of State. The amount for Escambia County is \$35,575.50. The Legislature specified that these funds could be used for activities relating to federal election activities.

BUDGETARY IMPACT:

In order to receive the federal elections activities funds, the Legislature has required the Chairman of the Board of County Commissioners certify that the county will match the state funds with a 15% county match. Both the state funds and the county matching funds must be held in a separate account to be used solely for activities relating to federal elections. The required match for this grant is \$5,336.32. The match is included in the Supervisor of Elections' FY 11/12 Budget under cost center 550101 and various object codes.

LEGAL CONSIDERATIONS/SIGN-OFF:

The documentation has been reviewed and approved by the County Legal Department.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

No county Supervisor of Elections shall receive funds pursuant to the agreement until the Board of County Commissioners certifies to the Department that the county will provide matching funds in an amount equal to 15% of the amount to be received by the state.

IMPLEMENTATION/COORDINATION:

This agreement will be implemented by the Supervisor of Elections.

Attachments

Memorandum

Attachment A

Certificate Regarding Matching Funds

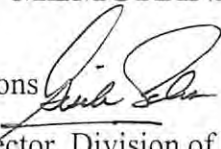


FLORIDA DEPARTMENT of STATE

RICK SCOTT
Governor

KURT S. BROWNING
Secretary of State

MEMORANDUM

To: Supervisors of Elections 
From: Dr. Gisela Salas, Director, Division of Elections
Date: July 15, 2011
Subject: FY 2011-12 Federal Election Activities Funds

The 2011 Legislature appropriated \$2,000,000 specifically for federal election activities. These funds will be distributed to the Supervisors of Elections pursuant to a formula based on active registered voters in each county as of the 2010 General Election.

Funds received pursuant to this Agreement may be spent for any of the following purposes relating to federal election activities:

- Voter education;
- Poll worker training;
- Standardizing election results reporting; or
- Other federal election administration activities, as approved by the Department of State, such as implementing and maintaining the provisions of the Military and Overseas Voter Empowerment (MOVE) Act and the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).

These are the acceptable uses for the funds under the categories listed above:

- Mailing or publishing sample ballots *which must include additional information on voting procedures, voting rights or voting technology*;
- Voter information cards *which must include additional voter education information on voting procedures, voting rights or voting technology*;
- Advertising or publications outlining voting procedures, voting rights or voting technology;
- Voting System demonstrations;
- Poll worker *training* stipends;
- Training materials for poll workers;

- Voter guides, ***which must include voter education information concerning voting procedures, voting rights, or voting technology but shall not contain elected officials' contact information other than the supervisor's contact information***; or
- Maintaining online or web-based absentee ballot request and ballot tracking and precinct-finder system as relates to use in federal elections and for the costs for upgrades and future license fees and maintenance fees for the MOVE Act and other UOCAVA expenditures.

These funds must be used to support election activities related only to federal elections (that is, elections in which a federal candidate is on the ballot). If any of the funds are used for an election in which a federal candidate is not on the ballot, the cost must be pro-rated for the portion of the expenditure that is allocable to federal elections. Any of these funds can be used for the 2012 Presidential Preference Primary, Primary Election and General Election.

In order to receive the funds, the Legislature has required that the Supervisor of Elections provide the Department of State with a detailed description of the programs that will be implemented in the Supervisor's federal election activities plan. The Supervisor shall identify the source of funds (federal funds, county matching funds, other county funds/local) being used for each federal election activity set forth in the plan. ***Samples of any documents and/or publications that you plan to produce as part of these activities must be provided along with the plan.***

The Division has enclosed a federal election activities plan form, ***required to be used when submitting the plan.*** It will simplify the preparation of your plan, and it will expedite the Division's review and allow your check to be mailed to you more quickly. Simply place an X in the box for the programs that you plan to carry out this fiscal year. Please also place an X in the box for the topics that apply to each activity. If the topic is not listed, either write or type in the topic.

There is no need to enter specific dollar amounts on the plan. The dollar amounts will be addressed when you submit your annual financial report due December 31, 2011. Invoices and supporting documents will need to be provided for all HAVA expenditures when submitting your annual financial report.

Please also note, the 2011 Legislature included the following requirement in the appropriation. ***Supervisors shall also report to the Department any unspent funds remaining on June 30, 2011.*** We will send out the reporting form in mid-July this year. If you need to make any changes to your original plan, the revised plan must be submitted in advance, in writing and approved by the Department of State.

FY 2011-2012 Federal Election Activities Funds

July 15, 2011

Page 3 of 3

As a reminder, the Chairman of the Board of County Commissioners will be required to provide written certification that the county will match the state funds with a 15% county match. If the county governing body fails to appropriate the matching funds, the Supervisor must return or repay to the State a portion of the funds for which the matching funds applied. Both the federal funds and the county matching funds must be held in a separate interest bearing account to be used solely for federal election activities purposes.

Enclosed are the following documents:

1. Memorandum of Agreement, Receipt and Use of HAVA Funds for Federal Election Administration Activities, MOA #2011-2012-0001 (required to be signed by the Supervisor of Elections);
2. Attachment A, Compliance Requirements;
3. Attachment A-1, Federal Election Activities Plan, form DS-DE 126 (required to be completed and returned by the Supervisor of Elections);
4. Attachment A-2, Certificate Regarding Matching Funds, form DS-DE 127 (required to be signed by the Chairman of the Board of County Commissioners);
5. Attachment A-3, Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions, ED form GCS-009 (required to be signed by the Supervisor of Elections);
6. Attachment B, FY 2011-12 Federal Election Activities Funds Spreadsheet.

Please return all of these documents to the Division of Elections. You will be provided a copy of the agreement upon execution by the Division.

If you have any questions, please don't hesitate to contact me or the HAVA team.

GS/jd/ma

Enclosures

MEMORANDUM OF AGREEMENT
RECEIPT AND USE OF HAVA FUNDS
FOR FEDERAL ELECTION ADMINISTRATION ACTIVITIES

This agreement is between the State of Florida, Department of State, Division of Elections (“Department”), R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250 and The Honorable David H. Stafford, Supervisor of Elections (“Supervisor”), on behalf of Escambia County, Post Office Box 12601, Pensacola, FL 32591-2601. This agreement is effective as of the date fully executed by the parties.

I. GOVERNING LAW

The Department is authorized pursuant to specific appropriation 2941 of the 2011-2012 General Appropriations Act (see section 6, chapter 2011-69, Laws of Florida), to disburse a total of \$2,000,000 from the Federal Grants Trust Fund (HAVA Account # 261011) to the county supervisors of elections for the fiscal year 2011-2012 (“FY 2011-2012 funds”). Therefore, funds are made available through section 251 of the Help America Vote Act of 2002 (HAVA) and the Catalog of Federal Domestic Assistance (CFDA) 90.401, Help America Vote Act Requirements Payments for improving the administration of federal elections.

II. SCOPE OF USE AND RESTRICTIONS

As more specifically set forth in **paragraph 1 of Attachment A**, which is hereby incorporated by reference, the funds granted shall be used for federal election administration activities.

- These funds shall be used to support election activities related only to federal elections (that is, elections in which a federal candidate is on the ballot). If any of these funds are used for an election in which a federal candidate is not on the ballot, the cost must be pro-rated for the portion of the expenditure that is allocable to a federal election. These funds shall not be used to support state or federal lobbying activities but this does not affect the right, or that of any other organization to petition Congress, or any other level of Government, through the use of other resources.
- Prior to receiving FY 2011-2012 funds, the Supervisor must first submit in accordance with **paragraph 2 of Attachment A**: 1) A Federal Election Activities plan (DS-DE 126, Revised 7/5/2011] that details the planned use of the funds; 2) Certification from the county governing body to provide matching funds equal to 15% of the HAVA funds received, [DS-DE 127, Revised 7/5/2011; and 3) Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions form. Any change, modification or deviation from the activities or expenses initially provided in the plan for use of the funds must be reviewed and approved by the Department prior to expenditure.
- The FY 2011-2012 funds shall be placed in a separate interest bearing account in a qualified public depository as set out in section 280.03, Florida Statutes, and in

accordance with accounting requirements as set forth in paragraphs 3 and 4 of **Attachment A**.

- The Supervisor shall report and account for expenditures in accordance with this agreement and specifically paragraphs 5 and 6 of **Attachment A**.

III. DISBURSEMENT

The Department shall distribute to each eligible county supervisor of elections an amount equal to the funding level per voter multiplied by the number of active registered voters in the county for the 2010 General Election. The Department shall determine the funding level per voter in the state based on that information. The Supervisor shall receive a sum certain as outlined in **Attachment B**, incorporated by reference.

IV. MONITORING, AUDITS, AND REPORTING

The administration of resources awarded to the Supervisor is subject to monitoring, audits, and reporting as described herein.

A. Monitoring

In addition to reviews of audits conducted in accordance with OMB Circular A-133 (as revised), the Department may provide additional monitoring including on-site visits, and/or other procedures permitted under federal and state law. The Supervisor shall comply and cooperate with any monitoring procedures/processes the Department deems appropriate.

The Department shall closely monitor the Supervisors' annual expenditure reports required by paragraph 5 of **Attachment A** to ensure that the Supervisors expend HAVA funds in accordance with approved plans and will require reimbursement for all expenditures not approved or otherwise authorized. Also, the Department shall ensure that Supervisors report the expenditures made with HAVA funds separately from expenditures made with county funds.

B. Audits

1. Federal audit/OMB Circular A-133 (as revised)

If the Supervisor expends \$500,000 (\$300,000 *for fiscal years ending before December 31, 2003*) or more in federal awards in its fiscal year, a single or program-specific audit must be conducted in accordance with the provisions of OMB Circular A-133 (as revised). This may be satisfied by an audit of the Supervisor of Elections conducted by the Auditor General in accordance with OMB Circular A-133 (as revised). In determining the federal awards expended in its fiscal year, the Supervisor shall consider all sources of federal awards. **Attachment A** indicates federal resources are being awarded under this Agreement. The determination of amounts of federal awards expended shall be in accordance with the guidelines established by OMB Circular A-133 (as revised). In connection with an audit herein, the Supervisor shall fulfill the requirements relative to auditee responsibilities as provided in Subpart C of OMB Circular A-133 (as revised).

If the Supervisor expends less than \$500,000 (\$300,000 for fiscal years ending before December 31, 2003) in federal awards in its fiscal year, an audit pursuant to OMB Circular A-133 (as revised), is optional. If the Supervisor elects to have an audit conducted in accordance with the provisions of OMB Circular A-133 (as revised), the cost of the audit must be paid from non-federal resources (i.e., from sources other than federal entities).

2. Other audits

The Department may conduct a limited scope audit of federal funds as defined by OMB Circular A-133 (as revised) or other financial analysis or review of federal funds as permitted by federal law. In the event the Department determines that such audit analysis, or review is appropriate, the Supervisor agrees to comply with any additional instructions provided by Department staff to the Supervisor regarding such process. If the Department determines that federal funds received under this Agreement were used for any unauthorized purpose or that the Supervisor did not comply with this agreement or state or federal requirements for receipt, expenditure, or accounting, the Supervisor must return or repay these federal funds in an amount sufficient to ensure or obtain compliance, including expenses for any corrective or remedial action. Additionally, the Department may withhold funds, otherwise due, in an amount sufficient to cover any costs associated with the limited scope audit or financial analysis or review to determine or ensure compliance.

The Supervisor further agrees to comply and cooperate with any inspections, reviews, investigations, or audits of federal funds deemed necessary by the Department of State, Chief Financial Officer (CFO) or Auditor General.

For additional guidance to state and federal monitoring and auditing requirements, refer to: <http://election.dos.state.fl.us/hava/index.shtml> and <http://www.eac.gov>.

C. Reporting

Copies of financial reporting packages as described in section .320(c), OMB A-133 (as revised) for audits conducted by or on behalf of the Supervisor pursuant to Section IV.B.1 of this agreement, shall be submitted as required by sections .320(d) of such circular to:

<i>Department of State</i>	<i>Department of State</i>	<i>Auditor General's Office</i>	<i>Federal Audit</i>
<i>Division of Elections</i>	<i>Office of Inspector General</i>	<i>Room 401, Pepper Bldg</i>	<i>Clearinghouse</i>
<i>R.A. Gray Building, Ste 316</i>	<i>R.A. Gray Bldg., Rm 114A</i>	<i>111 West Madison St.</i>	<i>Bureau of the Census</i>
<i>500 S. Bronough St.</i>	<i>500 S. Bronough Street</i>	<i>Tallahassee, FL</i>	<i>1201 East 10th St.</i>
<i>Tallahassee, FL 32399-0250</i>	<i>Tallahassee, FL 32399-0250</i>	<i>32399-1450</i>	<i>Jeffersonville, IN 47132</i>

Other Federal agencies and pass-through entities in accordance with Sections .320 (e) and (f), OMB Circular A-133 (as revised).

Any reports, management letter, or other required information shall be submitted timely in accordance with OMB Circular A-133 (as revised), the Florida Single Audit Act, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable. When submitting financial reporting packages to the Department for audits conducted in accordance with the aforementioned circular or Rules of the Auditor General, the Supervisor shall include within the information the date the Supervisor received the reporting package.

V. RECORD RETENTION

The Supervisor shall keep and maintain accurate and detailed records (e.g., invoices, receipts, and other documentation) sufficient to identify how and whether expenditures were used for authorized purposes, to support financial reporting, and to conduct audits as may be required or requested. The Supervisor shall retain these records for five fiscal years in accordance with the guidelines of the Department of Financial Services and the Office of the Auditor General, or three years after the date an audit report is issued, whichever is later. The Supervisor shall allow the Department or its designee, CFO, or Auditor General access to such records, including the audit working papers upon request.

Failure to provide adequate documentation shall result in a request to return the funds to the Department.

VI. ENTIRETY OF THE AGREEMENT

All terms and conditions of this agreement are fully set forth in this document and attachments incorporated by reference and shall be governed by the laws of the State of Florida regardless of any conflict of laws provisions. In any proceeding or action brought under this section, the parties agree that the prevailing party will be entitled to its reasonable attorney’s fees from the other party. The parties agree that proper venue will be in Leon County, Florida.

IN WITNESS THEREOF, the parties have caused this Agreement to be executed by their undersigned officials as duly authorized.

County Supervisor of Elections:
By: _____

Department of State, Division of Elections
By: _____

Printed name and title

Printed name and title

Witness

Witness

Date

Date

Please complete, sign & return the Memorandum of Agreement, Certificate Regarding Matching Funds signed by the county governing body, & Certification Regarding Debarment and Suspension to:

Joyce Durbin, HAVA Funds Coordinator, Florida Department of State, Division of Elections, R.A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250

Federal Program: Federal Help America Vote Act—Catalog of Federal Domestic Assistance (CFDA) § 90.401 Help America Vote Act Requirements Payments

Compliance requirements applicable to the federal resources awarded under this agreement are as follows:

1. The Supervisor shall only use the FY 2011-2012 Funds (amount specified in Attachment B) for one or more of the following federal election administration activities:

- Voter education;
- Poll worker training;
- Standardizing election results reporting; or
- Other federal election administration activities, as approved by the Department of State, such as implementing and maintaining the provisions of the Military and Overseas Voter Empowerment (MOVE) Act and the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA).

These are the acceptable uses for the funds under the categories listed above:

- Mailing or publishing sample ballots ***which must include additional information on voting procedures, voting rights or voting technology;***
- Voter information cards ***which must include additional voter education information on voting procedures, voting rights or voting technology;***
- Advertising or publications outlining voting procedures, voting rights or voting technology;
- Voting System demonstrations;
- Poll worker ***training*** stipends;
- Training materials for poll workers;
- Voter guides ***which must include voter education information concerning voting procedures, voting rights, or voting technology but shall not contain elected officials' contact information other than the supervisor's contact information;*** or
- Maintaining online or web-based absentee ballot request and ballot tracking and precinct-finder system as relates to use in federal elections and for the costs for upgrades and future license fees and maintenance fees for the MOVE Act and other UOCAVA expenditures.

2. Prior to receipt of FY 2011-2012 funds under this Agreement, the Supervisor must submit to the Department:

- A federal election activities plan (DS-DE 126, Revised 7/5/2011) that contains a detailed description of the Supervisor's plan to use the funds for federal election administration activities and include the source of funds (federal, county matching funds and other county funds (local) being used for each federal election activity set forth in the plan. This form is attached hereto as **Attachment A-1**.
- A written certification from the county governing body (e.g. Board of County Commissioners) (DS-DE 127, Revised 7/5/2011) that the county will provide matching funds in the amount of 15%. This form is attached hereto as **Attachment A-2**. If the county governing body fails to appropriate the matching funds, the Supervisor must return or repay to the State the portion of the funds for which the matching funds applied.
- A completed ED Form GCS-009 (6/88), entitled "Certification Regarding Debarment, Suspension, Ineligibility, and Voluntary Exclusion Lower Tier Covered Transactions". The form is attached hereto as **Attachment A-3**. [Executive Order 12549, Debarment and Suspension, 45 CFR 1183.35, prohibits the disbursement of federal funds to the intended recipient of such funds or to any sub-recipient thereunder unless such recipient and each sub-recipient, if any, certify that they are not excluded or disqualified from receiving federal funds by any federal department or agency.]

3. The Supervisor must establish and maintain the FY 2011-2012 funds in an interest bearing account in a **"qualified public depository" as required by section 280.03, Florida Statutes**. The Supervisor must segregate funds for federal election administration activities and required county matching dollars in a separate account established to hold only those funds. Any funds remaining at the end of the fiscal year shall remain in the account to be used for the same purposes for subsequent years or until such funds are fully expended.

Please note that separate public depository requirements apply under chapter 280, Florida Statutes, but are outside the scope of enforcement of this agreement. You will be required to execute and retain in your records a "Public Deposit Identification and Acknowledgment Form" (DFS-J1-11295) and to submit a Public Depositor Annual Report (DFS-J1-2009) to the Public Deposits Program, Florida Department of Financial Services. Refer to <http://www.fltreasury.org/> for forms; and for more information, contact the program administrator at: 850-413-3383 or 850-413-3324.

4. The Supervisor shall maintain separate accounting records for each of the funding sources identified under its plan submitted pursuant to paragraph #2.

5. The Supervisor shall submit the following written financial reports to the Department:

- **Annual report: On or before December 31, 2011** all actual expenditures from the date of receipt through September 30, 2011. Report forms will be provided by the Department (DS-DE 128, Revised 7/5/11). The report must include documentation

(such as appropriation statement, committee meeting minutes approving appropriation, or account statement) that the county governing body appropriated matching funds as certified under paragraph 2. Failure to appropriate the matching funds must be reported to the Department.

- **Remaining balance report:** On or before each and every July 31 after 2011, all actual expenditures for preceding period of October 1 through September 30, and the amount of FY 2011-2012 funds unspent as of June 30 of the year being reported. The report form will be provided by the Department (DS-DE 129, Revised 7/5/11). Such annual reporting is required until such funds are fully expended.

Each financial report shall include documentation including but not limited to billing or itemized receipts in support of the expenditures for the services or products used to promote voter education, voting rights or voting technology. For example, the report must include a copy of or the actual product or publication and indicate how many individual items were produced or printed. For services, the report must include a copy of or the actual newspaper article, audio recording, or video clip and/or template or transcript thereof, and indicate how many times it was published, aired, or accessed, or include a copy of the graphics template and content layout for a special created webpage.

6. Copies of any reports or other submissions required by paragraphs 2 and 5 of this Attachment shall be submitted by or on behalf of the Supervisor directly to: Department of State, Division of Elections, R.A. Gray Building, 500 S. Bronough Street, Tallahassee, Florida 32399-0250.

State Resources Awarded to the Supervisor Under this Agreement Consist of the Following: N/A

Matching Resources for Federal Programs: N/A

Subject to section 215.97, Florida Statutes (Florida Single Audit Act): N/A

Compliance requirements applicable to state resources awarded pursuant to this Agreement are as follows: N/A

Certificate Regarding Matching Funds

I, _____, Chairman of the Board of County Commissioners of Escambia County, Florida, do hereby certify that the Board of County Commissioners will provide matching funds for the Federal Election Activities grant in county FY 2011-2012 to the Supervisor of Elections in an amount equal to at least 15% of the amount to be received from the state, which for Escambia County is \$5,336.32. I understand that if the Board fails to appropriate the required matching funds, all funds received from the state for this grant during the 2011-2012 state fiscal year will be required to be returned to the Department of State.

Chairman, Board of County Commissioners
Kevin W. White

Date

**ATTEST: ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT**

By: _____
Deputy Clerk

This document approved as to form
and legal sufficiency.

By: _____
Title: ASST. COUNTY ATTORNEY
Date: JULY 20, 2011



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1121

County Administrator's Report Item #: 12. 2.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/04/2011

Issue: SBA#253 - Sheriff Off-duty Employment Reimbursements

From: Amy Lovoy

Organization: OMB

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Supplemental Budget Amendment #253 - Amy Lovoy,
Management and Budget Services Department Director

That the Board adopt the Resolution approving Supplemental Budget Amendment #253, General Fund (001) in the amount of \$60,238, to recognize reimbursements from "off-duty" employment expenses associated with the Sheriff's Officers, and to appropriate these funds back to the Sheriff's Budget to offset these expenses.

BACKGROUND:

These reimbursements are from Sheriff's Officers that have other jobs and use their vehicles or other assets belonging to the Sheriff's Department.

BUDGETARY IMPACT:

This amendment will increase Fund 001 by \$60,238.

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

Board policy requires increases and decreases in revenues to be approved by the Board.

IMPLEMENTATION/COORDINATION:

N/A

Attachments

SBA#253

Board of County Commissioners
Escambia County
Supplemental Budget Amendment Resolution

Resolution Number
R2011-_____

WHEREAS, the following revenues were unanticipated in the adopted budget for Escambia County and the Board of County Commissioners now desires to appropriate said funds within the budget.

WHEREAS, the Escambia County Sheriff has received reimbursement proceeds from off duty officers for related off-duty employment expenses incurred by the Sheriff's Office. These funds must now be recognized and appropriated back into the Sheriff's Budget accordingly.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Escambia County, Florida, that in accordance with Florida Statutes, Section 129.06 (2d), it does hereby appropriate in the following funds and accounts in the budget of the fiscal year ending September 30, 2011:

General Fund Fund Name	1 Fund Number	Account Code	Amount
Miscellaneous Sheriff Fees	1	369939	60,238
Total			\$60,238

Appropriations Title	Fund Number/Cost Center	Account Code/ Project Number	Amount
Operating Expense	001/540101	59703	60,238
Total			\$60,238

NOW THEREFORE, be it resolved by the Board of County Commissioners of Escambia County, Florida, that the foregoing Supplemental Budget Amendment be made effective upon adoption of this Resolution

ATTEST:
ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT

BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA

Kevin W. White, Chairman

Deputy Clerk

Adopted

OMB Approved

Supplemental Budget Amendment
#253



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1149

County Administrator's Report Item #: 12. 3.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/04/2011

Issue: Supplemental Budget Amendment #254 - Community Development Block Grant (CDBG) Disaster Recovery Enhancement Funds (DREF)

From: Amy Lovoy

Organization: OMB

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Supplemental Budget Amendment #254 - Amy Lovoy, Management and Budget Services Department Director

That the Board adopt the Resolution approving Supplemental Budget Amendment #254, Escambia Affordable Housing Fund (124) and the General Fund (001) in the amount of \$2,471,081, to recognize proceeds from the Florida Department of Community Affairs (DCA), and to appropriate these funds to support Grant-funded activities that are currently under construction in Escambia County and the City of Pensacola.

BACKGROUND:

The Florida Department of Community Affairs (DCA) has approved supplemental CDBG Disaster Recovery Enhancement Funds (DREF) for ongoing CDBG eligible projects located in Escambia County and the City of Pensacola. A percentage of the funds must be expended specifically for preservation or improvement of affordable rental housing. Additionally, the budget incorporates anticipated reimbursements from Area Housing Commission in relation to the Sanchez Court Project.

BUDGETARY IMPACT:

This amendment will increase Fund 124 by \$2,458,081 and Fund 001 by \$13,000.

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

Board policy requires increases and decreases in revenues to be approved by the Board.

IMPLEMENTATION/COORDINATION:

N/A

Attachments

SBA# 254

Board of County Commissioners
Escambia County
Supplemental Budget Amendment Resolution

Resolution Number
R2011-_____

WHEREAS, the following revenues were unanticipated in the adopted budget for Escambia County and the Board of County Commissioners now desires to appropriate said funds within the budget.

WHEREAS, Community Development Block Grant Disaster Recovery Enhancement Funds (DREF) have been awarded to Escambia County by the Florida Department of Community Affairs and such funds must be budgeted in FY 2011 to support ongoing CDBG eligible public infrastructure, housing and public facility projects in Escambia County, Pensacola and Century. These funds must be recognized and appropriated in the current year's budget.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Escambia County, Florida, that in accordance with Florida Statutes, Section 129.06 (2d), it does hereby appropriate in the following funds and accounts in the budget of the fiscal year ending September 30, 2011:

General Fund Escambia Affordable Housing Fund Fund Name	1 124 Fund Number		
Revenue Title	Fund Number	Account Code	Amount
CDBG Disaster Recovery Enhancement Funds (DREF) Grant	124	(new)	\$2,363,081
Indirect Costs	001	369936	\$13,000
Sanchez Ct. Project Reimbursements (Area Housing Comm)	124	(new)	\$95,000
Total			\$2,471,081

Appropriations Title	Fund Number/Cost Center	Account Code/ Project Number	Amount
Other Contractual Services (NEFI and Consultant)	124/220442 (new)	53401	\$42,000
Other Current Charges & Obligations (County Indirect Cost)	124/220442 (new)	54901	\$13,000
Improvements other than Buildings (Lakewood Sewer/Const & Project Mgmt-SA#1)	124/220442 (new)	56301	\$517,131
Other Grants & Aids (Centralized Homeless Fac & Proj Mgmt-SA#5) (Rental Rehabilitation Proj & Proj Mgmt-SA#4) (Project Support-Area Housing Comm)	124/220442 (new)	58301	\$1,885,950
Reserves for Operating	001/110201	59805	\$13,000
Total			\$2,471,081

NOW THEREFORE, be it resolved by the Board of County Commissioners of Escambia County, Florida, that the foregoing Supplemental Budget Amendment be made effective upon adoption of this Resolution

ATTEST:
ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT

BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA

Kevin W. White, Chairman

Deputy Clerk

Adopted

OMB Approved

Supplemental Budget Amendment
#254



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1146

County Administrator's Report Item #: 12. 4.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/04/2011

Issue: Design Services for Ensley – Caro Area, Pittman Area and Areas East of Old Palafox, PD 10-11.044

From: Amy Lovoy

Organization: OMB

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Design Services for Ensley - Caro Area, Pittman Area and Areas East of Old Palafox - Amy Lovoy, Management and Budget Services Department Director

That the Board award a Lump Sum Contract to HDR Engineering, Inc., per PD 10-11.044, Design Services for Ensley - Caro Area, Pittman Area and Areas East of Old Palafox, for roadway and drainage improvements, in the amount of \$462,165.17.

[Funding: Fund 352, LOST III, Cost Center 210107, Object Code 56301, Project #08EN0313]

BACKGROUND:

Request for Letters of Interest, PD 10-11.044, Design Services for Ensley - Caro Area, Pittman Area and Areas East of Old Palafox were publicly noticed on Monday, April 25, 2011 to 76 known firms. Responses from 12 firms were received on Tuesday, May 10, 2011.

BUDGETARY IMPACT:

[Funding: Fund 352 LOST III, Cost Center 210107, Object Code 56301, Project #08EN0313]

LEGAL CONSIDERATIONS/SIGN-OFF:

Attorney Standard Form of Contract (Form F, Consulting Services)

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

This recommendation is in compliance with the Code of Ordinances of Escambia County, FL 1999, Chapter 46, Finance, Article II, Purchases and Contracts and Florida Statute 287.055, Competitive Consultants Negotiation Act.

IMPLEMENTATION/COORDINATION:

The Office of Purchasing will issue the Attorney's Standard Form of Contract Form F, Consulting Services and Purchase.

Attachments

Scope of Work

Fee Proposal

Design Schedule

Scope Of Work:

Design Services for Ensley Caro Street Area, Pittman Avenue Area, and East Johnson Avenue Area (Areas East of Old Palafox) PD 10-11.044

Project Limits: This project involves three major project areas:

1. Caro Street Area: bounded by Detroit Boulevard to the South, US 29 to the West, Caro Street to the North, Old Palafox Street to the East, and including all areas included in the Caro/Mayflower Pond drainage basin.
2. Pittman Avenue Area: consisting of Carolina Drive from US 29 to Pittman Avenue, Carolina Drive East of Pittman Avenue, and Cooper Drive.
3. East Johnson Avenue Area (Area East of Old Palafox): bounded by Detroit Boulevard to the South, Old Palafox Street to the West, Pecan Drive to the North, and the CSX Railroad to the East. This area will include the realignment of Detroit Boulevard into Johnson Avenue, and a potential pond east of the Escambia County Health Department.

Introduction: This project includes survey, geotechnical, study, design, permitting, bid assistance and construction assistance for the following:

1. Drainage study and improvements to the Caro Street Area including recommendations, roadway design, drainage design, and pond design.
2. Improvements to the Pittman Avenue Area including recommendations, roadway design, and drainage design.
3. Drainage study and improvements to the East Johnson Avenue Area including recommendations, roadway design, drainage design, and pond design.

The project will be executed in two phases. Phase I will include public involvement, the development of recommendations for stormwater improvements within the Caro Street Area and the East Johnson Avenue Area, and the preparation of design plans within the Pittman Avenue Area. Phase II will include design plans for improvements within the Caro Street Area and the East Johnson Avenue Area as coordinated with Escambia County, and plans for the realignment of Detroit Boulevard into Johnson Avenue. Because the scope of Phase II improvements are not entirely known at this time, the scope and fee associated with Phase II tasks is approximate and will be revised by Escambia County and HDR after delivery of the Design and Area Drainage Recommendation Report.

Assumptions and Conditions:

1. Project limits include all streets and sites in the description above although not all streets will receive improvements. Streets receiving improvements will be recommended in the Design and Area Drainage Recommendation Report described herein. The primary purpose of the project is to address flooding issues within the described areas.

2. The only known roadway improvements to be made are the paving of Caro Street and the reconstruction and realignment of Detroit Blvd into Johnson Avenue from Orange Avenue to the CSX Railroad, and the incidental roadway and signal plans associated with the Detroit/Johnson realignment. Other roadway improvements will be recommended in the Design and Area Drainage Recommendation Report described herein.
3. The only known drainage improvements to be made are for the Pittman Street Area (Carolina Drive, and Cooper Drive), the Caro Pond, and those related to the known roadway improvements. Other drainage improvements will be recommended in the Design and Area Drainage Recommendation Report described herein.
4. The project area used to calculate scope and manhours as described herein for survey, geotech, and design is based on the "Ensley Ponding Plan" provided by Escambia County which shows existing localized areas of flooding.
5. Hydrologic and hydraulic modeling will be performed using Interconnected Channel and Pond Routing (ICPR, v3.10). Existing Land Use and Soil Data will be determined from the Escambia County GIS database to create the Hydrologic Model for the areas. Storm Sewer design will utilize Automated Storm Sewer Analysis and Design (ASAD, v3.5.1).
6. Escambia County will support the project by providing any available survey data, flooding data, area design data, and previous public involvement data. HDR will communicate construction easement and/or right-of-way needs to Escambia County, provide legal descriptions, and assist Escambia County with discussing these needs with property owners. Escambia County will acquire rights necessary for construction of the project.
7. The Escambia County standard pavement design will be used for this project.
8. There are no known contaminated or wetland areas within the limits of this project.
9. Permitting fees will be paid by HDR.
10. The design of new ECUA facilities will not be included in this project. A contract supplement or separate contract with ECUA would be required for new design of water and sanitary infrastructure. Modifications and relocations of existing facilities will be included in this project and are considered incidental. It is the intent of ECUA to install new sanitary facilities on Carolina Drive and Cooper Drive as part of their improvements. All new ECUA facilities will be coordinated with, and funded by ECUA for design and construction.
11. There will be no SUE data collected for this project.
12. There will be four separate plan sets with three bidding periods. The East Johnson Area Improvements and Johnson Avenue @ Old Palafox Signalization Plans will be bid together.
13. The project plans will be developed in AUTO CAD format.
14. The following standards and specifications in this governing order shall be used on the project:
 - a. Escambia County General Paving and Drainage Technical Specifications, 2008
 - b. Florida Department of Transportation Design Standards, 2010
 - c. Florida Department of Transportation Standard Specifications for Road and Bridge Construction, 2010
15. Construction Observation and Inspection is not included in this scope and fee. HDR will provide limited construction assistance and record drawings, as described herein.

- TASK 1 PROJECT COORDINATION**
Subtask 1-1 County Staff Meetings
Subtask 1-2 Project Management
Subtask 1-3 Public Involvement Meetings and Coordination
Subtask 1-4 Utility Coordination
- TASK 2 DATA COLLECTION**
- TASK 3 HYDROLOGIC AND HYDRAULIC MODELING & ANALYSIS**
Subtask 3-1 H&H Modeling of Existing Conditions
Subtask 3-2 H&H Modeling of Proposed Conditions
Subtask 3-3 Design and Area Drainage Recommendation Report
- TASK 4 DRAINAGE AND ROADWAY DESIGN**
Subtask 4-1 Pittman Street Area Improvements
Subtask 4-2 Caro Street Area Improvements & Pond Design
Subtask 4-3 East Johnson Avenue Area Improvements, Pond, & Signal Design
- TASK 5 PLANS PRODUCTION**
Subtask 5-1 Plan Set 1: Pittman Street Area Improvements
Subtask 5-2 Plan Set 2: Caro Street Area Improvements
Subtask 5-3 Plan Set 3: East Johnson Avenue Area Improvements
Subtask 5-4 Plan Set 4: Johnson Avenue @ Old Palafox Signalization Plans
- TASK 6 PERMITTING**
- TASK 7 BID ASSISTANCE**
- TASK 8 TOPOGRAPHIC SURVEY**
- TASK 9 GEOTECHNICAL INVESTIGATION**
- TASK 10 CONSTRUCTION ASSISTANCE**

TASK 1 PROJECT COORDINATION

Subtask 1-1 County Staff Meetings

Objective:

Staff meetings between HDR and Escambia County personnel will establish communication protocol, strategies, and action plans.

HDR Activities:

- Conduct a Kickoff Meeting with Escambia County to discuss project objectives and purposes, establish communication linkages among the project team, establish the schedule for regular project status meetings, and discuss the format of deliverables.
- Conduct two meetings per major project deliverable to coordinate project design, project deliverables, and project bidding. Assume four major deliverables.

HDR Deliverables:

- Meeting Minutes

Subtask 1-2 Project Management

Objective:

HDR will maintain communication, coordination, and documentation with the Escambia County Project Manager.

HDR Activities:

- Provide County PM with a monthly status report to accompany invoices.
- Develop and update project schedules.

HDR Deliverables:

- Monthly Status Reports

Subtask 1-3 Public Involvement Meetings and Coordination

Objective:

HDR will provide support to Escambia County during meetings with the public affected by the project in order to collect flooding data and address area issues related to design.

HDR Activities:

- Develop resident surveys which will solicit area flooding information and other area issues.
- Organize and analyze resident surveys.
- Meet with and solicit information from individual property owners during the drainage study. Prepare and distribute meeting minutes. Assume ten property owners.
- Prepare mailing list of owners within project limits.
- Prepare for public meetings. Includes preparation of displays, meeting notification (assemble and mail), newspaper display ad, meeting exhibits, sign-in sheet, comment form, fact sheet, and site selection.
- Attend public meetings and provide support to Escambia County by presenting and communicating project objectives during the meetings (3 attendees).

HDR Deliverables:

- Resident surveys to be provided in Design and Area Drainage Recommendation Report
- Public Meeting Agendas
- Public Meeting Boards
- Meeting Minutes
- Legal Descriptions

Subtask 1-4 Utility Coordination

Objective:

HDR will coordinate proposed improvements with utility owners.

HDR Activities:

- Prepare letter and plans each phase submittal for utility owners.
- Attend monthly County Utility Coordination Meeting to discuss the project with utility owners and to distribute phase submittals. Assume ten meetings.
- Conduct one-on-one utility coordination meetings with utility owners during design. Prepare and distribute meeting minutes. Assume five one-on-one meetings per plan set.
- Conduct one onsite utility walk-through meeting for each plan set. Prepare and distribute meeting minutes.
- Prepare ECUA standard details and quantities for all ECUA relocation work.

HDR Deliverables:

- Distribute each phase submittal to utility owners (includes CD's, electronic, or hardcopy)
- Meeting Minutes

TASK 2 DATA COLLECTION

Objective:

Perform data collection within the project area and utilize this information for project objectives.

HDR Activities:

- Collect and analyze existing area data such as County GIS data, construction plans, as-built plans, basin studies, pond plans, existing permits, County maintenance records, and other historical information.
- Conduct field reviews to delineate drainage, truth survey, analyze existing features, and review constructability of design. Assume two staff, four field days.
- Coordinate survey and geotechnical activities described herein.

HDR Deliverables:

- Findings to be provided in Design and Area Drainage Recommendation Report and Design Documentation Reports.

TASK 3 HYDROLOGIC AND HYDRAULIC MODELING & ANALYSIS

Subtask 3-1 H&H Modeling of Existing Conditions

Objective:

Develop hydrologic and hydraulic models of the existing conveyance systems within the Caro Street Area and East Johnson Avenue Area and simulate design storms to analyze potential flooding.

HDR Activities:

- Delineate basin boundary for study area. If the study area is not an independent system and impacted by offsite flow, the boundary of offsite basin will also be delineated.
- Delineate sub-basin boundary for each inlet and develop hydrologic parameters for each sub-basin, such as Tc and CN.
- Develop flow nodal diagram and ICPR model with SCS unit hydrograph.
- Conduct H&H analysis with the H&H model for required storm events and identify deficiencies of existing system and areas not meeting current LOS.

Subtask 3-2 H&H Modeling of Proposed Conditions

Objective:

Develop hydrologic and hydraulic models of the proposed conveyance systems within the Caro Street Area and East Johnson Avenue Area and simulate design storms to analyze potential flooding.

HDR Activities:

- Develop improvement alternatives combining with pond and storm sewer improvements.
- Delineate sub-basin boundary for each proposed inlet and develop hydrologic parameters for each proposed sub-basin, such as Tc and CN.
- Develop flow nodal diagram and ICPR model with SCS unit hydrograph for proposed condition.
- Conduct H&H analysis for alternatives, evaluate the results.

Subtask 3-3 Design and Area Drainage Recommendation Report

Objective:

Develop a report summarizing the findings of all previous modeling tasks and recommended infrastructure improvements.

HDR Activities:

- Determine design recommendations for drainage infrastructure improvements and roadway improvements. Recommended roadway improvements will be based on drainage improvements, safety, overall condition, and areas already identified for improvements.
- Identify pond siting options for each study area including analysis and recommendations for property/easement acquisition.
- Prepare order of magnitude cost estimates for recommended improvements.
- Prepare a report documenting the procedures followed, summarizing the results of analyses, providing recommended infrastructure improvements, and reporting the anticipated costs associated with recommended improvements.

HDR Deliverables:

- Hydrologic and hydraulic models of the primary drainage and conveyance systems
- ICPR3 output documenting flood profiles for the analyzed systems
- A list identifying areas where infrastructure does not meet current LOS criteria
- Two (2) copies of Design and Area Drainage Recommendation Report

TASK 4 DRAINAGE AND ROADWAY DESIGN

Subtask 4-1 Pittman Street Area Improvements

Objective:

Design open and closed drainage systems to collect and convey the existing stormwater runoff to the existing trunkline on Pittman Avenue which drains to the Charleston Pond.

HDR Activities:

- Incorporate proposed drainage design into existing hydraulic models for the Detroit Ave. / Pittman Ave. drainage system.
- Design open channels and closed drainage systems to meet the needs for stormwater conveyance within the Pittman Avenue Area.
- Prepare Drainage Design Documentation
- Design roadway improvements associated with drainage improvements, safety, and overall condition including reconstruction, milling and resurfacing, and associated utility relocation.
- Prepare Roadway Design Documentation

HDR Deliverables:

- Drainage Design Documentation Report to be submitted with plans
- Roadway Design Documentation Report to be submitted with plans

Subtask 4-2 Caro Street Area Improvements & Pond Design

Objective:

Design the proposed improvements to the Caro/Mayflower Pond defined in the Design and Area Drainage Recommendation Report. Note the scope and fee associated with this task is approximate based on listed assumptions and will be revisited following delivery of the Design and Area Drainage Recommendation Report.

HDR Activities:

- Design Caro/Mayflower Pond to reduce the existing flood stages by expanding the existing pond or developing additional sites.
- Design Caro/Mayflower Pond outfall system.
- Design open channels and closed drainage systems to improve stormwater conveyance as identified in the Design and Area Drainage Recommendation Report.
- Prepare Drainage Design Documentation
- Design the dirt road paving of Caro Street from US 29 to Old Palafox St.
- Design roadway improvements associated with drainage improvements, safety, and overall condition including reconstruction, milling and resurfacing, and associated utility relocation.
- Prepare Roadway Design Documentation

HDR Deliverables:

- Drainage Design Documentation Report to be submitted with plans
- Roadway Design Documentation Report to be submitted with plans

Subtask 4-3 East Johnson Avenue Area Improvements, Pond, & Signal Design

Objective:

Design the proposed improvements to the East Johnson Avenue Area defined in the Design and Area Drainage Recommendation Report. Note the scope and fee associated with this task is approximate based on listed assumptions and will be revisited following delivery of the Design and Area Drainage Recommendation Report.

HDR Activities:

- Design one (1) stormwater management facility to meet treatment and attenuation requirements outlined in 62-346, F.A.C.
- Design open channels and closed drainage systems to improve stormwater conveyance within the East Johnson Avenue Area.
- Design the Pond Outfall system.
- Prepare Drainage Design Documentation
- Design the realignment and reconstruction of Detroit Ave. and Johnson Ave. from Orange Ave. to the CSX Railroad including signal relocation and design. This design will consist of a 3-lane urban typical section with sidewalks to match existing improvements to Detroit Blvd.
- Design roadway improvements associated with drainage improvements, safety, and overall condition including reconstruction, milling and resurfacing, and associated utility relocation.
- Design Signal Configuration including structure elevation analysis, signal timings, and interconnectivity with other intersections. Assume two configurations.
- Design & analyze signal mast arm structures and foundations. Assume four poles.
- Design overhead street name signs.
- Prepare Roadway & Signal Design Documentation

HDR Deliverables:

- Drainage Design Documentation Report to be submitted with plans
- Roadway Design Documentation Report to be submitted with plans

TASK 5 PLANS PRODUCTION

Subtask 5-1 Plan Set 1: Pittman Street Area Improvements

Objective:

HDR will prepare contract plans for Pittman Street Area Improvements.

HDR Activities:

- Prepare Cover Sheet
- Prepare Summary of Pay Items Sheet
- Prepare Drainage Map
- Prepare Typical Section Sheet
- Prepare Project Layout Sheet
- Prepare General Notes
- Prepare Special Details Sheet
- Prepare Plan & Profile Sheets
- Prepare Drainage Structure Sheets
- Prepare Cross Section Sheets
- Prepare SWPPP Sheet
- Prepare Erosion Control Plan
- Prepare Traffic Control Plan (MOT)
- Prepare Utility Adjustment Plans

HDR Deliverables:

- 30% Plans & Documentation, 2-24"x36" hard copies
- 60% Plans & Documentation, 2-24"x36" hard copies
- 90% Plans & Documentation, 2-24"x36" hard copies
- Contract Plans, 4 hard copies signed & sealed (1-24x36, 3-11x17), 1 Bid CD

Subtask 5-2 Plan Set 2: Caro Street Area Improvements

Objective:

HDR will prepare contract plans for Caro Street Area Improvements. Note the scope and fee associated with this task is approximate based on listed assumptions and will be revisited following delivery of the Design and Area Drainage Recommendation Report.

HDR Activities:

- Prepare Cover Sheet
- Prepare Summary of Pay Items Sheet
- Prepare Drainage Map
- Prepare Typical Section Sheet
- Prepare Project Layout Sheet
- Prepare General Notes
- Prepare Special Details Sheet
- Prepare Plan & Profile Sheets
- Prepare Drainage Structure Sheets
- Prepare Pond Details Sheets
- Prepare Cross Section Sheets
- Prepare SWPPP Sheet
- Prepare Erosion Control Plan
- Prepare Traffic Control Plan (MOT)
- Prepare Utility Adjustment Plans

HDR Deliverables:

- 30% Plans & Documentation, 2-24"x36" hard copies
- 60% Plans & Documentation, 2-24"x36" hard copies
- 90% Plans & Documentation, 2-24"x36" hard copies
- Contract Plans, 4 hard copies signed & sealed (1-24x36, 3-11x17), 1 Bid CD

Subtask 5-3 Plan Set 3: East Johnson Avenue Area Improvements

Objective:

HDR will prepare contract plans for East Johnson Avenue Area Improvements. Note the scope and fee associated with this task is approximate based on listed assumptions and will be revisited following delivery of the Design and Area Drainage Recommendation Report.

HDR Activities:

- Prepare Cover Sheet
- Prepare Summary of Pay Items Sheet
- Prepare Drainage Map
- Prepare Typical Section Sheet
- Prepare Project Layout Sheet
- Prepare General Notes
- Prepare Special Details Sheet
- Prepare Plan & Profile Sheets
- Prepare Curb Return Details
- Prepare Driveway Turnout Profiles
- Prepare Drainage Structure Sheets
- Prepare Pond Details Sheets
- Prepare Cross Section Sheets
- Prepare SWPPP Sheet
- Prepare Erosion Control Plan
- Prepare Traffic Control Plan (MOT)
- Prepare Utility Adjustment Plans
- Prepare Signing & Pavement Marking Plans

HDR Deliverables:

- 30% Plans & Documentation, 2-24"x36" hard copies
- 60% Plans & Documentation, 2-24"x36" hard copies (includes signal plans)
- 90% Plans & Documentation, 2-24"x36" hard copies (includes signal plans)
- Contract Plans, 4 hard copies signed & sealed (1-24x36, 3-11x17), 1 Bid CD (includes signal plans)

Subtask 5-4 Plan Set 4: Johnson Ave. @ Old Palafox Signalization

Objective:

HDR will prepare contract plans for Johnson Ave. @ Old Palafox Signalization.

HDR Activities:

- Prepare Cover Sheet
- Prepare Summary of Pay Items Sheet
- Prepare General Notes
- Prepare Special Details Sheet
- Prepare Plan Sheets
- Prepare Interconnect Plan Sheets
- Prepare Traffic Control Plan (MOT)
- Prepare Guide Sign Worksheet
- Prepare Mast Arm Tabulation Sheet

HDR Deliverables:

- Submittals included with Plan Set 3

TASK 6 PERMITTING

Objective:

Develop stormwater permit applications and FDOT Connection Permits for the construction of improvements within the Caro Street Area, Pittman Avenue Area, and East Johnson Avenue Area.

HDR Activities:

- Study all previous permits within the Caro Street Area, Pittman Street Area and the East Johnson Avenue Area.
- Determine qualifying exemptions and permits required for each area of improvement.
- Conduct pre-application meetings with the NFWFMD and discuss the overall work effort and obtain comments on potential environmental impacts.
- Complete and submit stormwater permit applications to NFWFMD.
- Conduct pre-application meetings with FDOT and discuss the overall work effort within FDOT R/W for the Pittman Street Area Improvements and Caro Street Area Improvements.
- Complete and submit FDOT Connection Permits.
- Complete and submit FDOT Drainage Connection Permit

HDR Deliverables:

- Draft meeting minutes and distribute.
- NFWFMD ERP Stormwater permit applications.
- FDOT Connection Permit applications
- FDOT Drainage Connection Permit application

TASK 7 BID ASSISTANCE

Objective:

HDR will assemble bid documents and assist with the bidding process during three bidding periods.

HDR Activities:

- Prepare portions of county bid package including the project narrative, bid form, technical specifications (if needed), project specific special terms and conditions (if needed), and schedule for construction (including substantial completion and final completion).
- Prepare responses to contractor questions during advertisement
- Attend pre-bid meeting
- Attend bid opening
- Prepare a bid tabulation of all bids received

HDR Deliverables:

- Bid CD (including contract plans and the county bid package described above)
- Addenda
- Bid Tabulation

TASK 8 TOPOGRAPHIC SURVEY

Objective:

Provide topographic survey and legal descriptions.

Activities:

Task 1

- A. Prepare Topographic Survey of Portions of Caro Street, Johnson Avenue, Detroit Boulevard, Carolina Drive, and Cooper Drive, totaling approximately 6,680', to include:
- Collect topographic information to include all above ground visible improvements, edges of pavement, pavement markings, curbing, driveways, storm sewer and drainage structures (with invert elevations where accessible), sanitary sewer structures (with invert elevations where accessible), wood lines, and protected trees as defined by the Escambia County Land Development Code.
 - Depict calculated rights of way of the project corridors based on found monumentation and descriptions.
 - Depict approximate parcel lines adjacent to the project corridors based on GIS shapefiles found on the Escambia County Property Appraiser website.
 - Depict addresses and/or parcel identification numbers of parcels adjacent to the project corridor per the Escambia County Property Appraiser website.
 - Reference Survey to the Florida North State Plane Coordinate System, North American Datum of 1983.
 - Reference Survey to the North American Vertical Datum of 1988.
 - Provide horizontal coordinates and elevations of 12 project control points.
 - Locate and depict above ground visible evidence of underground utilities as evidenced by above ground features.
- B. Inventory of Drainage Structures within the project, as needed to support hydrologic and hydraulic modeling.
- Utilizing previous Topographic Survey of Ensley Drainage Project, field-check the existence of drainage structures previously located.
 - Locate drainage structures not shown on the previous survey via Real Time Kinematic GPS procedures to achieve a positional accuracy of 0.2'.
 - Systematically sample a limited number of previously located drainage structures to compare vertical values to current values for quality assurance purposes.
- C. Topographic Survey of the Caro Street Retention Pond (approximately 4.8 acres).
- Collect topographic information to include ground shots within the pond, all above ground visible improvements, storm sewer and drainage structures (with invert elevations where accessible), wood lines, and protected trees as defined by the Escambia County Land Development Code.

Task 2

- A. Prepare Topographic Survey of Portions of Satsuma Avenue, Hannah Street, Mayflower Avenue, Devane Street, Juniper Avenue, Rawls Avenue, Orange Avenue, Dudley Avenue, Grimsley Street, Ensley Street, Laurel Avenue, and Page Street, totaling approximately 6,680', to include:
- Collect topographic information to include all aboveground visible improvements, edges of pavement, pavement marking, curbing, driveways, storm sewer and drainage structures (with invert elevations where accessible), sanitary sewer structures (with invert elevations where accessible), wood lines, and protected trees as defined by the Escambia County Land Development Code.
 - Depict calculated rights of way of the project corridors based on found monumentation and descriptions.
 - Depict approximate parcel lines adjacent to the project corridors based on GIS shapefiles found on the Escambia County Property Appraiser website.
 - Depict addresses and/or parcel identification numbers of parcels adjacent to the project corridor per the Escambia County Property Appraiser website.
 - Reference Survey to the Florida North State Plane Coordinate System, North American Datum of 1983.
 - Reference Survey to the North American Vertical Datum of 1988.
 - Provide horizontal coordinates and elevations of 12 project control points.
 - Locate and depict above ground visible evidence of underground utilities as evidenced by above ground features.
- B. Topographic Survey of the Retention Pond adjacent to the Escambia County Health Department (approximately 5.3 acres).
- Collect topographic information to include ground shots within the pond, all above ground visible improvements, storm sewer and drainage structures (with invert elevations where accessible), wood lines, and protected trees as defined by the Escambia County Land Development Code.
- C. Topographic Survey of approximately 4 acres of additional Retention Pond area.
- Collect topographic information to include ground shots within the pond, all above ground visible improvements, storm sewer and drainage structures (with invert elevations where accessible), wood lines, and protected trees as defined by the Escambia County Land Development Code.

Task 3

Prepare 20 legal descriptions of properties to be acquired by Escambia County.

- Legal descriptions to be based on previous deeds.
- No field work will be performed to prepare the legal descriptions.

Deliverables:

- Signed & Sealed Original Surveys (4 copies)
- Signed & Sealed Legal Descriptions (4 copies)
- Electronic CADD files (AutoCAD Civil 3D 2010 format)

TASK 9 GEOTECHNICAL INVESTIGATION

Objective:

Provide geotechnical investigation and testing and provide a recommendations report.

Activities:

- A site visit by our engineering staff.
- Obtain an Escambia County Permit for work in the right of ways.
- Locate the borings at the site.
- Clear registered utilities with the Sunshine Network before drilling. Private or non-registered utilities are the responsibility of the client to clear.
- Drill seven Standard Penetration Test (SPT) borings in the existing Caro Pond (assuming it is dry) to a depth of 25 feet below the existing pond bottom considering that the existing bottom could be deepened in some areas and to explore if underlying conditions are suitable for a sand chimney.
- Drill up to six SPT borings on parcels within the Caro area considered for pond expansion to a depth of 35 feet below grade to explore conditions for a sand chimney.
- Drill twelve SPT borings in the proposed Escambia Pond area to a depth of 40 feet below grade.
- Obtain up to twelve Shelby tube or relatively undisturbed samples for laboratory permeability testing.
- Core through the existing asphalt and drill twenty-seven SPT borings in the roadway area to a depth of 6 feet below grade (roughly twenty-one borings in existing asphalt) at an approximate spacing of 500 feet. Borings drilled in asphalt will be backfilled with sand and capped with concrete upon the completion of drilling. We propose SPT borings because they are quicker, safer, and will obtain better samples/data.
- Provide maintenance of traffic for road work on E Johnson Avenue and near the intersection with Palafox St including signs, cones, and two flagmen.
- Obtain up to five bulk base and subgrade samples for Limerock Bearing Ratio (LBR) testing. Base and some of the subgrade samples will be taken by saw cutting/coring the existing pavement, and these areas will be patched with concrete upon the completion of sampling. Note that some settling of larger patches may occur and should be anticipated.
- Drill four SPT borings to a depth of 25 feet in the proposed signal pole areas.
- Visually classify the soil samples obtained during our exploration by an engineer.
- Perform up to twelve falling head permeability tests, unit weight tests, and corresponding grainsize analysis tests on the Shelby tube samples.
- Perform basic properties testing such as wash #200 sieve and moisture content to evaluate and document basic properties and correlate the split spoon pond samples with the perm samples.
- Perform up to five LBR tests on the base and subgrade samples.
- Analyze the test data to develop geotechnical engineering recommendations for the project.

A qualified, professional geotechnical engineer licensed in the state of Florida will manage the project, and the results of the exploration will be presented in a report that will address the following:

- Existing site characteristics.
- Exploration, testing, and sampling methods.
- Subsurface soils encountered and soil classifications.
- Depth to groundwater or perched water at the time of drilling if encountered.
- The results of the laboratory testing.
- Subgrade recommendations including a design LBR value for the native subgrade soils, recommended subgrade preparation and compaction, and recommendations for subgrade stabilization/moisture control/drainage if needed.
- A design LBR value for the existing base material(s) and recommended base materials, material strengths (LBR values), and material compaction requirements for new paved areas.
- A discussion of other recommended construction procedures including removal of unsuitable materials if applicable, soil workability, dewatering, compaction testing, etc.
- Stormwater pond design recommendations including recommended vertical and horizontal saturated hydraulic conductivities, fillable porosity, and seasonal high groundwater levels. If applicable, chimney design recommendations will be provided including estimated outflow rates for a sand chimney, and recommended chimney installation and verification procedures.
- Recommended soil parameters for signal pole foundation design including unit weight, angle of friction, and cohesion if applicable, which will be displayed with depth on the boring logs.

Deliverables:

- Geotechnical Report

TASK 10 CONSTRUCTION ASSISTANCE

Objective:

HDR will assist Escambia County and the contractor with issues during construction.

HDR Activities:

- Attend preconstruction conference.
- Attend onsite meetings during construction (average 12 month schedule). Assume bi-weekly.
- Address Contractor questions regarding contract plans during construction and provide plans revisions as necessary.
- Provide recommendations to Escambia County during construction.
- Review Contractor's shop drawings.
- Provide record drawings based on data obtained from County Inspector and Contractor.

HDR Deliverables:

- Plans Revisions
- Approved shop drawings
- Record Drawings

**HDR ACTIVITIES/SALARIES FEE COMPUTATIONS FOR
ENSLEY AREA IMPROVEMENTS PROJECT
 PD 10-11.044**

PHASE 1 ACTIVITIES	Project Principal (2%)		Project Manager (5%)		Senior Engineer (5%)		Roadway Engineer (30%)		Drainage Engineer (40%)		Scientist (Permitting Only)		Engineer Intern (17%)		Administrative (1%)		Activity Fee	Manhours By Activity	Average Hourly Rate
	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate			
HDR LUMP SUM TASKS																			
Task 1 - PROJECT COORDINATION	5	\$ 202.55	12	\$ 119.05	12	\$ 168.94	71	\$ 96.73	95	\$ 93.02	0	\$ 97.52	40	\$ 84.02	2	\$ 70.89	\$ 23,675.94	237	\$ 99.90
Task 2 - DATA COLLECTION	2	\$ 202.55	5	\$ 119.05	5	\$ 168.94	28	\$ 96.73	38	\$ 93.02	0	\$ 97.52	16	\$ 84.02	1	\$ 70.89	\$ 9,503.46	95	\$ 100.04
Task 3 - H&H MODELING & ANALYSIS	8	\$ 202.55	19	\$ 119.05	19	\$ 168.94	116	\$ 96.73	155	\$ 93.02	0	\$ 97.52	66	\$ 84.02	4	\$ 70.89	\$ 38,559.87	387	\$ 99.64
Task 4 - DRAINAGE & ROADWAY DESIGN	3	\$ 202.55	7	\$ 119.05	7	\$ 168.94	41	\$ 96.73	55	\$ 93.02	0	\$ 97.52	23	\$ 84.02	2	\$ 70.89	\$ 13,779.85	138	\$ 99.85
Task 5 - PLANS PRODUCTION	4	\$ 202.55	10	\$ 119.05	10	\$ 168.94	61	\$ 96.73	80	\$ 93.02	0	\$ 97.52	34	\$ 84.02	2	\$ 70.89	\$ 20,030.69	201	\$ 99.66
Task 6 - PERMITTING	1	\$ 202.55	3	\$ 119.05	3	\$ 168.94	12	\$ 96.73	28	\$ 93.02	21	\$ 97.52	0	\$ 84.02	1	\$ 70.89	\$ 6,950.65	69	\$ 100.73
Task 7 - BID ASSISTANCE	0	\$ 202.55	0	\$ 119.05	0	\$ 168.94	0	\$ 96.73	0	\$ 93.02	0	\$ 97.52	0	\$ 84.02	0	\$ 70.89	\$ -	0	\$ -
																	Subtotal:	\$ 112,500.46	
HDR LIMITING AMOUNT TASKS																			
Task 10 - CONSTRUCTION ASSISTANCE	0	\$ 202.55	0	\$ 119.05	0	\$ 168.94	0	\$ 96.73	0	\$ 93.02	0	\$ 97.52	0	\$ 84.02	0	\$ 70.89	\$ -	0	\$ -
HDR TOTALS	23	\$ 202.55	56	\$ 119.05	56	\$ 168.94	329	\$ 96.73	451	\$ 93.02	21	\$ 97.52	179	\$ 84.02	12	\$ 70.89	\$ 112,500.46	1127	\$ 99.82

Phase 1 Lump Sum	
Tasks 1-7 subtotal above	\$ 112,500.46
Phase 1 Limiting Amount	
Task 8 - Topographic Survey	\$ 31,621.25 (Attachment A, 50% for preliminary)
Task 9 - Geotechnical	\$ 14,314.50 (Attachment B, 50% for preliminary)
Task 10 - Construction Assistance	\$ -
PHASE 1 TOTAL FEE TO BE AUTHORIZED:	\$ 158,436.21

PHASE 2 ACTIVITIES	Project Principal (2%)		Project Manager (5%)		Senior Engineer (5%)		Roadway Engineer (30%)		Drainage Engineer (40%)		Scientist (Permitting Only)		Engineer Intern (17%)		Administrative (1%)		Activity Fee	Manhours By Activity	Average Hourly Rate
	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate			
HDR LUMP SUM TASKS																			
Task 1 - PROJECT COORDINATION	1	\$ 202.55	4	\$ 119.05	4	\$ 168.94	21	\$ 96.73	28	\$ 93.02	0	\$ 97.52	12	\$ 84.02	1	\$ 70.89	\$ 7,069.53	71	\$ 99.57
Task 2 - DATA COLLECTION	0	\$ 202.55	0	\$ 119.05	0	\$ 168.94	0	\$ 96.73	0	\$ 93.02	0	\$ 97.52	0	\$ 84.02	0	\$ 70.89	\$ -	0	\$ -
Task 3 - H&H MODELING & ANALYSIS	0	\$ 202.55	0	\$ 119.05	0	\$ 168.94	0	\$ 96.73	0	\$ 93.02	0	\$ 97.52	0	\$ 84.02	0	\$ 70.89	\$ -	0	\$ -
Task 4 - DRAINAGE & ROADWAY DESIGN	18	\$ 202.55	45	\$ 119.05	45	\$ 168.94	270	\$ 96.73	360	\$ 93.02	0	\$ 97.52	153	\$ 84.02	9	\$ 70.89	\$ 89,702.82	900	\$ 99.67
Task 5 - PLANS PRODUCTION	22	\$ 202.55	56	\$ 119.05	56	\$ 168.94	336	\$ 96.73	448	\$ 93.02	0	\$ 97.52	191	\$ 84.02	11	\$ 70.89	\$ 111,585.39	1120	\$ 99.63
Task 6 - PERMITTING	4	\$ 202.55	11	\$ 119.05	11	\$ 168.94	39	\$ 96.73	90	\$ 93.02	68	\$ 97.52	0	\$ 84.02	2	\$ 70.89	\$ 22,895.50	225	\$ 101.76
Task 7 - BID ASSISTANCE	1	\$ 202.55	3	\$ 119.05	3	\$ 168.94	15	\$ 96.73	20	\$ 93.02	0	\$ 97.52	8	\$ 84.02	1	\$ 70.89	\$ 5,120.92	51	\$ 100.41
																	Subtotal:	\$ 236,374.16	
HDR LIMITING AMOUNT TASKS																			
Task 10 - CONSTRUCTION ASSISTANCE	4	\$ 202.55	11	\$ 119.05	11	\$ 168.94	64	\$ 96.73	86	\$ 93.02	0	\$ 97.52	37	\$ 84.02	2	\$ 70.89	\$ 21,419.05	215	\$ 99.62
HDR TOTALS	50	\$ 202.55	130	\$ 119.05	130	\$ 168.94	745	\$ 96.73	1032	\$ 93.02	68	\$ 97.52	401	\$ 84.02	26	\$ 70.89	\$ 257,793.21	2582	\$ 99.84

Phase 2 Lump Sum	
Tasks 1-7 subtotal above	\$ 236,374.16
Phase 2 Limiting Amount	
Task 8 - Topographic Survey	\$ 31,621.25 (Attachment A, 50% for remainder)
Task 9 - Geotechnical	\$ 14,314.50 (Attachment B, 50% for remainder)
Task 10 - Construction Assistance	\$ 21,419.05
PHASE 2 TOTAL FEE TO BE AUTHORIZED:	\$ 303,728.96

PROJECT TOTAL: \$ 462,165.17

TASK LIST

ACTIVITY: TASK 1 - PROJECT COORDINATION

Task	Basis of Estimate	No. of Units	Hours/ Unit	Total Hours	(Less hours to be included in Phase 1)	Remarks
County Staff Meetings:						
Kickoff Meeting	EA	1	2	2		
Design Meetings	EA	8	2	16	(4)	2 meetings X 4 major deliverables
Project Management:						
Monthly Status Report	EA	16	1	16	(4)	Assume 16 month design schedule
Project Scheduling	LS	1	8	8		
Public Involvement Meeting & Coordination:						
Develop Resident Survey	LS	1	8	8		
Organize and analyze resident surveys	LS	1	16	16		
Meet with individual property owners	EA	10	2	20		Assume 10 property owners
Prepare mailing list	LS	1	16	16		
Prepare for Public Meetings	EA	3	24	72		Assume 3 meetings
Attend public meetings	EA	3	16	48		Assume 3 attendees
Utility Coordination:						
Prepare letter & plans for utility owners	EA	12	2	24	(8)	3 plan sets X 4 phase submittals
Attend Monthly County Utility Meeting	EA	12	1	12	(4)	Assume 12 meetings over 16 month period
Conduct 1 on 1 utility meetings	EA	15	1	15	(5)	5 meetings X 3 plan deliverables. Prepare minutes.
Conduct onsite utility walkthroughs	EA	3	4	12	(4)	1 meeting X 3 plan deliverables. Prepare minutes.
Subtotal				285		
Quality Control	5%	1		14		
Supervision	3%	1		9		
TOTAL				308		

Phase 1 Manhour Total: 237
(Includes non-highlighted items and percentage of QC & Supervision)

Phase 2 Manhour Total: 71
(Includes gray-highlighted items and percentage of QC & Supervision)

TASK LIST

ACTIVITY: TASK 2 - DATA COLLECTION

Task	Basis of Estimate	No. of Units	Hours/ Unit	Total Hours	Remarks
Collect and analyze existing County data	LS	1	16	16	
Conduct field reviews	EA	8	8	64	2 staff X 4 field days
Coordinate survey and geotech activities	LS	1	8	8	
Subtotal				88	
Quality Control	0%	1		0	
Supervision	0%	1		0	
TOTAL				88	

Phase 1 Manhour Total: 95
 (Includes non-highlighted items and percentage of QC & Supervision)

Phase 2 Manhour Total: 0
 (Includes gray-highlighted items and percentage of QC & Supervision)

TASK LIST

ACTIVITY: TASK 3 - HYDROLOGIC AND HYDRAULIC MODELING ANALYSIS

Task	Basis of Estimate	No. of Units	Hours/ Unit	Total Hours	Remarks
H&H Modeling of Existing Conditions:					
Delineate Basins and Sub-basins	Node	60	0.5	30	Assume 40 Nodes for the Caro Area and 20 for E. Palafox
Develop Nodal Diagram	Node	60	0.25	15	
Estimate Hydrograph Parameters	Node	60	0.5	30	
Develop Hydrologic & Hydraulic Models	Node	60	1	60	
Simulate Events & Report Results	Node	60	0.25	15	
H&H Modeling of Proposed Conditions:					
Develop Pond & Sewer Alternatives	Node	40	0.5	20	Assume a 20 Node Increase from Existing Model & 1 iteration.
Develop Nodal Diagram	Node	40	0.25	10	
Estimate Hydrograph Parameters	Node	40	0.5	20	
Develop Hydrologic & Hydraulic Models	Node	40	1	40	
Simulate Events & Report Results	Node	40	0.25	10	
Design & Area Drainage Recommendation Report:					
Develop drainage & roadway design recommendations	LS	1	40	40	
Identify pond siting & acquisition options	LS	1	24	24	
Prepare order-of-magnitude cost estimates	EA	3	12	36	Assume 3 cost iterations.
Prepare Report	LS	1	8	8	
Subtotal				358	
Quality Control	5%	1		18	
Supervision	3%	1		11	
TOTAL				387	

Phase 1 Manhour Total: 387
(Includes non-highlighted items and
percentage of QC & Supervision)

Phase 2 Manhour Total: 0
(Includes gray-highlighted items and
percentage of QC & Supervision)

TASK LIST

ACTIVITY: TASK 4 - DRAINAGE AND ROADWAY DESIGN

Task	Basis of Estimate	No. of Units	Hours/ Unit	Total Hours	Remarks
Pittman Area Improvements:					
Incorporate design into existing hydraulic model for Pittman Ave. system	Note	30	0.5	15	Creating existing hydraulic model for Pittman Area based on per-node basis
Design closed stormwater system	EA	12	2.5	30	Assume 12 drainage structures. Includes ASAD analysis.
Design open channel system	MI	0.42	20	9	Assume 20 hrs per ditch mile (2190' Total=0.42 MI)
Prepare Drainage Design Docs	LS	1	16	16	
Design dirt road paving for Willis St.	LS	1	16	16	Includes typical section and profile design
Design roadway improvements associated with drainage	MI	0.42	80	34	Includes typical section and profile design iterations. Per street mile basis (2190' Total=0.42 MI)
Prepare Roadway Design Docs	LS	1	8	8	
Caro Street Area Improvements & Pond Design:					
Design Caro Area Pond	LS	1	40	40	
Design Pond outfall system	LS	1	16	16	
Design closed stormwater system	EA	47	2.5	118	Assume 47 drainage structures. Includes ASAD analysis.
Design open channel system	MI	1.5	20	30	Assume 20 hrs per ditch mile (7900' Total=1.5 MI)
Prepare Drainage Design Docs	LS	1	8	8	
Design dirt road paving for Caro St.	LS	1	16	16	Includes typical section and profile design
Design roadway improvements associated with drainage	MI	1.5	80	120	Includes typical section and profile design iterations. Per street mile basis (7900' Total=1.5 MI)
Prepare Roadway Design Docs	LS	1	8	8	
East Johnson Avenue Area Improvements, Pond, & Signal Design:					
Design East Johnson Area Ponds	LS	1	40	40	
Design closed stormwater system	EA	51	2.5	128	Assume 51 drainage structures. Includes ASAD analysis.
Design open channel system	MI	0.95	20	19	Assume 20 hrs per ditch mile (5020' Total)
Design Pond outfall system	LS	1	16	16	

Prepare Drainage Design Docs	LS	1	8	8	
Design realignment of Detroit/Johnson	LS	1	40	40	Includes typical section and profile design iterations.
Design roadway improvements associated with drainage	MI	0.95	80	76	Includes typical section and profile design. Per street mile
Signal config. & structure elev. analysis	LS	1	72	72	Includes Interconnect & Timings Analysis
Mast Arms and foundations.	LS	1	48	48	Assume two configurations
Design Overhead Street Name Signs	EA	2	3	6	
Prepare Roadway & Signal Design Docs.	LS	1	24	24	
Subtotal				961	
Quality Control	5%	1		48	
Supervision	3%	1		29	
TOTAL				1038	

Phase 1 Manhour Total: 138
(Includes non-highlighted items and percentage of QC & Supervision)

Phase 2 Manhour Total: 900
(Includes gray-highlighted items and percentage of QC & Supervision)

TASK LIST

ACTIVITY: TASK 5 - PLANS PRODUCTION

Task	Basis of Estimate	No. of Units	Hours/ Unit	Plan Sheets	Total Hours	Remarks
Plan Set 1: Pittman Street Area Improvements:						
Cover Sheet	Sheet	1	8	1	8	
Summary of Pay Items Sheet	Sheet	1	8	1	8	
Drainage Map	Sheet	1	16	1	16	
Typical Section Sheet	Sheet	1	12	1	12	
Project Layout Sheet	Sheet	1	8	1	8	Includes sheet layout and all control
General Notes Sheet	Sheet	1	8	1	8	
Special Details Sheet	Sheet	1	8	1	8	
Plan & Profile Sheets	Sheet	5	4	5	20	2190' @ 500'/sheet (40 Scale)
Drainage Structure Sheets	EA	12	2.5	3	30	Assume 12 structures, 6 drainage structures per sheet
Cross Section Sheets	EA	22	0.25	3	6	1 xs/100' X 2190 LF of roadway. 8 xs/sheet
SWPPP Sheet	Sheet	1	4	1	4	
Erosion Control Plan	Sheet	5	4	5	20	2190' @ 500'/sheet (40 Scale)
Traffic Control Plan (MOT)	LS	1	8	1	8	
Utility Adjustment Plans	Sheet	5	6	5	30	2190' @ 500'/sheet (40 Scale)
Plan Set 2: Caro Street Area Improvements:						
Cover Sheet	Sheet	1	8	1	8	
Summary of Pay Items Sheet	Sheet	1	8	1	8	
Drainage Map	Sheet	1	24	1	24	
Typical Section Sheet	Sheet	1	12	1	12	
Project Layout Sheet	Sheet	1	8	1	8	Includes sheet layout and all control
General Notes Sheet	Sheet	1	8	1	8	
Special Details Sheet	Sheet	1	8	1	8	

Plan & Profile Sheets	Sheet	16	4	16	64	7900' @ 500'/sheet (40 Scale)
Drainage Structure Sheets	EA	47	2.5	8	118	Assume 47 structures, 6 drainage structures per sheet
Pond Details Sheet	LS	2	24	2	48	1 pond X 2 sheets/pond
Cross Section Sheets	EA	80	0.25	10	20	1 xs/100' X 7900 LF of roadway. 8 xs/sheet
SWPPP Sheet	Sheet	1	4	1	4	
Erosion Control Plan	Sheet	16	4	16	64	7900' @ 500'/sheet (40 Scale)
Traffic Control Plan (MOT)	LS	1	8	1	8	
Utility Adjustment Plans	Sheet	16	6	16	96	7900' @ 500'/sheet (40 Scale)
Plan Set 3: East Johnson Avenue Area Improvements:						
Cover Sheet	Sheet	1	8	1	8	
Summary of Pay Items Sheet	Sheet	1	8	1	8	
Drainage Map	Sheet	1	24	1	24	
Typical Section Sheet	Sheet	1	12	1	12	
Project Layout Sheet	Sheet	1	8	1	8	Includes sheet layout and all control
General Notes Sheet	Sheet	1	8	1	8	
Special Details Sheet	Sheet	1	8	1	8	
Plan & Profile Sheets	Sheet	11	4	11	44	5020' @ 500'/sheet (40 Scale)
Curb Return Details Sheet	Sheet	3	6	3	18	Detroit @ Orange, Detroit @ Old Palafox, Detroit @ Johnson
Driveway Turnout Profiles Sheet	Sheet	2	8	2	16	1730' urban X 2 xs per 200' roadway. Assumes 16 profile half-sections per sheet
Drainage Structure Sheets	EA	51	2.5	9	128	Assume 51 structures, 6 drainage structures per sheet
Pond Details Sheet	LS	2	24	2	48	1 pond X 2 sheets/pond
Cross Section Sheets	EA	68	0.25	9	17	1 xs/100' X 3290 LF of rural roadway and 1 xs/50' X 1730 LF urban. 8 xs/sheet
SWPPP Sheet	Sheet	1	4	1	4	
Erosion Control Plan	Sheet	11	4	11	44	5020' @ 500'/sheet (40 Scale)
Traffic Control Plan (MOT)	LS	1	8	1	8	
Utility Adjustment Plans	Sheet	11	6	11	66	5020' @ 500'/sheet (40 Scale)
Signing & Pavement Marking Plans	Sheet	4	4	4	16	Assumes Detroit/Johnson only collectors requiring markings. 1730' @ 500'/sheet (40 Scale)

Plan Set 4: Johnson Avenue @ Old Palafox Signalization Plans:						
Cover Sheet	Sheet	1	4	1	4	
Summary of Pay Items Sheet	Sheet	1	8	1	8	
General Notes Sheet	Sheet	1	8	1	8	
Special Details Sheet	Sheet	1	6	1	6	
Plan Sheets	Sheet	2	4	2	8	Includes removal plan for existing signal
Interconnect Plan Sheets	Sheet	2	3	2	6	
Traffic Control Plan (MOT)	LS	1	8	1	8	
Guide Sign Worksheet	Sheet	2	1	2	2	2 signs
Mast Arm Tabulation	Sheet	1	4	1	4	
Total Plan Sheets				184		
Manhour Subtotal					1223	
Quality Control	5%	1			61	
Supervision	3%	1			37	
TOTAL					1321	

Phase 1 Manhour Total: 201
(Includes non-highlighted items and percentage of QC & Supervision)

Phase 2 Manhour Total: 1120
(Includes gray-highlighted items and percentage of QC & Supervision)

TASK LIST

ACTIVITY: TASK 6 - PERMITTING

Task	Basis of Estimate	No. of Units	Hours/ Unit	Total Hours	Remarks
Study previous permits	LS	1	8	8	
Determine qualifying permits & exemptions	LS	3	8	24	1 permit X 3 areas
Conduct pre-application meetings with NFWFMD	LS	3	8	24	1 meeting X 3 areas, includes driving time, 2 staff & prep
Complete & submit stormwater permits	EA	2	80	160	Includes RAI responses, assumes no permit for Pittman Area
Conduct pre-application meetings with FDOT	EA	2	4	8	1 meeting X 2 areas, includes driving time, 2 staff & prep
Complete & submit FDOT Connection Permits	EA	2	16	32	For improvements encroaching on US 29.
Complete & submit FDOT Drainage Connection Permit	EA	1	16	16	For improvements encroaching on US 29.
Subtotal				272	
Quality Control	5%	1		14	
Supervision	3%	1		8	
Total				294	

Phase 1 Manhour Total: 69
(Includes non-highlighted items and percentage of QC & Supervision)

Phase 2 Manhour Total: 225
(Includes gray-highlighted items and percentage of QC & Supervision)

TASK LIST

ACTIVITY: TASK 7 - BID ASSISTANCE

Task	Basis of Estimate	No. of Units	Hours/ Unit	Total Hours	Remarks
Prepare bid package	EA	3	1	3	3 advertisements
Field questions during advertisement	LS	3	6	18	3 advertisements
Attend pre-bid meeting	EA	3	4	12	3 advertisements. 2 attendees X 2 hours/meeting
Attend bid opening	EA	3	4	12	3 advertisements. 2 attendees X 2 hours/meeting
Prepare bid tabulation	EA	3	2	6	3 advertisements
Subtotal				51	
Quality Control	0%	1		0	
Supervision	0%	1		0	
TOTAL				51	

Phase 1 Manhour Total: 0
(Includes non-highlighted items and percentage of QC & Supervision)

Phase 2 Manhour Total: 51
(Includes gray-highlighted items and percentage of QC & Supervision)

Note: Tasks 8 & 9 are located in Appendices A & B, respectively.

TASK LIST

ACTIVITY: TASK 10 - CONSTRUCTION ASSISTANCE

Task	Basis of Estimate	No. of Units	Hours/ Unit	Total Hours	Remarks
Attend preconstruction conference	EA	3	1	3	3 projects
Attend onsite meetings	EA	18	2	36	Assume monthly. 6 months avg X 1 mtgs X 3 projects
Address contractor questions	LS	3	12	36	3 projects
Provide recommendations to County during construction	LS	3	8	24	3 projects
Review shop drawings	EA	80	1	80	Assume 1 drawing per drainage structure
Provide record drawings	EA	3	12	36	3 projects
Subtotal				215	
Quality Control	0%	1		0	
Supervision	0%	1		0	
TOTAL				215	

Phase 1 Manhour Total: 0
 (Includes non-highlighted items and percentage of QC & Supervision)

Phase 2 Manhour Total: 215
 (Includes gray-highlighted items and percentage of QC & Supervision)

ATTACHMENT A

TOPOGRAPHIC SURVEY
FEE ESTIMATE

By: Nobles Consulting Group



600 UNIVERSITY OFFICE BLVD., SUITE 17-B
PENSACOLA, FL 32504
P:850.857.7725
F:850.857.7726

June 30, 2011

Attn: Allen Vinson, P.E.

HDR ONE COMPANY | Many Solutions

25 West Cedar St., Suite 200 | Pensacola, FL | 32502

Phone: 850.429.8908 | Fax: 850.432.8010

Email: Allen.Vinson@hdrinc.com

RE: Surveying Services for Escambia County Solicitation Identification Number PD 10-11.044, Design Services for Ensley - Caro Area, Pittman Area and Areas East of Old Palafox.

Dear Mr. Vinson,

This is to confirm your recent request for professional surveying services. **Nobles Consulting Group, Inc. (NCG)** hereby presents the following proposal to perform the following described services:

Scope of Services

Task 1

- A. Prepare Topographic Survey of Portions of Caro Street, Johnson Avenue, Detroit Boulevard, Carolina Drive, and Cooper Drive, totaling approximately 6,680', to include:
- Collect topographic information to include all aboveground visible improvements, edges of pavement, pavement marking, curbing, driveways, storm sewer and drainage structures (with invert elevations where accessible), sanitary sewer structures (with invert elevations where accessible), wood lines, and protected trees as defined by the Escambia County Land Development Code.
 - Depict calculated rights of way of the project corridors based on found monumentation and descriptions as provided to, or obtained by, the Surveyor.
 - Depict approximate parcel lines adjacent to the project corridors based on GIS shapefiles found on the Escambia County Property Appraiser website.
 - Depict addresses and/or parcel identification numbers of parcels adjacent to the project corridor per the Escambia County Property Appraiser website.
 - Reference Survey to the Florida North State Plane Coordinate System, North American Datum of 1983.
 - Reference Survey to the North American Vertical Datum of 1988.
 - Provide horizontal coordinates and elevations of 10 project control points.
 - Locate and depict aboveground visible evidence of underground utilities as evidenced by aboveground features marked by others, at the time of field survey. The surveyor will obtain and provide a list of utilities and utility company contact information per Sunshine One Call design ticket request, covering the project site. *The Surveyor will not be responsible for coordinating the location of underground utilities.*

10.5 Days of Field Work @ \$1,200/day = \$12,600.00



(Traverse, Bench Line, Topographic Data Collection, Reference Project Database to Published Horizontal/Vertical Control, Set Project Control)

74 Hours of Cad @ \$65.00/hour = \$4,810.00

(Process Topographic Data and prepare Survey)

18.5 Hours PSM @ \$125.00/hour = \$2,312.50

(Project Management, Supervision, and Process GPS Data)

Fee Estimate for Topographic Survey = \$19,722.50

B. Inventory of Drainage Structures within the project, along streets to be determined by the client.

- Utilizing previous Topographic Survey of Ensley Drainage Project, field-check the existence of drainage structures previously located.
- Locate drainage structures not shown on the previous survey via Real Time Kinematic GPS procedures to achieve a positional accuracy of 0.2'.
- Systematically sample a limited number of previously located drainage structures to compare vertical values to current values for quality assurance purposes.

3 Days of Structure Inventory = \$5,000.00

(Field-check and locate drainage structures, including data processing, and drafting)

C. Topographic Survey of the Caro Street Retention Pond (approximately 4.8 acres).

- Collect topographic information to include ground shots within the pond, all aboveground visible improvements, storm sewer and drainage structures (with invert elevations where accessible), wood lines, and protected trees as defined by the Escambia County Land Development Code.

2 Days of Field Work @ \$1,200/day = \$2,400.00

(Traverse, Bench Line, Topographic Data Collection, Reference Project Database to Published Horizontal/Vertical Control, Set Project Control)

14 Hours of Cad @ \$65.00/hour = \$910.00

(Process Topographic Data and prepare Survey)

3.5 Hours PSM @ \$125.00/hour = \$437.50

(Project Management and Supervision)

Fee Estimate for Topographic Survey = \$3,747.50

Task 2

A. Prepare Topographic Survey of Portions of Satsuma Avenue, Hannah Street, Mayflower Avenue, Devane Street, Juniper Avenue, Rawls Avenue, Orange Avenue, Dudley Avenue, Grimsley Street, Ensley Street, Laurel Avenue, and Page Street, totaling approximately 7,100', to include:

- Collect topographic information to include all aboveground visible improvements, edges of pavement, pavement marking, curbing, driveways, storm sewer and drainage



structures (with invert elevations where accessible), sanitary sewer structures (with invert elevations where accessible), wood lines, and protected trees as defined by the Escambia County Land Development Code.

- Depict calculated rights of way of the project corridors based on found monumentation and descriptions provided to, or obtained by, the Surveyor.
- Depict approximate parcel lines adjacent to the project corridors based on GIS shapefiles found on the Escambia County Property Appraiser website.
- Depict addresses and/or parcel identification numbers of parcels adjacent to the project corridor per the Escambia County Property Appraiser website.
- Reference Survey to the Florida North State Plane Coordinate System, North American Datum of 1983.
- Reference Survey to the North American Vertical Datum of 1988.
- Provide horizontal coordinates and elevations of 12 project control points.
- Locate and depict aboveground visible evidence of underground utilities as evidenced by aboveground features marked by others, at the time of field survey. The surveyor will obtain and provide a list of utilities and utility company contact information per Sunshine One Call design ticket request, covering the project site. *The Surveyor will not be responsible for coordinating the location of underground utilities.*

11 Days of Field Work @ \$1,200/day	=	\$13,200.00
<i>(Traverse, Bench Line, Topographic Data Collection, Reference Project Database to Published Horizontal/Vertical Control, Set Project Control)</i>		
77 Hours of Cad @ \$65.00/hour	=	\$5,005.00
<i>(Process Topographic Data and prepare Survey)</i>		
20 Hours PSM @ \$125.00/hour	=	<u>\$2,500.00</u>
<i>(Project Management, Supervision, and Process GPS Data)</i>		
Fee Estimate for Topographic Survey	=	\$20,705.00

B. Topographic Survey of the Retention Pond adjacent to the Escambia County Health Department (approximately 5.3 acres).

- Collect topographic information to include ground shots within the pond, all aboveground visible improvements, storm sewer and drainage structures (with invert elevations where accessible), wood lines, and protected trees as defined by the Escambia County Land Development Code.

2 Days of Field Work @ \$1,200/day	=	\$2,400.00
<i>(Traverse, Bench Line, Topographic Data Collection, Reference Project Database to Published Horizontal/Vertical Control, Set Project Control)</i>		
14 Hours of Cad @ \$65.00/hour	=	\$910.00
<i>(Process Topographic Data and prepare Survey)</i>		
3.5 Hours PSM @ \$125.00/hour	=	<u>\$437.50</u>
<i>(Project Management and Supervision)</i>		
Fee Estimate for Topographic Survey	=	\$3,747.50



600 UNIVERSITY OFFICE BLVD., SUITE 17-B
PENSACOLA, FL 32504
P:850.857.7725
F:850.857.7726

C. Topographic Survey of approximately 4 acres of additional Retention Pond area.

- **Collect topographic information to include ground shots within the pond, all aboveground visible improvements, storm sewer and drainage structures (with invert elevations where accessible), wood lines, and protected trees as defined by the Escambia County Land Development Code.**

1.75 Days of Field Work @ \$1,200/day = \$2,100.00

(Traverse, Bench Line, Topographic Data Collection, Reference Project Database to Published Horizontal/Vertical Control, Set Project Control)

13 Hours of Cad @ \$65.00/hour = \$845.00

(Process Topographic Data and prepare Survey)

3 Hours PSM @ \$125.00/hour = \$375.00

(Project Management and Supervision)

Fee Estimate for Topographic Survey = \$3,320.00

Task 3

A. Prepare 20 legal descriptions of properties to be acquired by Escambia County.

- **Legal descriptions to be based on previous deeds as provided to, or obtained by, the Surveyor.**
- **No field work will be performed to prepare the legal descriptions.**

20 Legal Descriptions @ \$350.00/description = \$7,000.00

Total Fee Estimate for All Tasks = \$63,242.50

Deliverables of the Survey shall include 4 signed and sealed sets and an electronic drawing file in AutoCAD Civil 3D 2010 format conforming to HDR Cad Standards.

This proposal is void if not accepted within 60 days from the date of this proposal. If you have any questions concerning this proposal or need any other information, please feel free to contact me by telephone at (850) 857-7725.

Sincerely,

Nobles Consulting Group, Inc.

Eric B. Stuart, LS
Branch Manager

ATTACHMENT B

GEOTECHNICAL INVESTIGATION
FEE ESTIMATE

By: Larry M. Jacobs and Associates

Figure #1

LMJ COST BREAKDOWN

CLIENT:	Mr. Allen Vinson, PE w/ HDR
PROJECT:	Ensley Drainage Project, Escambia County, Florida

UNIT FEE	EST. QTY	EST. COST
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FIELD TESTING/DRILLING SERVICES

MOBILIZATION	0-25 MI	\$325.00 /EA	2	650.00
	26-75 MI	\$405.00 /EA		
	76-125 MI	\$460.00 /EA		
STANDARD PENETRATION TEST BORINGS 7@25', 6@35', 12@40', 27@6', and 4@25'	0-40 FT	\$13.00 /LF	1127	14,651.00
	41-80 FT	\$15.00 /LF		
	81-120 FT	\$17.00 /LF		
TRIPOD BORINGS	0-30 FT	\$18.00 /LF		
	31-60 FT	\$20.00 /LF		
CORE AND PATCH PAVEMENT		\$30.00 /EA	22	660.00
MAINTENANCE OF TRAFFIC (SIGNS, CONES & FLAGMEN)		\$120.00 /HR	4	480.00
OBTAIN UNDISTURBED/SHELBY TUBE/BULK SAMPLE		\$75.00 /EA	17	1,275.00
ENGINEERING TECHNICIAN (LOCATE BORINGS & CLEAR UTILITIES)		\$53.00 /HR	16	848.00
ENGINEERING TECHNICIAN MILEAGE		\$0.50 /MI		
FIELD TESTING/DRILLING TOTAL				\$18,564.00

LABORATORY TESTING SERVICES

WATER CONTENT		\$15.00 /EA		
SIEVE ANALYSIS		\$50.00 /EA	12	600.00
WASH #200 SIEVE		\$35.00 /EA		
PERMEABILITY (INCL. UNIT WEIGHT & MOISTURE CONTENT)		\$95.00 /EA	12	1,140.00
ATTERBERG LIMITS TEST		\$85.00 /EA		
LIMEROCK BEARING RATIO TEST		\$425.00 /EA	5	2,125.00
BASIC PROPERTIES TESTING ALLOWANCE				1,500.00
LABORATORY TESTING TOTAL				\$5,365.00

ENGINEERING SERVICES

PRINCIPAL GEOTECHNICAL ENGINEER		\$125.00 /HR		
SENIOR GEOTECHNICAL ENGINEER		\$100.00 /HR		
PROJECT ENGINEER		\$90.00 /HR	40	3,600.00
PROJECT MANAGER		\$85.00 /HR		
CAD TECHNICIAN		\$50.00 /HR	22	1,100.00
ENGINEERING TOTAL				\$4,700.00

TOTAL ESTIMATED COST RANGE	\$28,629.00
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**HDR ACTIVITIES/SALARIES FEE COMPUTATIONS FOR
ENSLEY AREA IMPROVEMENTS PROJECT
 PD 10-11.044**

PHASE 1 ACTIVITIES	Project Principal (2%)		Project Manager (5%)		Senior Engineer (5%)		Roadway Engineer (30%)		Drainage Engineer (40%)		Scientist (Permitting Only)		Engineer Intern (17%)		Administrative (1%)		Activity Fee	Manhours By Activity	Average Hourly Rate
	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate			
HDR LUMP SUM TASKS																			
Task 1 - PROJECT COORDINATION	5	\$ 202.55	12	\$ 119.05	12	\$ 168.94	71	\$ 96.73	95	\$ 93.02	0	\$ 97.52	40	\$ 84.02	2	\$ 70.89	\$ 23,675.94	237	\$ 99.90
Task 2 - DATA COLLECTION	2	\$ 202.55	5	\$ 119.05	5	\$ 168.94	28	\$ 96.73	38	\$ 93.02	0	\$ 97.52	16	\$ 84.02	1	\$ 70.89	\$ 9,503.46	95	\$ 100.04
Task 3 - H&H MODELING & ANALYSIS	8	\$ 202.55	19	\$ 119.05	19	\$ 168.94	116	\$ 96.73	155	\$ 93.02	0	\$ 97.52	66	\$ 84.02	4	\$ 70.89	\$ 38,559.87	387	\$ 99.64
Task 4 - DRAINAGE & ROADWAY DESIGN	3	\$ 202.55	7	\$ 119.05	7	\$ 168.94	41	\$ 96.73	55	\$ 93.02	0	\$ 97.52	23	\$ 84.02	2	\$ 70.89	\$ 13,779.85	138	\$ 99.85
Task 5 - PLANS PRODUCTION	4	\$ 202.55	10	\$ 119.05	10	\$ 168.94	61	\$ 96.73	80	\$ 93.02	0	\$ 97.52	34	\$ 84.02	2	\$ 70.89	\$ 20,030.69	201	\$ 99.66
Task 6 - PERMITTING	1	\$ 202.55	3	\$ 119.05	3	\$ 168.94	12	\$ 96.73	28	\$ 93.02	21	\$ 97.52	0	\$ 84.02	1	\$ 70.89	\$ 6,950.65	69	\$ 100.73
Task 7 - BID ASSISTANCE	0	\$ 202.55	0	\$ 119.05	0	\$ 168.94	0	\$ 96.73	0	\$ 93.02	0	\$ 97.52	0	\$ 84.02	0	\$ 70.89	\$ -	0	\$ -
																	Subtotal:	\$ 112,500.46	
HDR LIMITING AMOUNT TASKS																			
Task 10 - CONSTRUCTION ASSISTANCE	0	\$ 202.55	0	\$ 119.05	0	\$ 168.94	0	\$ 96.73	0	\$ 93.02	0	\$ 97.52	0	\$ 84.02	0	\$ 70.89	\$ -	0	\$ -
HDR TOTALS	23	\$ 202.55	56	\$ 119.05	56	\$ 168.94	329	\$ 96.73	451	\$ 93.02	21	\$ 97.52	179	\$ 84.02	12	\$ 70.89	\$ 112,500.46	1127	\$ 99.82

Phase 1 Lump Sum
 Tasks 1-7 subtotal above \$ 112,500.46
Phase 1 Limiting Amount
 Task 8 - Topographic Survey \$ 31,621.25 (Attachment A, 50% for preliminary)
 Task 9 - Geotechnical \$ 14,314.50 (Attachment B, 50% for preliminary)
 Task 10 - Construction Assistance \$ -
PHASE 1 TOTAL FEE TO BE AUTHORIZED: \$ 158,436.21

PHASE 2 ACTIVITIES	Project Principal (2%)		Project Manager (5%)		Senior Engineer (5%)		Roadway Engineer (30%)		Drainage Engineer (40%)		Scientist (Permitting Only)		Engineer Intern (17%)		Administrative (1%)		Activity Fee	Manhours By Activity	Average Hourly Rate
	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate	Man-Hours	Hourly Rate			
HDR LUMP SUM TASKS																			
Task 1 - PROJECT COORDINATION	1	\$ 202.55	4	\$ 119.05	4	\$ 168.94	21	\$ 96.73	28	\$ 93.02	0	\$ 97.52	12	\$ 84.02	1	\$ 70.89	\$ 7,069.53	71	\$ 99.57
Task 2 - DATA COLLECTION	0	\$ 202.55	0	\$ 119.05	0	\$ 168.94	0	\$ 96.73	0	\$ 93.02	0	\$ 97.52	0	\$ 84.02	0	\$ 70.89	\$ -	0	\$ -
Task 3 - H&H MODELING & ANALYSIS	0	\$ 202.55	0	\$ 119.05	0	\$ 168.94	0	\$ 96.73	0	\$ 93.02	0	\$ 97.52	0	\$ 84.02	0	\$ 70.89	\$ -	0	\$ -
Task 4 - DRAINAGE & ROADWAY DESIGN	18	\$ 202.55	45	\$ 119.05	45	\$ 168.94	270	\$ 96.73	360	\$ 93.02	0	\$ 97.52	153	\$ 84.02	9	\$ 70.89	\$ 89,702.82	900	\$ 99.67
Task 5 - PLANS PRODUCTION	22	\$ 202.55	56	\$ 119.05	56	\$ 168.94	336	\$ 96.73	448	\$ 93.02	0	\$ 97.52	191	\$ 84.02	11	\$ 70.89	\$ 111,585.39	1120	\$ 99.63
Task 6 - PERMITTING	4	\$ 202.55	11	\$ 119.05	11	\$ 168.94	39	\$ 96.73	90	\$ 93.02	68	\$ 97.52	0	\$ 84.02	2	\$ 70.89	\$ 22,895.50	225	\$ 101.76
Task 7 - BID ASSISTANCE	1	\$ 202.55	3	\$ 119.05	3	\$ 168.94	15	\$ 96.73	20	\$ 93.02	0	\$ 97.52	8	\$ 84.02	1	\$ 70.89	\$ 5,120.92	51	\$ 100.41
																	Subtotal:	\$ 236,374.16	
HDR LIMITING AMOUNT TASKS																			
Task 10 - CONSTRUCTION ASSISTANCE	4	\$ 202.55	11	\$ 119.05	11	\$ 168.94	64	\$ 96.73	86	\$ 93.02	0	\$ 97.52	37	\$ 84.02	2	\$ 70.89	\$ 21,419.05	215	\$ 99.62
HDR TOTALS	50	\$ 202.55	130	\$ 119.05	130	\$ 168.94	745	\$ 96.73	1032	\$ 93.02	68	\$ 97.52	401	\$ 84.02	26	\$ 70.89	\$ 257,793.21	2582	\$ 99.84

Phase 2 Lump Sum
 Tasks 1-7 subtotal above \$ 236,374.16
Phase 2 Limiting Amount
 Task 8 - Topographic Survey \$ 31,621.25 (Attachment A, 50% for remainder)
 Task 9 - Geotechnical \$ 14,314.50 (Attachment B, 50% for remainder)
 Task 10 - Construction Assistance \$ 21,419.05
PHASE 2 TOTAL FEE TO BE AUTHORIZED: \$ 303,728.96

PROJECT TOTAL: \$ 462,165.17

TASK LIST

ACTIVITY: TASK 1 - PROJECT COORDINATION

Task	Basis of Estimate	No. of Units	Hours/ Unit	Total Hours	(Less hours to be included in Phase 1)	Remarks
County Staff Meetings:						
Kickoff Meeting	EA	1	2	2		
Design Meetings	EA	8	2	16	(4)	2 meetings X 4 major deliverables
Project Management:						
Monthly Status Report	EA	16	1	16	(4)	Assume 16 month design schedule
Project Scheduling	LS	1	8	8		
Public Involvement Meeting & Coordination:						
Develop Resident Survey	LS	1	8	8		
Organize and analyze resident surveys	LS	1	16	16		
Meet with individual property owners	EA	10	2	20		Assume 10 property owners
Prepare mailing list	LS	1	16	16		
Prepare for Public Meetings	EA	3	24	72		Assume 3 meetings
Attend public meetings	EA	3	16	48		Assume 3 attendees
Utility Coordination:						
Prepare letter & plans for utility owners	EA	12	2	24	(8)	3 plan sets X 4 phase submittals
Attend Monthly County Utility Meeting	EA	12	1	12	(4)	Assume 12 meetings over 16 month period
Conduct 1 on 1 utility meetings	EA	15	1	15	(5)	5 meetings X 3 plan deliverables. Prepare minutes.
Conduct onsite utility walkthroughs	EA	3	4	12	(4)	1 meeting X 3 plan deliverables. Prepare minutes.
Subtotal				285		
Quality Control	5%	1		14		
Supervision	3%	1		9		
TOTAL				308		

Phase 1 Manhour Total: 237
(Includes non-highlighted items and percentage of QC & Supervision)

Phase 2 Manhour Total: 71
(Includes gray-highlighted items and percentage of QC & Supervision)

TASK LIST

ACTIVITY: TASK 2 - DATA COLLECTION

Task	Basis of Estimate	No. of Units	Hours/ Unit	Total Hours	Remarks
Collect and analyze existing County data	LS	1	16	16	
Conduct field reviews	EA	8	8	64	2 staff X 4 field days
Coordinate survey and geotech activities	LS	1	8	8	
Subtotal				88	
Quality Control	0%	1		0	
Supervision	0%	1		0	
TOTAL				88	

Phase 1 Manhour Total: 95
(Includes non-highlighted items and percentage of QC & Supervision)

Phase 2 Manhour Total: 0
(Includes gray-highlighted items and percentage of QC & Supervision)

TASK LIST

ACTIVITY: TASK 3 - HYDROLOGIC AND HYDRAULIC MODELING ANALYSIS

Task	Basis of Estimate	No. of Units	Hours/ Unit	Total Hours	Remarks
H&H Modeling of Existing Conditions:					
Delineate Basins and Sub-basins	Node	60	0.5	30	Assume 40 Nodes for the Caro Area and 20 for E. Palafox
Develop Nodal Diagram	Node	60	0.25	15	
Estimate Hydrograph Parameters	Node	60	0.5	30	
Develop Hydrologic & Hydraulic Models	Node	60	1	60	
Simulate Events & Report Results	Node	60	0.25	15	
H&H Modeling of Proposed Conditions:					
Develop Pond & Sewer Alternatives	Node	40	0.5	20	Assume a 20 Node Increase from Existing Model & 1 iteration.
Develop Nodal Diagram	Node	40	0.25	10	
Estimate Hydrograph Parameters	Node	40	0.5	20	
Develop Hydrologic & Hydraulic Models	Node	40	1	40	
Simulate Events & Report Results	Node	40	0.25	10	
Design & Area Drainage Recommendation Report:					
Develop drainage & roadway design recommendations	LS	1	40	40	
Identify pond siting & acquisition options	LS	1	24	24	
Prepare order-of-magnitude cost estimates	EA	3	12	36	Assume 3 cost iterations.
Prepare Report	LS	1	8	8	
Subtotal				358	
Quality Control	5%	1		18	
Supervision	3%	1		11	
TOTAL				387	

Phase 1 Manhour Total: 387
(Includes non-highlighted items and
percentage of QC & Supervision)

Phase 2 Manhour Total: 0
(Includes gray-highlighted items and
percentage of QC & Supervision)

TASK LIST

ACTIVITY: TASK 4 - DRAINAGE AND ROADWAY DESIGN

Task	Basis of Estimate	No. of Units	Hours/ Unit	Total Hours	Remarks
Pittman Area Improvements:					
Incorporate design into existing hydraulic model for Pittman Ave. system	Note	30	0.5	15	Creating existing hydraulic model for Pittman Area based on per-node basis
Design closed stormwater system	EA	12	2.5	30	Assume 12 drainage structures. Includes ASAD analysis.
Design open channel system	MI	0.42	20	9	Assume 20 hrs per ditch mile (2190' Total=0.42 MI)
Prepare Drainage Design Docs	LS	1	16	16	
Design dirt road paving for Willis St.	LS	1	16	16	Includes typical section and profile design
Design roadway improvements associated with drainage	MI	0.42	80	34	Includes typical section and profile design iterations. Per street mile basis (2190' Total=0.42 MI)
Prepare Roadway Design Docs	LS	1	8	8	
Caro Street Area Improvements & Pond Design:					
Design Caro Area Pond	LS	1	40	40	
Design Pond outfall system	LS	1	16	16	
Design closed stormwater system	EA	47	2.5	118	Assume 47 drainage structures. Includes ASAD analysis.
Design open channel system	MI	1.5	20	30	Assume 20 hrs per ditch mile (7900' Total=1.5 MI)
Prepare Drainage Design Docs	LS	1	8	8	
Design dirt road paving for Caro St.	LS	1	16	16	Includes typical section and profile design
Design roadway improvements associated with drainage	MI	1.5	80	120	Includes typical section and profile design iterations. Per street mile basis (7900' Total=1.5 MI)
Prepare Roadway Design Docs	LS	1	8	8	
East Johnson Avenue Area Improvements, Pond, & Signal Design:					
Design East Johnson Area Ponds	LS	1	40	40	
Design closed stormwater system	EA	51	2.5	128	Assume 51 drainage structures. Includes ASAD analysis.
Design open channel system	MI	0.95	20	19	Assume 20 hrs per ditch mile (5020' Total)
Design Pond outfall system	LS	1	16	16	

Prepare Drainage Design Docs	LS	1	8	8	
Design realignment of Detroit/Johnson	LS	1	40	40	Includes typical section and profile design iterations.
Design roadway improvements associated with drainage	MI	0.95	80	76	Includes typical section and profile design. Per street mile
Signal config. & structure elev. analysis	LS	1	72	72	Includes Interconnect & Timings Analysis
Mast Arms and foundations.	LS	1	48	48	Assume two configurations
Design Overhead Street Name Signs	EA	2	3	6	
Prepare Roadway & Signal Design Docs.	LS	1	24	24	
Subtotal				961	
Quality Control	5%	1		48	
Supervision	3%	1		29	
TOTAL				1038	

Phase 1 Manhour Total: 138
(Includes non-highlighted items and percentage of QC & Supervision)

Phase 2 Manhour Total: 900
(Includes gray-highlighted items and percentage of QC & Supervision)

TASK LIST

ACTIVITY: TASK 5 - PLANS PRODUCTION

Task	Basis of Estimate	No. of Units	Hours/ Unit	Plan Sheets	Total Hours	Remarks
Plan Set 1: Pittman Street Area Improvements:						
Cover Sheet	Sheet	1	8	1	8	
Summary of Pay Items Sheet	Sheet	1	8	1	8	
Drainage Map	Sheet	1	16	1	16	
Typical Section Sheet	Sheet	1	12	1	12	
Project Layout Sheet	Sheet	1	8	1	8	Includes sheet layout and all control
General Notes Sheet	Sheet	1	8	1	8	
Special Details Sheet	Sheet	1	8	1	8	
Plan & Profile Sheets	Sheet	5	4	5	20	2190' @ 500'/sheet (40 Scale)
Drainage Structure Sheets	EA	12	2.5	3	30	Assume 12 structures, 6 drainage structures per sheet
Cross Section Sheets	EA	22	0.25	3	6	1 xs/100' X 2190 LF of roadway. 8 xs/sheet
SWPPP Sheet	Sheet	1	4	1	4	
Erosion Control Plan	Sheet	5	4	5	20	2190' @ 500'/sheet (40 Scale)
Traffic Control Plan (MOT)	LS	1	8	1	8	
Utility Adjustment Plans	Sheet	5	6	5	30	2190' @ 500'/sheet (40 Scale)
Plan Set 2: Caro Street Area Improvements:						
Cover Sheet	Sheet	1	8	1	8	
Summary of Pay Items Sheet	Sheet	1	8	1	8	
Drainage Map	Sheet	1	24	1	24	
Typical Section Sheet	Sheet	1	12	1	12	
Project Layout Sheet	Sheet	1	8	1	8	Includes sheet layout and all control
General Notes Sheet	Sheet	1	8	1	8	
Special Details Sheet	Sheet	1	8	1	8	

Plan & Profile Sheets	Sheet	16	4	16	64	7900' @ 500'/sheet (40 Scale)
Drainage Structure Sheets	EA	47	2.5	8	118	Assume 47 structures, 6 drainage structures per sheet
Pond Details Sheet	LS	2	24	2	48	1 pond X 2 sheets/pond
Cross Section Sheets	EA	80	0.25	10	20	1 xs/100' X 7900 LF of roadway. 8 xs/sheet
SWPPP Sheet	Sheet	1	4	1	4	
Erosion Control Plan	Sheet	16	4	16	64	7900' @ 500'/sheet (40 Scale)
Traffic Control Plan (MOT)	LS	1	8	1	8	
Utility Adjustment Plans	Sheet	16	6	16	96	7900' @ 500'/sheet (40 Scale)
Plan Set 3: East Johnson Avenue Area Improvements:						
Cover Sheet	Sheet	1	8	1	8	
Summary of Pay Items Sheet	Sheet	1	8	1	8	
Drainage Map	Sheet	1	24	1	24	
Typical Section Sheet	Sheet	1	12	1	12	
Project Layout Sheet	Sheet	1	8	1	8	Includes sheet layout and all control
General Notes Sheet	Sheet	1	8	1	8	
Special Details Sheet	Sheet	1	8	1	8	
Plan & Profile Sheets	Sheet	11	4	11	44	5020' @ 500'/sheet (40 Scale)
Curb Return Details Sheet	Sheet	3	6	3	18	Detroit @ Orange, Detroit @ Old Palafox, Detroit @ Johnson
Driveway Turnout Profiles Sheet	Sheet	2	8	2	16	1730' urban X 2 xs per 200' roadway. Assumes 16 profile half-sections per sheet
Drainage Structure Sheets	EA	51	2.5	9	128	Assume 51 structures, 6 drainage structures per sheet
Pond Details Sheet	LS	2	24	2	48	1 pond X 2 sheets/pond
Cross Section Sheets	EA	68	0.25	9	17	1 xs/100' X 3290 LF of rural roadway and 1 xs/50' X 1730 LF urban. 8 xs/sheet
SWPPP Sheet	Sheet	1	4	1	4	
Erosion Control Plan	Sheet	11	4	11	44	5020' @ 500'/sheet (40 Scale)
Traffic Control Plan (MOT)	LS	1	8	1	8	
Utility Adjustment Plans	Sheet	11	6	11	66	5020' @ 500'/sheet (40 Scale)
Signing & Pavement Marking Plans	Sheet	4	4	4	16	Assumes Detroit/Johnson only collectors requiring markings. 1730' @ 500'/sheet (40 Scale)

Plan Set 4: Johnson Avenue @ Old Palafox Signalization Plans:						
Cover Sheet	Sheet	1	4	1	4	
Summary of Pay Items Sheet	Sheet	1	8	1	8	
General Notes Sheet	Sheet	1	8	1	8	
Special Details Sheet	Sheet	1	6	1	6	
Plan Sheets	Sheet	2	4	2	8	Includes removal plan for existing signal
Interconnect Plan Sheets	Sheet	2	3	2	6	
Traffic Control Plan (MOT)	LS	1	8	1	8	
Guide Sign Worksheet	Sheet	2	1	2	2	2 signs
Mast Arm Tabulation	Sheet	1	4	1	4	
Total Plan Sheets				184		
Manhour Subtotal					1223	
Quality Control	5%	1			61	
Supervision	3%	1			37	
TOTAL					1321	

Phase 1 Manhour Total: 201
(Includes non-highlighted items and percentage of QC & Supervision)

Phase 2 Manhour Total: 1120
(Includes gray-highlighted items and percentage of QC & Supervision)

TASK LIST

ACTIVITY: TASK 6 - PERMITTING

Task	Basis of Estimate	No. of Units	Hours/ Unit	Total Hours	Remarks
Study previous permits	LS	1	8	8	
Determine qualifying permits & exemptions	LS	3	8	24	1 permit X 3 areas
Conduct pre-application meetings with NFWFMD	LS	3	8	24	1 meeting X 3 areas, includes driving time, 2 staff & prep
Complete & submit stormwater permits	EA	2	80	160	Includes RAI responses, assumes no permit for Pittman Area
Conduct pre-application meetings with FDOT	EA	2	4	8	1 meeting X 2 areas, includes driving time, 2 staff & prep
Complete & submit FDOT Connection Permits	EA	2	16	32	For improvements encroaching on US 29.
Complete & submit FDOT Drainage Connection Permit	EA	1	16	16	For improvements encroaching on US 29.
Subtotal				272	
Quality Control	5%	1		14	
Supervision	3%	1		8	
Total				294	

Phase 1 Manhour Total: 69
(Includes non-highlighted items and percentage of QC & Supervision)

Phase 2 Manhour Total: 225
(Includes gray-highlighted items and percentage of QC & Supervision)

TASK LIST

ACTIVITY: TASK 7 - BID ASSISTANCE

Task	Basis of Estimate	No. of Units	Hours/ Unit	Total Hours	Remarks
Prepare bid package	EA	3	1	3	3 advertisements
Field questions during advertisement	LS	3	6	18	3 advertisements
Attend pre-bid meeting	EA	3	4	12	3 advertisements. 2 attendees X 2 hours/meeting
Attend bid opening	EA	3	4	12	3 advertisements. 2 attendees X 2 hours/meeting
Prepare bid tabulation	EA	3	2	6	3 advertisements
Subtotal				51	
Quality Control	0%	1		0	
Supervision	0%	1		0	
TOTAL				51	

Phase 1 Manhour Total: 0
 (Includes non-highlighted items and percentage of QC & Supervision)

Phase 2 Manhour Total: 51
 (Includes gray-highlighted items and percentage of QC & Supervision)

Note: Tasks 8 & 9 are located in Appendices A & B, respectively.

TASK LIST

ACTIVITY: TASK 10 - CONSTRUCTION ASSISTANCE

Task	Basis of Estimate	No. of Units	Hours/ Unit	Total Hours	Remarks
Attend preconstruction conference	EA	3	1	3	3 projects
Attend onsite meetings	EA	18	2	36	Assume monthly. 6 months avg X 1 mtgs X 3 projects
Address contractor questions	LS	3	12	36	3 projects
Provide recommendations to County during construction	LS	3	8	24	3 projects
Review shop drawings	EA	80	1	80	Assume 1 drawing per drainage structure
Provide record drawings	EA	3	12	36	3 projects
Subtotal				215	
Quality Control	0%	1		0	
Supervision	0%	1		0	
TOTAL				215	

Phase 1 Manhour Total: 0
 (Includes non-highlighted items and percentage of QC & Supervision)

Phase 2 Manhour Total: 215
 (Includes gray-highlighted items and percentage of QC & Supervision)

ATTACHMENT A

TOPOGRAPHIC SURVEY
FEE ESTIMATE

By: Nobles Consulting Group



600 UNIVERSITY OFFICE BLVD., SUITE 17-B
PENSACOLA, FL 32504
P:850.857.7725
F:850.857.7726

June 30, 2011

Attn: Allen Vinson, P.E.

HDR ONE COMPANY | Many Solutions

25 West Cedar St., Suite 200 | Pensacola, FL | 32502

Phone: 850.429.8908 | Fax: 850.432.8010

Email: Allen.Vinson@hdrinc.com

RE: Surveying Services for Escambia County Solicitation Identification Number PD 10-11.044, Design Services for Ensley - Caro Area, Pittman Area and Areas East of Old Palafox.

Dear Mr. Vinson,

This is to confirm your recent request for professional surveying services. **Nobles Consulting Group, Inc. (NCG)** hereby presents the following proposal to perform the following described services:

Scope of Services

Task 1

A. Prepare Topographic Survey of Portions of Caro Street, Johnson Avenue, Detroit Boulevard, Carolina Drive, and Cooper Drive, totaling approximately 6,680', to include:

- **Collect topographic information to include all aboveground visible improvements, edges of pavement, pavement marking, curbing, driveways, storm sewer and drainage structures (with invert elevations where accessible), sanitary sewer structures (with invert elevations where accessible), wood lines, and protected trees as defined by the Escambia County Land Development Code.**
- **Depict calculated rights of way of the project corridors based on found monumentation and descriptions as provided to, or obtained by, the Surveyor.**
- **Depict approximate parcel lines adjacent to the project corridors based on GIS shapefiles found on the Escambia County Property Appraiser website.**
- **Depict addresses and/or parcel identification numbers of parcels adjacent to the project corridor per the Escambia County Property Appraiser website.**
- **Reference Survey to the Florida North State Plane Coordinate System, North American Datum of 1983.**
- **Reference Survey to the North American Vertical Datum of 1988.**
- **Provide horizontal coordinates and elevations of 10 project control points.**
- **Locate and depict aboveground visible evidence of underground utilities as evidenced by aboveground features marked by others, at the time of field survey. The surveyor will obtain and provide a list of utilities and utility company contact information per Sunshine One Call design ticket request, covering the project site. *The Surveyor will not be responsible for coordinating the location of underground utilities.***

10.5 Days of Field Work @ \$1,200/day = \$12,600.00



(Traverse, Bench Line, Topographic Data Collection, Reference Project Database to Published Horizontal/Vertical Control, Set Project Control)

74 Hours of Cad @ \$65.00/hour = \$4,810.00

(Process Topographic Data and prepare Survey)

18.5 Hours PSM @ \$125.00/hour = \$2,312.50

(Project Management, Supervision, and Process GPS Data)

Fee Estimate for Topographic Survey = \$19,722.50

B. Inventory of Drainage Structures within the project, along streets to be determined by the client.

- Utilizing previous Topographic Survey of Ensley Drainage Project, field-check the existence of drainage structures previously located.
- Locate drainage structures not shown on the previous survey via Real Time Kinematic GPS procedures to achieve a positional accuracy of 0.2'.
- Systematically sample a limited number of previously located drainage structures to compare vertical values to current values for quality assurance purposes.

3 Days of Structure Inventory = \$5,000.00

(Field-check and locate drainage structures, including data processing, and drafting)

C. Topographic Survey of the Caro Street Retention Pond (approximately 4.8 acres).

- Collect topographic information to include ground shots within the pond, all aboveground visible improvements, storm sewer and drainage structures (with invert elevations where accessible), wood lines, and protected trees as defined by the Escambia County Land Development Code.

2 Days of Field Work @ \$1,200/day = \$2,400.00

(Traverse, Bench Line, Topographic Data Collection, Reference Project Database to Published Horizontal/Vertical Control, Set Project Control)

14 Hours of Cad @ \$65.00/hour = \$910.00

(Process Topographic Data and prepare Survey)

3.5 Hours PSM @ \$125.00/hour = \$437.50

(Project Management and Supervision)

Fee Estimate for Topographic Survey = \$3,747.50

Task 2

A. Prepare Topographic Survey of Portions of Satsuma Avenue, Hannah Street, Mayflower Avenue, Devane Street, Juniper Avenue, Rawls Avenue, Orange Avenue, Dudley Avenue, Grimsley Street, Ensley Street, Laurel Avenue, and Page Street, totaling approximately 7,100', to include:

- Collect topographic information to include all aboveground visible improvements, edges of pavement, pavement marking, curbing, driveways, storm sewer and drainage



structures (with invert elevations where accessible), sanitary sewer structures (with invert elevations where accessible), wood lines, and protected trees as defined by the Escambia County Land Development Code.

- Depict calculated rights of way of the project corridors based on found monumentation and descriptions provided to, or obtained by, the Surveyor.
- Depict approximate parcel lines adjacent to the project corridors based on GIS shapefiles found on the Escambia County Property Appraiser website.
- Depict addresses and/or parcel identification numbers of parcels adjacent to the project corridor per the Escambia County Property Appraiser website.
- Reference Survey to the Florida North State Plane Coordinate System, North American Datum of 1983.
- Reference Survey to the North American Vertical Datum of 1988.
- Provide horizontal coordinates and elevations of 12 project control points.
- Locate and depict aboveground visible evidence of underground utilities as evidenced by aboveground features marked by others, at the time of field survey. The surveyor will obtain and provide a list of utilities and utility company contact information per Sunshine One Call design ticket request, covering the project site. *The Surveyor will not be responsible for coordinating the location of underground utilities.*

11 Days of Field Work @ \$1,200/day	=	\$13,200.00
<i>(Traverse, Bench Line, Topographic Data Collection, Reference Project Database to Published Horizontal/Vertical Control, Set Project Control)</i>		
77 Hours of Cad @ \$65.00/hour	=	\$5,005.00
<i>(Process Topographic Data and prepare Survey)</i>		
20 Hours PSM @ \$125.00/hour	=	<u>\$2,500.00</u>
<i>(Project Management, Supervision, and Process GPS Data)</i>		
Fee Estimate for Topographic Survey	=	\$20,705.00

B. Topographic Survey of the Retention Pond adjacent to the Escambia County Health Department (approximately 5.3 acres).

- Collect topographic information to include ground shots within the pond, all aboveground visible improvements, storm sewer and drainage structures (with invert elevations where accessible), wood lines, and protected trees as defined by the Escambia County Land Development Code.

2 Days of Field Work @ \$1,200/day	=	\$2,400.00
<i>(Traverse, Bench Line, Topographic Data Collection, Reference Project Database to Published Horizontal/Vertical Control, Set Project Control)</i>		
14 Hours of Cad @ \$65.00/hour	=	\$910.00
<i>(Process Topographic Data and prepare Survey)</i>		
3.5 Hours PSM @ \$125.00/hour	=	<u>\$437.50</u>
<i>(Project Management and Supervision)</i>		
Fee Estimate for Topographic Survey	=	\$3,747.50



600 UNIVERSITY OFFICE BLVD., SUITE 17-B
PENSACOLA, FL 32504
P:850.857.7725
F:850.857.7726

C. Topographic Survey of approximately 4 acres of additional Retention Pond area.

- **Collect topographic information to include ground shots within the pond, all aboveground visible improvements, storm sewer and drainage structures (with invert elevations where accessible), wood lines, and protected trees as defined by the Escambia County Land Development Code.**

1.75 Days of Field Work @ \$1,200/day = \$2,100.00

(Traverse, Bench Line, Topographic Data Collection, Reference Project Database to Published Horizontal/Vertical Control, Set Project Control)

13 Hours of Cad @ \$65.00/hour = \$845.00

(Process Topographic Data and prepare Survey)

3 Hours PSM @ \$125.00/hour = \$375.00

(Project Management and Supervision)

Fee Estimate for Topographic Survey = \$3,320.00

Task 3

A. Prepare 20 legal descriptions of properties to be acquired by Escambia County.

- **Legal descriptions to be based on previous deeds as provided to, or obtained by, the Surveyor.**
- **No field work will be performed to prepare the legal descriptions.**

20 Legal Descriptions @ \$350.00/description = \$7,000.00

Total Fee Estimate for All Tasks = \$63,242.50

Deliverables of the Survey shall include 4 signed and sealed sets and an electronic drawing file in AutoCAD Civil 3D 2010 format conforming to HDR Cad Standards.

This proposal is void if not accepted within 60 days from the date of this proposal. If you have any questions concerning this proposal or need any other information, please feel free to contact me by telephone at (850) 857-7725.

Sincerely,

Nobles Consulting Group, Inc.

Eric B. Stuart, LS
Branch Manager

ATTACHMENT B

GEOTECHNICAL INVESTIGATION
FEE ESTIMATE

By: Larry M. Jacobs and Associates

Figure #1

LMJ COST BREAKDOWN

CLIENT:	Mr. Allen Vinson, PE w/ HDR
PROJECT:	Ensley Drainage Project, Escambia County, Florida

UNIT FEE	EST. QTY	EST. COST
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FIELD TESTING/DRILLING SERVICES

MOBILIZATION	0-25 MI	\$325.00 /EA	2	650.00
	26-75 MI	\$405.00 /EA		
	76-125 MI	\$460.00 /EA		
STANDARD PENETRATION TEST BORINGS 7@25', 6@35', 12@40', 27@6', and 4@25'	0-40 FT	\$13.00 /LF	1127	14,651.00
	41-80 FT	\$15.00 /LF		
	81-120 FT	\$17.00 /LF		
TRIPOD BORINGS	0-30 FT	\$18.00 /LF		
	31-60 FT	\$20.00 /LF		
CORE AND PATCH PAVEMENT		\$30.00 /EA	22	660.00
MAINTENANCE OF TRAFFIC (SIGNS, CONES & FLAGMEN)		\$120.00 /HR	4	480.00
OBTAIN UNDISTURBED/SHELBY TUBE/BULK SAMPLE		\$75.00 /EA	17	1,275.00
ENGINEERING TECHNICIAN (LOCATE BORINGS & CLEAR UTILITIES)		\$53.00 /HR	16	848.00
ENGINEERING TECHNICIAN MILEAGE		\$0.50 /MI		
FIELD TESTING/DRILLING TOTAL				\$18,564.00

LABORATORY TESTING SERVICES

WATER CONTENT		\$15.00 /EA		
SIEVE ANALYSIS		\$50.00 /EA	12	600.00
WASH #200 SIEVE		\$35.00 /EA		
PERMEABILITY (INCL. UNIT WEIGHT & MOISTURE CONTENT)		\$95.00 /EA	12	1,140.00
ATTERBERG LIMITS TEST		\$85.00 /EA		
LIMEROCK BEARING RATIO TEST		\$425.00 /EA	5	2,125.00
BASIC PROPERTIES TESTING ALLOWANCE				1,500.00
LABORATORY TESTING TOTAL				\$5,365.00

ENGINEERING SERVICES

PRINCIPAL GEOTECHNICAL ENGINEER		\$125.00 /HR		
SENIOR GEOTECHNICAL ENGINEER		\$100.00 /HR		
PROJECT ENGINEER		\$90.00 /HR	40	3,600.00
PROJECT MANAGER		\$85.00 /HR		
CAD TECHNICIAN		\$50.00 /HR	22	1,100.00
ENGINEERING TOTAL				\$4,700.00

TOTAL ESTIMATED COST RANGE

\$28,629.00





BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1136

County Administrator's Report Item #: 12. 5.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/04/2011

Issue: Gasoline and Diesel Fuel PD 10-11.059

From: Amy Lovoy

Organization: OMB

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Gasoline and Diesel Fuel - Amy Lovoy, Management and Budget Services Department Director

That the Board award a one-year Contract with two, one-year options to Cougar Oil, Inc., for Gasoline and Diesel Fuel, PD 10-11.059, for approximately \$7,000,000 per year, in accordance with the terms and conditions of the solicitation and annual appropriations.

[Funding: Fund 501, Internal Service Fund, Cost Center 210407, Object Code 55201]

BACKGROUND:

The Office of Purchasing advertised the Invitation to Bid on June 20, 2011, and noticed approximately 10 contractors. A total of 5 bids were received and opened on July 5, 2011.

BUDGETARY IMPACT:

[Funding: Fund 501 Internal Service Fund, Cost Center 210407, Object Code 55201]

LEGAL CONSIDERATIONS/SIGN-OFF:

Assistant County Attorney Kristin Hual prepared the contract.

PERSONNEL:

NA

POLICY/REQUIREMENT FOR BOARD ACTION:

This recommendation is consistent with the Escambia County, FL Code of Ordinance , Chapter 46, Article II, Section 46-44, Applications; Exemption; and Section 46-64 Board Approval.

IMPLEMENTATION/COORDINATION:

Attachments

Bid Tab

**PUBLIC NOTICE OF RECOMMENDED AWARD
GASOLINE AND DIESEL FUEL
SPECIFICATION NO. #PD 10-11.059**

BID TABULATION							
Bid Opening Time: 3:00 p.m.,CDT		Cougar Oil Inc.					
Bid Opening Date: 07/07/2011		Pensacola	Mobile	Atmore	Montgomery	Niceville	Freeport
Bid Opening Location: Rm 11.407							
DESCRIPTION		Markup to Supplier's List					
TRANSPORT DELIVERY							
Gasoline, Unleaded, 89 Octane	0.03267	0.0519	N/A	0.1039	0.0569	0.0688	
Gasoline, Unleaded, 92 Octane	0.03267	0.0519	N/A	0.1039	0.0569	0.0688	
#2-D Ultra Low Sulfur Diesel, Red Dye	0.0339	0.0569	0.0626	0.1159	0.0619	0.0759	
#2-D Ultra Low Sulfur Diesel Fuel	0.0339	0.0569	0.0626	0.1159	0.0619	0.0759	
Gasoline, Unleaded, 87 Octane	0.03267	0.0519	N/A	0.1039	0.0569	0.0688	
TANK WAGON DELIVERY							
Gasoline, Unleaded, 87 Octane	0.15767	0.1769	N/A	0.2289	0.1819	0.1938	
Gasoline, Unleaded, 89 Octane	0.15767	0.1769	N/A	0.2289	0.1819	0.1938	
Gasoline, Unleaded, 92 Octane	0.1589	0.1819	N/A	0.2409	0.1869	0.2009	
#2-D Ultra Low Sulfur Diesel, Red Dye	0.1589	0.1819	0.1876	0.2409	0.1869	0.2009	
#2-D Ultra Low Sulfur Diesel Fuel	0.15767	0.1769	0.1876	0.2289	0.1819	0.1938	
TERMINALS & AVAILABLE SUPPLIERS							

Terminal: Pensacola, Transmontaigne

Suppliers: BP Branded, Flint Hills, Motiva Ent., Truman Arnold, Pure TPSI

Terminal: BP Mobile

Suppliers: BP Branded, BP Unbranded, Truman Arnold

Terminal: Shell Refinery Mobile

Suppliers: Murphy, BP Branded, Motiva Ent.

Terminal: Citgo- Niceville

Suppliers: BP Branded, Citgo Unbranded, Truman Arnold

Terminal: Murphy Montgomery

Suppliers: Pure, TPSI, Murphy

Terminal: Marathon Montgomery

Suppliers: Marathon, Motiva Ent.

DESCRIPTION						
TRANSPORT DELIVERY		Mansfield Oil Company				
	Pensacola	Mobile	Atmore	Montgomery	Niceville	Freeport
	Markup to Supplier's List					
Gasoline, Unleaded, 89 Octane	0.0353	0.0535	0.0546	0.1053	0.0546	0.0581
Gasoline, Unleaded, 92 Octane	0.0353	0.0535	0.0546	0.1053	0.0546	0.0581
#2-D Ultra Low Sulfur Diesel, Red Dye	0.0377	0.0587	0.0599	0.1077	0.0599	0.0634
#2-D Ultra Low Sulfur Diesel	0.0377	0.0587	0.0599	0.1077	0.0599	0.0634
Gasoline, Unleaded, 87 Octane	0.0353	0.0535	0.0549	0.1053	0.0546	0.0581
TANK WAGON DELIVERY						
Gasoline, Unleaded, 87 Octane	0.2455	0.2580	0.2780	0.3155	0.2730	0.2780
Gasoline, Unleaded, 89 Octane	0.2455	0.2580	0.2780	0.3155	0.2730	0.2780
Gasoline, Unleaded, 92 Octane	0.2455	0.2580	0.2780	0.3155	0.2730	0.2780
#2-D Ultra Low Sulfur Diesel, Red Dye	0.2005	0.2130	0.2330	0.2705	0.2280	0.2330
#2-D Ultra Low Sulfur Diesel Fuel	0.2005	0.2130	0.2330	0.2705	0.2280	0.2330
TERMINALS & AVAILABLE SUPPLIERS						

Terminal: TransMontaigne (Pensacola, FL)

Suppliers: BP, Flint Hills, Motiva, Murphy, TransMontaigne

Terminal: BP, Chevron (Mobile, AL)

Suppliers: BP, Exxon Mobile, Shell, Citgo, Motiva

Terminal: BP, Marathon, Magellan, etc.

Suppliers: BP, Chevron, Exxon Mobil, Flint Hills, Motiva, TransMontaigne, Marathon

Terminal: CITGO (Niceville, FL)

Suppliers: Chevron, ConocoPhillips, Exxon Mobil, Citgo

Terminal: Murphy (Freeport, FL)

Suppliers: Murphy

**PUBLIC NOTICE OF RECOMMENDED AWARD
GASOLINE AND DIESEL FUEL
SPECIFICATION NO. #PD 10-11.059**

DESCRIPTION						
TRANSPORT DELIVERY	The McPherson Companies, Inc.					
	Pensacola	Mobile	Atmore	Montgomery	Niceville	Freeport
	Markup to Supplier's List					
Gasoline, Unleaded, 89 Octane	0.0319	0.0539	N/A	0.189	0.129	0.149
Gasoline, Unleaded, 92 Octane	0.0319	0.0539	N/A	0.189	0.129	0.149
#2-D Ultra Low Sulfur Diesel, Red Dye	0.0329	0.0579	N/A	0.199	0.139	0.159
#2-D Ultra Low Sulfur Diesel	0.0329	0.0579	N/A	0.199	0.139	0.159
Gasoline, Unleaded, 87 Octane	0.0319	0.0539	N/A	0.189	0.129	0.149
TANK WAGON DELIVERY						
Gasoline, Unleaded, 87 Octane	0.1485	0.1990	N/A	0.499	0.329	0.329
Gasoline, Unleaded, 89 Octane	0.1485	0.1990	N/A	0.499	0.329	0.329
Gasoline, Unleaded, 92 Octane	0.1485	0.1990	N/A	0.499	0.329	0.329
#2-D Ultra Low Sulfur Diesel, Red Dye	0.1485	0.1990	N/A	0.499	0.329	0.329
#2-D Ultra Low Sulfur Diesel Fuel	0.1485	0.1990	N/A	0.499	0.329	0.329
TERMINALS & AVAILABLE SUPPLIERS						

Terminal: TPSI- Pensacola	Suppliers: BP, Citgo, Flint Hills, Motiva, Shell, TPSI
Terminal: Shell Chemical-Saraland, AL	Suppliers: BP, Citgo, Exxon/Mobil, Motica, Mystik, Shell
Terminal: CITGO (Niceville, FL)	Suppliers: Citgo, Shell
Terminal: Murphy-Freeport, FL	Suppliers: Murphy
Terminal: Montgomery, AL-Variou	Suppliers: BP, Citgo, Colonial, Exxon, Flint Hills, Marathon Motiva, Murphy, Placid, Shell

DESCRIPTION						
TRANSPORT DELIVERY	Petroleum Traders Corporation					
	Pensacola	Mobile	Atmore	Montgomery	Niceville	Freeport
	Markup to Supplier's List					
Gasoline, Unleaded, 89 Octane	0.0543	0.0501	No Bid	0.0565	0.0687	0.0779
Gasoline, Unleaded, 92 Octane	0.0543	0.0501	No Bid	0.0565	0.0687	0.0779
#2-D Ultra Low Sulfur Diesel, Red Dye	0.0568	0.052	No Bid	0.0957	0.0886	0.0840
#2-D Ultra Low Sulfur Diesel	0.0568	0.052	No Bid	0.0957	0.0886	0.0840
Gasoline, Unleaded, 87 Octane	0.0543	0.0501	No Bid	0.0565	0.0687	0.0779
TANK WAGON DELIVERY						
Gasoline, Unleaded, 87 Octane	0.2300	0.2700	No Bid	0.3000	0.2700	0.2700
Gasoline, Unleaded, 89 Octane	0.2300	0.2700	No Bid	0.3000	0.2700	0.2700
Gasoline, Unleaded, 92 Octane	0.2300	0.2700	No Bid	0.3000	0.2700	0.2700
#2-D Ultra Low Sulfur Diesel, Red Dye	0.2300	0.2700	No Bid	0.3000	0.2700	0.2700
#2-D Ultra Low Sulfur Diesel Fuel	0.2300	0.2700	No Bid	0.3000	0.2700	0.2700
TERMINALS & AVAILABLE SUPPLIERS						

Terminal: Pensacola, FL	Suppliers: Flint Hills, Motiva, Murphy & Transmontaigne
Terminal: Mobile, AL	Suppliers: BP, ExxonMobil, Chevron, Flint Hills, Motiva, Murphy, Placid and Valero
Terminal: Atmore, AL	Suppliers: N/A
Terminal: Montgomery, AL	Suppliers: Colonial, Marathon, Placid, Mruphy and Motiva
Terminal: Niceville, FL	Supplier: Citgo
Terminal: Freeport & Panama City, FL	Supplier: Murphy, Valero, Flint Hills and Citgo

**PUBLIC NOTICE OF RECOMMENDED AWARD
GASOLINE AND DIESEL FUEL
SPECIFICATION NO. #PD 10-11.059**

DESCRIPTION						
TRANSPORT DELIVERY	RKA Petroleum Companies, Inc.					
	Pensacola	Mobile	Atmore	Montgomery	Niceville	Freeport
	Markup to Supplier's List					
Gasoline, Unleaded, 89 Octane	0.0506	0.0700	No Bid	0.1133	0.0713	0.0827
Gasoline, Unleaded, 92 Octane	0.0506	0.07	No Bid	0.1133	0.0713	0.0827
#2-D Ultra Low Sulfur Diesel, Red Dye	0.0592	0.0852	No Bid	0.1429	0.0869	0.0963
#2-D Ultra Low Sulfur Diesel	0.0592	0.0852	No Bid	0.1429	0.0869	0.0963
Gasoline, Unleaded, 87 Octane	0.0506	0.07	No Bid	0.1133	0.0713	0.0827
TANK WAGON DELIVERY						
Gasoline, Unleaded, 87 Octane	0.1870	No Bid	No Bid	No Bid	0.2570	0.2764
Gasoline, Unleaded, 89 Octane	0.1870	No Bid	No Bid	No Bid	0.0257	0.2764
Gasoline, Unleaded, 92 Octane	0.1870	No Bid	No Bid	No Bid	0.0257	0.2764
#2-D Ultra Low Sulfur Diesel, Red Dye	0.1870	No Bid	No Bid	No Bid	0.0257	0.2764
#2-D Ultra Low Sulfur Diesel Fuel	0.1870	No Bid	No Bid	No Bid	0.0257	0.2764
TERMINALS & AVAILABLE SUPPLIERS						

Terminal: Pensacola, FL	Suppliers: TransMontaigne, Motiva and Flint Hills
Terminal: Mobile, AL	Suppliers: Motiva and Citgo
Terminal: Atmore, AL	Suppliers: N/A
Terminal: Montgomery, AL	Suppliers: Marathon, Murphy, Chevron, Colonial and Musket
Terminal: Niceville, FL	Supplier: Citgo and Murphy
Terminal: Freeport & Panama City, FL	Supplier: Murphy

The Escambia Road Department recommends to the BCC to award an Indefinite Quantity, Indefinite Delivery Contract for PD 10-11.059 "Gasoline and Diesel Fuel" to: Cougar Oil Inc.

Pursuant to Section 119.07(3)(M),F.S., all documents relating to this tabulation are available for public inspection copying at the Office of the Purchasing Manager.

Posted: 10:00 a.m, CDT, Monday, July 18, 2011

JFP/ crs



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1084

County Administrator's Report Item #: 12. 6.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/04/2011

Issue: Security Services for Various County Buildings, PD 10-11.043

From: Amy Lovoy

Organization: OMB

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Security Services for Various County Buildings - Amy Lovoy,
Management and Budget Services Department Director

That the Board award an Indefinite Quantity, Indefinite Delivery Contract, PD 10-11.043, for Security Services for Various County Buildings for a period of 12 months, with renewal options for 4 additional 12-month periods, up to a maximum of 60 months, to Securitas Security Services USA, Inc., with estimated annual expenditures for the County Government Complex-\$33,000, Court Administration-\$215,000, and \$60,000 for Community Corrections.

[Funding: County Government Complex: Fund 001, General Fund, Cost Center 110201, Object Code 53401; Court Administration: Fund 115, Article V Fund, Cost Center 410505, Object Code 53401; Corrections Department: Fund 114, Misdemeanor Probation Fund, Cost Center 290305, Object Code 53401]

BACKGROUND:

The Office of Purchasing advertised the solicitation on June 20, 2011, and noticed over 20 contractors. A total of 6 bids were received and opened on July 5, 2011.

BUDGETARY IMPACT:

[Funding: County Government Complex, General Fund 001, Cost Center 110201, Object Code 53401; Court Administration, Fund 115, Cost Center 410505, Object Code 53401; Corrections Bureau, Fund 114, Cost Center 290305, Object Code 53401]

LEGAL CONSIDERATIONS/SIGN-OFF:

Assistant County Attorney Kristin Hual prepared the Contract.

PERSONNEL:

NA

POLICY/REQUIREMENT FOR BOARD ACTION:

This recommendation is consistent with the Escambia County, FL Code of Ordinance, Chapter 46, Article II, Section 46-44, Applications; Exemption; and Section 46-64 Board Approval.

IMPLEMENTATION/COORDINATION:

The Office of Purchasing will issue the Purchase Orders.

Attachments

Bid Tab

PUBLIC NOTICE OF RECOMMENDED AWARD

BID TABULATION	DESCRIPTION: Security Services for Various County Buildings ITB# 10-11.043								
Bid Opening Time: 4:00 p.m., CDT Bid Opening Date: 7/8/11 Pre-Bid: 10:00 a.m., CDT 6/29/11 Opening Location: Rm 11.407	Cover Sheet/ Acknowl.	Sworn Statement Pursuant to Section (287.133) (3) (a), <u>Florida Statutes</u> , on Entity Crimes	Drug-Free Workplace Form	Information Sheet for Transactions & Conveyances Corporation ID	Certificate of authority to do Business in the State of Florida/ Certificate of Insurance	Acknowledgement of Addendums	Standard Security Officers	Standard Supervisor	Correctional Officer
NAME OF BIDDER									
AlliedBarton Security Services, LLC 4080 Woodcock Dr, Suite 140 Jacksonville, FL 32207	X	X	X	X	X	X	\$10.62	\$12.73	\$12.73
DSI Security Services 870 Blountstown Highway, Suite 4 Tallahassee, FL 32304	X	X	X	X	X	X	\$10.94	\$11.30	\$13.44
Dynamic Security, Inc. 3206 S. Hwy 95A Cantonment, FL 32533	X	X	X	X	X	X	\$10.58	\$12.61	\$12.61
G4SSecure Solutions USA Inc 7282 Plantation Rd, Suite 203 Pensacola, FL 32504	X	X	X	X	X	X	\$14.19	\$14.87	\$16.40
Giddens Security Corporation 528 S. Edgewood Ave Jacksonville, FL 32205	X	X	X	X	X	X	\$10.90	\$12.76	\$12.78
Securitas Security Services USA, Inc. 11 East Olive Roads, Suite 101 Pensacola, FL 32514	X	X	X	X	X	X	\$10.31	\$12.46	\$12.52
BIDS OPENED BY:	Joe Pillitary, CPPB, CPPO, Purchasing Coordinator <i>JFP</i> DATE: July 18, 2011								
BIDS TABULATED BY:	Cynthia Smith, Senior Office Assistant DATE: July 18, 2011								

CAR DATE: 8/4/2011

BOCC DATE: 8/4/2011

The Escambia County Administration Office recommends to the BCC to award a unit Price, Indefinite Quantity, Indefinite Delivery Contract for PD 10-11-.043, Security Services for Various County Buildings to: Securitas Security Services, USA, Inc.

Pursuant to Section 119.07(3)(M), F.S., all documents relating to this tabulation are available for public inspection and copying at the office of the Purchasing Manager



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-968

County Administrator's Report Item #: 12. 7.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/04/2011

Issue: Custodial Services for County Buildings PD 10-11.049

From: Amy Lovoy

Organization: OMB

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Custodial Services for County Buildings PD 10-11.049 - Amy Lovoy, Management and Budget Services Department Director

That the Board award a three-year Contract to American Facility Services, Inc., for Custodial Services for County Buildings, PD 10-11.049, in accordance with the terms and conditions of the solicitation and annual appropriation of funds, for approximately \$617,000 per year for the Facilities Maintenance Division, \$30,000 for the Roads Division and \$38,000 for the Solid Waste Department.

[Funding: Facilities Management-Custodial: Fund 001, General Fund, Cost Center 210603, Object Code 53401; Roads and Bridges-Administration: Fund 175, Transportation Trust Fund, Cost Center 210401, Object Code 53401; Solid Waste-Administration: Fund 401, Solid Waste Fund, Cost Center 230301, Object Code 53401; Solid Waste-Operations: Fund 401, Solid Waste Fund, Cost Center 230304, Object Code 53401; Solid Waste-Palafox Transfer Station: Fund 401, Solid Waste Fund, Cost Center 230307, Object Code 53401]

BACKGROUND:

The Office of Purchasing advertised the solicitation on May 16, 2011, and noticed over 20 contractors. A total of 6 bids were received and opened on June 9, 2011.

BUDGETARY IMPACT:

Funding: Facilities Management, Custodial Fund 001, Cost Center 210603, Object Code 53401, Roads and Bridges-Administration, Fund 175, Cost Center 210401, Object Code 53401, Solid Waste-Administration, Fund 401, Cost Center 230301, Object Code 53401, Solid Waste-Operations Fund 401, Cost Center 230304, Object Code 53401, Solid Waste -Palafox Transfer Station Fund 401, Cost Center 230307, Object Code 53401

LEGAL CONSIDERATIONS/SIGN-OFF:

Assistant County Attorney Kristin Hual prepared the Contract.

PERSONNEL:

NA

POLICY/REQUIREMENT FOR BOARD ACTION:

The recommendation is consistent with the Escambia County, FL Code of Ordinance, Chapter 46, Article II, Section 46-44, Applications; Exemption; and Section 46-64 Board approval.

IMPLEMENTATION/COORDINATION:

The Office of Purchasing will distribute the Contract.

Attachments

Bid Tab

PUBLIC NOTICE OF RECOMMENDED AWARD

BID TABULATION

BID TABULATION		DESCRIPTION: Custodial Services for County Buildings, BID # PD 10-11.049									
Bid Opening Time: 3:00 pm CDT Bid Opening Date: 06/09/2011 Bid Opening Location: 11.407		Solicitation Offer & Award Form	Bid Bond or Check	Drug-Free Workplace Form	Information Sheet for Transactions & Conveyances Corporation ID	Certificate of Authority to do Business in the State of Florida	Acknow. of Addendums	Sworn Statement Pursuant to Sec 287.133 FL Statutes	Total Bid Amount		
NAME OF BIDDER											
OJS Systems, Inc.		Y	Check	Y	Y	Y	Y	Y	\$755,816.00		
Modern Janitorial & Service Co.		Y	Check	N	N	N	N	Y	\$1,034,362.20		
Reliable Building Maintenance Service, Inc.		Y	Check	Y	Y	Y	Y	Y	\$749,268.12		
R Square Floor Care		Y	Check	Y	Y	Y	N	Y	\$859,914.88		
Southern Management		Y	Bid Bond	Y	Y	N	Y	Y	\$731,863.80		
American Facility Services, Inc.		Y	Bid Bond	Y	Y	Y	Y	Y	\$649,572.00		
NO BID – Elite Building Services											
BIDS OPENED BY:		Joe Pilitary, CPPO, CPPB, Purchasing Coordinator									
BIDS TABULATED BY:		Lori Kistler, SOSA									
BIDS WITNESSED BY:		Lori Kistler, SOSA									

UNDER REVIEW

NO BID – Elite Building Services

CAR
DATE 8/4/2011

BOCC
DATE 8/4/2011

The Purchasing Manager/Designee recommends to the BCC: To award a Contract to American Facility Services, Inc. in the amount of 649,572. Pursuant to Section 119.07(3)(M), F.S., all documents relating to this tabulation are available for public inspection and copying at the Office of the Purchasing Manager.

Posted: 7/19/2011 @ 3:30 PM, CDT



JP/IK



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1115

County Administrator's Report Item #: 12. 8.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/04/2011

Issue: Change Order to Purchase Order #111184 to E. B. Morris General Contractors, Inc. for the Sanchez Court Rental Rehabilitation/Mitigation Project

From: Keith Wilkins, REP

Organization: Community & Environment

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Change Order to Purchase Order #111184 to E. B. Morris General Contractors, Inc., for the Sanchez Court Rental Rehabilitation/Mitigation Project - Keith Wilkins, REP, Community & Environment Department Director

That the Board approve and authorize the County Administrator to execute the following Change Order #1, which will increase the Purchase Order amount to incorporate Alternate #2 to provide and install impact windows; Alternate #4 to provide and install new air conditioning condensing units and amenities; Alternate #3A to construct gabled front porch elevations for all street facing rental units; and the additional Builder's Risk Insurance Premium associated with the additional work summarized as follows:

Department:	Community & Environment
Division:	Neighborhood Enterprise Foundation, Inc.
Type:	Addition
Amount:	\$352,212.75
Vendor:	E. B. Morris General Contractors, Inc.
Project Name:	Sanchez Court Rental Rehabilitation/ Mitigation Project (Service Area #4)
Contract:	PD 10-11.015
PO #:	111184
Change Order #:	1
Original Award Amount:	\$1,442,218.00
Cumulative Amount of Change Orders Through CO#1:	\$ 352,212.75
New P. O. Amount:	\$1,794,430.75

[Funding: Fund 110, Other Grants and Projects/CDBG Disaster Recovery Grants, Cost Center 220436 and Fund 124/Affordable Housing, Cost Center 220442]

BACKGROUND:

In September 2008, Congress approved the Consolidated Security, Disaster Assistance and Continuing Appropriations Act 2009 for the purpose of providing funds to address impacts of the 2008 Presidentially Declared Disasters. A portion of the funding was allocated to the State of Florida Department of Community Affairs (DCA) for use in supporting Community Development Block Grant (CDBG) eligible activities authorized under the 2008 Storms CDBG Disaster Recovery Program. Through this opportunity, Escambia County, in consultation with the City of Pensacola and Town of Century, received \$7,067,397 for CDBG eligible activities that mutually benefit the jurisdictions, including a set-aside specifically limited to affordable housing. Although granted to Escambia County by DCA, these funds were awarded to support activities within the corporate limits of Pensacola and Century as well (see Exhibit I for Board Resume regarding the original grant award). The funds were allocated to four CDBG eligible projects, including Sanchez Court Rental Rehabilitation/Mitigation, which provides for extensive improvements to the existing 48-units located adjacent to Morris Court Apartments and owned by the Area Housing Commission. Rehabilitation of Sanchez Court rental housing is now underway by E. B. Morris General Contractors, Inc. based on the April 21, 2011 bid award by the Board (see Exhibit II for Board Resume).

After filing the original Grant application with DCA, additional CDBG funds, known as Disaster Recovery Enhancement Funds (DREF), were awarded to DCA by HUD to supplement ongoing projects initiated with the 2008 Storms Grant described above. These supplemental funds will be used to continue/enhance ongoing projects originally initiated with DCA CDBG Disaster funds provided through Grant Contract 10DB-D4-01-27-01-K08 (2008 Storms), including provision of additional funding for the Sanchez Court Project. With the supplemental funding, additional work will be added to the existing contract, including: Alternate #2 to provide and install impact windows on all 48 units; Alternate #4 to provide and install new air conditioning condensing units and amenities on all 48 units; Alternate #3A to construct gabled front porch elevations for all street facing Sanchez Court rental units; and the additional Builder's Risk Insurance Premium associated with the additional work for at a total cost of \$352,212.75 (see Exhibit III for detailed breakdown of Change Order #1).

BUDGETARY IMPACT:

Funds for this project are budgeted in Fund 110/Other Grants in Cost Center 220436 (the original grant award) and Fund 124/Cost Center 220442 (the supplemental DREF grant). The costs for the Sanchez Court Project will be divided between the two cost centers.

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

The recommendation is consistent with Escambia County Purchasing policies and procedures.

IMPLEMENTATION/COORDINATION:

Continuing Grant implementation and oversight will be provided by NEFI/Community & Environment Department with the assistance of the Office of Purchasing. The project is also coordinated with the Pensacola Housing Department. Strict timelines will be monitored closely by DCA.

Attachments

Exhibit I

Exhibit II

Exhibit III

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-17. Approval of Various Consent Agenda Items – Continued

- 2. Approving, and authorizing the Interim County Administrator to execute, the following Change Order (Funding Source: Fund 115, Professional Training, Cost Center 290206, Object Code 56401):


Bureau:	Corrections
Division:	Escambia County Road Prison
Type:	Addition
Amount:	\$37,694
Vendor:	Hub City Ford, Inc.
Project Name:	K-9 Training Units
Contract:	Piggyback Florida Sheriff's Association Contract #09-17-0908
Purchase Order Number:	101383
Change Order Number:	1
Original Award Amount:	\$34,604
This Change Order Amount:	<u>\$37,694</u>
New Contract Total:	\$72,298

3. Accepting the Community Development Block Grant (CDBG) Disaster Recovery (2008 Storms) Grant #10DB-D4-01-27-01-K08, which was approved by the State of Florida Department of Community Affairs, awarding a total of \$7,067,397 for approved, CDBG-eligible projects jointly benefiting the citizens of Escambia County, the City of Pensacola, and the Town of Century.

- 4. See Page 31.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – ContinuedCOUNTY ADMINISTRATOR'S REPORT – ContinuedII. BUDGET/FINANCE CONSENT AGENDA – Continued1-23. Approval of Various Consent Agenda Items – Continued

20. Authorizing Gulf Power Corporation to provide and install five street lights on Northpointe Parkway, between Briar Oak Drive and Scenic Highway, to address citizen safety concerns; the utilization cost for the five lights is \$105 per month; Gulf Power Corporation will install the street lights within 30 days of Board authorization (Funding Source: Fund 175, "Transportation Trust Fund," Cost Center 270201, "Traffic Operations and Planning," Object Code 54301, "Utility Services").
21. See Page 23.
22. See Page 24.
23. Ratifying the *Memorandum of Understanding between BP Exploration & Production, Inc., and Florida's Coastal Northwest Communications Council, Inc.*, recognizing distribution of said funds for Incentivized Travel, Special Events, Social Media, Public Relations and Promotions, and Advertising, as noted on Exhibit 1, Escambia County Allocation Table; Addendum III to the Memorandum of Understanding, BP Code of Conduct.

8. Sanchez Court Rental Rehabilitation/Mitigation 

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, awarding a Contract to E.B. Morris General Contractors, Inc., for the Sanchez Court Rental Rehabilitation/Mitigation Project (*Service Area #4*), Contract PD 10-11.015, for the base bid amount of \$1,442,218 (Funding: Fund 110, Other Grants and Projects/DCA, CDBG Disaster Grant, Cost Center 220436, Object Code 58301).

For Information: The Board heard Commissioner Young disclose that she serves on the Area Housing Board; however, because she is not paid, she is not precluded from voting on this issue.

EXHIBIT F
CONSTRUCTION CHANGE ORDER

Change Order Number <u>01</u>	Contract Number	PD <u>10-11.015</u>
Date: <u>07/01/2011</u>	Dated:	<u>06/02/2011</u>

To: E.B. Morris General Contractors, Inc.
7011 Business Park Blvd., N.
Jacksonville, FL 32256

Project Name: Sanchez Court Rental Rehabilitation / Mitigation Project

You are hereby authorized and directed to make the following changes in accordance with terms and conditions of the Agreement:

Describe changes here:

<i>Item</i>	<i>Amount</i>
<p>Include Alternate No. 2: WINDOWS – Complete all work (labor, tools and materials) necessary for furnishing and installing new single hung replacement exterior windows for all 48 dwelling units, including removal of existing window and necessary remedial work on all adjacent surfaces. New Windows to be Atrium Series MPSH.</p>	154,476.00
<p>Include Alternate No. 4: AIR CONDITIONING (fan coil, outdoor condensing unit, concrete pad, electrical, and all required accessories). Complete all work (labor, tools, equipment and materials) necessary for the installation of complete air conditioning systems for all 48 dwelling units. Condensate drains to discharge to exterior drywells per plan</p>	126,297.00
<p>Alternate No. 3A: GABLED FRONT PORCH – Complete all work (labor, tools and materials) necessary for demolition and new construction of new gable roofed porch including new footings, masonry & concrete columns, roof framing, siding, roofing and all trim; including Gabled Front Porches on Buildings #1 thru 3, 5, 6, 15 and 16 (20 dwelling units).</p>	66,545.00
<p>Builders Risk Insurance Premium; increased prorated for above additions to Contract Amount (see attached Calculation Data)</p>	4,894.75
Total Change Order	352,212.75

	Dollars	Time in Calendar Days
Original Contract Amount	\$ <u>1,442,218.00</u>	<u>330</u>
Sum of Previous Change Orders	\$ <u>0.00</u>	
This Change Order	\$ <u>352,212.75</u>	<u>30</u>
Adjusted Agreement Amount	\$ <u>1,794,430.75</u>	<u>360</u>

The contract substantial completion date will be increased/decreased by 30 calendar days due to this Change Order, The new contract substantial completion date is June 6th, 2012. Your acceptance of this Change Order shall constitute a modification to our Agreement and will be performed subject to all the same terms and conditions in our Agreement indicated above, as fully as if the same were repeated in this acceptance.

The adjustment, if any, to this Agreement shall constitute a full and final settlement of any and all claims arising out of or related to the change set forth herein, including claims for impact and delay cost.

The Contract Administrator has directed the Contractor to increase the penal sum of the existing Performance and payment Bonds or to obtain additional bonds on the basis of a \$25,000.00 or greater value Change Order.

Check if applicable and provide written confirmation from the bonding company/agent (attorney in fact) that the amount of the Performance and payment bonds have been adjusted to 100% of the new contract amount.

Accepted: July 1, 2011

By:


Contractor

By:



Architect

BAY DESIGN ASSOCIATES

By:

Owner

By:


Contract Manager

Builders Risk Calculation - Sanchez Court

Adjusted Contract Price	\$ 1,789,536.00
Builders Risk Premium (.242/\$100)	\$ 4,330.68
2009 FIGA @ 1%	\$ 43.31
2007 FIGA @ .45%	\$ 19.49
FHCA @ 1.3%	\$ 56.30
Total Premium	\$ 4,449.77
OH&P @ 10%	\$ 444.98
Total Premium	\$ 4,894.75



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1094

County Administrator's Report Item #: 12. 9.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/04/2011

Issue: Community Development Block Grant (CDBG) Disaster Recovery Enhancement Funds (DREF) Application

From: Keith Wilkins, REP

Organization: Community & Environment

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Community Development Block Grant (CDBG) Disaster Recovery Enhancement Funds (DREF) Application - Keith Wilkins, REP, Community & Environment Department Director

That the Board take the following action concerning the State of Florida Department of Community Affairs (DCA) Community Development Block Grant (CDBG) Disaster Recovery Enhancement Funds (DREF) Application:

A. Acknowledge for the Official Record submission of the Community Development Block Grant (CDBG) Disaster Recovery Enhancement Funds (DREF) Application to the Florida Department of Community Affairs (DCA), in the maximum amount of \$2,363,081, to enhance ongoing construction projects for the benefit of the citizens of Escambia County and the City of Pensacola, including: DCA Service Area #1/Lakewood Sanitary Sewer Improvements, DCA Service Area #4/Sanchez Court Rehabilitation/Mitigation Project, and DCA Service Area #5/Centralized Replacement Homeless Housing/Services Facility;

B. Ratify the Chairman's execution of the Grant Application and related forms, as required for submission of the CDBG Disaster Recovery Enhancement Funds Application to DCA; and

C. Authorize the Chairman or County Administrator as appropriate to execute Grant award documents, Agreements, related forms and any other documents as may be required to process, receive and fully implement the Disaster Recovery Enhancement Funds Grant.

[Funding: Fund and Cost Center to be assigned by OMB upon Grant Award]

BACKGROUND:

In September 2008, Congress approved the Consolidated Security, Disaster Assistance and Continuing Appropriations Act 2009 for the purpose of providing funds to address impacts of the 2008 Presidentially Declared Disasters. A portion of the funding was allocated to the State of Florida Department of Community Affairs (DCA) for use in supporting Community Development Block Grant (CDBG) eligible activities authorized under the 2008 Storms CDBG Disaster Recovery Program. Through this opportunity, Escambia County, in consultation with the City of Pensacola and Town of Century, received \$7,067,397 for CDBG eligible activities that mutually

benefit the jurisdictions, including a set-aside specifically limited to affordable housing. Although granted to Escambia County by DCA, these funds were awarded to support activities within the corporate limits of Pensacola and Century as well (see Exhibit I for Board Resume regarding the original grant award). The funds were allocated to four CDBG eligible projects, including: Lakewood Sanitary Sewer Improvements (Lakewood Subdivision in Warrington); Century Stormwater Drainage Improvements (specifically on Jefferson Avenue and Pond Street); Sanchez Court Rental Rehabilitation/Mitigation (48-units adjacent to Morris Court Apartments); and the Centralized Replacement Homeless Housing/Services Facility (the new Waterfront Rescue Mission facility located at 350 W. Herman Street). These projects are under construction (Waterfront Mission, Sanchez Court Rehab and Lakewood Sewer) or in the bidding stage (Century stormwater).

After filing the original Grant application with DCA, additional CDBG funds, known as Disaster Recovery Enhancement Funds (DREF), were awarded to DCA by HUD to supplement ongoing projects initiated with the 2008 Storms Grant described above. The application cycle for the DREF funds as provided by DCA was extremely short and necessitated the Chairman's prior execution of the application. A summary of the DREF application was noticed in the *Pensacola News Journal* (see Exhibit II), with provision for public comments, and the complete draft was placed on the County website for review. The application was filed with DCA prior to the June 28, 2011 deadline and is currently pending review and approval (see Exhibit III for the complete application). These funds will be used to continue/enhance ongoing projects originally initiated with DCA CDBG Disaster funds provided through Grant Contract 10DB-D4-01-27-01-K08 (2008 Storms). Figures summarized below include construction and direct project management costs:

Repair/Construction of Public Infrastructure/Public Facilities: Continuation Project: DCA Service Area #1 (Public Sanitary Sewer Improvements-Lakewood Subdivision):	\$ 517,131
Preservation/Redevelopment of Affordable Rental Housing: Continuation Project: DCA Service Area #4 (Rental Housing Rehabilitation/Mitigation-Sanchez Court Apartments):	\$ 826,000
Public Facilities (Replacement Centralized Homeless Housing and Services Facility/Waterfront Rescue Mission): Continuation Project: DCA Service Area #5 (Replacement Centralized Homeless Housing/Services Facility-350 W. Herman Street):	\$ 964,950
Administration/Implementation/Indirect Costs (2.5% maximum):	\$55,000
TOTALS:	\$2,363,081

BUDGETARY IMPACT:

When awarded by DCA, the CDBG funds will be budgeted in a fund and cost center to be assigned by OMB to be used in conjunction with the existing CDBG Disaster (2008 Storms) funding. No County general fund revenue is required for this program, though CDBG funds may be combined with other public, private or other non-CDBG Grant funds to complete eligible projects.

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

There will be no impact upon County personnel or positions as a result of the Board's approval of the application. Limited term contract and/or professional/consultant services will be utilized by Neighborhood Enterprise Foundation, Inc. (NEFI) and/or other local governments to implement and fully complete the requirements of the DCA Grant contract.

POLICY/REQUIREMENT FOR BOARD ACTION:

The administrative rule and application documents governing the allocation of the CBDG funds require Board acknowledgment of the Grant application.

IMPLEMENTATION/COORDINATION:

Continuing Grant implementation and oversight will be provided by NEFI/Community & Environment Department and contract staff, with the assistance of the Pensacola Housing Department and cooperation of the Town of Century. Strict timelines will be monitored closely by DCA. NEFI will work closely with the Pensacola Housing Department, the Town of Century and support staff to implement the public infrastructure and affordable housing activities that are planned to occur within their respective jurisdictions. These jurisdictions are aware of the approval schedule for this recommendation.

Attachments

Exhibit I

Exhibit II

Exhibit III

RESUME OF THE REGULAR BCC MEETING – ContinuedCOUNTY ADMINISTRATOR'S REPORT – ContinuedII. BUDGET/FINANCE CONSENT AGENDA – Continued

10. Recommendation: That the Board take the following action concerning the State of Florida Department of Community Affairs (DCA) Community Development Block Grant (CDBG) Disaster Recovery Grant (2008 Storms) (Funding: Fund 110, Other Grants and Projects, if awarded):
- A. Adopt the Resolution authorizing submission of the Community Development Block Grant (CDBG) Disaster Recovery Grant (2008 Storms) Application to the Florida Department of Community Affairs (DCA), in the maximum amount of \$7,067,397, for the benefit of the citizens of Escambia County, the City of Pensacola, and the Town of Century;
 - B. Approve the Interlocal Agreement with the City of Pensacola for joint implementation of affordable housing activities, estimated at \$3,000,000 in CDBG Disaster Recovery Grant (2008 Storms) funds;
 - C. Approve the Interlocal Agreement with the Town of Century, subject to legal signoff, for implementation of an estimated \$600,000 in CDBG Disaster Recovery Grant (2008 Storms) funds; and
 - D. Authorize the County Administrator and/or Chairman, as appropriate, to execute all Application and Grant award documents, Agreements, related forms, and any other documents as may be required to submit, receive, and fully implement the Disaster Recovery Grant.

Approved 5-0

11. Recommendation: That the Board accept the funding recommendations from the United Way Human Services Appropriations Committee for Fiscal Year 2009-2010, in the amount of \$95,500, in the adopted Fiscal Year 2009-2010 Budget, Public Social Services, General Fund 001, Cost Center 220202.

Approved 5-0

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-17. Approval of Various Consent Agenda Items – Continued

2. Approving, and authorizing the Interim County Administrator to execute, the following Change Order (Funding Source: Fund 115, Professional Training, Cost Center 290206, Object Code 56401):

Bureau:	Corrections
Division:	Escambia County Road Prison
Type:	Addition
Amount:	\$37,694
Vendor:	Hub City Ford, Inc.
Project Name:	K-9 Training Units
Contract:	Piggyback Florida Sheriff's Association Contract #09-17-0908
Purchase Order Number:	101383
Change Order Number:	1
Original Award Amount:	\$34,604
This Change Order Amount:	<u>\$37,694</u>
New Contract Total:	\$72,298

3. Accepting the Community Development Block Grant (CDBG) Disaster Recovery (2008 Storms) Grant #10DB-D4-01-27-01-K08, which was approved by the State of Florida Department of Community Affairs, awarding a total of \$7,067,397 for approved, CDBG-eligible projects jointly benefiting the citizens of Escambia County, the City of Pensacola, and the Town of Century.

4. See Page 31.



GOLDEN RETRIEVER PUPPIES- AKC registered, \$500. Taking deposits now, ready June 25. Call 850-529-6956



GREAT DANE PUPPIES- Parents on premises, ready now, \$200 CASH, 251-269-0765



Himalayan kittens- ready 8 weeks old shots and litter trained second litter ready June 10 \$300 or 2 for \$500 251-228-0916



Pets
ABOUT CERTIFYING (Gov't) Your Pet As Service Animal: Pets Fly Free + more \$95 850-261-6996

adorabletopuppies (www) Toups/ Toys-Rare Morkie, Malt&YorkiePoo, Chorkie, Chi-\$295-\$795. 850-261-6996

ALL SMALL BREEDS
Schnoodles, Shih Tzus, Miniature Dachshunds, Shih Poms, Malt Poo, Peekapoos, & many more!
Starling @ \$375.
Daphne, AL
www.thepuppyden.com
251-626-5248

AMERICAN BULL-DOG Puppies
JOHNSONS, NKC reg., health cert, \$500, 850-748-0088

BOXER PUPS- AKC males & females, fawns & brindles, shots, ready 6/10/11, \$450-\$500 850-968-3459

BRITANNY PUPS
AKC ready 6/18/11 \$400 & \$350 850-623-1279

THIS
Jack Russell CKC 1 female \$250 current shots 850-683-1586 or 850-225-8248

Japanese Chins-Puppies. Red & White, Black & White, M&F, 9 wks \$450 (850)206-4391

MALTESE PUPPIES- 32wks old, male & female, beautiful baby face, parents AKC registered, health checked, \$500. Please call 850-476-2777

MINPIN PUPPIES
vet checked and shots \$200. 850-377-9863

POMERANIAN PUPPIES AKC. Vet Checked, Shots, Health Certificates, Small \$250 (850)256-2169

SHIH TZU PUPPIES
- Tri Color, Beautiful coats, vet checked, shots, \$400. 850-332-0634

SHIH-TZUS PUPS- Smaller type, vet \$300. 850-255-8724

YORKIE POO & Yorkie Shih- CKC vet checked, shots \$250 850-377-9863

WASHER/DRYER
Sears \$250 set.
REFRIGERATOR- \$250. 850-438-5139 or 850-438-5932

WASHERS/DRYERS
Heavy duty, \$99 each & up. Can Deliver. 850-476-0474

Computers

DESK, Computer, Printer, Monitor, Complete Package, \$325, or make offer, 850-434-0409

Furniture

4 Beveled Glass Dolphin Tables- \$700 obo 850-626-1180 850-910-0755

DINETTE- 5 PIECE 42" round table expands to 60" oval w/leaf. Druitwood color w/fabric castor armchairs that swivel and rock. \$475 (850)476-5782

FURNITURE SALE
Antique Nautical furniture, capt's stateroom solid teak furn & accessories. Officer's desk, wardrobe chest, chest of drawers, 2 side stands, telescope, night lamps, shaving mirror, medicine chest, spice rack & treasure chest. Brass bed queen, & brass fireplace set. Purchase as a lot at auction for \$18,000, will sell for \$8500, 850-501-8715 or email jltaylor716@yahoo.com

FURNITURE SALE!
High end quality furniture by Henkel Harris. Solid Mahogany, mint cond, master BR suite. King sz rice carved poster bed w/ matching dresser, ladies lingerie chest & bedside chest. Stearns & Foster king mattress set. Paid \$10,500, will sell for \$5,000. 850-501-8715 or jltaylor716@yahoo.com

PENSACOLA
4660 A Peacock Dr. 7:00 am to 4:00 pm
June 10, 11, 12
House hold items, moving sale Scanic to Creighton right on Peacock end of street before curve
HUGE SALE!

Miscellaneous

55 GAL DRUMS- Burn, Feed, or Storage. 850-313-7420

DAY LILLIES- closing, Lg clumps \$3-\$4 850-968-6276

HOT TUB- NEW
4 seats, 2 loungers, \$1500, warranty, delivery. 850-501-0270

KEITH URBAN - Tix -2 SOLD OUT
FLOOR seats June 16th, MS. Coast Coliseum. Sec. 4, Row 2, Seats 7&8
\$200.00 (858)969-0570

Legals

MIXED DEER FEED
- Awesome Results!
850-313-7420

Racing- miniature car racing track on tabletop and accessories plus 3 cars. \$ 2 0 0 . 0 0 (850)932-0480 sbpelt@gmail.com

Telescope:
Celestron 11" Edge HD, mount, JMI hard cases, and accessories; \$3,995. Discount for EAAA members. Call Dan @ 850-774-2439 or 850-234-6406.

TRAILER- UTILITY
Trlr 4X6 2YO sturdy Const/ only used twice \$ 4 0 0 . 0 B O (850)477-2552 davidp32514@yahoo.com

WATCH MAKERS BENCH, Quartz Repair Tools & Parts, No Separate Parts Sold, \$1200. 850-862-6306

Legals

Legal Notice
Please be advised that the psychological records for any patient of Richard G. Weaver PhD will be disposed of on July 15, 2011. If you would like to obtain a copy of your records you may call (850) 478-0008 to make arrangements before that date.
Legal No. 1522972 4T
May 18, 25, June 1 & 8, 2011

Legal Notice of Completion
Notice is hereby given that the undersigned Contractor has completed and has ready for acceptance by the City of Pensacola the following construction project:
Jones Swamp Wetland Restoration PD 09-10.063
Starfish, Inc. of Alabama 114 Blacksher Street Brewton, AL 36426
Subcontractors, Material Men, and other persons having payment claims against the Contractor relating to this project should govern themselves accordingly.
Legal No. 1525608 1T June 8, 2011

BERRIES
Touchable Berry Farm U-Pick berries 75¢ per pound 850-587-5072

BLUEBERRIES- You Pick! \$1.10/lb, Hillcrest Farm. 4 mi. W. of Lillian Bridge off US 98. 251-962-2500

CASSEBAUM'S
Sweet Corn- Silver King , Shelled Peas 3 Mi W. of Lillian Bridge turn S. on County Road 91. 1/2 mile turn left. Mon-Sat 8am-6. AM-251-962-2522

FRESH VEGETABLES- ready for freezer, pink eyes, purple hull peas, speckled butter beans, baby limas etc. 601-947-6649 or 601-394-7335 \$21/bushel

SWEEP CORN
U-Pick \$1.75/dozen 850968-5161

Legals

Sporting Goods

TREADMILL \$795- and stationary bike \$295, 850-432-0023

Wanted To Buy/ Swap

I WILL HAUL OFF ANY RIDING LAWN MOWERS & PUSH LAWN MOWERS FREE!!!
Working or not. 850-944-2394 or 850-602-7337

I WILL HAUL OFF ANY RIDING LAWN MOWERS & PUSH LAWN MOWERS FREE!!!
Working or not. 850-944-2394 or 850-602-7337

Wanted To Buy/ Swap

JUNK CARS- paying \$300 each. 850-281-8446

Legals



Apartments- Furnished

NAVY POINT- Military Officer, cable, cvrd prking, w/d, kit, \$650 inclusive 850-455-2777

Legals

11:30am For 1 & 2 BR apt's ONLY. Applications may be returned on the 14th, 15th & 16th from 9am - 11:30am ONLY

EXHIBIT II

FOR RENT BURGESS RD. 2BR/1BA W/S/G/ \$625
CREIGHTON RD. 2BR/1BA \$625
850-484-2684
centregroupproperties.com

LILLIAN HWY- Nice 1BR/1BA, \$475/400 deposit, 850-261-2376

PENSACOLA-1br/1ba near PSC, no pets, \$300. 850-436-8074

PENSACOLA-East Hill, 1 BR Apts. \$500/Mth no dogs, 1103 N. 15th Ave. 850-470-0446

Duplexes- Unfurnished

PENSACOLA- 2br/1ba \$550, 1br \$425. 850-206-0367 850-206-1302

Legals

Duplexes- Unfurnished
WARRINGTON- 2121 \$475/ gar- no 510

FOR RENT MANDALAY DR. 3BR/2BA \$695
850-484-2684
centregroupproperties.com

PENSACOLA-2522 Hillcrest, 2BR, study/ 1BA. lawn maint incl \$800/mo 850-944-1289

PENSACOLA-By NAS, 3/1, CH&A, appliances, fenced, garage, hardwoods, \$550 & dep pet fee. 850-293-9108

Mobile Home Rentals

BRENT & MG- 2BR/2BA, CH&A, No pets 850-449-6302

Legals

PUBLIC NOTICE
FLORIDA COMMUNITY DEVELOPMENT BOCK GRANT (CDBG) DISASTER RECOVERY DISASTER RECOVERY ENHANCEMENT FUNDS (DREF) APPLICATION SUMMARY ESCAMBIA COUNTY, CITY OF PENSACOLA & TOWN OF CENTURY

This notice summarizes the planned use of CDBG Supplemental Disaster Recovery Enhancement Funds (DREF) funds as jointly proposed by Escambia County, the City of Pensacola and the Town of Century in compliance with the Consolidated Security, Disaster Assistance and Continuing Appropriations Act 2009 as administered by the Florida Department of Community Affairs (DCA). These jurisdictions are eligible to apply for and share a maximum of \$2,363,081 in DREF supplemental Disaster funds. The funds will be used to continue/enhance ongoing projects originally initiated with DCA CDBG Disaster funds provided through Grant Contract 10DB-D4-01-27-01-K08 (2008 Storms) as summarized below:

Repair/Construction of Public Infrastructure/Public Facilities: Continuation Project: DCA Service Area #1 (Public Sanitary Sewer Improvements-Lakewood Subdivision)	\$ 517,131
Preservation/Redevelopment of Affordable Rental Housing: Continuation Project: DCA Service Area #4 (Rental Housing Rehabilitation/Mitigation-Sanchez Court Apartments)	\$ 826,000
Public Facilities (Replacement Centralized Homeless Housing and Services Facility: Continuation Project: DCA Service Area #5 (Replacement Centralized Homeless Housing/Services Facility-350 W. Herman Street)	\$ 964,950
Administration/Implementation/Indirect Costs (2.5% maximum):	\$ 55,000
TOTAL	\$ 2,363,081

Comments regarding the planned use of the CDBG Supplemental Disaster Recovery Enhancement Funds (DREF) funds will be accepted through **July 20, 2011**. Information is also available on the Escambia County Website at: <http://www.co.escambia.fl.us/Bureaus/CommunityServices/Nefi.html>
Comments may be submitted to: Escambia Consortium, P.O 18178, Pensacola, Florida 32523 and/or to Florida Department of Community Affairs, CDBG Section, 2555 Shumard Oak Boulevard, Rm. 260-N, Tallahassee Florida 32399-2100. For further information, contact Randy Wilkerson at 458-0466 or randy_wilkerson@co.escambia.fl.us

Legal No. 1525580 1T June 8, 2011



Board of County Commissioners • Escambia County, Florida

EXHIBIT III

Keith Wilkins, REP, Director
Community & Environment Department

Division:
Neighborhood Enterprise Foundation, Inc.
P. O. Box 18178
Pensacola Florida 32523
(850) 458-0466

June 22, 2011

Community Development Block Grant Section
Division of Housing and Community Development
2555 Shumard Oak Boulevard, Room 260 - N or 260 - A
Tallahassee, Florida 32399-2100

**RE: Application for HUD CDBG Disaster Recovery Enhancement Funds (DREF)
Escambia County (in cooperation with City of Pensacola and Town of Century)**

Dear Sir or Madame:

Escambia County, with the cooperation and assistance of the City of Pensacola and the Town of Century, is pleased to submit two (2) originally signed copies of the application for CDBG Disaster Recovery Enhancement Funds (DREF) in the amount of \$2,363,081 which will be utilized for the following continuation projects: Service Area #1/Lakewood Sanitary Sewer Improvements; Service Area #4/Sanchez Court Rental Rehabilitation-Mitigation Project and Service Area #5/Replacement Centralized Homeless Housing & Services Facility. In addition, an electronic copy of the complete application has been submitted to DisasterRecovery@dca.state.fl.us

I have also included an electronic copy of the application with this submittal since many of the maps, photos and similar documents included in the application are more readily visible in electronic form. Copies of the citizens' complaint policy, acquisition and relocation policy, housing assistance plan, procurement policy, subrecipient monitoring plan and similar compliance documents were provided earlier as part of the compliance process for the ongoing "K" contracts.

I hope that you find the DREF application and supporting documentation to be in order and assembled in a logical manner to aid in the review and approval process. Should you require additional information, have questions or comments, or need assistance of any kind with regard to the content of this submittal, please do not hesitate to contact me at: randy_wilkerson@co.escambia.fl.us

Sincerely,

Randy Wilkerson, Executive Director
Neighborhood Enterprise Foundation
Community & Environment Department

c: Keith Wilkins, REP, Director, Community & Environment Department
Robin Phillips, Jones Phillips & Associates
Albert Kyles, Clerk's Finance
Pat Hubbard, Director, Pensacola Housing Department

**Florida Community Development
Block Grant Program
Disaster Recovery Initiative**



Application for HUD Disaster Recovery Funding-Disaster Recovery Enhancement Funds

**Department of Housing and Urban Development
[Docket No. FR-5256-N-01]
Federal Register / Volume 74, Number 29, dated February 13, 2009
[Docket No. FR-5337-N-01]
Federal Register / Volume 74, Number 156, dated August 14, 2009**

**2008 Supplemental CDBG Appropriations
Robert T. Stafford Disaster Relief and Emergency Assistance Act**

Applicant: ESCAMBIA COUNTY, FLORIDA
(Name of Local Government)

**Rick Scott
Governor**



**Billy Buzzett
Secretary**

**Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100**

<http://www.floridacommunitydevelopment.org/disasterrecovery.cfm>

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General Information

The Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Pub. L. 110–329, approved September 30, 2008) (hereinafter, “Second 2008 Act” to differentiate it from the earlier 2008 Supplemental Appropriations Act, Pub. L. 110–252, approved June 30, 2008) appropriates \$6.5 billion, to remain available until expended, in CDBG funds for necessary expenses related to disaster relief, long-term recovery, and restoration of infrastructure, housing and economic revitalization in areas affected by hurricanes, flooding, and other natural disasters that occurred during 2008, for which the President declared a major disaster under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 *et seq.*). The availability of the funding was formally announced in the Federal Register (Volume 74, No. 29 and Volume 74, Number 156) on February 13, 2009 and August 14, 2009, respectively. The Federal Register may be accessed online at <http://www.floridacommunitydevelopment.org/cdbg/disasterrecovery.cfm>.

Federal requirements clearly state that the funds can be used only for disaster relief, long-term recovery in communities affected by the specified disasters. Requirements provide that the funds be directed to areas with the greatest need. Award recipients cannot use this disaster assistance for a project or activity that was underway prior to the Presidential disaster declaration, with the specified time period in the appropriations act. All projects must be directly related to one or more of the storms. Elements of activities that are reimbursable by FEMA or available through the Small Business Administration (SBA) cannot be reimbursed with these funds.

Please note that the State’s Action Plan requires a minimum goal of 14% of total funds to be allocated towards affordable rental housing. If, after reviewing the applications, it is determined that this amount has not been met, up to 14% of the funds awarded to counties that do not plan to address affordable rental housing may be re-allocated to counties with unmet affordable rental housing needs.

National Objectives

All activities must meet one of the three national objectives set out in the Housing and Community Development Act (address slum and blight, urgent need, primarily benefit low to moderate income (LMI) persons), with at least 50% of the dollars going towards projects benefiting LMI persons. All housing projects must benefit LMI persons. Please use forms provided under Attachments to justify national objective.

Waivers

The Act authorized HUD to waive, or specify alternative requirements for any statute or regulation that HUD administers in connection with the funds, except for requirements relating to fair housing, nondiscrimination, labor standards, and the environment, as long as the waiver facilitates the use of the funds and is not inconsistent with the overall purpose.

A limited waiver of the anti-pirating clause allows the flexibility to provide assistance to a business located in another state if the business was displaced from the community by the disaster and the business wishes to return. This waiver allows grantees affected by a major disaster to rebuild the community’s employment base.

HUD has waived the one-for-one replacement of LMI housing units demolished or converted using CDBG funds. This waiver allows grantees to acquire, convert or demolish disaster-damaged housing without having to provide a unit for unit replacement.

Additional waivers may be considered on a case-by-case basis if an award recipient chooses to fund a flood buyout program with both HUD and FEMA funds and needs the waiver to develop a workable program design. Applicants must contact the Department of Community Affairs if they believe further waivers are required to ensure the success of the recovery effort.

Application & Implementation Webinar

The application webinar will be held on May 26, 2011. The application cycle will open on May 26, 2011 and close on June 27, 2011. Applications must be received by the CDBG Program at the address below, whether mailed or delivered, by 5:00 p.m., Eastern Standard Time, on June 27, 2011:

Community Development Block Grant Section
Division of Housing and Community Development
2555 Shumard Oak Boulevard, Room 260 - N or 260 - A
Tallahassee, Florida 32399-2100

Required Application Procedures

1. Fully complete the application.
2. Submit three copies of the application: (1) Two copies with original signatures of the Chief Elected Official or Designee (If designee, include resolution in appendices). Copies should be submitted in a three-ring binder, with a table of contents, an executive summary, and dividers with labeled tabs. (2) One electronic copy should also be submitted to DisasterRecovery@dca.state.fl.us. A pdf version of the application will be forwarded to all local government contacts.
3. Submit a detailed map depicting the boundaries of the local government, the service area, the location of the activities, the flood plain and other relevant details.
4. If available at the time of application, submit copies of any policies that are applicable to CDBG (i.e., citizens' complaint policy, acquisition and relocation policy, housing assistance plan, procurement policy, subrecipient monitoring plan, etc.). If not available at submission of application, submit during site visit. Recipients who fail to provide these policies will be prohibited from drawing down funds.
5. Submit copies of any other documents that support your application or relate to the requirements set out in the Action Plan or Federal Register. Supply documentation that confirms the project is recovery from the 2008 storms.
6. Submit a copy of an "Interlocal Agreement" if a project will, in any way, impact another local government i.e. take place in another jurisdiction.
7. Number the appendices.
8. Comply with the Intergovernmental Coordination and Review (IC&R) process outlined below.
 - By the application deadline date, submit 15 copies of the application to the Florida State Clearing House, Department of Environmental Protection, Commonwealth Building, Tallahassee, Florida 32399.
 - A transmittal letter must accompany the materials that the local government sends to the State Clearing House. This letter should request that the State Clearing House send copies of any correspondence that they may send to the local government to the DCA CDBG Program. The local government may also ask the State Clearing House to send copies to other parties such as consultants and engineers.
 - Submit one copy of the application to the Regional Planning Council that serves the local government.
9. Use Attachment B – Household Income Verification Form (Form 27-07), if a survey is conducted to document beneficiaries.
10. Fill out National Objective Forms (Attachments C, D, or E)
11. Follow Attachment F, General Instructions for Estimating Project Budget, when preparing the budget to be submitted with the application.
12. Fill out Attachment G: Affordable Rental Housing Scope of Work, when describing your intended efforts to secure affordable rental housing disaster recovery projects.
13. All applications must include Attachment H: Project Budget and Scope of Work
14. Use Attachment I: Scope of Work by Service Area, if your project has various service areas.

Readiness to Proceed

To assist the Department in assessing the applicant's ability to proceed in a timely manner, please answer the following questions. Your response will have no bearing on your application's approval, but will assist us in determining the types of technical assistance to provide.

1. Has the applicant designated a program, office or staff for the administration of a community development block grant, or	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
2. Does the applicant regularly contract with a consultant for the administration of a community development block grant?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
3. Does the applicant have a citizen complaint policy, acquisition and relocation policy, housing assistance plan and procurement policy in place that meets HUD guidelines? If not, you may wish to visit the CDBG web site for examples: http://www.floridacommunitydevelopment.org/cdbg/index.cfm	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
4. Has the applicant developed, or does the applicant plan to develop, a long-term recovery plan as a result of the disasters?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
5. Has the applicant developed a system or plan to avoid the Duplication of Benefits?	<input checked="" type="checkbox"/> Yes (see note)	<input type="checkbox"/> No

Note: Duplication of Benefits is technically not applicable to this application given the types of activities to be undertaken (there are not individual direct benefit activities). However, in instances where such direct benefits would be applicable, the County and local disaster assistance agencies maintain a system whereby individual needs/requests for assistance are reviewed and approved through a Local Community Needs Committee specifically to avoid Duplication of Benefits between FEMA, State, local or community based resources.

Funding Allocation

This allocation is based on the Department's compilation of preliminary damage assessment data from FEMA used during Tropical Storm Fay and the number of local governments accepting DREF. The allocation of funding is provided below.

County	% of Original Threshold Group	Total DREF Award w/o State Admin	Simple DREF Award	% of Group Accepting DREF	Reallocation Amount	Simple DREF Award Plus Reallocation
Leon	12.88%	\$ 26,221,828.42	\$3,377,648.43	12.95%	\$17,994.00	\$3,395,642.42
Collier	12.61%	\$ 26,221,828.42	\$3,305,968.18	12.68%	\$17,994.00	\$3,323,962.18
St. Lucie	10.20%	\$ 26,221,828.42	\$2,673,928.58	10.27%	\$17,994.00	\$2,691,922.57
Escambia	8.94%	\$ 26,221,828.42	\$2,345,087.01	9.01%	\$17,994.00	\$2,363,081.00
Brevard	8.28%	\$ 26,221,828.42	\$2,172,267.75	8.35%	\$17,994.00	\$2,190,261.75
Palm Beach	8.27%	\$ 26,221,828.42	\$2,167,899.04	8.34%	\$17,994.00	\$2,185,893.04
Duval	6.49%	\$ 26,221,828.42	\$1,701,433.78	6.56%	\$17,994.00	\$1,719,427.78
Volusia	5.28%	\$ 26,221,828.42	\$1,384,647.48	5.35%	\$17,994.00	\$1,402,641.48
Gulf	3.21%	\$ 26,221,828.42	\$841,547.61	3.28%	\$17,994.00	\$859,541.61
Monroe	3.15%	\$ 26,221,828.42	\$825,881.50	3.22%	\$17,994.00	\$843,875.50
Sarasota	2.98%	\$ 26,221,828.42	\$781,030.37	3.05%	\$17,994.00	\$799,024.37
St. Johns	1.65%	\$ 26,221,828.42	\$431,471.77	1.71%	\$17,994.00	\$449,465.77
Bay	1.58%	\$ 26,221,828.42	\$413,792.19	1.65%	\$17,994.00	\$431,786.19
Putnam	1.52%	\$ 26,221,828.42	\$397,910.74	1.59%	\$17,994.00	\$415,904.74
Flagler	1.10%	\$ 26,221,828.42	\$288,836.64	1.17%	\$17,994.00	\$306,830.64
Nassau	0.85%	\$ 26,221,828.42	\$222,361.95	0.92%	\$17,994.00	\$240,355.95
Broward	0.97%	\$ 26,221,828.42	\$253,608.56			
Martin	0.86%	\$ 26,221,828.42	\$224,969.04	0.93%	\$17,994.00	\$242,963.04
Okaloosa	0.85%	\$ 26,221,828.42	\$223,759.57	0.92%	\$17,994.00	\$241,753.57
Hardee	0.80%	\$ 26,221,828.42	\$210,113.57	0.87%	\$17,994.00	\$228,107.57
Santa Rosa	0.73%	\$ 26,221,828.42	\$192,419.39	0.80%	\$17,994.00	\$210,413.39
Miami-Dade	0.64%	\$ 26,221,828.42	\$167,557.29	0.71%	\$17,994.00	\$185,551.29
Calhoun	0.63%	\$ 26,221,828.42	\$166,039.89	0.70%	\$17,994.00	\$184,033.89
Alachua	0.60%	\$ 26,221,828.42	\$157,886.13	0.67%	\$17,994.00	\$175,880.13
Okeechobee	0.60%	\$ 26,221,828.42	\$156,151.72	0.66%	\$17,994.00	\$174,145.72
Wakulla	0.58%	\$ 26,221,828.42	\$152,387.58	0.65%	\$17,994.00	\$170,381.58
Seminole	0.55%	\$ 26,221,828.42	\$143,461.36			
Baker	0.50%	\$ 26,221,828.42	\$131,327.12			
Franklin	0.38%	\$ 26,221,828.42	\$99,527.37	0.45%	\$17,994.00	\$117,521.37
Lake	0.36%	\$ 26,221,828.42	\$93,982.37	0.43%	\$17,994.00	\$111,976.37
Hendry	0.34%	\$ 26,221,828.42	\$90,411.68	0.41%	\$17,994.00	\$108,405.68
Kissimmee	0.31%	\$ 26,221,828.42	\$80,401.07	0.38%	\$17,994.00	\$98,395.07
Gadsden	0.31%	\$ 26,221,828.42	\$80,255.07	0.37%	\$17,994.00	\$98,249.07
Highlands	0.26%	\$ 26,221,828.42	\$67,041.43	0.32%	\$17,994.00	\$85,035.43
Clay	0.25%	\$ 26,221,828.42	\$66,740.14	0.32%	\$17,994.00	\$84,734.14
Glades	0.25%	\$ 26,221,828.42	\$66,670.13	0.32%	\$17,994.00	\$84,664.13
Jefferson	0.25%	\$ 26,221,828.42	\$65,404.91			
	100.00%		\$26,221,828.42	100.00%		\$26,221,828.42

Citizen Participation Requirements

County Recipients

Counties eligible to receive funds must consider the needs of all municipalities (and Federally Recognized Indian Tribes) within the incorporated as well as unincorporated area of the county (and reservations contiguous to the county).

Evidence of public meeting with city and Tribal governments must meet the following requirements:

- Notice of the public meeting must be provided at least five (5) days prior to the meeting.
- Documentation of the meeting must include sign-in sheets and minutes.

Citizen Participation Requirements

Prior to submitting an application for Disaster Recovery funding, applicants are required to post a public notice in a newspaper of general circulation and to their website, that states the types of projects to be undertaken, the source and amount of funding available for the activities, the date by which comments must be made, and a contact person for a copy of the proposed application. Applicants must provide for a 10-day comment period, which must be published prior to the submission of the application.

Evidence of the public notice must meet the following requirements:

- Documentation of newspaper advertisement.
- Print-out of county webpage showing public notice.
- Documentation that the needs of non-English speaking citizens have been met where a significant number of non-English speaking citizens can be reasonably expected to participate.

LOCAL GOVERNMENT INFORMATION				
Local Government Applicant		County	DUNS #:	
ESCAMBIA COUNTY, FLORIDA		Escambia	075079673	
Local Contact		Title		
Charles R. "Randy" Oliver		County Administrator		
Phone Number (850) 595-4946		FAX Number (850) 595-4928		
Mailing Address P.O. Box 1591		Street Address 221 Palafox Place, Suite 420		
City Pensacola, Florida		Zip Code 32591-1591		
E-mail Address croliiver@co.escambia.fl.us				
Chief Elected Official		Title		
Kevin W. White		Chairman, Board of County Commissioners		
Chief Elected Official's Address (if different)				
221 Palafox Place, Suite 400, Pensacola, Florida 32502				
Indicate the cities or Tribes that will be served in addition to the county:				
City of Pensacola and Town of Century				
APPLICATION PREPARER INFORMATION				
Application Preparation Agency or Firm Neighborhood Enterprise Foundation, Inc. Escambia County Community & Environment Department				
Address		Phone Number		
P. O. Box 18178, Pensacola, Florida 32523		(850) 458-0466		
Contact		Title		
Randy Wilkerson		Executive Director		
E-Mail Address Randy_Wilkerson@co.escambia.fl.us				
Type of Agency Preparing Application (Check One):	Private Firm	Regional Planning Council	Government Agency	Other (Specify)
			XXXX	
APPLICATION INFORMATION				
List all jurisdictions in which recovery activities will take place (i.e., county unincorporated area, names of any municipalities, and Tribal governments).			Enter the amount of funding that the local government is requesting:	
Escambia County, City of Pensacola and Town of Century			\$ 2,363,081	
Is the local government covered by the National Flood Insurance Program?			<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Are the activities consistent with the local comprehensive plan?			<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Are you entering into an Interlocal Agreement with another local government in order to apply for, administer or carry out the project activities? Interlocals are already in place.		<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
U.S. Congressional District Florida District 01	Florida Senate District(s) Florida District 01	Florida House District(s) Florida District 01	

HISTORIC PRESERVATION		
Will the project or any related activities result in direct physical changes to a structure older than 50 years, such as demolition (partial or complete), rehabilitation, restoration, remodeling, renovation, expansion, or relocation?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Will the project or any related activities result in direct physical changes to public improvements older than 50 years, such as stone curbs or brick streets?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Will the project or any related activities result in direct physical changes to a planned open space older than 50 years, such as a park or plaza?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Will any project activities occur within 100 feet of a structure, public improvement, or planned open space older than 50 years?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Will any project activities occur in a Historic District listed on the National Register?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<p>If "yes" was a response to one of the questions above, you must contact the State Historic Preservation Office (SHPO) immediately. Properties that are listed, or eligible for listing, in the National Register of Historic Places must meet the specifications reflected in the <i>Secretary of the Interior's Standards or Rehabilitation Guidelines for Rehabilitating Historic Buildings</i> (U.S. Department of the Interior, National Park Service). Copies of this publication and technical assistance on historic preservation issues may be obtained from the SHPO.</p>		

PROJECT DESCRIPTION NARRATIVE BY PROJECT AND SERVICE AREA (must be completed by all applicants)
<p>A detailed written narrative shall include the following:</p> <ol style="list-style-type: none"> 1. An explanation of the process by which the project(s) outlined in this application were determined to be the County's disaster recovery priorities. If the project is a continuation or expansion to a project that is currently in progress, please indicate that in your response. <p>Escambia County, the City of Pensacola and the Town of Century worked cooperatively in the public process that led to the development of the <u>Escambia County Long Term Recovery Plan</u> which was following Hurricane Ivan in 2005. Following adoption of the subject Plan, the local governments have jointly and individually pursued its continuing implementation through the coordinated utilization of Federal, State and local funding opportunities, including Federal Disaster Recovery funds awarded since completion of the Plan. The Recovery Plan established critical, short and long-term priorities for local recovery, including specific focus upon affordable rental and special needs housing; infrastructure development/redevelopment (especially within lower income neighborhoods that were developed with inadequate or non-existent infrastructure; and economic/commercial development. Major infrastructure priorities include the elimination of the use of individual septic tanks for sanitary sewage disposal within older neighborhoods due to the significant negative, recurring environmental impacts upon area water bodies during disasters or storm events with heavy rainfall; improvements to stormwater drainage, collection and management systems to eliminate recurring flooding during disasters or storm events with heavy rainfall; and the enhancement of public facilities to foster the community's capacity to quickly recover from disaster events. These targeted priorities are also supported by the approved plans for local Community Redevelopment Areas and State designated local Enterprise Zones. Finally, rental and special needs housing development are prioritized within the actual Federal legislation allocating the disaster recovery funds for the</p>

2008 Storms, including this supplemental Disaster Recovery Enhancement Funding (DREF).. Based upon this prioritization, and other supporting information provided in Section 2 below, public infrastructure and housing priorities established in the original *2008 Storms CDBG Disaster Initiative Application and continued through this DREF Application*, with additional funding of \$2,363,081, reflect highly rated needs/components of the Recovery Plan and complimenting local redevelopment Plans for which funding has not been identified. Likewise, these activities are long-standing priorities for the targeted lower income neighborhoods, but the level of need has been markedly elevated by the impacts of major storm events, such as Hurricane Gustav. The priorities for use of the CDBG Disaster funds requested herein were approved by the local governing bodies of the participating jurisdictions, including the use of the additional DREF funds.

2. An explanation of the reason and need for using CDBG funds (i.e., not covered by FEMA, insurance or other sources of funding). This explanation must specifically state how it relates to storms and documentation must be provided with application.

The infrastructure (sanitary sewer, stormwater drainage), rental housing preservation/mitigation, replacement of critical special needs housing facilities and related activities proposed for funding through this application were the direct outgrowth of consultation with jurisdictions, agencies, neighborhood groups and interests to be directly impacted by the targeted CDBG Disaster Recovery and DREF activities. These infrastructure and housing projects have languished as high priority needs because other funding resources were not available, nor anticipated. Local resources, FEMA, HMGP, private insurance or other non-CDBG funding streams have become available to address the needs identified herein. The 2008 Storms CDBG Disaster Recovery and the supplemental DREF funds are the only assured source for completion of the priority activities included in this application for the principal benefit of lower income families/persons.

Flooding and voluminous stormwater runoff resulting from hurricanes, heavy rainfall events, tropical storms, or other such events, including Hurricane Gustav, create major negative environmental impacts upon area water bodies, rivers, bayous and streams as a result of: (a) sewage contamination from inoperable or poorly operating septic tanks; (2) impurities and sediments carried into the waterways as surface water transcends yards, streets, etc. ; (3) soil erosion and destabilization; (4) silting and sedimentation of estuarine water bodies; and (5) flooding or threat of flooding low lying properties resulting in recurring evacuation of the residences within flood prone areas. Like Hurricane Ivan, Hurricane Gustav demonstrated the degree of damage that can be inflicted by high winds in combination with heavy rainfall, resulting in heavy surface water runoff, flooding of low lying areas and areas near water bodies, and destructive storm surge in coastal areas. Following disaster declarations by the State of Florida in late August 2008 and by the Federal Government in October 2008, combined federal, State and local assessments document that Gustav resulted in over \$18 million in damages in Escambia County with a Countywide per capita equivalent of \$851.91.

3. Documentation must include, but is not limited to:

Documentation for the Continuation Projects was previously submitted, but the various appendices with this application include highlights of the information.

4. A description of each proposed activity by service area: **(see pages 11-14)**
5. A list of other sources of funds that have been made available to the County for recovery and a brief description of the activities being funded. (This information should be very brief.)

**FEMA funds for Beach Renurishment
FEMA individual assistance funds for damages to private property**

Please feel free to use as many pages as necessary to fully describe the activities that you wish to fund with CDBG disaster recovery dollars.

* Need National Objective Forms (Attachments C, D, or E)

PROJECT ACTIVITY SUMMARY 2008 Storms CDBG Disaster Recovery	Project Sponsor: Escambia County, Florida SERVICE AREA #01 (CONTINUATION) CDBG Activity: 03J - Installation of Sewer Lines/Components Project: Lakewood Area Sanitary Sewer Construction (Escambia County: Barrancas Community Redevelopment Area)
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a. Project/Activity Purpose:

This is a [continuation of the current “K” Contract Project](#), which targets the installation of sanitary sewer within the Lakewood neighborhood located in the Barrancas Community Redevelopment Area in Escambia County.

Background: Older Warrington area neighborhoods with high water tables rely solely on poorly or non-functioning septic tanks, many of which are undersized, for sanitary waste disposal, a situation with major environmental concerns, but one that was been markedly exacerbated by Hurricane Ivan and impacted again by the heavy rainfall associated with Hurricane Gustav. Surface water accumulations and storm surges impacting Bayou Chico negatively impact the old, substandard septic tanks prevalent in the area. This results in raw sewage entering the properties in the impacted areas and ultimately the estuarine water bodies. The Escambia County Public Health Department and ECUA actively support the necessity for replacement of septic tanks, especially in areas near water bodies, through the construction/expansion of the public sanitary sewer system. This project supports this priority by funding the construction of sanitary sewer in the Lakewood Neighborhood within the Barrancas CRA. Upon completion, this project will totally eliminate the impact of residential septic tanks upon Bayou Chico within the Lakewood Neighborhood. Per Florida Law, residents will be required to tie into the public sewer system and properly abandon existing septic tanks (as verified by the Public Health Department) once public sewer is made available through this project. CDBG funds provided hereunder will only be used to finance the public improvements (sewer lines, components and laterals) within County right-of way. *Escambia County and the Public Health Department will separately provide State Housing Initiatives Partnership (SHIP), CRA funds, and other funds to assist low and moderate income families with properly connecting to the system.* Emerald Coast Utilities Authority (ECUA) will manage and operate the system following construction.

CDBG National Objective:	Benefit to Low and Moderate Income Persons
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b. Performance Measure(s):

LF of Sewer Line Constructed

Units to be completed:

21,500 LF of sanitary sewer line (w/ lift station) (“K” Contract)
[3,300 LF of sanitary sewer line \(w/ lift station\) \(DREF Supplemental\)](#)
 TOTAL 24,800 LF

c. Estimated Project Cost:

Design, Engineering, and Project Management (Engineering costs paid by ECUA)	\$ 190,897.00 (Project Mgt. – “K” Contract) \$ 24,625.00 (Project Mgt. – DREF Supplemental)
Construction	\$ 3,200,000.00 (“K” Contract) \$ 492,506.00 (DREF Supplemental)
Total Estimated Cost for Activity	\$ 3,390,897.00 (“K” Contract) \$ 517,131.00 (DREF Supplemental) <u>\$ 3,908,028.00 GRAND TOTAL</u>

d. Project/Activity Beneficiaries:

Census Tract(s)	Block Group(s)	Total # LMI Beneficiaries	Total # Beneficiaries	% LMI
22	2	575	1,104	52.1%

e. Project/Activity Location:

The Service Area for the Lakewood sewer improvements is Census Tract 22/Block Group 2 and eligibility is based on HUD provided [Census Low/Mod Benefit Data](#). The street boundaries are generally: Barrancas Avenue (S); Kincaid Street (W); Dexter and Jamison (N) and Rue Max Avenue (E). A map detailing the Project location is included in **Appendix 1**. **(THIS IS A CONTINUATION PROJECT)**

Project/Activity Located in:	Escambia County (unincorporated)
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PROJECT ACTIVITY SUMMARY 2008 Storms CDBG Disaster Recovery	Project Sponsor: Escambia County, Florida SERVICE AREA #04 (CONTINUATION) CDBG Activity: 14B – Rehab/Development, Multi-Unit Residential Project: Affordable Rental Housing Preservation/Development (Escambia/Pensacola)
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This is a continuation of the current “K” Contract Project, which provides for the rehabilitation/mitigation of 48-units of rental housing, known as Sanchez Court Apartments.

Background: The project will support a major portion of the total costs for rehabilitation/mitigation of rental housing damaged originally by Hurricane Ivan and further impacted by Hurricane Gustav. The rental preservation and rehabilitation/mitigation project targets direly needed rehabilitation and hurricane mitigation improvements to the 48 unit **Sanchez Court** rental complex that was constructed in 1971 and is owned by the Area Housing Commission, our local non-profit Public Housing Agency (PHA). This almost 40 year old single story complex, consists of 36 2BR and 12 3BR units distributed within 2 duplexes, 12 triplexes and 2 quadruplexes (see aerial photo provided in **Exhibit 1**), that seriously need extensive interior and exterior rehabilitation, life/safety enhancements and hurricane hardening/mitigation improvements to protect the facility and residents. The County and AHC are cooperatively in the process of preserving and enhancing the long term viability of the 48 affordable housing units well into the future, while maintaining very affordable rents for the lower income and elderly residents. Upon total completion, this project will preserve and enhance quality affordable rental housing by addressing deficiencies in all Sanchez Court rental units to provide 48 quality code compliant units and ensuring their long term affordability for at least 15 years. Affordability is enforced through a Land Use Deed Restriction encompassing the full 15 year affordability period. Following rehabilitation the rental units will continue to be owned, maintained and managed as affordable housing by the local PHA, Area Housing Commission. AHC has the demonstrated capacity and management expertise to ensure long term success of this affordable rental housing initiative.

CDBG National Objective:	Benefit to Low and Moderate Income Persons
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b. Performance Measure(s): # of Units of Affordable Rental Housing	Units to be completed: 48 units (Sanchez Court Apartments)
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c. Estimated Project Cost:	CDBG Funds	Other Funds	Totals
Design, Engineering, and Project Management	\$ 100,000 \$ 56,000	\$ 62,500 \$ 0.00	\$ 162,500 (“K” Contract) \$ 56,000 (DREF Supplemental)
Construction (Rehabilitation/Mitigation)	\$ 950,000 \$ 770,000	\$ 0.00 \$ 0.00	\$ 950,000 (“K” Contract) \$ 770,000 (DREF Supplemental)
Total Estimated Cost for Activity	\$ 1,050,000 <u>\$ 826,000</u>	\$ 62,500 \$ 0.00	\$ 1,112,500 (“K” Contract) <u>\$ 826,000 (DREF Supplemental)</u> <u>\$ 1,876,000</u> <u>\$ 62,500</u> <u>\$ 1,938,500 GRAND TOTAL</u>

Note 2: Additional DCA CDBG Disaster funds of up to \$125,000 can be used to fully complete this project including the all desired bid options. Since any additional funds are subject to DCA award, this amount is not reflected in the current budget totals above.

d. Project/Activity Beneficiaries:	Total Units (Projected)	Affd. Units (projected)	Total # LMI Beneficiaries	Total # Beneficiaries	% LMI
Note: Beneficiary data is cumulative (aggregate) for both the original “K” Contract and DREF Supplemental.	48*	30* (minimum)	30* households (estimated)	48* households (estimated)	62.5%

e. Project/Activity Location:
The rental rehabilitation/mitigation project site is: Sanchez Court Apartments, Area Housing Commission, Sanchez Court, Pensacola, Florida (See **Appendix 1** for detailed location map) **(THIS IS A CONTINUATION PROJECT)**

Project/Activity Located in:	City of Pensacola
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<p>PROJECT ACTIVITY SUMMARY 2008 Storms CDBG Disaster Recovery <i>Page 1 of 2 (Homeless Facility)</i></p>	<p>Project Sponsor: Escambia County, Florida SERVICE AREA #05 (CONTINUATION) CDBG Activity: 03 – Public Facilities & Improvements (Other) Project: Development of Homeless Service Facility (Emergency & Transitional Housing) (Escambia/Pensacola)</p>
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This is a [continuation of the current “K” Contract Project](#), which is supporting the development of a replacement centralized homeless housing and services facility.

Background:

Project Summary:

While this project addresses an Urgent Need, it will directly benefit Low/Moderate Income (LMI) persons, through the construction of a critically important, “hardened” centralized homeless housing and replacement services facility to be located well outside the flood plain and the FEMA Storm Surge Inundation Areas of Pensacola. This important project qualifies both under the Low/Moderate Income (LMI) National Objective and Urgent Need National Objective. The properly located, hardened facility will target the pre- and post-disaster recovery needs of this highly vulnerable population in Escambia County. The existing homeless facility at 16 West Main Street in Pensacola is located in a low lying, flood prone area of downtown Pensacola, which requires evacuation in advance of all hurricanes directly threatening Pensacola, such as Hurricanes Gustav, Dennis and Ivan; since it is highly susceptible to recurring flooding/storm surge impacts from storm events/disasters. The current location is typically inaccessible for use prior to or immediately after a significant storm/disaster event.

Project Need:

The 1960’s era Waterfront Rescue Mission (Waterfront) homeless transient housing and feeding facility on Main Street in Pensacola is situated very near Pensacola Bay in a highly vulnerable location subject to major damage from high wind, flooding and storm surge produced by hurricanes that impact Escambia County. This facility is one of, if not the, the major emergency disaster housing resource for street homeless during major storm events, disasters or extremely cold weather. Low lying area evacuation orders issued by Emergency Management officials in advance of oncoming hurricanes, such as Gustav, will require or at least recommend evacuation of the perilously located facility rendering it useless as an emergency/disaster shelter for the homeless, and due to flooding/storm surge impacts the utility of the facility for meeting immediate post-disaster housing and recovery needs of the homeless is highly moderated. This type of facility is critical to post-disaster recovery due to its use to meet recovery housing needs of the street homeless until public services can be restored. Though the direct impact to the facility was less with Gustav, the inadequacy of the existing facility and its perilous location became very evident following the devastation of Hurricane Ivan. The facility was damaged by the hurricane and was subject to the severe storm surge that flooded much of the Pensacola urban core. Though Waterfront resumed its post disaster mission from the crippled facility (once it could be safely accessed), the location of the facility continues to be a concern with each successive hurricane, including Hurricane Gustav which produced major damage along the coastline in Escambia County. The existing, wholly undersized facility, at 8,500 sf, is adequate to comfortably serve 40-50 individuals, but during disaster or other storm/bad weather events, it is very common for Waterfront to accommodate over 100 persons (using every space possible). Though utilized as a makeshift disaster shelter, the facility is not constructed Street), which will be abandoned and ultimately demolished by Waterfront following occupancy of the replacement facility. Additional documentation regarding the precarious location of the existing facility is included from the City of Pensacola, Escambia County Emergency Management and Waterfront. The proposed project entails the total development (design, final permitting and construction) of a centralized replacement homeless service facility approximating 30,000 square feet that will house Waterfront. Additionally, an adjacent existing building will be used to house the service delivery components of the EscaRosa Coalition on the Homeless, Inc.’s Continuum of Care. The well designed, integrated and hardened public facility, to a standard that will safely and confidently withstand the heavy winds and storm surge seen in the coastal areas during storm events such as Gustav or Ivan.

Escambia County, the City of Pensacola, Waterfront and the EscaRosa Coalition on the Homeless all recognize the absolute necessity to address this major health and safety issue for the Low/Moderate Income homeless and special needs populations locally, and have therefore additionally prioritized this project as a major Urgent Need in the community which must be addressed and mitigated through the development posed herein. The facility has received significant local community and financial support further evidencing the Project’s high priority in the local community. However, the total cost of the facility, currently projected at over \$4.5M, requires allocation of additional CDBG Disaster Recovery (DREF) funding to ensure completion in keeping with the needs of the community. Though CDBG Disaster funding is significant, it should be noted that well over \$1,000,000 of the total investment in the facility is borne locally and all of the future staffing and operational costs will be provided locally (primarily by Waterfront Rescue Mission. *No CDBG funding expended on the current Waterfront facility (16 W. Main Street).*

CDBG National Objective:		Benefit to Low and Moderate Income Persons			
b. Performance Measure(s): Development of 1 public facility for the homeless		Units to be completed: One homeless facility (w/ daily service capacity of 100)			
c. Estimated Project Cost:		CDBG Funds	Other Funds	Totals	
Project Management (Note: Architectural, engineering and related services totally paid by Waterfront Rescue Mission)		\$ 50,000 \$ 84,950	\$ 200,000 \$ 0.00	\$ 250,000 \$ 84,950	("K" Contract) (DREF Supplemental)
Construction (including major items of permanently affixed equipment)		\$ 1,800,000 \$ 880,000	\$ 1,563,000 \$ 0.00	\$ 3,363,000 \$ 880,000	("K" Contract) (DREF Supplemental)
Total Estimated Cost for Activity		\$ 1,850,000 \$ 964,950 <u>\$ 2,814,950</u>	\$ 1,763,000 \$ 0.00 <u>\$ 1,763,000</u>	\$ 3,613,000 \$ 964,950 <u>\$ 4,577,950</u>	("K" Contract) (DREF Supplemental) (GRAND TOTAL)
d. Project/Activity Beneficiaries:		Minimum Facility Capacity (Projected)	Total # LMI Beneficiaries	Limited Clientele Beneficiaries	% LMI
Note: Beneficiary data is cumulative (aggregate) for both the original "K" Contract and DREF Supplemental.		100 persons (homeless/special needs)	100 persons (homeless/special needs)	100%	100.0%
e. Project/Activity Location:					
Project Location: 350 W. Herman Street, Pensacola, Florida					
Maps depicting the location of the project are included in Appendix 1.					
(THIS IS A CONTINUATION PROJECT)					
Project/Activity Located in:		Escambia County/City of Pensacola			

ASSURANCES, CERTIFICATIONS AND SIGNATURES

This is an application for a Disaster Recovery grant (funded by the U.S. Department of Housing and Urban Development and administered by the Florida Department of Community Affairs). I, the undersigned chief elected official or authorized representative of the local government, certify that the application has been approved by the local governing body and that the local government will comply with the following certifications and assurances as well as applicable federal and state requirements in the administration of any award that is made.

Failure of the Chief Elected Official to properly sign the application by the deadline, or failure to include a copy of the ordinance or resolution of the governing body authorizing another individual to sign the application, will result in the delay of your application being processed.

I, the undersigned, certify that:

1. Citizen participation requirements will be met.
2. In identifying the areas of greatest need due to disaster-sustained damage, eligible activities and solutions to address those needs were selected through consultation and cooperation with the city governments and Tribes in the county.
3. The local government will satisfy the Intergovernmental Coordination and Review requirements by submitting required information to its Regional Planning Council and to the State Clearing House.
4. The local government will not attempt to recover, through special assessments, capital costs of public improvements funded in whole or in part with these funds unless otherwise authorized by 24 CFR Section 570.482 and Section 104(b)(5) of Title I of the Housing and Community Development Act of 1974.
5. Each housing structure addressed with CDBG funds will, upon completion, meet the local housing code. Construction methods that emphasize high quality, durability, energy efficiency, sustainability and mold resistance will be encouraged. Efforts to mitigate flood risk through construction and elevation will be undertaken.
6. The grant will be administered in conformity with the Civil Rights Act of 1964 and Fair Housing Act; the local government will affirmatively further fair housing and undertake one fair housing activity each year.
7. An Anti-Displacement and Relocation Plan has been adopted (or will be adopted prior to the expenditure of funds) and displacement of persons will be minimized.
8. The information presented in this application is accurate, and documentation is on file and readily accessible to Department of Community Affairs staff.
9. Submission of this application was authorized by the local governing body.

DCA USE	OTHER CERTIFICATIONS			COMPLETE AS INDICATED		
	A stakeholder meeting was held with local governments, Tribal Governments and housing providers to discuss unmet needs and best use of funding. See Appendix 4			X Yes	<input type="checkbox"/> No	
	Notice of the public meeting was provided at least five (5) days prior to the meeting.	X Yes	<input type="checkbox"/> No	Date publicized: 11/29/09 & 12/6/09 (Updated by E-mail in April 2011 for DREF)		
	Date public meeting with stakeholders was held.			Date of Meeting: 12/9/09 3:00pm (Concurrence Updated by E-mail in April 2011 for DREF)		
	Documentation of the meeting includes sign-in sheets and minutes. (and cooperation summary)			X Yes	<input type="checkbox"/> No	
	Public notice (in a newspaper of general circulation and County's website) was provided that stated the types of projects to be undertaken, the source and amount of funding available for the activities, the date by which comments must be made, and a contact person for a copy of the proposed application.			Publication Date: June 8, 2011 (in addition to website posting)		
	A 10-day comment period was allowed. From 6/8/11 to 6/20/11			X Yes	<input type="checkbox"/> No	
	We considered the comments concerning the proposed application that were expressed by citizens.			X Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
	The Local Government is a participant in the National Flood Insurance Program.			X Yes	<input type="checkbox"/> No	
	We have adopted an Anti-Displacement and Relocation Policy in conformance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1979, as amended, 49 CFR Part 24, and 24 CFR Part 570.606.			Adoption Date: 11/28/88 (updated w/ each Five Year Plan)		
	We will adopt an Anti-Displacement and Relocation Policy in conformance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1979, as amended, and will provide documentation of adoption of the policy to the Department prior to the expenditure of any funds.			<input type="checkbox"/> Yes	<input type="checkbox"/> No	X N/A
	Documentation is on file to show that we have submitted all required information to the Regional Planning Council, Bureau of Historic Preservation, and the State Clearing House.			X Yes	<input type="checkbox"/> No	
	We will submit the required information to the Regional Planning Council, Bureau of Historic Preservation, and the State Clearing House prior to expending any funds.			<input type="checkbox"/> Yes	<input type="checkbox"/> No	X N/A
	We have adopted a Citizen's Complaint Policy that requires written answers to written complaints and grievances within 15 working days.			Adoption Date: 8/1/10		
	We will adopt a Citizen's Complaint Policy that requires written answers to written complaints and grievances within 15 working days prior to expending any funds.			<input type="checkbox"/> Yes	<input type="checkbox"/> No	X N/A
	All proposed activities are consistent with our Local Comprehensive Plan.			X Yes	<input type="checkbox"/> No	

	We have adopted a local procurement policy that conforms to the following state and federal regulations: 24 CFR Section 85.36 and Section 287.055, Florida Statutes.	Adoption Date: 7/2/85 (Escambia County Purchasing Ordinance & policies are periodically updated)		
	We will adopt a local procurement policy that conforms to the state and federal regulations prior to the expenditure of any funds.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	X N/A
	We have adopted an Affirmative Action Plan that includes procedures for hiring minority contractors and goals for hiring minority employees.	Adoption Date: 8/21/08		
	We will adopt an Affirmative Action Plan that includes procedures for hiring minority contracts and goals for hiring minority employees prior to expending any funds.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	X N/A
	We have documentation to verify that the service area(s) have, if necessary, been properly surveyed using the appropriate HUD Section 8 Income Guidelines and that the number of LMI persons residing in the service area(s) are consistent with the number of beneficiaries claimed in this application.	X Yes		<input type="checkbox"/> No
	We certify that no other source of federal, state, or local disaster funds is available to meet the need for the activities.	X Yes		<input type="checkbox"/> No

The local government certifies that it will comply with the following federal and state requirements:

1. Inform affected persons of their rights and the policies set out in 49 CFR 24 and 24 CFR 570.602
2. Florida Small and Minority Business Act, s.288.702-288.714, F.S.
3. Florida Coastal Zone Protection Act, s. 161.52-161.58, F.S.
4. Local Government Comprehensive Planning and Land Development Regulation Act, Chapter 163, F.S.
5. National Environmental Policy Act of 1969, as amended and other provisions which further the purposes of this Act
6. National Historic Preservation Act of 1966, as amended
7. Protection of Historic Properties 36 CFR 800
8. Archaeological & Historic preservation Act of 1974, as amended
9. Executive Order 11593 – Protection and Enhancement of Cultural Environment
10. Reservoir Salvage Act (replaced by Archaeological & Historic preservation Act of 1974, as amended)
11. Safe Drinking Water Act of 1974, as amended
12. Endangered Species Act of 1958, as amended
13. Executive Order 12898 – Environmental Justice
14. Executive Order 11988 and 24 CFR 55 – Floodplain Management
15. Federal Water Pollution Control Act of 1972, as amended
16. Executive Order 11990 – Protection of Wetlands
17. Coastal Zone Management Act of 1972, as amended
18. Wild and Scenic Rivers Act of 1968, as amended
19. Clean Air Act of 1970, as amended
20. HUD Environmental Standards set out in 24 CFR 58
21. Farmland Protection Policy Act, as amended, as set out in 7 CFR 658
22. Title I of the Housing and Community Development Act of 1974, as amended
23. The Clean Water Act of 1977, as amended
24. Davis-Bacon Act, as amended
25. Contract Work Hours and Safety Standards Act of 1962, as amended

26. Fish and Wildlife Coordination Act, as amended
27. Flood Disaster Protection Act of 1973, as amended
28. Protection of Historic and Cultural Properties under HUD Programs, 24 CFR 58
29. Coastal Zone Management Act of 1972, as amended
30. Federal, State and Local Architectural and Construction Standards
31. Architectural Barriers Act of 1968, as amended
32. Executive Order 11296, relating to evaluation of flood hazards
33. Executive Order 11288, relating to the prevention, control and abatement of water pollution
34. Cost-Effective Energy Conservation Standards, 24 CFR
35. Section 8 Existing Housing Quality Standards, 24 CFR 8
36. Coastal Barrier Resources Act of 1982, as amended
37. Federal Fair Labor Standards Act
38. Title VI of the Civil Rights Act of 1964 –Non-discrimination
39. Title VIII of the Civil Rights Act of 1968 – (Fair Housing Act)
40. Age Discrimination Act of 1975
41. Executive Order 12892 – Fair Housing
42. Section 109 of the Housing and Community Development Act of 1974, Non-discrimination
43. Section 504 of the Rehabilitation Act of 1973 and 24 CFR 8
44. Executive Order 11063 – Equal Opportunity in Housing
45. Executive Order 11246 – Non-discrimination
46. Copeland Anti-Kickback Act of 1934, as amended
47. Hatch Act, as amended
48. Lead-Based Paint Poisoning Prevention Act, as amended
49. OMB Circulars A-87, A-122, and A-133, as revised
50. Treasury Circular 1075, as revised, regarding drawdown of CDBG funds
51. Single Audit Act of 1984, as amended by the Single Audit Act Amendments of 1996, as amended
52. Administrative Requirements for Grants, 24 CFR 85
53. Section 3 of the Housing and Urban Development Act of 1968, as amended
54. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended
55. Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1975, as amended
56. Noise Abatement and Control: Departmental Policy Implementation, Responsibilities, Standards, 24 CFR 51, Subpart B
57. Section 102 of the Department of Housing and Urban Development Reform Act of 1989, as amended

Signature of Chief Elected Official or Designee (If designee, include resolution in appendices.)

Signature:

Kevin W. White

Typed Name and Title

Kevin W. White, Chairman, Board of County Commissioners

Date:

June 21, 2011

ATTEST: Ernie Lee Magaha
Clerk of the Circuit Court

By: *Debris Harris*
Deputy Clerk

Date Executed

6-16-2011



If signed by a person other than the chief elected official, is a copy of the required resolution included in the Appendices?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Signature of Application Preparer if other than an employee of the Applicant NOT APPLICABLE		
Signature		
Typed Name and Title		
Name of Firm or Agency		
Person Designated by the Applicant to Submit Request for Funds		
Typed Name and Title Randy Wilkerson, Executive Director		
Title and Office/Department Department: Escambia County Community & Environment Department Division: Neighborhood Enterprise Foundation		
Typed Name and Title of Supervisor Keith Wilkins, REP, Director, Escambia County Community & Environment Bureau		

ELIGIBLE ACTIVITIES (TO BE USED BY ALL APPLICANTS)

This table provides a list of activities eligible for funding. Applicants shall give priority to addressing storm-related housing repair and long-term recovery activities. Where there are no storm-related housing repair or long term recovery activities to be addressed, mitigation activities targeting housing and infrastructure are allowable. Applicants proposing mitigation activities will be required to certify that they have determined through locally coordinated efforts that storm related housing repair and long term recovery needs have already been addressed or are not required. Use the activity name, activity number and unit of measure when completing spreadsheets in this application that require the name of the proposed activities and/or the activity number. Contact the Department if you wish to undertake a CDBG eligible activity that is not listed below. All activities must be related to the 2008 storms: Tropical Storm Fay, Hurricane Gustav and Hurricane Ike.

ACTIVITY NAME* (may be shortened or abbreviated)	ACTIVITY NUMBER	UNIT OF MEASURE	ENGINEERING TABLE
Acquisition for rehabilitation	15G	LF, SITE, PARCEL, UNIT, HU, BU	N/A
Acquisition in 100 year flood plain or Acquisition, acquisition (in support of), acquisition of real property, acquisition: land, building, easement or right-of-way	01	LF, SITE, PARCEL, UNIT, HU, BU	N/A
Administration, Planning and Management	21A	N/A	N/a
Asbestos removal / lead based paint abatement	03R	HU, BU	N/A
Clearance and Demolition	04	HU, BU, UNIT	
Code enforcement	15	HU, BU	N/A
Commercial/industrial building acquisition, commercial rehab, demolition	17C	BU	Table II
Demolition of vacant dilapidated housing units	04A	HU, SITE	N/A
Demolition of vacant dilapidated structures (other than housing)	04A	HU, BU, UNIT	N/A
Engineering	21B	N/A	N/A
Fire protection, fire hydrants, water facilities, lines, tank, treatment, well	03J	LF, UNIT, HYDRANT	Table II (Plant, Well and Tank Table I)
Fire station, equipment	03O	UNIT	Table II
Flood & drainage, hazard mitigation, flood & drainage, storm drains, catch basin, retention pond, curb & gutter	03I	LF, UNIT	Table II
Housing rehab plumbing	14A	LF, UNIT, HU	N/A
Open space parks, playgrounds, recreational facilities	03F	LF, UNIT, SITE, PARCEL	Table II
Other Commercial/Business Assistance	17D	UNIT	
Other commercial/industrial improvements	17D	BU, UNIT, SITE	
Parking facilities, spaces	03G	UNIT	Table II
Permanent relocation as part of hazard mitigation, permanent relocation, temporary relocation	08	HU, BU	N/A
Potable well & septic system installation	14A	LF, UNIT, WELL	N/A
Public facilities & improvements (OTHER): Homeless Facility	03	LF, UNIT	Table II
Recreation/neighborhood center, senior center	03E	LF, UNIT, SITE, PARCEL	Table II
Rehab, multi unit residential	14B	HU	N/A
Rehab, public/private owned commercial/industrial	14E	UNIT	N/A
Rehab, single unit residential	14A	HU	N/A
Rehabilitation of commercial buildings, facade, section 504 compliance, correction of code violation, building rehab by owner/tenant	17C	BU	Table II
Relocation of commercial facility	08	HU, BU	N/A
Relocation of utilities to underground	03	LF, UNIT	Table II
Removal of architectural barriers in public buildings	10	BARRIER, UNIT	Table II
Replacement housing	12	HU	N/A
Sewage treatment plant, sewer lines & components, sewer line replacement, other sewer facilities force sewer main, gravity sewer main, treatment, pump/lift stations	03J	UNIT, LF, PLANT	Table I
Sidewalks and pedestrian malls	03	LF	Table II
Solid waste disposal improvements	03H	LF, UNIT	Table II
Street improvements, resurfacing	03K	LF	Table II
Utility hookups	03	HU, BU	Table II
Water and/or sewer hookups for housing units	14A	HU, BY	Table I
Water facilities, water & sewer improvements in general, nonresidential water hookups; new potable water lines	03J	LF, UNIT	Table II (Hook-up is Table I)

LMI BENEFIT CRITERIA

SERVICE AREA SURVEY TO DETERMINE LMI BENEFIT
The applicant may utilize any one of the following methods to document the total number of beneficiaries, including the number of low and moderate-income (LMI) persons, for each service area as long as the boundaries are identical.
1. Census Data by place, block group and/or tract.
2. Survey conducted within the past five years for a CDBG grant application (as long as the boundaries are the same).
3. New survey that meets HUD/CDBG requirements.

DOCUMENTING LMI BENEFIT AND NATIONAL OBJECTIVE

(a) HUD Census Data – LMI benefit may be documented by using HUD-provided Census Data where the service area geographically corresponds with block groups, census tracts, or local government geographical limits.

(b) Sampling Survey Methodology – A sample-based survey of the beneficiaries must utilize the “Income Verification Form,” Form 27-07, located in the Application Manual, which must correspond with the random sampling requirements established by HUD in Notice CPD-05-06, as effective on 5-23-06.

1. The survey process must verify eligibility of any proposed direct benefit activities, certify the number of projected very low, low and moderate income households and beneficiaries, and the total number of beneficiaries.

2. Where the sample-based survey results appear to substantially overstate the proportion of persons with low or moderate income in a service area, the Department will require the local government to provide supporting evidence which substantiates the survey data. If the survey results are found to be inaccurate, the survey shall be rejected.

(c) Small Service Area Survey Methodology. For surveys of service areas under 50 households, all households must be surveyed. Any non-responding household must be assumed to be above low and moderate income. The number of household members for non-responding households shall be based on the average household size from the survey.

(d) A survey approved by the Department for a CDBG application remains valid for the same geographic service area for up to five years from the date the survey was completed.

(e) Only the methods of LMI benefit determination provided for in this section shall be used.

(f) Beneficiaries of Public Improvements. For activities where hookups or connections are required for beneficiary access to the public improvement, low and moderate income benefit shall be determined by the number of low and moderate income persons in households connected to and able to use the water, sewer or other infrastructure at the time of administrative closeout, divided by the total number of persons who are, or could be, hooked up in the service area.

ATTACHMENT A

General Guidelines

Sub-recipients

Recipients of the funds may allocate funding to another local government, Indian Tribe, or non-profit organization for the purpose of carrying out activities funded by the award agreement. In such cases, a Sub-recipient agreement must be executed by the local government and the non-profit organization and approved by the Department. The Recipient retains the legal responsibility for ensuring that applicable federal and state laws, rules and regulations are followed and must provide the Department with a Monitoring Plan.

Interlocal Agreements

Applicants proposing to conduct eligible activities in other eligible jurisdictions must submit documentation to the Department of an established relationship between the jurisdiction(s) or enter into an interlocal agreement, which includes at a minimum, the following provisions:

- Includes as parties all local governments whose jurisdiction is included in the project and/or service area(s);
- Authorizes the eligible subgrantee to undertake the activities in all jurisdictions included in the interlocal agreement; and
- Affirms that all activities are consistent with each local government's comprehensive plan and provides documentation which includes applicable excerpts of each local government's comprehensive plan.
- Any alternative agreement between local governments and non-profit organizations must accomplish the intent of an interlocal agreement. Such agreements must establish a relationship with the jurisdiction(s) to be served and provide the information identified in (a), (b) and (c) above. The jurisdiction of a non-profit will be the county in which it is located.

Program Income

Any program income earned as a result of activities funded under this grant must be reported to the Department, but may be retained for the life of the subgrant by the subgrantee and used to continue the CDBG disaster recovery activity as approved by the Department. Program income must be expended by subgrantees before requesting funds from the Department. The expenditure of program income should be reflected in financial records.

Duplication of Benefits

Subgrantees and/or beneficiaries must provide documentation of any funds received from other sources which were applied toward the total costs of the project funded by these disaster recovery funds. Applicants shall demonstrate that no other federal, state, local or private funds are available at this time to address the disaster recovery needs and that the local government is not being reimbursed for the activities by another source (e.g., FEMA). The funds available hereunder shall not be used to supplant any other funding.

Beneficiaries of Public Improvements

- For activities where hookups or connections are required for beneficiary access to CDBG-funded public improvements, low and moderate income benefit shall be determined by the number of low and moderate income persons in households connected to and able to use the water, sewer or other infrastructure at the time of administrative closeout.
- For activities where hookups or connections are required as a condition for beneficiary access to a CDBG-funded public improvement, no hookup or connection fees shall be charged to very-low, low or moderate-income beneficiaries.
- Beneficiaries of activities funded under this emergency rule shall not be expected to pay for or reimburse the subgrantee for any portion of the project costs, whether impact fees, connection charges, or other.

Housing Rehabilitation Standards

Upon completion of storm-related housing rehabilitation or housing mitigation activities, all housing units addressed with CDBG funds must be in compliance with local and state housing codes. The State requires that all housing units assisted with these disaster recovery funds be brought up to State and local codes and standards, including appropriate energy conservation measures (i.e. energy efficient appliances, windows, doors, etc.). Efforts to mitigate flood risk through construction and elevation should be undertaken. This requirement does not apply if the construction activity is limited to water hookups, sewer hookups, the abandonment of wells, or the abandonment of septic systems with no internal or external modifications to the housing structure.

Manufactured Housing

If manufactured housing units are used for replacement housing, they must meet the following specifications:

- Manufactured housing units must be built to HUD post-1994 construction standards.
- The units must be new, previously uninstalled manufactured housing units.
- Units must bear HUD compliance certification meeting HUD wind resistance construction standards for wind zone 3.
- The county shall inspect and approve the installation of all manufactured housing units to ensure compliance with the local building code.
- Units must be installed to the manufacturer's installation instructions.
- These funds may not be used for furniture or interior design costs, insurance, financing points, or add-on structures.
- Replacement units may be placed on leased land or resident-owned land.
- Site location must meet minimum safety criteria (e.g., not located in floodplain, not in high velocity wind zone, etc.).
- Units must be owner-occupied.
- The cost of each manufactured housing unit must not exceed the appraised value of the unit per the Fannie Mae/Freddie Mac manufactured housing appraisal guidelines currently in effect (e.g., Fannie Mae, Announcement 03-06, Appraisal Guidelines for Manufactured Housing.)

Hookup and Connection Fees

For activities where hookups or connections are required as a condition for beneficiary access to a CDBG funded public improvement, no hookup or connection fees shall be charged to very-low, low or moderate-income beneficiaries. Further, no portion of the project construction costs shall be charged to very-low, low or moderate- income beneficiaries.

Monitoring Visits

The Department shall conduct on-site monitoring visit(s) to determine whether State sub-recipients are complying with program requirements. Sub-recipients shall respond to any issues identified in a monitoring report within thirty (30) days after receiving the report. Failure to respond may result in the Department rejecting requests to draw funds, termination of the contract, and repayment of any funds already expended for any ineligible activities.

Definitions

The Florida Small Cities Community Development Block Grant (CDBG) program is governed by definitions provided in the Housing and Community Development Act of 1974, as amended; and Title 24 C.F.R. 570, incorporated herein by reference, as effective on 5-23-06. The following additional definitions are provided for clarification.

(1) "Architectural and engineering services" means the basic services required to be performed by an architect or engineer licensed by the State of Florida including preliminary engineering, design services and services during construction except for the following additional engineering services:

(a) Site surveys for water treatment plants, sewage treatment works, dams, reservoirs, and other similar special surveys as may be required, such as route surveys.

(b) Laboratory tests, well tests, borings, specialized geological soils, hydraulic or other studies recommended by the engineer.

(c) Property surveys, detailed description of sites, maps, drawings, or estimates related to them, assistance in negotiating for land and easement rights.

(d) Necessary data and filing maps for water rights.

(e) Redesigns ordered by the owner after final plans have been accepted by the owner and the local government, except redesigns to reduce the project cost to within the funds available.

(f) Appearances before courts or boards on matters of litigation or hearings related to the project.

(g) Preparation of environment assessments or environmental impact statements.

(h) Performance of detailed staking necessary for construction of the project in excess of the control staking.

(i) Provision of the operation and maintenance manual for facilities.

(j) Activities required for obtaining state and federal regulatory agency construction permits.

(k) Design of hookups.

(l) Cost of engineering specialties such as electrical; hydro geological services; biologists; and heating, ventilation, and air conditioning (HVAC).

(2) "Authorized signature" means the original signature of the Chief Elected Official or the signature of a person who is designated by charter, resolution, code, ordinance or other official action of the local government to sign CDBG related documents. If a signature other than the Chief Elected Official is submitted, a copy of that designation must accompany that signature.

(3) "Direct Benefit" is CDBG assistance that promotes or enhances individual well-being including housing rehabilitation, sewer and water hookups, or job creation by a Participating Party. Activities that only meet a national objective through an area-wide determination do not confer direct benefit.

(4) "Job creation location" means the geographic location within the project area where job creation activities of the Participating Party and expenditure of non-public funds will occur. This excludes any locations where public funds from any source are being expended for local government-owned infrastructure, local government owned public facilities or within public easements or rights-of-way.

(5) "Jobs – created" means jobs - permanent which were not in existence in the State of Florida prior to the provision of the CDBG assistance and which would not be created without CDBG assistance. In cases where an employer both creates and eliminates jobs, "jobs - created" means the difference between the new jobs - created and the old jobs eliminated.

(6) "Jobs – permanent" means a full-time job or a full-time equivalent job (2,000 hours annually) as set forth in the application which is necessary to the overall goals and objectives of a business and which has no known end, and which will be maintained by the Participating Party for a minimum of one year from administrative closeout of the subgrant.

(7) "Jobs – retained" means jobs - permanent which, without CDBG assistance, would be abolished by layoffs, plant closing, or other severe economic or natural conditions or as otherwise clarified in 24 C.F.R. 570.483(b)(4), as effective on 5-23-06.

(8) "Jurisdiction" means the corporate limits of a local government or the area over which it has zoning authority.

(9) "Liquidated damages" are funds paid to a local government by a contractor, vendor, or any other party pursuant to a CDBG-funded contract when such payment is triggered by nonperformance or failure to perform on their part. This definition is applicable whether such funds are withheld by the local government or repaid or rebated to the local government by the contractor, vendor or third party.

(10) "Local government" means a unit of general purpose local government, i.e., county governments and municipal governments (incorporated cities, towns and villages) within the State of Florida. Unless otherwise stated, "applicant" shall refer to the applying local government.

(11) "Participating party" means a business or other entity responsible for creating or retaining jobs - permanent as part of the proposed Economic Development project. The applying local government shall not be a participating party in its own application.

(12) "Project area or areas" means the site or sites upon which all subgrant-related construction activities take place, without respect to funding source.

(13) "Public notice" is defined as an advertisement published in a local newspaper of general circulation at least five days, and no more than 20 days, prior to the event for which the notice was placed. The calculation of the time period shall not include the date of publication of the notice.

(14) "Section 3" means Section 3 of the Housing and Community Development Act of 1968, as amended, as effective on 5-23-06, and 24 C.F.R. Part 135, as effective on 5-23-06, relating to employment and other economic opportunities for lower income persons.

(15) "Service area" means the total geographic area to be served by a subgrant-funded activity, where at least 51 percent of the residents are low and moderate income persons. A service area will encompass all beneficiaries who are reasonably served or would be reasonably served by an activity.

(16) "Time period" or "days" means calendar days. All time periods specified in this rule, the application, the contract and all correspondence to and from the Department refer to calendar days unless otherwise specified.

(17) "Very low-income family (VLI)" is a household whose annual income does not exceed 30 percent of the median income for the area or does not exceed 30 percent of the median income for the State, whichever is higher, as most recently determined by HUD. This information can be found in the HUD adjusted census data in the elements titled FAMVLOW and NFAMVLOW.

(18) "Low-income family (LI)" is a household whose annual income does not exceed 50 percent of the median income for the area or does not exceed 50 percent of the median income for the State, whichever is higher, as most recently determined by HUD.

(19) "Moderate-income family (MI)" is a household whose annual income does not exceed 80 percent of the median income for the area or does not exceed 80 percent of the median income for the State, whichever is higher, as most recently determined by HUD.

ATTACHMENT B
Household Income Verification Form
Form 27-07

SECTION I			
LOCAL GOVERNMENT:	SERVICE AREA (S) #	MAP KEY #	DATE OF SURVEY:
NAME OF OCCUPANT:	RENT	OWN	LOCATED IN FLOODPLAIN
ADDRESS:		MAILING ADDRESS:	
CITY, STATE AND ZIP		CITY, STATE AND ZIP	
PHONE #		UNIT DESCRIPTION:	
SECTION II		SECTION III	
VERY LOW INCOME HOUSEHOLD INCOME RANGE		LOW AND MODERATE INCOME HOUSEHOLD INCOME RANGE	
SELECT HOUSEHOLD SIZE	HUD SECTION 8 VERY LOW INCOME	SELECT HOUSEHOLD SIZE	HUD SECTION 8 LOW AND MODERATE INCOME
1	\$0.00 TO \$ _____	1	\$0.00 TO \$ _____
2	\$0.00 TO \$ _____	2	\$0.00 TO \$ _____
3	\$0.00 TO \$ _____	3	\$0.00 TO \$ _____
4	\$0.00 TO \$ _____	4	\$0.00 TO \$ _____
5	\$0.00 TO \$ _____	5	\$0.00 TO \$ _____
6	\$0.00 TO \$ _____	6	\$0.00 TO \$ _____
7	\$0.00 TO \$ _____	7	\$0.00 TO \$ _____
8	\$0.00 TO \$ _____	8	\$0.00 TO \$ _____
Is the size of the household within the proper VLI income range?	Yes* No**	Is the size of the household within the proper LMI income range?	Yes* No
*If Yes, go to Section IV. **If No, go to Section III.		*If Yes, go to Section IV.	

Household Income Verification Form (Continued)
Form 27-07

SECTION IV				
Indicate how many people in each of the following categories reside in the household. Some household members may need to be counted in more than one category.	Female Head of Household	Handicapped	Elderly (60+)	
Indicate race and ethnicity of the head of household below:				
Race	Total	# of Hispanic Ethnicity	For Housing Grants Only	
			# Units Owner Occupied	# Units Renter Occupied
White				
African American				
Asian				
American Indian or Alaskan Native				
Native Hawaiian Pacific Islander				
American Indian or Alaskan Native and White				
Asian and White				
African American and White				
American Indian/Alaskan Native and African American				
Other Multi-racial				
Totals				

CERTIFICATION: I, the undersigned, certify that the information stated in this form is true and accurately reflects the household composition and income data as presented to me by the occupant. Additionally, each household has been advised that they may be required to hook up to any sewer or water facilities constructed as a part of this project and of any estimated costs or monthly fees associated with such hook up.

INTERVIEWER: _____ DATE: _____

ATTACHMENT C
NOT APPLICABLE TO THIS APPLICATION
SLUM & BLIGHT for SPOT BASIS
NATIONAL OBJECTIVE FORM
SUPPLEMENT to DRI APPLICATION for FUNDING

Grant Number: _____

Recipient: _____

Service Area # and Project Name: _____

The elimination of specific conditions of blight or deterioration on a spot basis is designed to comply with the statutory objective for CDBG funds to be used for the prevention of blight, on the premise that such action(s) serve to prevent the spread to adjacent properties or areas. **See the HUD Guide to National Objectives and Eligible Activities for State CDBG Program for further information.**

1. To comply with the national objective of **elimination or prevention of slum or blight on a spot basis**, i.e., outside a slum or blighted area, an activity must meet the following criteria:

- The activity must be designed to eliminate specific conditions of blight or physical decay not located in a designated slum or blighted area, and
- The activity must be limited to one of the following: (Check one)
 - _____ Acquisition
 - _____ Clearance
 - _____ Relocation
 - _____ Historic Preservation
 - _____ Rehabilitation of buildings, but only to the extent necessary to eliminate specific conditions detrimental to public health and safety.

2. Enter the date that the need was identified:	
---	--

3. Enter the name and title of the individual who made the determination that the conditions meet the slum and blight national objective:	
---	--

4. Describe the location where the slum and blighted conditions exist (i.e., city, county, streets, service area, etc.):

5. Describe the specific condition of blight or physical decay to be addressed:

6. Describe the timing or the development of the conditions:

7. Describe how the condition(s) poses a threat to the public's health and safety.

8. Describe how the activity to be funded by CDBG will alleviate the slum and blight and how it will eliminate conditions that are detrimental to the public's health and safety.

9. List the documentation that the local government can provide to show that the conditions being addressed fall under the slum and blight national objective (i.e., resolution of the local governing body, photographs of conditions, notice from Health Department or other agency, code enforcement documentation, etc.). Return this form along with copies of the documentation to the Department.

By signing below, I certify that the activities funded under the Slum & Blight on a Spot Basis national objective meet the criteria stated above:

NOT APPLICABLE TO THIS APPLICATION

Signature of Chief Elected Official

Date

Printed Name of Elected Official

Title

ATTACHMENT D
NOT APPLICABLE TO THIS APPLICATION
SLUM & BLIGHT for AREA BASIS
NATIONAL OBJECTIVE FORM
SUPPLEMENT to DRI APPLICATION for FUNDING

Grant Number: _____ Recipient: _____

Service Area # & Project Name: _____

To qualify under the national objective of slum/blight on an **area basis**, an activity must meet **all** of the following criteria:

1. The area must be officially designated by the recipient and must meet a definition of a slum, blighted, deteriorated, or deteriorating area under state or local law. It is not necessary to formally designate/declare the area to be blighted, but the area must meet the definition for designation.
2. The area must exhibit at least one of the following physical signs of blight or decay:
 - A. There must be a substantial number of deteriorated or deteriorating buildings throughout the area. As a "safe harbor," HUD will consider this test to have been met if either: (1) the proportion of buildings in the area that are in such conditions is at least equal to that specified in the applicable state law for this purpose; or (2) in the case where the applicable state law does not specify the percentage of deteriorated or deteriorating buildings required to qualify the area, then at least one quarter of all of the buildings in the area must be deteriorated or deteriorating.
 - B. The public improvements throughout the area must be in a general state of deterioration. For this purpose, it would be insufficient for only one type of public improvement, such as a sewer system, to be in a state of deterioration; rather the public improvements taken as a whole must clearly exhibit signs of deterioration.
3. Documentation must be maintained by the recipient on the boundaries of the area, on the conditions that qualify the area at the time of its designation.
4. Activities to be assisted with CDBG funds must be limited to those that address one or more of the conditions that contributed to the deterioration of the area. Note that this does not limit the activities to those that address the blight or decay itself, but it allows an activity to qualify if it can be shown to address a condition that is deemed to contribute to the decline of the area.

Where the assisted activity is rehabilitation of residential structures, two additional criteria must be met:

- Each building must be considered substandard under local definition.
- Grant recipients must have developed minimum building quality standards for this purpose.
- All deficiencies making the building substandard must be corrected before less critical work on the building may be undertaken.

See the HUD Guide to National Objectives and Eligible Activities for State CDBG Program for further information.

10. Typical activities designed to address **slum or blight on an area basis** include: (Check One)
- Acquisition and clearance of blighted properties;
 - Renovation and reuse of abandoned, historic buildings;
 - Commercial revitalization through façade improvements;
 - Removal of environmental contamination on a property to enable it to be redeveloped for a specific use; or
 - Rehabilitation of buildings, but only to the extent necessary to eliminate specific conditions detrimental to public health and safety.
11. Records that must be maintained by the recipient, copies of which must be submitted to the Department, include:
- The boundaries of the service area;
 - A description of the conditions that qualified the area at the time of its designation in sufficient detail to demonstrate how the area met the criteria for designation;

<ul style="list-style-type: none"> • A description of the activity showing how it addresses a condition that led to the decline of the area. Each residential rehabilitation activity must also be supported by documentation that shows: <ul style="list-style-type: none"> ✓ How the building qualifies under the grant recipient's definition of "substandard," and ✓ As applicable, information showing that any deficiencies making the building substandard were eliminated prior to less critical work being done. 	
12. Check yes if the specific conditions being address are located within a slum or blighted area: ____Yes ____ No (If No is checked, the conditions being addressed are not located in a designated slum or blighted area.)	
13. Enter the date that the need was identified:	
14. Enter the name and title of the individual who made the determination that the conditions met the slum and blight national objective:	
15. Describe the location where the slum and blighted conditions existed (i.e., city, county, streets, service area, etc.):	
16. Describe the specific condition of blight or physical decay to be addressed:	
17. Describe the timing or the development of the conditions:	
18. Describe how the condition(s) poses a threat to the public's health and safety.	

<p>19. Describe how the activity to be funded by CDBG will alleviate the slum and blight and how it will eliminate conditions that are detrimental to the public's health and safety.</p>
<p>20. List the documentation that the local government can provide to show that the conditions being addressed fall under the slum and blight national objective (i.e., resolution of the local governing body, photographs of conditions, notice from Health Department or other agency, code enforcement documentation, etc.). Return this form along with copies of the documentation to the Department.</p>

By signing below, I certify that the activities funded under the Slum & Blight on an Area Basis national objective meet the criteria stated above:

NOT APPLICABLE TO THIS APPLICATION

Signature of Chief Elected Official	Date
Printed Name of Elected Official	Title

ATTACHMENT E
NOT APPLICABLE TO THIS APPLICATION
URGENT NEED
NATIONAL OBJECTIVE FORM
SUPPLEMENT to DRI APPLICATION for FUNDING

Grant Number: _____ **Recipient:** _____

Service Area # & Project Name: _____

To comply with the national objective of meeting community development needs having a particular urgency, an activity must be designed to alleviate existing conditions which the local government certifies and state determines (1) pose a serious and immediate threat to the health or welfare of the community, (2) of recent origin or recently became urgent, (3) the grant recipient is unable to finance the activity on its own, and (4) other sources of funding are not available to carry out the activity. A condition will generally be considered to be of recent origin if it developed or became critical within 18 months preceding the grant recipient's certification (refer to 24 CFR 570.483(d)). **See the HUD Guide to National Objectives and Eligible Activities for State CDBG Program for further information.**

21. The local government must certify and provide documentation that the activity to be conducted under the urgent need national objective meets all of the following:

- Poses a serious and immediate threat to the health or welfare of the community.
- Is of recent origin or recently became urgent (i.e., local government must have identified it as an urgent need during or immediately following the disaster).
- The local government is unable to finance the activity on its own.
- No other sources of funding are available to carry out the activity.

22. Enter the date that the need was identified as urgent:

23. Enter the name and title of the individual who made the determination that the conditions were urgent:

24. Describe the location where the urgent conditions existed (i.e., city, county, streets, service area, etc.):

25. Describe the nature and degree of seriousness of the conditions requiring assistance, including persons or neighborhoods affected by the conditions:

26. Describe the timing or the development of the conditions:

27. Describe how the activity to be funded by CDBG will alleviate the urgent condition:
28. Indicate why there are no other resources available to address the need (i.e., does not qualify for FEMA assistance, not covered by insurance, etc.):
29. List the documentation that the local government can provide to show that the conditions are urgent (i.e., resolution of the local governing body, photographs of conditions, notice from Health Department or other agency, code enforcement documentation, resolution of the local governing body acknowledging the threat to the community, etc.). Return this form along with copies of the documentation to the Department.

By signing below, I certify that the activities funded under the Urgent Need national objective meet the criteria stated above:

NOT APPLICABLE TO THIS APPLICATION

Signature of Chief Elected Official	Date
Printed Name of Elected Official	Title

ATTACHMENT F

GENERAL INSTRUCTIONS FOR PREPARING AN ESTIMATED PROJECT BUDGET

The "Cost Standard Used" to estimate costs must be available for review during the site visit. Department staff will review it for cost reasonableness. The Department reserves the right to request justification of the cost reasonableness of any budgetary item. If the applicant cannot justify a cost, the Department will reduce the line item budget at the time of contracting.

If the applicant chooses to pay for the cost of the grant application preparation from the grant, if awarded, enter the payment amount. Document the eligibility of this expense in the Appendices. To be an eligible expenditure, the following requirements apply:

- The grant writer must have been procured pursuant to 24 CFR Section 85.36, as it existed on the day of advertising for the Request for Proposal.
- If the applicant prepared the application using local government staff, or if the staff of another governmental agency was selected pursuant to Chapter 287, *Florida Statutes*, the local government may seek payment only for direct costs incurred as part of the grant application preparation.
- A contract for the grant writer must have been executed before the application deadline.
- Invoices or other documentation to justify the amount requested must also be included in the Appendices.

Please be aware that if the applicant is awarded a grant, the Department will review this procurement or expense, and if it determines that the procurement process or contracting process was not carried out correctly, or the expense is not eligible, the Department will disallow the expense.

ATTACHMENT G
AFFORDABLE RENTAL HOUSING
SCOPE OF WORK

Grant Number: TBA (DREF Supplemental Funds) **Recipient:** Escambia County

Service Area # and Project Name: Continuation: Service Area #4/Sanchez Court Rental Rehabilitation/
Mitigation Project

HUD has determined that affordable rental housing projects will address the greatest unmet need under this program. Using FEMA assessment data, communities will make their best efforts to search for and find affordable rental housing projects. Please describe the steps undertaken to identify all possible affordable rental housing projects in your community.

The priority rental project for the 2008 Storms allocation was the 48-unit Sanchez Court Apartments located in the City of Pensacola and owned by Area Housing Commission. DREF funds will be used to supplement prior funding to allow for the completion of additional or enhanced rehabilitation/mitigation improvements to the existing low income rental units. The enhancements were identified as bid options under the bid process used for the 2008 Storms allocation, but the 2008 Storms funding level was not adequate to allow the County to select/award all of the items. Rehabilitation/mitigation of the 48-units units began on June 13, 2011 using a portion of the 2008 Storms allocation. DREF funds will allow the County to proceed with awarding the highest priority items to the project contractor. The timing of the DREF supplemental funding will sync extremely well as a continuation/enhancement to this project.

Should additional funds become available, further enhancements can be made to this rental complex.

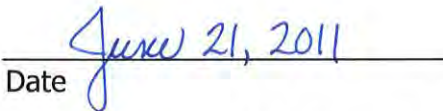
By signing below, I certify that all efforts were made to identify affordable rental housing projects.



Signature of Chief Elected Official

Kevin W. White

Printed Name of Elected Official



Date

Chairman, Board of County Commissioners

Title

ATTEST: Ernie Lee Magaha
Clerk of the Circuit Court

Date Executed

By: 
Deputy Clerk



**DISASTER RECOVERY ENHANCEMENT
FUNDS (DREF)**

**SUMMARY BUDGET AND DETAILED
PROJECT WORKSHEETS**

FOR

CONTINUATION PROJECTS

Service Area #1

Service Area #4

Service Area #5

ATTACHMENT H - PROGRAM BUDGET AND SCOPE OF WORK SUMMARY

CATEGORY	ACTIVITY		ACCOMPLISHMENTS		BENEFICIARIES			BUDGET		
	NUMBER	DESCRIPTION	UNIT	NUMBER	LMI	VLI	TOTAL	CDBG AMOUNT	OTHER FUNDS	SOURCE
ADMINISTRATION (LIMITED TO 2.5% OF TOTAL ALLOCATION)	21A	ADMINISTRATION	N/A	N/A			N/A	55,000		
ENGINEERING	21B	ENGINEERING								
SUBTOTAL								55,000		
DOLLARS ALLOCATED FOR AFFORDABLE RENTAL HOUSING										
SA #4: Continuation Rental Housing Project (Sanchez Court Rehabilitation/ Mitigation) Design, Project Management (Rental)	14B	Rehab/Development of multi-unit residential (48- unit Sanchez Court) - Escambia/Pensacola	Rental units	48	25	5	48	770,000 56,000		
SUBTOTAL					25	5	48	826,000		
ALL OTHER RECOVERY ACTIVITIES										
SA #1: Continuation Public Infrastructure (Lakewood Sewer) – Construction Project Management	03J	Construction of public sanitary sewer system and related costs (Lakewood Sewer) - Escambia County	L.F of Sewer Line	3,300 l.f. (minimum in addition to "K" contract)	33		61	492,506 24,625		
SA #5: Continuation Public Facilities (Replacement Homeless Housing/Service Facility) Project Management	03	Development of hardened, centralized homeless/special needs housing and services facility at 350 West Herman Street (Escambia/Pensacola)	Develop Facility	Complete 1 facility	100 (unduplicated)	70 (unduplicated)	100 (Unduplicated)	880,000 84,950		
SUBTOTAL					133	70	161	1,482,081		
TOTALS					158	75	209	2,363,081	0.00	
TOTAL UNDUPLICATED BENEFICIARIES (FROM ALL SERVICE AREAS)			209 (see note below)			TOTAL LMI BENEFICIARIES (FROM ALL SERVICE AREAS)			158	

NOTE: The accomplishments & beneficiaries cited above for Service Areas #4 and #5 are [CUMULATIVE for both the original "K" Contract and the DREF Supplemental](#). The accomplishments and beneficiaries are just restated here for consistency.

SERVICE AREA #01 (CONTINUATION): Public Facilities-Lakewood Public Sanitary Sewer Construction

ATTACHMENT I - SCOPE OF WORK BY SERVICE AREA

CATEGORY	ACTIVITY		ACCOMPLISHMENTS		BENEFICIARIES			BUDGET		
	NUMBER	DESCRIPTION AND NATIONAL OBJECTIVE	UNIT	NUMBER	LMI	VLI	TOTAL	CDBG AMOUNT	OTHER FUNDS	SOURCE
ENGINEERING	21B	ENGINEERING								
DOLLARS ALLOCATED FOR AFFORDABLE RENTAL HOUSING										
SUBTOTAL										
ALL OTHER RECOVERY ACTIVITIES										
SA #1: Continuation Public Infrastructure (Lakewood Sewer) – Construction Project Management	03J	Construction of public sanitary sewer system and related costs (Lakewood Sewer) - Escambia County	L.F of Sewer Line	3,300 l.f. (minimum in addition to "K" contract)	33		61	492,506		
								24,625		
SUBTOTAL				3,300	33	61		517,131		
TOTALS				3,300	33	61		517,131	0.00	
TOTAL UNDUPLICATED BENEFICIARIES (FROM ALL SERVICE AREAS)			61		TOTAL LMI BENEFICIARIES (FROM ALL SERVICE AREAS)			33		

SERVICE AREA #04 (CONTINUATION): REHAB & MITIGATION OF MULTI-UNIT RESIDENTIAL (RENTAL) – Sanchez Court Apartments

ATTACHMENT I - SCOPE OF WORK BY SERVICE AREA

CATEGORY	ACTIVITY		ACCOMPLISHMENTS		BENEFICIARIES			BUDGET		
	NUMBER	DESCRIPTION AND NATIONAL OBJECTIVE	UNIT	NUMBER	LMI	VLI	TOTAL	CDBG AMOUNT	OTHER FUNDS	SOURCE
ENGINEERING	21B	ENGINEERING								
DOLLARS ALLOCATED FOR AFFORDABLE RENTAL HOUSING										
SA #4: Continuation Rental Housing Project (Sanchez Court Rehabilitation/ Mitigation) Design, Project Management (Rental)	14B	Rehab/Development of multi-unit residential (48-unit Sanchez Court) - Escambia/Pensacola	Rental units	48	25	5	48	770,000		
								56,000		
SUBTOTAL				48	25	5	48	826,000		
ALL OTHER RECOVERY ACTIVITIES										
SUBTOTAL										
TOTALS				48	25	5	48	826,000	0.00	
TOTAL UNDUPLICATED BENEFICIARIES (FROM ALL SERVICE AREAS)		48	<i>(see note below)</i>		TOTAL LMI BENEFICIARIES (FROM ALL SERVICE AREAS)			30		

NOTE: The accomplishments & beneficiaries cited above for Service Area #4 is CUMULATIVE for both the original “K” Contract and the DREF Supplemental. The accomplishments and beneficiaries are just restated here for consistency.

SERVICE AREA #05 (CONTINUATION): PUBLIC FACILITIES - CENTRALIZED HOMELESS HOUSING / SERVICES FACILITY

ATTACHMENT I - SCOPE OF WORK BY SERVICE AREA

CATEGORY	ACTIVITY		ACCOMPLISHMENTS		BENEFICIARIES			BUDGET		
	NUMBER	DESCRIPTION AND NATIONAL OBJECTIVE	UNIT	NUMBER	LMI	VLI	TOTAL	CDBG AMOUNT	OTHER FUNDS	SOURCE
ENGINEERING	21B	ENGINEERING								
DOLLARS ALLOCATED FOR AFFORDABLE RENTAL HOUSING										
SUBTOTAL										
ALL OTHER RECOVERY ACTIVITIES										
SA #5: Continuation Public Facilities (Replacement Homeless Housing/Service Facility) Project Management	03	Development of hardened, centralized homeless/special needs housing and services facility at 350 West Herman Street (Escambia/Pensacola)	Develop Facility	Complete 1 facility	100 (unduplicated)	70 (unduplicated)	100 (Unduplicated)	880,000 84,950		
SUBTOTAL				1	100	70	100	964,950		
TOTALS				1	100	70	100	964,950	0.00	
TOTAL UNDUPLICATED BENEFICIARIES (FROM ALL SERVICE AREAS)		48	(see note below)			TOTAL LMI BENEFICIARIES (FROM ALL SERVICE AREAS)		30		

NOTE: The accomplishments & beneficiaries cited above for Service Area #5 is CUMULATIVE for both the original "K" Contract and the DREF Supplemental. The accomplishments and beneficiaries are just restated here for consistency.

APPENDIX 1

LOCATION MAPS

Continuation Projects

#1, #4 and #5

A variety of detailed/descriptive maps were submitted with the original “K” Contract application and those maps remain directly applicable to continuation project activities to be undertaken with DREF funds as proposed herein. Therefore, only the location maps are included with this package.

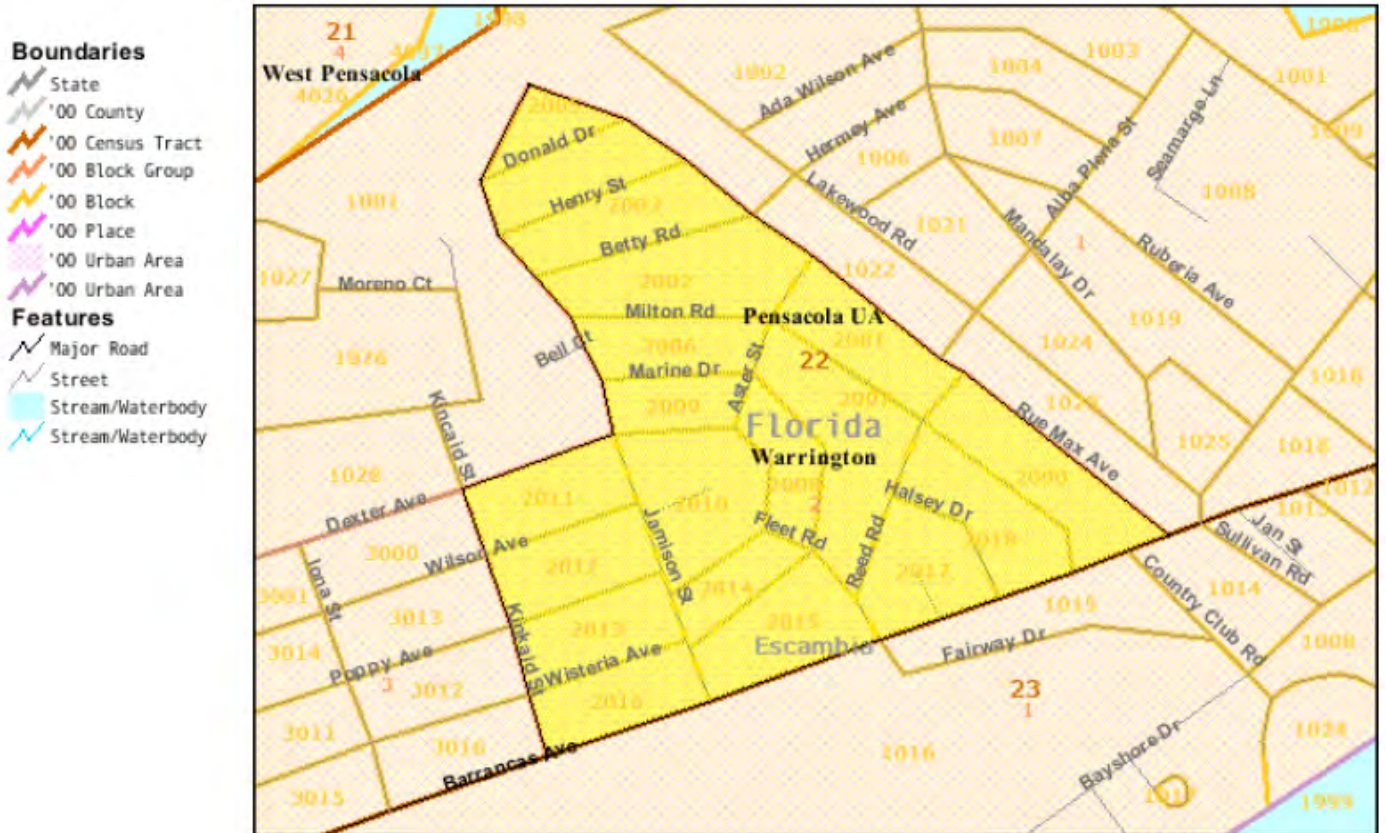
All of the remaining maps are available and can be re-submitted electronically if needed/required.

SERVICE AREA #1 (CONTINUATION PROJECT)

PROJECT SERVICE AREA/LOCATION MAP
Project: Lakewood Area Sanitary Sewer Construction (Escambia County: Barrancas Community Redevelopment Area) CDBG Activity: 03J - Installation of Sewer Lines/Components

Block Group 2, Census Tract 22, Escambia County, Florida - Reference Map - American ... Page 1 of 1

Block Group 2, Census Tract 22, Escambia County, Florida



SERVICE AREA #4 (CONTINUATION PROJECT)

PROJECT SERVICE AREA/LOCATION MAP
Project: Rehabilitation/Mitigation of Rental Units (Escambia/Pensacola: Sanchez Court Apartments) CDBG Activity: 14B – Rehab of Multi-Unit Residential Units

Sanchez Court Rentals

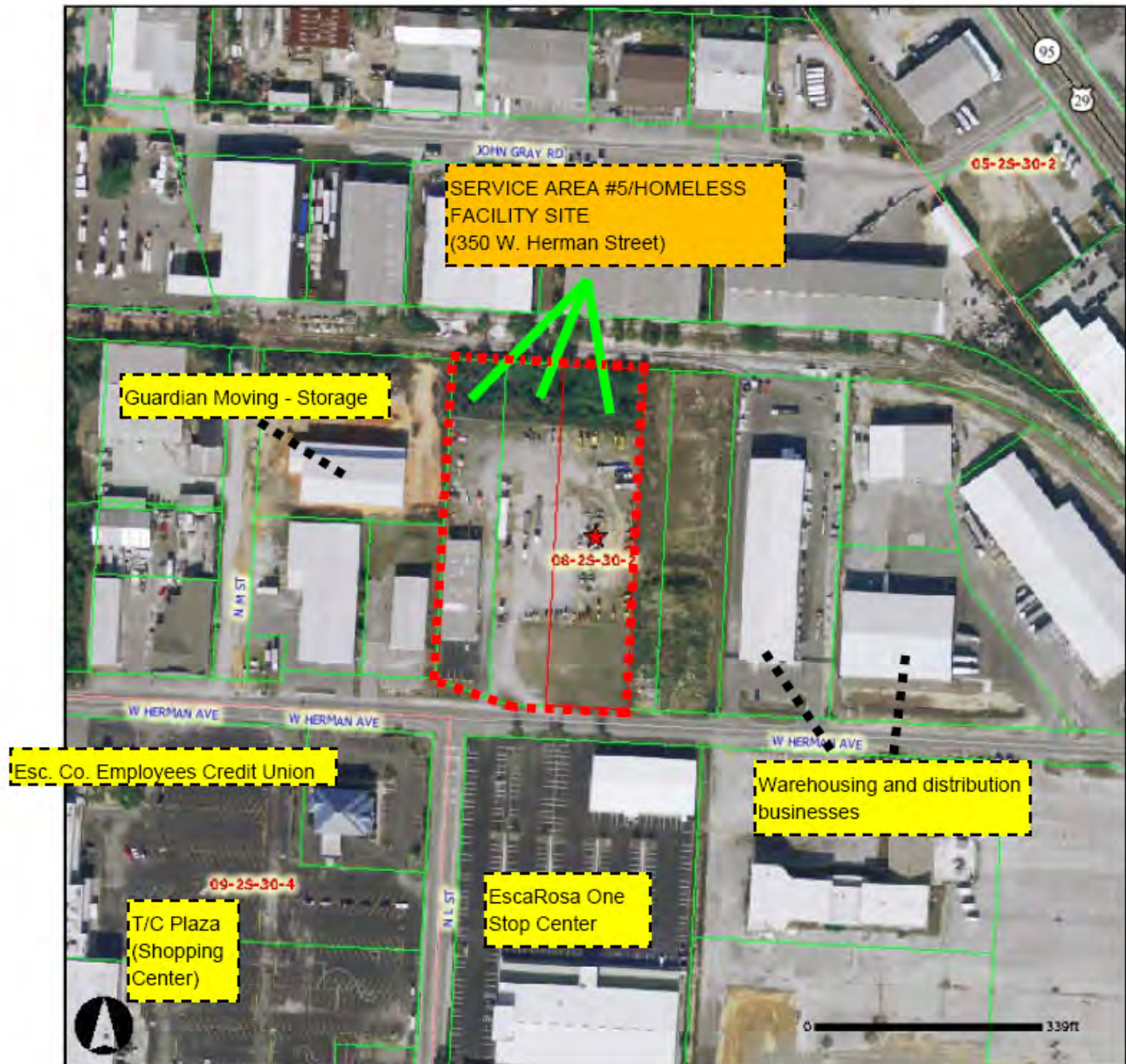


SERVICE AREA #5 (CONTINUATION PROJECT)

PROJECT SERVICE AREA/LOCATION MAP

Project: Replacement Centralized Homeless Housing & Services Facility (Waterfront Rescue Mission)
(Escambia/Pensacola: 350 West Herman Street
CDBG Activity: 03 – Public Facilities

REPLACEMENT CENTRALIZED HOMELESS HOUSING & SERVICES FACILITY



APPENDIX 2

LOW/MODERATE INCOME PROJECT AREA BENEFIT ELIGIBILITY DOCUMENTATION

Escambia County

(Public Facilities & Improvements)

Service Area #1

Lakewood Area Sanitary Sewer Improvements Project

HUD Low/Mod Census Data Based Eligibility

CDBGUOGI	CDBGNAM	CDBGTYPE	STUSAB	STATE	COUNTY	COUNTY\N\TRACT	BLKGRP	LOWMODL	LOWMOD	LOWMODPCT
129033	ESCAMBIA 66		FL	12	033	Escambia C002200	1	2250	1450	64.4
129033	ESCAMBIA 66		FL	12	033	Escambia C002200	2	1104	575	52.1
129033	ESCAMBIA 66		FL	12	033	Escambia C002200	3	697	363	52.1

NOTE: Above Data secured from the HUD Website Low/Mod data set for Escambia County In accordance with governing CDBG project eligibility requirements as promulgated by HUD

Service Area #4

LOW/MODERATE INCOME BENEFIT REQUIREMENTS FOR FOR TENANCY OF RENTAL REHABILITATION/DEVELOPMENT PROJECT

REQUIREMENTS FOR CDBG ASSISTED RENTAL UNITS:

Rental project(s) completed by Escambia County and/or the City of Pensacola using **DCA CDBG Disaster funds (2008 Storms)** shall continually provide that, for a minimum long term affordability period of 15 years, at least 51% of the tenants shall have incomes no greater than 80% of the Pensacola MSA median income (adjusted for family size). Likewise, monthly tenant rents for these units (at least 51% of the total produced) shall be affordable as determined by the HUD generally accepted definition of affordability which is for a household to pay no more than 30 percent of its annual income on housing. All such affordability requirements shall be protected and fully enforced through a recorded deed restriction limiting use of the property solely for residential rental housing (with affordability requirements stipulated). These legally binding obligations shall remain in effect for the full duration of the affordability period.

Service Area #5

LOW/MODERATE INCOME BENEFIT REQUIREMENTS FOR FOR CENTRALIZED HOMELESS HOUSING AND SERVICES FACILITY

REQUIREMENTS FOR CDBG ASSISTED REPLACE- MENT HOMELESS SERVICES FACILITY:

The project will specifically serve a HUD defined *Limited Clientele Population* as stipulated in 24 CFR Part 570.208(a)(2)(A) of the Community Development Block Grant (CDBG) Regulations, specifically for a clientele that is *presumed to be principally low and moderate income*. The facility will provide interim housing and a range of supportive and interventional services to area homeless persons and families to aid in their recovery from homelessness. Detailed client services data will be collected and submitted, via the local Homeless Management Information System, as managed by the EscaRosa Coalition on the Homeless, Inc. Escambia County staff will receive copies of the detailed reporting for quarterly and closeout reports to DCA. These provisions shall be enforced through a recorded deed restriction limiting the use of the property and improvements.

APPENDIX 3

DOCUMENTATION OF PUBLIC NOTICES REGARDING PLANNED USE OF DREF FUNDS AND RELATED JURISDICTIONAL MEETINGS

REGARDING CONTINUATION PROJECTS



GOLDEN RETRIEVER PUPPIES - AKC registered, \$300. Taking deposits now, ready June 25. Call 850-529-8056

GREAT DANE PUPPIES - Parents on premises, ready now, \$235 DASH, 251-263-0765

Himalayan kittens - ready 8 weeks old, shots and litter trained, second litter ready June 10. \$300 or 2 for \$500. 251-224-0916



adorable toypuppi as (www) Toups/ Toys-Rare Monkeys, Mops, VorkiePoo, Charlie, Chi-6255-5705, 850-261-6296

ALL SMALL BREEDS - Schnoodles, SHH Tzuz, Miniature Dachshunds, SHH Paris, Mini Poois, Peekapoois, & many more! Starting @ \$375. Dothan, AL www.thepupparade.com 251-626-5248

AMERICAN BULL DOG PUPPIES - JOHNSONS, AKC reg., health cert, \$500, 850-748-0390

BOXER PUPS - AKC, ready 5/17/11, \$400 & \$350. 850-338-1178

BRITANNY PUPS - AKC, ready 5/17/11, \$400 & \$350. 850-338-1178

WASHERS/DRYERS - Heavy duty, \$300 each & up. Can Deliver. 850-476-0474

Computers - **DESK**, Computer, Printer, Monitor, Complete Package, \$325 or make offer, 850-434-0409

Furniture - **4 Banded Glass Dolphin Tables** - \$700, c/o 850-529-1180, 850-910-9755

Japanese Chinese Puppies - R u p p i e s - R u d & W h i t e, M F, 8 wks \$450 (850)206-4561

MALTESE PUPPIES - 32wks old, male & female, beautiful, baby face, parents AKC registered, health checked, \$900. Please call 850-476-2777

MINPIN PUPPIES - vet checked and shots \$200. 850-377-9563

POMERANIAN PUPPIES - AKC, Vet Checked, Shots, Health Certificates, Small \$250 (850)256-2168

SHIH TZU PUPPIES - 1/1 Color, beautiful coats, vet checked, shots, \$400, 850-332-0634

SHIH-TZU PUPS - Smaller type, vet \$330, 850-295-8724

YORKIE PUP & YORKIE SHIH - CKC, vet checked, \$805 \$750, 850-377-1663

REFRIGERATOR - \$250, 850-435-5139 or 850-453-5932

WASHERS/DRYERS - Heavy duty, \$300 each & up. Can Deliver. 850-476-0474

Computers - **DESK**, Computer, Printer, Monitor, Complete Package, \$325 or make offer, 850-434-0409

Furniture - **4 Banded Glass Dolphin Tables** - \$700, c/o 850-529-1180, 850-910-9755

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SHIH-TZU PUPS - Smaller type, vet \$330, 850-295-8724

YORKIE PUP & YORKIE SHIH - CKC, vet checked, \$805 \$750, 850-377-1663

PENSACOLA - 4680 A Peacock Dr. 7:00 am to 4:00 pm June 10, 11, 12 House hold items - moving sale Science to Creighton right on Peacock end of street before curve

WASHERS/DRYERS - Heavy duty, \$300 each & up. Can Deliver. 850-476-0474

Computers - **DESK**, Computer, Printer, Monitor, Complete Package, \$325 or make offer, 850-434-0409

Furniture - **4 Banded Glass Dolphin Tables** - \$700, c/o 850-529-1180, 850-910-9755

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SHIH-TZU PUPS - Smaller type, vet \$330, 850-295-8724

YORKIE PUP & YORKIE SHIH - CKC, vet checked, \$805 \$750, 850-377-1663

MIXED DEER FEED - Awesome Results! 850-313-7420

BERRIES - Touchable Berry Farm U-Pick berries 75¢ per pound 850-587-5072

BLUBERRIES - You Pick \$1.10/lb. Hicivet Farm, 4 ml. W. of Llan Bridge off US 98 261-962-2500

CASSERAIN'S Sweet Corn, Silver King, Shelled Peas 3 ml. W. of Llan Bridge turn S. on County Road 91. 1/2 mile turn left. Mon-Sat. 8am-6 AM 251-962-2522

FRESH VEGETABLES - ready for freezer, pink eyes, purple hull peas, speckled butter beans, baby lima etc. 601-347-0660 or 601-344-7336 \$21/bushel

SWEET CORN - U-Pick \$1.75/dozen 850-550-5101

WATCH MAKERS BENCH - Quartz Repair Tools & Parts No Separate Parts Sold. \$1200. 850-862-8306

Legal Notice - Please be advised that the psychological records for any patient of Richard G. Weaver PhD will be disposed of on July 15, 2011. If you would like to obtain a copy of your records you may call (904) 478-0008 to make arrangements before that date.

Legal Notice of Completion - Notice is hereby given that the undersigned Contractor has completed and has ready for acceptance by the City of Pensacola the following construction project:

Jonas Swamp Wetland Restoration PD 09-10-083

Starfish, Inc. of Alabama 114 Blacksher Street Brewton, AL 36626

Legal No. 1525608 1T June 8, 2011

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apartments - **Apartment** - **Finished**

NAVY POINT - Military Officer, call, w/d, pet, \$690 inclusive 850-458-2777

PENSACOLA 2011 - Nov 5500, 1st \$420, 850-500-0307, 850-206-1502

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PUBLIC NOTICE

FLORIDA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) DISASTER RECOVERY DISASTER RECOVERY ENHANCEMENT FUNDS (DREF) APPLICATION SUMMARY ESCAMBIA COUNTY, CITY OF PENSACOLA & TOWN OF CENTURY


This notice summarizes the planned use of CDBG Supplemental Disaster Recovery Enhancement Funds (DREF) funds as jointly proposed by Escambia County, the City of Pensacola and the Town of Century in compliance with the Consolidated Security, Disaster Assistance and Continuing Appropriations Act 2009 as administered by the Florida Department of Community Affairs (DCA). These jurisdictions are eligible to apply for and share a maximum of \$2,363,001 in DREF supplemental disaster funds. The funds will be used to continue/enhance ongoing projects originally initiated with DCA CDBG Disaster funds provided through Grant Contract T00B-04-01-27-01-K08 (2008 Storms) as summarized below:



Repair/Construction of Public Infrastructure/Public Facilities:	\$ 517,131
Continuation Project DCA Service Area #1 (Public Sanitary Sewer Improvements-Lakewood Subdivision)	
Preservation/Redevelopment of Affordable Rental Housing:	\$ 876,000
Continuation Project DCA Service Area #4 (Rental Housing Rehabilitation/Miramar-Sancti Court Apartments)	
Public Facilities (Replacement Centralized Homeless Housing and Services Facility)	\$ 964,850
Continuation Project DCA Service Area #5 (Replacement Centralized Homeless Housing/Services Facility-350 W. Herman Street)	
Administration/Implementation/Indirect Costs (2.5% maximum)	\$ 55,000
TOTAL	\$ 2,363,081

Comments regarding the planned use of the CDBG Supplemental Disaster Recovery Enhancement Funds (DREF) funds will be accepted through July 20, 2011. Information is also available on the Escambia County Website at: <http://www.co.escambia.fl.us/Bureaus/CommunityServices/Reh.html>. Comments may be submitted to: Escambia Coordinator, P.O. 18175, Pensacola, Florida 32523 and/or to Florida Department of Community Affairs, CDBG Section, 2555 Shumard Oak Boulevard, Rm. 260-N, Tallahassee, Florida 32309-2100. For further information, contact Randy Wilkerson at 488-5456 or randy.wilkerson@co.escambia.fl.us

Legal No. 1525608 1T June 8, 2011

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Neighborhood Enterprise Foundation, Inc., is a local non-profit housing and community development agency, with responsibility for planning, programmatic and fiscal management of Escambia County's Community Development Block Grant (CDBG) Program, the Escambia/Pensacola/Santa Rosa County HOME Investment Partnerships Program, the Escambia/Pensacola State Housing Initiatives Partnership (SHIP) Affordable Housing Program, the HUD Emergency Shelter Grant (ESG) Program, and additional project activities as deemed of importance to the mission of NEFI and the County.

Oversight requires the development of Program specific planning documents, grant applications and contracts; maintaining interaction and cooperative working relationships with varied governmental, for-profit, and non-profit organizations involved in housing and community development service delivery; and assuring continuing compliance with federal, state and local regulatory requirements.

Contact

Randy Wilkerson.
Executive Director
P.O. Box 18178
Pensacola, FL 32523-8178
Ph: (850) 458-0466
Fax: (850) 458-0464



COMMUNITY & ENVIRONMENT

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NSP Quarterly Reports

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[Sept. 2010 CDBG-R](#)

[2009-10 Consolidated Plan](#)

[Annual Performance](#)

[Report \(CAPER\)](#)

[Public Notice: DCA](#)

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[\(DREF\) Proposed Use of](#)

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CRA

Escambia Extension

Marine Resources

Mosquito Control

Natural Resource Conserv.

Water Quality



Resources

[Neighborhood Stabilization](#)

[Program3 Substantial](#)

[Amendment](#)

[Modification #01-DCA](#)

[CDBG Disaster Grant](#)

[Escambia/Pensacola/Century](#)

[CDBG Disaster Recovery](#)

[Grant \(2008 Storms\)](#)

[Application Summary](#)

LINK TO DOCUMENT:
http://www.co.escambia.fl.us/Bureaus/CommunityServices/documents/CDBG_Disaster_DREF_PUB_NOTICE_WEBSITE1.pdf

**SUMMARY MINUTES
OF THE
CDBG DISASTER GRANT (2008 STORMS) COORDINATION MEETING
(Updated in April 2011 to incorporate DREF Supplemental Funding)**

Meeting Date: December 9, 2009 at 3:00 pm (CST)

Meeting location: Pensacola Housing Office
Conference Room
420 W. Chase Street
Pensacola, Florida

Public Notification of Meeting:

Advertised in the Escambia County weekly meetings list on November 28, 2009 (copy included in Exhibit 1) and again on December 5, 2009, as published in the *Pensacola News Journal* by the Escambia County Public Information.

Attendance:

Attendance is recorded on the attached sign-in sheet, including representatives of Escambia County, the City of Pensacola, and the Town of Century. Additionally, information was submitted by letter or e-mail from other interested parties who could not attend the meeting but were representing one or more of the jurisdictions. These documents are attached as Exhibit 2 and are made part of this meeting summary.

Purpose of Meeting:

To discuss the DCA CDBG Disaster Grant (2008 Storms) and the mutual approach to utilization of the \$7,067,397 in CDBG disaster funds for priority projects in each jurisdiction.

Meeting Summary Minutes:

Randy Wilkerson, representing Escambia County, opened the meeting with a brief summary of the CDBG Disaster funding and the DCA Plan for utilization of same. The handout included in Exhibit 3 was provided as excerpted from the DCA Plan. Following some discussion between the representatives, Ms. Pat Hubbard, representing the City of Pensacola, indicated that affordable and special needs housing were the City's priorities for use of the funds given the set-asides and targeting included in the enabling legislation for the funds. The focus is upon the preservation and redevelopment of a foreclosed rental development and the development of a homeless service center within the urban area of the County. Mr. Wilkerson agreed that these projects were also County priorities and that they would be implemented and managed jointly with the City for the benefit of residents of both jurisdictions. Robin Phillips, representing the Town of Century, provided information as to the priorities for use of the CBDG Disaster funds with the Town. Continuing stormwater drainage problems plague the Town during recurring storm events and need to be addressed promptly. Two specific targets include the Jefferson Street and Pond Street areas, which have open ditches that flood frequently. Finally, Randy Wilkerson provided a letter from the County CRA indicating that completion of the installation of sanitary sewer in the Lakewood neighborhood in Warrington was the County's priority for use of the CBDG Disaster funds. This area borders Bayou Chico and stormwater runoff created by storm events carry effluents from old, poorly operating septic tanks into the Bayou creating significant environmental impacts on the quality of the water body. Mr. Wilkerson confirmed that this would be the project sought by the County.

All of the parties agreed that the CBDG Disaster grant would be applied for, received and administered by Escambia County, with day to day oversight provided by Neighborhood Enterprise Fd., an operating division of the County's Neighborhoods and Community Services Bureau. The Pensacola Housing Department and Town of Century would provide support, cooperation and assistance with projects implemented within or impacting their respective jurisdictions. The recommended funding breakdown will generally be:

Lakewood Sanitary Sewer Improvements Project	\$3,390,000	(a)
Century Stormwater Drainage Improvements	600,000	(a)
Pensacola (Escambia) Affordable and Special Needs Housing Projects	2,900,000	(a)
General Administration	176,500	

(a) Note: numbers are approximate and will be adjusted to reflect the exact allocation when finalized.

There being no further discussion, the meeting was adjourned at 3:45pm.

Prepared By: Emily Mills, Administrative Assistant, City of Pensacola,
Housing Department

SUPPLEMENTAL NOTATION:

Date: April 1, 2011

Immediately upon formal notification of the impending availability of DREF Supplemental CDBG funds, Randy Wilkerson contacted the City of Pensacola (Pat Hubbard) and the Town of Century (Robin Phillips) regarding the anticipated receipt of an additional approximate \$2.3M, with preference for continuation projects. After e-mail and phone discussion, the jurisdictions mutually agreed that, given the bids received for various projects and the need for additional funding for existing projects, the DREF funds should be allocated to: Service Area #1/ Lakewood Sewer; Service Area #4/Sanchez Rental Rehabilitation/Mitigation and Service Area #5/Replacement Centralized Homeless Facility (Waterfront Rescue Mission). Since Service Area #2 & #3 had not reached the bid stage and the plans were still in permitting at FDEP, it was mutually determined that these projects would remain at the current "K" Contract funding level (this was supported by the Project Engineer who advised that the existing funding should be adequate to complete the work covered by the plans/permitting process. This mutual decision resulted in the April 2011 filing of the DREF Notice of Intent (NOI) with DCA as depicted on the following page.

Supplemental Notation Prepared By: Randy Wilkerson, Executive Director
Escambia County/NEFI



**Florida Department of Community Affairs
 Disaster Recovery Initiative Program
 Disaster Recovery Enhancement Fund (DREF)
 INTENT TO APPLY FORM**

Name of Local Government: Escambia County
 Address: P. O. Box 1591, Pensacola, FL 32591-1591 (Physical: 221 Palafox Place, Pensacola)
 Telephone and Fax Numbers: Phone: (850) 595 4900 Fax: 850 595-4928
 Email Address: randy_wilkerson@co.escambia.fl.us (Primary Contact)
 Local Government Key Contact Information (Name, Title, Telephone Number and Email):
Randy Wilkerson, Executive Director, Escambia County/NEFI, Ph. 850-458-0466 Fax 850-458-

Does your local government intend to apply for its total allocation of DREF funds (including administration)?

Yes No

If you plan to apply for less than your total allocation, please specify the amount \$ N/A

Please, identify your proposed projects and state if they are either new or a continuation of a current project?

1. "K" Continuation: Service Area #1/Infrastructure Improvements (Lakewood Sewer)
2. "K" Continuation: Service Area #4/Rental Rehabilitation/Mitigation (Sanchez Court)
3. "K" Continuation: Service Area #5/Centralized Homeless (Replacement) Facility

Will your county be able to use 14% (or more) of your total allocation for affordable rental housing as described in the action plan?

Yes No

If yes, what amount of your DRI allocation funds is proposed for this activity? \$ 770,000

Will any of the allocation be targeted towards a public housing authority or other nonprofit involved in rental housing for low/mod persons?

Yes No

If yes, state name of housing authority or nonprofit: Area Housing Commission (Housing Authority)

If other funds are available for affordable rental housing, would your organization be interested in the additional funds for this purpose?

Yes No

Citizen Participation Requirements

Counties eligible to receive funds must consider the needs of all municipalities (and Federally Recognized Indian Tribes) within the incorporated as well as unincorporated area of the county (and reservations contiguous to the county). Local governments must provide the Department with documentation that all parties were allowed an opportunity to discuss unmet needs and the best use of the funding. Counties may elect to have a municipality apply for and administer the funds if such municipality has the capacity, the greatest unmet need, and the majority of the funds will be expended within its jurisdiction. In all other cases, the county will be the applicant and will administer funding for projects located in affected municipalities as well as the unincorporated area.

Will your county apply for and administer the total allocation of funds?

Yes No

If no, state name of the community that will apply: N/A

Randy Wilkerson
 Signature of the Key Contact

4/5/11
 Date

DEADLINE: Please return this form to the Department by mail (please refer to address listed in the Notice of Intent Letter) or by email as a pdf file to disasterrecovery@dca.state.fl.us no later than April 25, 2011.

APPENDIX 4

INTERLOCAL AGREEMENTS WITH CITY OF PENSACOLA AND TOWN OF CENTURY

Interlocal agreements with Century and Pensacola were submitted with the original “K” Contract application and those agreements remain in force for the continuation project activities to be undertaken with DREF funds as proposed herein. Therefore, the agreements are not included with this package.

The agreements are available electronically and can be re-submitted if needed/required or they can be accessed via the official minutes of the Board of County Commissioners).



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1054

County Administrator's Report Item #: 12. 10.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/04/2011

Issue: Escambia Consortium 2010-2014 Consolidated Plan and 2011 Annual Action Plan

From: Keith Wilkins, REP

Organization: Community & Environment

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Approval of the Escambia Consortium 2010-2014 Consolidated Plan and 2011 Annual Action Plan - Keith Wilkins, REP, Community & Environment Department Director

That the Board take the following action concerning approval of the Escambia Consortium 2010-2014 Consolidated Plan and the 2011 Annual Action Plan:

A. Approve the Escambia Consortium 2010-2014 Consolidated Plan providing goals, objectives and strategies for housing, community development and fair housing activities, during the period October 1, 2010, through September 30, 2015;

B. Approve the Escambia Consortium 2011 Annual Action Plan for Housing and Community Development, including the Escambia County 2011 Annual Plan, detailing use of 2011 Community Development Block Grant (CDBG) funds, in the amount of \$1,883,282; 2011 HOME Investment Partnerships Act (HOME) funds, in the amount of \$1,576,794; and 2011 Emergency Shelter Grant Program (ESG) funds, in the amount of \$91,599; and

C. Authorize the County Administrator to execute all Escambia Consortium 2010-2014 Consolidated Plan and 2011 Annual Action Plan Forms, Certifications and related documents, as required to submit the Plans to the U.S. Department of Housing and Urban Development (HUD), and authorize the County Administrator or Chairman, as appropriate, to execute documents required to receive and implement the 2011 CDBG, 2011 HOME, and 2011 ESG Programs.

[Funding: Fund 129/CDBG, Fund 147/HOME, and Fund 110/ESG—Cost Centers to be assigned]

(A complete copy of the Consolidated Plan is available at the County's website at http://www.myescambia.com/Bureaus/CommunityServices/Plans_Reports.html.)

(A complete copy of the entire Annual Action Plan is available for review in the County Administrator's Office or on the County's website at http://www.myescambia.com/Bureaus/CommunityServices/Plans_Reports.html.)

BACKGROUND:

With Congressional approval of the National Affordable Housing Act, government grantees are required to prepare and submit for HUD approval a local housing and community development planning document encompassing a five year period known as the Consolidated Plan. Neighborhood Enterprise Foundation, Inc. (NEFI) in conjunction with representatives of other members of the Escambia Consortium (comprised of Escambia County, the City of Pensacola, Santa Rosa County, and the City of Milton) have prepared the Escambia Consortium 2010-2014 Consolidated Plan to enable the local jurisdictions to continue to receive HUD funds under the CDBG, HOME and ESG Programs. The Plan serves as the Consortium's five year strategic housing and community development plan with respect to HUD Programs covering the period October 1, 2010 through September 30, 2015. Last year, due to new census data expected to be made available as well as the increase of new programs such as the Neighborhood Stabilization Program (NSP), Community Development Block Grant-Recovery Grant (CDBG-R), Homelessness Prevention and Rapid Rehousing Program (HPRP) without a corresponding increase in staff support, the Consortium was given a one year extension by HUD (Exhibit I) for submission of the five year Consolidated Plan. A complete copy of the Consolidated Plan is available at the County's website at http://www.myescambia.com/Bureaus/CommunityServices/Plans_Reports.html .

Additionally, each year the Consortium must prepare and submit an Annual Action Plan, which incorporates the specific funding applications of all member jurisdictions for the CDBG, HOME, and ESG Programs for that fiscal year. This funding will encompass the HUD Program Year extending from October 1, 2011 through September 30, 2012. A detailed breakdown of the projects and activities to be financed with 2011 CDBG, HOME, and ESG resources is provided in Exhibit II (NOTE: Exhibit II summarizes the Plan; a complete copy of the entire Annual Action Plan is available for review in the County Administrator's Office or on the County's website at http://www.myescambia.com/Bureaus/CommunityServices/Plans_Reports.html). This project information varies slightly from the amounts published for public comment in the *Pensacola News Journal* on May 29, 2011 due to HUD's final notice of funding allocations distributed on May 31. Activities included in the Plan are also in direct support of the Escambia County Comprehensive Plan Housing Element and the County's Community Redevelopment Agency areas and Enterprise Zone initiatives.

A public notice regarding preparation of the Consolidated Plan and Annual Plan was published in the *Pensacola News Journal* on March 21, 2011 to initiate the public participation process in order to receive public input, comments and agency proposals or recommendations concerning housing and community development needs and priorities within the area. Two public hearings were held in Escambia County on April 5 and April 20 and one public hearing was held in Santa Rosa County on April 20. Following the input phase of the process, the Plans were drafted and made available for public review and comment. During this period, various County Departments were also invited to submit project proposals for CDBG eligible activities targeting lower income neighborhoods. The CDBG, HOME and ESG activities proposed for funding through the 2011 Annual Action Plan were prominently advertised in the *Pensacola News Journal* on May 29, 2011 for a minimum 30 day comment period, and two additional public hearings were held on June 7 in Escambia County and June 8 in Santa Rosa County, to receive public review, comments and specific input concerning the draft Plans . Finally, as denoted in the public notice, written comments were received by the Consortium through June 30, 2011. Copies of the draft Annual Action Plan were available in numerous accessible locations in Escambia and Santa Rosa Counties during the review period.

The final step in the process is to obtain approval of the Plans by all governmental bodies within the Consortium. The City of Pensacola, Santa Rosa County, and the City of Milton will approve the Plans during their respective July Council (or Board) meetings, with Escambia County's approval on August 4, 2011 currently targeted as the final approval action. Escambia County serves as the lead participating jurisdiction for the Consortium. The Plan is due to HUD on or before August 15, 2011, and HUD approval is anticipated in late October 2011.

BUDGETARY IMPACT:

The Annual Action Plan does not commit any County General Fund revenue. The County will receive the below listed amounts for uses specified in the Annual Action Plan and summarized in Exhibit II of this recommendation:

Funding	Amount
CDBG/Fund 129	\$1,883,282
HOME/Fund 147	\$1,576,794
ESG/Fund 110	\$91,599
TOTALS:	\$3,551,675

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

There will be no impact upon County personnel or positions as a result of the Board's approval of the Escambia Consortium Consolidated Plan and Annual Action Plan. Preparation of the Plans and implementation of the CDBG, HOME, and ESG activities financed hereunder are administered by existing NEFI staff, and/or staff of the Consortium's member jurisdictions.

POLICY/REQUIREMENT FOR BOARD ACTION:

The Consolidated Plan and the Annual Action Plan requires formal approval by the Board prior to submission to HUD by the August 15 deadline in order to receive CDBG, HOME, and ESG funding.

IMPLEMENTATION/COORDINATION:

Completion of the Consolidated Plan process has necessitated extensive coordination with many sectors of the local community, such as public and private affordable housing interests; County Departments with respect to CDBG project activities; non profit public service agencies; agencies of the State of Florida; local public housing authorities; organizations providing services to the homeless; Escambia County, City of Pensacola and Santa Rosa County administrative and program staff; interested citizens; and low/moderate income families. This Plan would have been an impossibility without the extensive level of input provided by governmental and community agencies, and direction provided by HUD staff. The Consolidated and Annual Action Plans were jointly prepared through the efforts of NEFI, Escambia County's Community & Environment Department, the Pensacola Housing Department and Santa Rosa County's Community Planning, Zoning, and Development Division.

Attachments

Exhibit I

Exhibit II



U. S. Department of Housing and Urban Development
Jacksonville Field Office
Charles Bennett Federal Building
400 West Bay Street
Suite 1015
Jacksonville, Florida 32202-4410

EXHIBIT I

April 20, 2010

Mr. Randy Wilkerson
Executive Director, NEFI, Inc.
P. O. Box 18178
Pensacola, Florida

Dear Mr. Wilkerson:

Subject: CPD Consolidated Program Grants
3-5 year Consolidated Plan Extension

On March 16, 2010, an electronic email was transmitted to all formula grantees serviced by the Jacksonville Office of Community Planning and Development advising them that a one year extension for the submission of your 3 or 5 year Consolidated Plan, due on August 16, 2010, is available upon written request given certain conditions. We received a request from you on April 20, 2010.

This one year extension **applies only to the 3-5 year Consolidated Plan**. The one year Action Plan must still be received in the Jacksonville HUD Office by AUGUST 16, 2010. This is a statutory deadline that cannot be waived or extended under 24 CFR 91.15 (b) frequency of submission (1) the action plan and the certifications must be submitted on an annual basis.

Your request for a one-year extension of the 3 or 5 year Consolidated Plan has been reviewed and approved. If you have any questions please contact me at (904) 208-6077 or by email at Gary.A.Causey@hud.gov or your assigned CPD Representative.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gary Causey".

Gary Causey, Director
Community Planning and
Development, 4HD

HUD's mission is to increase homeownership, support community development and increase access to affordable housing free from discrimination.

www.hud.gov

espanol.hud.gov

**PUBLIC NOTICE
ESCAMBIA CONSORTIUM CONSOLIDATED PLAN SUMMARY**

The Escambia Consortium, comprised of Escambia County, the City of Pensacola, Santa Rosa County, and Milton, Florida, have drafted the 2011/2012 Annual Housing and Community Development Plan for the period October 1, 2011 - September 30, 2012. The draft Annual Plan denotes key agencies and individuals participating in the planning process and identifies the Consortium's 2011/2012 Annual Action Plan for the utilization of Community Development Block Grant (CDBG), HOME Investment Partnerships Act (HOME), Emergency Shelter (Solutions) Grant (ESG), Public Housing Grant Programs, and other HUD programs designed to address housing and community development needs. The major priorities include: rehabilitation of rental and homeowner occupied substandard housing units for families with incomes between 0-80% of the local median income; new construction, homebuyer assistance, and acquisition/rehabilitation activities in support of the provision of affordable housing for families with incomes primarily between 50-80% of median; expansion of below market rate and subsidized rental assistance for families with incomes between 0-50% of median through acquisition, rehabilitation and/or construction; support of activities leading to the development of housing for persons with special needs; supportive services addressing the special needs of the elderly, handicapped, and homeless or near homeless; redevelopment activities within designated areas of slum and blight; and targeted community development public facility and improvement priorities. Activities are generally available to assist eligible lower income persons in varying capacities and financial levels throughout the respective jurisdictions to the extent that such availability is not limited by Federal or State Regulations and/or financial resources. The draft 2011 Annual Action Plan is available for public review at the following Pensacola and Milton locations between the hours of 8:00 A.M. - 4:00 P.M., Monday through Friday.

City of Pensacola
Housing Department
420 West Chase Street
Pensacola, Florida
(Closed on Fridays)

County Administrator's Office
Escambia County Courthouse
Fourth Floor
221 Palafox Place
Pensacola, Florida

Neighborhood Enterprise
Foundation, Inc. (NEFI)
3420 Barrancas Avenue
Pensacola, Florida

County Administrator's Office
Santa Rosa County Administrative Complex
6495 South Caroline Street
Milton, Florida

Pensacola Regional Library
Reference Desk/Second Floor
200 West Gregory Street
Pensacola, Florida

**ESCAMBIA CONSORTIUM, FLORIDA
ANNUAL ACTION PLAN SUMMARY
(October 1, 2011 - September 30, 2012)**

This section of the Plan incorporates the Consortium's application to the U.S. Department of Housing and Urban Development for Program Year 2011 Community Development Block Grant (CDBG), HOME Investment Partnerships Act (HOME) and Emergency Shelter Grant (ESG) funding in the total amount of **\$4,434,784** which is detailed as follows. (The program allocations utilized for this Plan are based on estimates provided by HUD. The actual final allocations may vary to some degree from that cited below):

**ESCAMBIA COUNTY
2011/2012 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
PROPOSED BUDGET AND ACTIVITIES DESCRIPTION**

HOUSING REHABILITATION:

FUNDING:

Housing Rehabilitation Program (General)

\$595,500*

Provide assistance for low/moderate income families through Deferred Payment Grants/Deferred Payment Loans/Low Interest Loans, or a combination thereof, for the rehabilitation of 11 substandard homeowner occupied units, sanitary sewer connection assistance for approximately 20 units and related program operating costs. Funds may also be used to provide energy improvements, weatherization and storm protection/mitigation improvements, such as insulation, hurricane shutters/film, rated windows, lead based paint assessment and abatement, and other applicable improvements. (Unincorporated Escambia County)

*All program income from housing rehabilitation loans will be used to rehabilitate substandard homeowner occupied units for low and moderate income families located within unincorporated Escambia County (estimated program income is \$15,000). (Unincorporated Escambia County)

TEMPORARY RELOCATION:

\$20,000

Funds to provide temporary relocation for families whose dwelling units are being rehabilitated via the County's Housing Rehabilitation Program. (Unincorporated Escambia County)

PROGRAM PLANNING, ADMINISTRATION AND FAIR HOUSING:

General Grant Administration/Management

\$338,148

Provides for oversight, management, coordination and monitoring of financial and programmatic administration of the CDBG Program.

Escambia County Community Redevelopment Agency

\$20,000

Provides support for planning and administrative staffing and operation of the Community Redevelopment Agency which targets designated areas of slum and blight within the County, as well as the County's Enterprise Zone.

Fair Housing

\$18,500

Support ongoing Community Development Block Grant Fair Housing initiatives in the community.

ESCAMBIA BROWNFIELDS REDEVELOPMENT:

Brownfields Community Redevelopment Project

\$200,000

Funds allocated for this activity will be used in conjunction with currently allocated prior year CDBG funds to identify and assess actual or perceived environmental contamination issues, and partially support remediation/redevelopment costs associated with vacant or abandoned commercial properties that have been designated as Brownfield sites and are located within the County's Community Redevelopment Areas (including the Palafox Corridor, Warrington, Brownsville, Barrancas, and Englewood), the City of Pensacola's Community Redevelopment Areas, and/or the County or City's designated Enterprise Zones. Funds may be used to pay for site evaluations/assessments (including but not limited to: title searches, property surveys, access/utilization agreements, quality assurance project reviews, Phase I & II environmental assessments and Brownfield site assessments), site remediation/clean-up costs and/or public infrastructure related development expenses. Activities will be closely coordinated with the County's ongoing EPA and any other Brownfields Redevelopment Program and the State of Florida's Programs.

UPDATED: JUNE 2, 2011 (Per HUD)

(Limited to areas of slum and blight or Enterprise Zones as designated by Escambia County or the State of Florida in accordance with Florida law).

PUBLIC SERVICES:

Council on Aging of West Florida, Inc.

\$47,000

Funds support the Council on Aging's Rural Elderly Outreach Program which provides supportive services, including transportation, for approximately 2,000 rural elderly citizens in Cantonment, Century, Davisville and McDavid in Escambia County, Florida. (132 Mintz Lane, Cantonment)

CRA/Neighborhood Restoration Program

\$175,000

Funds provide staffing and support for targeted community redevelopment, reinvestment, and neighborhood-based initiatives implemented specifically within designated areas of slum and blight in Escambia County, specifically the Warrington, Brownsville, Englewood, Barrancas, and Palafox Corridor Community Redevelopment Areas, as well as County's Enterprise Zone.

DEMOLITION/CLEARANCE

Demolition/Clearance of Unsafe Structures or Properties

\$30,000

Funds will be used to assist with the elimination of dilapidated, structurally unsound buildings and/or abandoned lots/properties in designated areas of slum and blight, specifically the Warrington, Brownsville, Englewood, Barrancas and Palafox Corridor Community Redevelopment Areas.

PUBLIC FACILITIES AND IMPROVEMENTS:

Fire Hydrants/Water Main Upgrade

\$151,500

Provides for installation of fire hydrants and adequately sized water supply mains in CDBG Target Area lower income neighborhoods in unincorporated Escambia County (as prioritized locally in conjunction with the utility provider). Should funds remain after completion of these improvements, additional related improvements will be made in other local CDBG eligible areas.

County Facility Handicapped Accessibility Improvement Project

\$50,000

Completion of Americans with Disabilities Act (ADA) required handicapped accessibility planning, design and improvements to Escambia County public buildings and facilities. (Countywide)

Community Redevelopment Facade Improvement Program

\$10,000

Funds will support matching grants not to exceed \$25,000 per commercial business for exterior/facade, streetscape and related improvements along the commercial corridors located in the designated Community Redevelopment Areas (including Warrington, Barrancas, Brownsville, Englewood and the Palafox Corridor), and the County's Enterprise Zone, the boundaries of which are legally defined in the governing CRA and Enterprise Zone designation ordinances and resolutions.

CRA Neighborhood Improvement Project Enhancements

\$225,095

Funds to provide enhancements in conjunction with other community redevelopment and housing projects located within eligible CDBG low and moderate income Community Redevelopment Areas (CRA) to include street rehabilitation/reconstruction; new or upgraded street lighting; sidewalk construction/reconstruction; sanitary sewer and/or stormwater drainage improvements; and related infrastructure improvements, including those in support of housing development. Priority will be given to projects identified in the Redevelopment Plans for the County designated Community Redevelopment Areas: Warrington, Brownsville, Englewood, Palafox Corridor and Barrancas. Funds may also be utilized to support costs for improvements/enhancements to County owned Senior Citizen Center facilities serving neighborhoods in

UPDATED: JUNE 2, 2011 (Per HUD)

unincorporated Escambia County. Funds, if any, remaining after completion of CRA priorities may be expended in other CDBG eligible neighborhoods.

Redevelopment Area Neighborhood Renewal Incentive/Initiative **\$2,539**

Matching support will be provided for small scale community based, volunteer projects targeting improvements to public right-of-way, neighborhood beautification and enhancement activities carried out in locally designated areas of slum and blight, specifically the Warrington, Brownsville, Englewood, Barrancas, and Palafox Corridor Community Redevelopment Areas.

TOTAL 2011 ESCAMBIA COUNTY CDBG FUNDS PROJECTED **\$ 1,883,282**
=====

**CITY OF PENSACOLA
FY2011-2012 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
PROPOSED BUDGET AND ACTIVITIES DESCRIPTION**

FUNDING

HOUSING REHABILITATION:

Housing Rehabilitation Loan/Grant Programs **\$400,019***

Funds to rehabilitate substandard owner-occupied houses for low and moderate income persons; to physically modify residential structures to accommodate the needs of low and moderate income persons with disabilities (Residential Handicap Accessibility Program); and to provide for the administration of the Housing Rehabilitation Programs, including the Residential Handicap Accessibility Program, the Housing Repair Assistance Program, and other related housing rehabilitation activities. The City anticipates the proposed funding will rehabilitate approximately 8-10 owner occupied housing units. Due to limited funding, housing rehabilitation is limited to first time applicants. Preference will be given to housing units located in the Westside Neighborhood area which is generally defined by the corporate limit line on the north (Baptist Hospital), City limits on the west, Pine Street on the South, and "A" Street on the east. Should it be necessary to prioritize projects due to funding limitations, priority for these housing rehabilitation programs will be given first to eligible elderly and disabled applicants residing within the preference area and then the city limits. (City Wide)

*All program income from housing rehabilitation loans will be used to rehabilitate substandard homeowner occupied units for low and moderate income families located within the corporate limits of the City of Pensacola (estimated program income is \$115,000). (City-wide)

Temporary Relocation **\$ 1,090**

Funds will provide temporary relocation for families whose dwelling units are being rehabilitated via the City's Housing Rehabilitation Programs, which includes the HOME Reconstruction Program. This is a requirement under the Uniform Act. (City-wide)

PUBLIC SERVICES:

Council on Aging of West Florida, Inc. (COA) **\$65,000**

Funds will provide Congregate Meals and Meals on Wheels to low and moderate income elderly, disabled, and/or handicapped residents residing within the City limits which otherwise would not be available. The goal

UPDATED: JUNE 2, 2011 (Per HUD)

of the Meals on Wheels program is to deliver approximately 8,000 nutritionally balanced meals to homebound, functionally impaired adults per year. The goal of the Congregate Meal Program is to provide approximately 7,500 meals to active, low income adults per year. Five congregate meal sites are located within the City limits which provide eligible recipients with nutritional meals as well as an element of socialization and recreation. These funds provide direct services. CDBG funds received from the City are utilized by COA as leverage for other critical federal and state funding, for which COA would most likely be unable to apply. The City has funded COA for over two decades. (City-wide)

Homebuyer and Foreclosure Prevention Education and Counseling **\$35,000**

Pre-purchase homeownership counseling, education, guidance and support for lower income (below 80% of median income) City residents with a goal of owning their own home (Homebuyer's Club); foreclosure prevention guidance, education and assistance in an effort to assist Pensacola residents avoid foreclosure and retain ownership of their homes. Individual counseling opportunities are provided under both programs to provide opportunities to review the individual's current situation and discuss options for assistance. (City Wide)

CODE ENFORCEMENT:

Code Enforcement **\$40,000**

Funds to provide code enforcement on structures located within the CDBG target area that are deteriorating or deteriorated to a point where such enforcement, together with public or private improvements, rehabilitation, or services to be provided, may be expected to arrest the decline of the area. Code enforcement will be conducted on structures located within targeted low and moderate income areas within the CDBG Target Area. (CDBG Target Area)

**Westside Neighborhood Improvements - Removal of Slum and Blight/
Public Facilities Improvements/Park Improvements** **\$177,000**

Funds to provide for improvements in the Westside Neighborhood area which is generally defined by the corporate limit line on the north (Baptist Hospital), City limits on the west, Pine Street on the South, and "A" Street on the east. Improvements may include: removal of slum and blighted conditions, including actual or suspected environmental contamination issues, and support acquisition/remediation/demolition costs associated with vacant or abandoned properties; street paving including the installation of handicap curb cuts and related improvements; sidewalk construction/reconstruction and related improvements; new street lighting; and park improvements.

FY2011-2012 PROGRAM PLANNING AND ADMINISTRATION:

General Grant Administration/Management **\$165,000**

Funds to administer the City's CDBG Program. Includes personnel services and operating expenses.

TOTAL FY2011-2012 CDBG PROPOSED BUDGET **\$ 883,109**
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ESCAMBIA CONSORTIUM
2011-2012 HOME INVESTMENT PARTNERSHIPS ACT (HOME)
PROPOSED BUDGET AND ACTIVITIES DESCRIPTION
FOR MEMBER JURISDICTIONS

RECOMMENDED PROGRAM ACTIVITIES

FUNDING

ESCAMBIA COUNTY:

SUBSTANTIAL HOUSING REHABILITATION/RECONSTRUCTION

\$558,516

Provide assistance for low/moderate income families through Deferred Payment Grants/Deferred Payment Loans/Low Interest Loans, or a combination thereof, for the substantial rehabilitation or reconstruction of approximately 7 to 8 severely substandard homeowner occupied housing units. (Escambia County)

CITY OF PENSACOLA:

SUBSTANTIAL HOUSING REHABILITATION/RECONSTRUCTION

\$316,852

Provide assistance for low/moderate income families through Deferred Payment Grants, Deferred Payment Loans, Low Interest Loans, or a combination thereof, for the substantial rehabilitation or reconstruction of severely substandard single family homeowner occupied housing units. It is estimated that this funding will reconstruct approximately 3 to 4 housing units. (City of Pensacola)

SANTA ROSA COUNTY:

HOME BUYER ASSISTANCE

\$232,232

Provide down payment/closing cost or second mortgage (gap financing) assistance, through Deferred Payment Grants, Deferred Payment Loans, Low Interest Loans, or a combination thereof, to enable low/moderate income homebuyers to purchase an affordable home. It is estimated that this funding will assist 21-23 families. (Santa Rosa County)

JOINT HOME ACTIVITIES (CONSORTIUM-WIDE):

RENTAL HOUSING DEVELOPMENT (CHDO SET-ASIDE)

\$236,520

Provide low interest and/or deferred loan assistance to partially support the costs for development of approximately 4 affordable rental or special needs housing units through activities of locally designated non-profit Community Housing Development Organizations (CHDO's) in Escambia or Santa Rosa County.

CHDO OPERATING EXPENSES

\$ 74,995

Optional allocation to provide operating support to enhance capacity of locally designated CHDO's that: have a minimum of one year of documented experience in the development of affordable housing and are actively undertaking affordable housing activities for the benefit of the Consortium. Any residual funds from this category will be utilized for Escambia Substantial Housing Rehabilitation/Reconstruction.

ADMINISTRATION/MANAGEMENT (JOINT)

\$157,679

Provides for oversight, management, monitoring and coordination of financial and general administration of the HOME Program in all participating jurisdictions.

2011 HOME Funds Available to the Consortium (FINAL)
(Local match provided through carry forward match balance only)

\$ 1,576,794

TOTAL 2011 HOME FUNDS PROJECTED

\$ 1,576,794
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2011-2012 EMERGENCY SHELTER GRANT PROGRAM (ESG)
PROPOSED BUDGET AND ACTIVITIES DESCRIPTION
*(NOTE: The ESG amount is based on the 2010 ESG allocation
as directed from HUD and is subject to change when figures are finalized)*

HOMELESS SHELTER OPERATING SUPPORT	\$ 87,020
Provides funding to partially support operational costs of the Loaves and Fishes Soup Kitchen, Inc. Homeless Center and Emergency Shelter for families. (257 East Lee Street, Pensacola, Florida)	
ADMINISTRATION	\$ 4,579
Indirect cost allocation of 5% to Escambia County	
TOTAL 2011 ESG FUNDS PROJECTED	\$ 91,599 =====

TWO PUBLIC HEARINGS are being sponsored by the Consortium to afford citizens the opportunity to review, comment and/or provide input regarding the content of this Notice, update the status of the Consortium's Five Year Consolidated Plan, and/or the draft 2011/2012 Annual Plan. **The hearings will be held at 2:00 P.M. (CST) on Tuesday, June 7, 2011, in the Pensacola Housing Office, Conference Room, 420 West Chase Street, Pensacola, Florida; and at 9:00 A.M. (CST) on Wednesday, June 8, 2011 at Santa Rosa County Public Services Complex, Housing Office Conference Room, 6051 Old Bagdad Highway, Milton, Florida.** All interested citizens are urged to attend and participate. The Escambia Consortium adheres to the Americans with Disabilities Act and will make reasonable modifications for access to services, programs and other activities. Please call 858-0350 (City) or 458-0466 (Escambia County) [or Telecommunications Device for the Deaf (TDD) numbers 595-0102 (City) or 458-0464 (Escambia County)] for further information. Requests must be made at least 48 hours in advance of the event in order to allow time to provide the requested services.

In addition to the public hearing, citizen recommendations, suggestions or other input regarding the content of the Consortium's draft Annual Plan will be accepted during an extended comment period beginning with the publication of this notice and extending through **JUNE 30, 2011**. Comments may be submitted to: Escambia Consortium, P.O. Box 18178, Pensacola, Florida 32523. For further information, contact Randy Wilkerson at 458-0466 (Escambia County), Pat Hubbard at 858-0350 (City of Pensacola), or Janice Boone at 981-7076 (Santa Rosa County).

Kevin W. White
Chairman, Escambia County
Board of County Commissioners

Ashton J. Hayward, III
Mayor
City of Pensacola

Lane Lynchard, Chairman
Santa Rosa County
Board of County Commissioners



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-974 **County Administrator's Report Item #: 12. 11.**
BCC Regular Meeting **Budget & Finance Consent**

Meeting Date: 08/04/2011
Issue: Change Order to PO# 111389 to Cardno TBE for the Iron Triangle Property
From: Keith Wilkins, REP
Organization: Community & Environment
CAO Approval:

RECOMMENDATION:

Recommendation Concerning Change Order to PO# 111389 to Cardno TBE for the Iron Triangle Property - Keith Wilkins, REP, Community & Environment Department Director

That the Board approve and authorize the County Administrator to execute the following Change Order #1, relating to Phase II Environmental Site Assessment for property located in the 3000 Block of Palafox Street, also known as the Iron Triangle:

Department:	Community & Environment
Division:	Community Redevelopment Agency
Type:	Addition
Amount:	\$104,562.00
Vendor:	Cardno TBE
Project Name:	Iron Triangle
Contract:	PD 06-07.038
PO No.:	111389
CO No.:	1
Original Award Amount:	\$5,320.00
Cumulative Amount of Change Orders through CO #1	\$104,562.00
New Contract Total:	\$109,882.00

Funding Source: Fund 110, Other Grants and Projects, Cost Center 220342, EPA Brownfield Redevelopment, Object Code 53101]

BACKGROUND:

In May 2010, the County was awarded a Brownfield EPA Grant in the amount of \$400,000 to help conduct environmental site assessments on identified Brownfield properties. The site assessments include sites contaminated with petroleum and/or hazardous materials. The Iron Triangle property has been identified as a Brownfield and is located within the Palafox Brownfield Area.

BUDGETARY IMPACT:

Funds for this project will be provided through Fund 110, Other Grants and Projects, Cost Center 220342, EPA Brownfield Redevelopment, Object Code 53101

LEGAL CONSIDERATIONS/SIGN-OFF:

There is no legal consideration necessary.

PERSONNEL:

There are no additional personnel impacts at this time.

POLICY/REQUIREMENT FOR BOARD ACTION:

This recommendation is consistent with the Board's policy and procedure for Purchasing.

IMPLEMENTATION/COORDINATION:

Community Redevelopment Agency will handle all implementation tasks.

Attachments

Iron Triangle Task II through V

July 13, 2011



Shaping the Future

Cardno TBE

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Mr. Glenn Griffith
Brownfields Coordinator
Escambia County Community Redevelopment
221 Palafox Street
P.O. Box 1591
Pensacola, FL 32591

RE: **Iron Triangle Property
Technical and Cost Proposal
Tasks II through V –Soil and Groundwater Investigation
Phase II Environmental Site Assessment (ESA)
EPA Brownfields Hazardous Substance Grant
3241 North Palafox Street
Parcel ID No. 06-2S-30-1001-0100-009**

Dear Glenn:

Cardno TBE is pleased to submit the following technical and cost proposal for completing a Phase II ESA at the referenced property. This work will be performed under our executed agreement for Brownfields Services (Task-Order-Based Continuing Contract: PD 02-03.79) and EPA Grant No. BF 95460710-0 for the Hazardous Substance grant.

BACKGROUND

Cardno TBE recently completed a Phase I Environmental Site Assessment (ESA) report of the referenced property. Based on that assessment, recognized environmental conditions (as defined by ASTM Standard Practice E1527-05) were identified as follows:

1) Potential on-site fill.

Opinion: Historical aerial photos dated 1940 and 1951 show extensive surface-related earth-moving activity, indicative of potential fill. The activity appears to extend off-site to the west (potentially upgradient of the subject site). This is a significant REC due to the potential for impacts to both soil and groundwater (such as debris containing metals, solvents, petroleum, PCBs, and/or agricultural chemicals manufactured on nearby properties).

2) Potential on-site storage/handling/use of petroleum products.

Opinion: Agency files indicate the former presence of four underground storage tanks at or immediately adjacent to/north of the subject site property on Palafox Street, containing gasoline and diesel fuels. No assessment or location verification (such as site plans) related to the former USTs was found in agency files. Due to the lack of documentation directly related to the USTs and the potential for impacts to soil and groundwater (even based on the likelihood this is the adjacent property), this is considered a significant REC.

3) Documented extensive history of on-site metal scraping / junk yard / battery recycling activities.

Opinion: Available historical information indicates that the subject site has been utilized for metal storage, and processing from at least 1947 to the mid-1980s. It is also public knowledge that battery recycling also took place on-site. The storage/use/handling of petroleum and the use of hydraulic lifts has been documented and/or suspected. The potential metals, petroleum, solvent, PCB-impacts to on-site soil and groundwater associated with these activities are considered a significant REC.

Documented adjacent petroleum storage facilities.

Opinion: Available historical information regarding adjacent and nearby properties indicates four contiguously-adjacent parcels and five nearby parcels (within 200 feet of the subject site) stored and/or handled petroleum products. Review of available agency documentation revealed no assessment data related directly to these properties (likely because the activity occurred prior to the current regulatory assessment criteria). The storage/use/handling of petroleum, as well as the solvent materials related to the facilities that included service stations, is considered a significant REC for the subject property.

4) Documented adjacent former railroad track and spur that bisects the subject site.

Opinion: While not part of the subject site, the former railroad track that bisects the subject site is considered a significant REC due to the potential for migrating impacts related to herbicide/pesticide use, as well as the potential for migrating metals and petroleum impacts.

Based on the above, Cardno TBE recommends the following assessment activities:

- Geophysical investigation of accessible areas of the property.
- Soil and groundwater sampling for laboratory analysis of petroleum, solvents, polychlorinated biphenyls (PCBs), organochlorine pesticides, and Target Analyte List (TAL) metals.

PROPOSED PHASE II ESA SCOPE OF WORK

Task II - Soil Assessment

Pursuant to Section 7.5 of *ASTM Standard Practice E1903-97* and Chapter 62-780 (2007), F.A.C., the following soil sampling plan has been designed to propose collection of potentially contaminated media, if present, at locations and depths where the highest concentrations are likely to occur. The laboratory analyses selected for this assessment are appropriate for detecting indicator constituents of hazardous and petroleum-based products. Soil analytical data will be compared to Chapter 62-777, F.A.C., Table II Soil Cleanup Target Levels (SCTLs) (2005) to determine the need for additional assessment or may be sufficient to determine potential impacts to future redevelopment and assist the owner in making an informed business decision about the property.

The conceptual model for the property is that metal storage/battery recycling, smelting processes, petroleum (fuel) and halogenated (solvents/cleaners) hydrocarbons from fuel underground storage tanks (USTs) and maintenance activities, respectively, may have impacted soil at the site based on information from the Phase I ESA report (Cardno, 2011). Contaminants such as fuel or solvents discharged to the soil may readily migrate to the water table and impact groundwater which is expected to be approximately 55 feet below land surface (bls). Groundwater sampling results reported from four existing monitor wells, installed in 2006 along Escambia County rights-of-way near the site as part of a limited site assessment for the area (E&E, 2006), indicate that tetrachloroethene (PCE), cadmium, polychlorinated biphenyls (PCBs), and organochlorine pesticides are present in groundwater upgradient and downgradient to the flow direction of groundwater in the vicinity of the subject property.

It is proposed that twenty-five (25) borings be installed and screened at the subject site (see attached Sampling Location Plan Map) to evaluate potential fill areas (mostly to be determined by the subsurface

investigation), former/existing USTs that may be present (notably at the parcel along Palafox Street), battery recycling area(s), and areas of buried debris (to be detected by the subsurface investigation) found at the site. Soil boring locations may be relocated based upon subsurface geophysical findings and/or other visual observations of former foundations/scale areas during field activities. Proposed soil sample collection will be with acetate sleeves and direct push technology (DPT). Soil screening using an organic vapor analyzer (OVA) equipped with a flame ionization detector (FID) or photoionization detector (PID) is proposed at each of the boring locations from land surface to approximately 25 feet bls to detect volatile organic vapors at 2.0-foot intervals for evaluation of surface/near surface discharges at the site.

Thirty-six (36) soil samples are proposed to be collected from 12 of the 25 boring locations from the three parcels at the site. The samples will be collected from the borings with the highest OVA reading(s) or with stained/odorous soil to evaluate USTs or surface discharge(s). If OVA readings are zero and stained/odorous soil are not observed, soil samples will be collected from the locations near subsurface anomalies, locations of particular concern based on historical data or proximity to potential source areas. Soil samples will be collected at each of the 12 locations from 0.0 to 0.5 feet bls and 0.5 to 2.0 feet bls. If staining/odors are not observed and the OVA reading is zero, one sample will be collected from 2.0 to 5.0 feet bls at each of the 12 sample locations. This deeper sample is recommended to be collected from fine-grained matrices (e.g., clayey or silty sand).

Soil samples will be analyzed for VOCs using USEPA Method 8260B, base/neutral acid extractable (BNA) compounds using USEPA Method 8270, total petroleum hydrocarbons (TPHs) using the FL-PRO Method, organochlorine pesticides/PCBs using USEPA Methods 8081/8082, and TAL metals using USEPA Methods 6010/7471.

Two (2) equipment blanks will be collected for VOCs, low level (LL) polycyclic aromatic hydrocarbons (PAHs)/BNA compounds, TPHs, organochlorine pesticides, PCBs, and TAL metals from soil sampling equipment.

Latitude and longitude coordinates of each soil boring location will be collected and recorded with a hand-held global positioning system (GPS) and included in the Phase II ESA report for the site.

Task III – Groundwater Assessment

Up to nine (9) monitor wells are proposed to be installed at the site to evaluate potential groundwater contamination from on-site sources and contamination that may have migrated onto the site from potential off-site sources (including parcels along Palafox Street). The wells will be installed using hollow stem augers to an approximate depth of 65 feet bls and will be completed as permanent wells because of likely contamination that may be detected at the site. The wells will be constructed of 2-inch diameter, Schedule 40 PVC with 10-feet of 2-inch-PVC, 0.010-inch slotted screen and the screen will be approximately 10 feet into the surficial groundwater zone. The annular space around the well screen will be filled with a 20-30 graded silica sand filter pack to a height of one-foot above the top of the screen. A 1-foot thick 30/65 graded silica sand seal will be placed on top of the filter pack along with a one-foot bentonite seal, and the remainder of the borehole filled with a cement grout.

The wells will be completed below grade inside a flush-to-ground mounted steel vault surrounded by a 2-foot by 2-foot concrete pad and will be fitted with locking well plugs. The wells will be developed until free of sediment and will be allowed to stabilize for a minimum of 24 hours and groundwater samples will be collected following FDEP Standard Operating Procedures (2008) and procedures documented in the site specific QAPP. Geographic coordinates (latitude and longitude) of all the monitoring well locations will be collected and recorded with a hand-held GPS and included in the Phase II ESA report.

One groundwater sample will be collected from each of the newly installed monitor wells (total of up to 9 samples) and from the existing Escambia County right-of-way monitor wells (if found) near the site will also be sampled (up to 6 samples). The groundwater samples will be analyzed for VOCs by USEPA Method 8260B, LL PAHs/BNAs by USEPA Method 8270, TPHs by the FL-PRO Method, organochlorine

pesticides/PCBs using USEPA Methods 8081/8082, and TAL metals using USEPA Methods 6010/7470.

One (1) equipment blank for the pump and tubing and two duplicate samples will be collected and analyzed for the compounds listed above.

Task IV: Report Preparation

A Phase II Environmental Site Assessment Report will be prepared to summarize the results of the site assessment activities. EPA has mandated that the *ASTM Standard Practice E1903-97* for Phase II ESAs be followed for projects where EPA funding is used. As such, this standard will be utilized during the preparation of the Phase II ESA Report. Data will be summarized in tables and figures (if applicable), and field notes and laboratory analyses will be included for reference. Recommendations for further assessment or corrective actions, if applicable, will be included in the report.

Task V: Management of Investigative Derived Waste (IDW)

IDW consisting of development/purge water will be temporarily stored onsite in FDOT-approved 55-gallon drums. Soil and groundwater will be containerized because several of the potential contaminants at the site will not be detected by OVA screening. Two representative soil samples and one development/purge water sample from the respective drums will be collected and analyzed for VOCs using USEPA Method 8260B; BNA compounds/LL PAHs using USEPA Method 8270, TPHs by the FL-PRO Method, organochlorine pesticides/PCBs by USEPA Methods 8081/8082, and TAL metals using USEPA Methods 6010/7470/7471. Based on the results of these analyses, appropriate disposal will be performed.

MINORITY BUSINESS UTILIZATION

The project team is intended to maximize use of minority business enterprises (MBE) as subcontractors and will include the laboratory, Millennium Labs, or another approved MBE laboratory.

SCHEDULE

Once the site-specific QAPP is approved (estimated 45 days from notice to proceed), site assessment activities described in this cost estimate will take approximately 10 days to complete (including scheduling and implementation) and approximately 14 days will be required to complete sample analyses. A draft of the Phase II ESA report will be submitted within 60 days from the receipt of laboratory analytical results.

ESTIMATED COSTS

The Phase II ESA will be conducted on a combination of a lump sum and a time and materials basis. The geophysical survey and report preparation will be completed as lump sums and the other work described above will be conducted on a time and materials basis.

The cost estimate is broken down as follows:

SCHEDULE OF COMPENSATION

Task II - Soil Assessment Activities

TBE Labor (Site Supervision/Soil Sampling)	\$6,070
TBE Expendable Expenses	\$1,809
Subcontractors:	
GeoProbe Drill Rig – up to 35 soil borings to 25 feet bls,	\$7,475
Soil Laboratory Analytical with QA/QC (39 samples for listed analytes)	<u>\$29,807</u>
Subtotal (time and material)	\$45,161

Task III - Groundwater Assessment Activities

TBE Labor (Installation of 9 Permanent Wells and sampling of 15 new and existing wells) and Expenses	\$9,712
Subcontractors:	
Hollow Stem Auger Drilling Rig – 9 permanent wells installed to ~65 ft bls (estimated)	\$20,700
Groundwater Laboratory Analytical with QA/QC (18 samples for listed analytes)	\$13,765
Subtotal (time and material).....	\$44,177

Task IV – Management of Investigated Derived Waste (IDW)

IDW Removal and Analytical (based on 35 drums)	\$7,124
TBE Labor (Arranging Disposal)	\$600
Subtotal (time and material).....	\$7,724

Task V - Report Preparation

Subtotal (lump sum).....	\$7,500
--------------------------	---------

Total Estimated Cost \$104,562

The Phase II ESA will be conducted as a lump sum and Time and Material basis. The total cost for the scope of work as outlined above is **\$104,562** and will not exceed this amount without prior approval from Escambia County.

The following is a breakdown showing the disposal of IDW and laboratory costs.

Disposal of IDW:

Cost assumes disposal of 35 drums of IDW at \$138.00 per drum for a total of \$4,830.00. This cost may change depending upon results of the waste characterization analyses and the number of drums of IDW generated and that require disposal. Should the waste characterization dictate that these drums will be disposed of differently than anticipated or the number of drums increases, Escambia County will be notified prior to disposal and a change order obtained.

Laboratory:

The scope of work includes the collection and analysis of the following samples as described above:

Matrix	# of Samples	Analyses	\$/Sample	Total
Soil	36	8260B, BNA8270, FL-PRO, 8081/8082, TAL6010/7471	\$764.75	\$27,513.00
Soil QA/QC	3	Equipment Blanks 8260B, BNA8270, FL-PRO, 8081/8082, TAL6010/7470	\$764.75	\$2,294.25
GW	15	8260B, BNA8270, FL-PRO, 8081/8082, TAL6010/7470	\$764.75	\$11,471.25

Mr. Glenn Griffith
July 13, 2011
Page 6

GW QA/QC	3	Duplicates, Equipment Blank (8260B, BNA8270, FL-PRO, 8081/8082 TAL6010/7040)	\$764.75	\$2,294.25
Soil/GW IDW	3	8260B, BNA8270, FL-PRO, 8081/8082, TAL6010/7470/7471	\$764.75	\$2,294.25
<hr/>				
Total				\$45,885.00


TAL = Target Analyte List metals; BNA = Base/Neutral Acid Extractable Organic Compounds

A copy of this proposal without costs has been forwarded to Ms. Laurel Lockett, Esquire for the property owner in accordance with the executed agreement between Escambia County and her client.


If this proposal meets with your approval, your signature below will authorize Cardno TBE to begin scheduling of subcontracting services. Upon approval, please issue a Work Order in accordance with our contract. If you have any questions or need any additional information, please do not hesitate to contact me or Rick Hagberg.

Sincerely,

Approved by: ESCAMBIA COUNTY



Roger B. Register
Director – Brownfields Services
for Cardno TBE
Direct Line: 850-385-8232

Signed by: 
Title: Brownfields Coordinator
Date: 7-18-11



Richard L. Hagberg, PG
Director – Environmental Management
for Cardno TBE
Direct Line: 727-431-1549

BRN/brn
Attachment



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1143

County Administrator's Report Item #: 12. 12.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/04/2011

Issue: Change Order to PO# 111119 to Cardno TBE for 3300 Mobile Highway

From: Keith Wilkins, REP

Organization: Community & Environment

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Change Order to PO# 111119 to Cardno TBE for 3300 Mobile Highway - Keith Wilkins, REP, Community & Environment Department Director

That the Board approve and authorize the County Administrator to execute the following Change Order #3, relating to Phase II Environmental Site Assessment for property located at 3300 Mobile Highway:

Department:	Community & Environment
Division:	Community Redevelopment Agency
Type:	Addition
Amount:	\$37,911.00
Vendor:	Cardno TBE
Project Name:	3300 Mobile Highway
Contract:	PD 06-07.038
PO No.:	111119
CO No.:	3
Original Award Amount:	\$3,500.00
Cumulative Amount of Change Orders through CO #3	\$45,291.00
New Contract Total:	\$48,791.00

[Funding Source: Fund 110, Other Grants and Projects, Cost Center 220342, EPA Brownfield Redevelopment, Object Code 53101]

BACKGROUND:

In May 2010, the County was awarded a Brownfield EPA Grant in the amount of \$400,000 to help conduct environmental site assessments on identified Brownfield properties. The site assessments include sites contaminated with petroleum and/or hazardous materials. The 3300 Mobile Highway property has been identified as a Brownfield and is located within the Brownsville Community Redevelopment Area and has been targeted by the Community Redevelopment Agency for redevelopment efforts.

BUDGETARY IMPACT:

Funds for this project will be provided through Fund 110, Other Grants and Projects, Cost Center 220342, EPA Brownfield Redevelopment, Object Code 53101

LEGAL CONSIDERATIONS/SIGN-OFF:

There is no legal consideration necessary.

PERSONNEL:

There are no additional personnel impacts at this time.

POLICY/REQUIREMENT FOR BOARD ACTION:

This recommendation is consistent with the Board's policy and procedure for Purchasing.

IMPLEMENTATION/COORDINATION:

Community Redevelopment Agency will handle all implementation tasks.

Attachments

3300 Mobile Hwy CO111119_3 Scope



Shaping the Future

July 14, 2011

Mr. Glenn Griffith
Community & Environment Department
Escambia County, Florida
221 Palafox Place
Pensacola, Florida 32502

Cardno TBE

2804 Remington Green Circle
Suite 4
Tallahassee, FL 32308
USA

Phone 850 385 8232
Phone 800 861 8314
Fax 850 385 8233

Email
Roger.Register@CardnoTBE.com

www.CardnoTBE.com

RE: **3300 Mobile Highway Site
Technical and Cost Proposal
Task III – Groundwater Assessment
Phase II Environmental Site Assessment (ESA)
EPA Hazardous Substance Grant
Pensacola, Florida
Parcel ID No. 33-2S-30-3300-0000-3256**

Dear Glenn:

Cardno TBE is pleased to submit the following technical and cost proposal for completing a Phase II ESA at the above-referenced property. This work will be performed under our executed agreement for Brownfields Services (Task-Order-Based Continuing Contract: PD 02-03.79) and EPA Grant No. BF 95460710-0 using the Hazardous Substance grant.

BACKGROUND

Cardno TBE recently completed a Phase I Environmental Site Assessment (ESA) report for the referenced property. Based on that assessment, recognized environmental conditions (RECs, as defined by *ASTM Standard Practice E1527-05*) were identified as follows for the property:

- On-site: Historical chemical storage/handling facility
- On-site: Historical paint and body shop
- Off-site: Historical automotive repair and filling station located west of the site
- Off-site: Historical automotive repair/filling station and petroleum storage facility
- Off-site: Historical auto machine shop located to the south and southwest
- Off-site: Historical paint and body shop located south of the site
- Off-site: Historical petroleum storage/handling facility located north of the site

Based on these findings, the subject site may have been impacted by contaminants such as petroleum hydrocarbons and chlorinated solvents, low level polycyclic aromatic hydrocarbons (PAHs), base/neutral/acid extractables (BNA), total petroleum hydrocarbons (TPHs), and priority pollutant metals. These RECs are summarized in the Phase I ESA report submitted in May 2011 (Cardno TBE).

The potential for future redevelopment activities at the property requires groundwater assessment to evaluate the presence of hydrocarbons and/or chemicals from engine repair and/or body shop activities. In addition, it is necessary to evaluate groundwater quality to determine the potential for groundwater impact(s) at the site relating to the above concerns and for on-site migration via groundwater from off-site sources.

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United Arab Emirates • United Kingdom • United States • Operations in 60 countries

The need for remediation of groundwater may affect future development at the subject property. Because of budgetary constraints, this Phase II scope of work is not intended to fully characterize the site. Thus, if contaminants are detected above regulatory standards, additional site assessment may be required as prescribed in Chapter 62-780, Florida Administrative Code (F.A.C.) to fully address the environmental impact of identified RECs.

PROPOSED PHASE II ESA SCOPE OF WORK

TASK III - GROUNDWATER ASSESSMENT

Five (5) permanent 2-inch-in-diameter monitor wells will be installed at the subject property. The wells will be located to evaluate groundwater quality near:

- The northern subject property boundary (2 wells).
- Where a former building was located near the southwestern corner of the property (1 well).
- The southeastern corner of the property to evaluate groundwater contamination potentially migrating from the east (1 well).
- The western boundary of the property to evaluate potential groundwater contamination from the west (former Buddy's Texaco).

The monitor well at the southwestern corner of the subject property is also positioned to evaluate groundwater quality near a waste oil tank reportedly located at the eastern portion of the adjoining property (formerly Buddy's Texaco at 3322 Mobile Highway). This property is identified as an off-site REC in the Phase I ESA report and may be the subject of a future Phase I ESA by Escambia County under the Brownfields grant. The monitor well proposed for this study will also be used for groundwater quality evaluation at the former Buddy's Texaco.

The wells will be installed using hollow stem augers to an approximate depth of 65 to 75 feet bls with partially submerged screens. The wells will be constructed of 2-inch diameter, Schedule 40 PVC with 10-feet of 2-inch-PVC, 0.010-inch slotted screen and the screen will be approximately 9 feet into the surficial groundwater zone. The annular space around the well screen will be filled with a 20-30 graded silica sand filter pack to a height of one-foot above the top of the screen. A 1-foot thick 30/65 graded silica sand seal will be placed on top of the filter pack along with a one-foot bentonite seal, and the remainder of the borehole filled with a neat cement grout.

The wells will be completed below grade inside a flush-to-ground mounted steel vault surrounded by a 2-foot by 2-foot concrete pad and will be fitted with locking well plugs. The wells will be developed until free of sediment.

The wells will be allowed to stabilize for a minimum of 24 hours and groundwater samples will be collected following FDEP Standard Operating Procedures (2008) and procedures documented in the site specific QAPP. Geographic coordinates (latitude and longitude) will be collected and recorded with a hand-held GPS and included in the Phase II report. In addition, the top-of-casing of each of the newly installed monitor wells will be surveyed and water levels will be collected.

One (1) groundwater sample will be collected from each monitor well (total of five samples) and will be analyzed for VOCs by USEPA Method 8260B, LL PAHs/BNA compounds by USEPA Method 8270, TPHs by the FL-PRO Method, and PPL metals using USEPA Methods 6010/7470. In addition, the groundwater sample from the monitor well at the southwestern corner of the subject property will also be analyzed for polychlorinated biphenyls (PCBs) using USEPA Method 8080 to evaluate potential PCB impact to groundwater from a waste oil tank reported located just to the west of this location at the 3322 Mobile Highway site.

One (1) equipment blank sample for the pump and tubing and one (1) duplicate sample will also be collected and analyzed for the compounds listed above.

MINORITY BUSINESS UTILIZATION

The project team is intended to maximize use of minority business enterprises (MBE) as subcontractors and will include the laboratory, Millennium Labs, or another approved MBE business.

SCHEDULE

Once the site-specific QAPP is approved (estimated forty-five [45] days from notice to proceed), site assessment activities will take approximately four (4) days to complete (including scheduling and implementation) and approximately fourteen days will be required to complete sample analyses. A draft of the Phase II ESA report will be submitted within sixty (60) days from the receipt of laboratory analytical results.

ESTIMATED COSTS

The Phase II ESA groundwater assessment will be conducted on a time and materials basis, for a total budgeted cost of \$27,614 and will not exceed this estimated amount without prior approval from Escambia County through an approved work change order. The detailed cost estimate is broken down as follows:

SCHEDULE OF COMPENSATION

Task III - Groundwater Assessment Activities

TBE Labor (Installation and Sampling of 5 Permanent Wells) and Expenses	\$8,114
Subcontractors:	
Hollow Stem Auger Drilling Rig – 5 permanent wells installed from ~65 to 75 ft bls (estimated)	\$15,000
Groundwater Laboratory Analytical with QA/QC (6 samples for listed analytes)	<u>\$4,500</u>
Subtotal (time and material)	\$27,014

Total Estimated Cost.....\$27,614

The estimated laboratory costs are as follows:

Matrix Total	# of Samples	Analyses	\$/Sample	
GW (SW corner MW) 1		8260B, BNA8270, FL-PRO, 8082, PPL6010/7470	\$600.00	\$600
GW (all other MWs) 4		8260B, BNA8270, FL-PRO, PPL6010/7470	\$525.00	\$2,100

Mr. Glenn Griffith
Page 4
July 14, 2011

Matrix Total	# of Samples	Analyses	\$/Sample	
GW QA/QC	2	Duplicate, Equipment Blank (8260B, BNA8270, FL-PRO, 8082, PPL6010/7040)	\$600.00	\$1200
GW IDW	1	8260B, BNA8270, FL-PRO, 8082, PPL6010/7470/7471	\$600.00	\$600
Total				\$4,500

PPL = Priority Pollutant List metals; BNA = Base/Neutral Acid Extractable Organic Compounds

If this proposal meets with your approval, your signature below will authorize Cardno TBE to begin scheduling of subcontracting services. Upon approval please issue a Work Order in accordance with our contract. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

Approved by: ESCAMBIA COUNTY


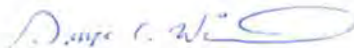


Roger B. Register
Director - Brownfields Services
For Cardo TBE
850-385-8232

Signed by

Title:

Date:


Brownfields Coordinator
7-18-11

George Wiegand, PG
Project Manager
850-385-8232

RBR:gew/brn

Attachment



Shaping the Future

July 14, 2011

Mr. Glenn Griffith
Community & Environment Department
Escambia County, Florida
221 Palafox Place
Pensacola, Florida 32502

Cardno TBE

2804 Remington Green Circle
Suite 4
Tallahassee, FL 32308
USA

Phone 850 385 8232

Phone 800 861 8314

Fax 850 385 8233

Email

Roger.Register@CardnoTBE.com

www.CardnoTBE.com

RE: **3300 Mobile Highway Site
Technical and Cost Proposal
Tasks IV and V – IDW Disposal and Reporting
Phase II Environmental Site Assessment (ESA)
EPA Hazardous Substance Grant
Pensacola, Florida
Parcel ID No. 33-2S-30-3300-0000-3256**

Dear Glenn:

Cardno TBE is pleased to submit the following technical and cost proposal for completing a Phase II ESA at the above-referenced property. This work will be performed under our executed agreement for Brownfields Services (Task-Order-Based Continuing Contract: PD 02-03.79) and EPA Grant No. BF 95460710-0 using the Hazardous Substance grant.

BACKGROUND

Cardno TBE recently completed a Phase I Environmental Site Assessment (ESA) report for the referenced property. Based on that assessment, recognized environmental conditions (RECs, as defined by *ASTM Standard Practice E1527-05*) were identified as follows for the property:

- On-site: Historical chemical storage/handling facility
- On-site: Historical paint and body shop
- Off-site: Historical automotive repair and filling station located west of the site
- Off-site: Historical automotive repair/filling station and petroleum storage facility
- Off-site: Historical auto machine shop located to the south and southwest
- Off-site: Historical paint and body shop located south of the site
- Off-site: Historical petroleum storage/handling facility located north of the site

Based on these findings, the subject site may have been impacted by contaminants such as petroleum hydrocarbons and chlorinated solvents, low level polycyclic aromatic hydrocarbons (PAHs), base/neutral/acid extractables (BNA), total petroleum hydrocarbons (TPHs), and priority pollutant metals. These RECs are summarized in the Phase I ESA report submitted in May 2011 (Cardno TBE).

The potential for future redevelopment activities at the property requires groundwater assessment to evaluate the presence of hydrocarbons and/or chemicals from engine repair and/or body shop activities. In addition, it is necessary to evaluate groundwater quality to determine the potential for groundwater impact(s) at the site relating to the above concerns and for on-site migration via groundwater from off-site sources.

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United Arab Emirates • United Kingdom • United States • Operations in 60 countries

J:\0002280001 Escambia County\Cost Estimates\Phase II Tasks II thru V CE 3300 Mobile Hwy\Phase II CE 071411 Tasks IV and V 3300 Mobile Highway

RBR.docx

The need for remediation may affect future development at the subject property. Because of budgetary constraints, this Phase II scope of work is not intended to fully characterize the site. Thus, if contaminants are detected above regulatory standards, additional site assessment may be required as prescribed in Chapter 62-780, Florida Administrative Code (F.A.C.) to fully address the environmental impact of identified RECs.

PROPOSED PHASE II ESA SCOPE OF WORK

TASK IV – MANAGEMENT OF INVESTIGATIVE DERIVED WASTE (IDW)

IDW consisting of development/purge water will be temporarily stored onsite in FDOT-approved 55-gallon drums. If no indication of soil contamination is noted during boring/well installation (i.e., stained/odorous soil or OVA readings), soil will not be containerized but will be spread near the location. IDW samples will not be collected until analytical sample results from the soil (if containerized) and groundwater are received and evaluated. If contamination is detected from analytical results, one (1) representative soil sample and one (1) development/purge water sample from the respective drums will be collected and analyzed for VOCs using USEPA Method 8260B; BNA compounds/LL PAHs using USEPA Method 8270, TPHs by the FL-PRO Method, and PPL metals using USEPA Methods 6010/7470/7471. Based on the results of these analyses, appropriate disposal will be performed.

TASK V – REPORT PREPARATION

A Phase II ESA Report will be prepared to summarize the results of the site assessment activities. EPA has mandated that the ASTM Standard Practices E1903-97 standard for Phase II ESAs be followed for projects where EPA funding is used. As such, this standard will be utilized during the preparation of the Phase II ESA Report. Data will be summarized in tables and figures (if applicable), and field notes and laboratory analyses will be included for reference. Recommendations for further assessment or corrective actions, if applicable, will be included in the report.

MINORITY BUSINESS UTILIZATION

The project team is intended to maximize use of minority business enterprises (MBE) as subcontractors and will include the laboratory, Millennium Labs, or another approved MBE business.

SCHEDULE

Once the site-specific QAPP is approved (estimated forty-five [45] days from notice to proceed), site assessment activities will take approximately four (4) days to complete (including scheduling and implementation) and approximately fourteen days will be required to complete sample analyses. A draft of the Phase II ESA report will be submitted within sixty (60) days from the receipt of laboratory analytical results.

ESTIMATED COSTS

The Phase II ESA IDW disposal and report preparation will be conducted on a cost plus and time and materials basis, for a total budgeted cost of \$10,297 and will not exceed this estimated amount without prior approval from Escambia County through an approved Change Order. The detailed cost estimate is broken down as follows:

SCHEDULE OF COMPENSATION

Task IV – Management of Investigated Derived Waste (IDW)

IDW Removal and Disposal and Analytical (based on 25 drums).....\$4,497
TBE Labor (Arranging Disposal).....\$500
Subtotal (time and material)\$4,997

Task V - Report Preparation

Subtotal (lump sum)\$5,300

Total Estimated Cost.....\$10,297


If this proposal meets with your approval, your signature below will authorize Cardno TBE to begin scheduling of subcontracting services. Upon approval please issue a Work Order in accordance with our contract. If you have any questions or need any additional information, please do not hesitate to contact me.

Sincerely,

Approved by: ESCAMBIA COUNTY



Roger B. Register
Director – Brownfields Services
For Cardo TBE
850-385-8232

Signed by: 
Title: Brownfields
Date: 7-18-11



George Wiegand, PG
Project Manager
850-385-8232

RBR:gew/brn

Attachment



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1097

County Administrator's Report Item #: 12. 13.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/04/2011

Issue: Authorization to Submit 2013 Rollover Grant Attestation and Application for the Restoration of Escambia County Old Courthouse Phase IV

From: Joy D. Blackmon, P.E.

Organization: Public Works

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Authorization to Submit 2013 Fiscal Year Rollover Attestation Grant Application for the Restoration of Escambia County Old Courthouse Phase IV - Joy D. Blackmon, P.E., Public Works Department Director

That the Board take the following action regarding the submission of the 2013 Fiscal Year Rollover Attestation and Application for the 2012 Recommended Special Category Projects for the Restoration of the Escambia County Old Courthouse Phase IV:

A. Approve the submission of the 2013 Fiscal Year Rollover Attestation and Application to the Florida Department of State;

B. Adopt and authorize the Chairman to sign the Resolution authorizing or affirming;

1. The submission of the 2013 Fiscal Year Rollover Attestation and Application for the Recommended 2012 Special Category Grant Application to the Florida Department of State; and

2. The availability of \$350,000 as local matching funds for the Historical Resources Grants-In-Aid Grant, should the Grant be awarded; and

C. Authorize the County Administrator to sign all documents required to receive and implement the Grant.

Meeting in regular session on May 24, 2007, the Board approved the submission of a Historical Grant Application for the Restoration of Escambia County Old Courthouse Phase IV, for the State's Fiscal Year 2008-2009 submission period. Due to the State not allocating Grant funds, Rollover Applications were subsequently submitted. The Florida Department of State informed the County that no funding was provided for Fiscal Year 2010-2011 and required the County to submit a new Application. On August 19, 2010, the Board approved submitting the new Application to the Florida Department of State for Fiscal Year 2011-2012. Since no funding was approved by the State for Fiscal Year 2011-2012, the State will allow a rollover of our Grant Application to Fiscal Year 2012-2013, if we submit the Attestation and Application. As in previous years, it is unlikely that funding will be made available, but when the funds do become

available the County would like to take advantage of the Grant.

[A dollar-for-dollar local match of \$350,000 will be required if the Grant is awarded. This is required to be allocated and obligated if awarded.]

BACKGROUND:

Meeting in regular session on May 24, 2007, the Board approved the submission of a Historical Grant Application for the Restoration of Escambia County Old Courthouse Phase IV, for the State's Fiscal Year 2008-2009 submission period. Due to the State not allocating grant funds, rollover applications were subsequently submitted. The Florida Department of State informed the County that no funding was provided for Fiscal Year 2010-2011 and required the County to submit a new application. On August 19, 2010, the Board approved submitting the new application to the Florida Department of State for Fiscal Year 2011-2012. Since no funding was approved by the State for Fiscal Year 2011-2012, the State will allow a rollover of our Grant application to Fiscal Year 2012-2013 if we submit the Attestation and Application. As in previous years, it is unlikely that funding will be made available, but when the funds do become available the County would like to take advantage of the Grant.

BUDGETARY IMPACT:

A dollar-for-dollar local match of \$350,000 will be required if the Grant is awarded. This is required to be allocated and obligated if awarded.

LEGAL CONSIDERATIONS/SIGN-OFF:

The Resolution was reviewed and approved as to form and legal sufficiency by Steve West, Assistant County Attorney, on July 15, 2011.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

The Florida Department of State requires Board approval of the Rollover Attestation and a Resolution by the Board affirming the availability of the matching funds.

IMPLEMENTATION/COORDINATION:

The project involves coordination between Facilities Management (Public Works Department) and the Florida Department of State. The project will be managed by Facilities Management. If the Grant is awarded by the State, the County's matching funds will be made available thereafter.

Attachments

2013 Attestation

2013 Resolution

2013 Application

RESOLUTION R2011-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA AUTHORIZING ESCAMBIA COUNTY TO SUBMIT THE 2013 FISCAL YEAR ROLLOVER ATTESTATION APPLICATION FOR AND ACCEPT CERTAIN GRANT AWARDS MADE BY THE FLORIDA DEPARTMENT OF STATE, DIVISION OF HISTORICAL RESOURCES FOR THE RESTORATION OF ESCAMBIA COUNTY OLD COURTHOUSE PHASE IV; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Department of State, Division of Historical Resources has been delegated authority to award financial assistance for certain historical restoration projects to local government applicants; and

WHEREAS, the Board of County Commissioners has completed certain portions of the work for the Restoration of the Escambia County Old Courthouse Phase IV; and

WHEREAS, the potential exists for matching funds from the Florida Department of State, Division of Historical Resources that would support the restoration costs; and

WHEREAS, the deadline for submitting for these matching grants is August 15, 2011; and

WHEREAS, the Florida Department of State requires Board approval of the 2013 Rollover Application and a Resolution of the Board of County Commissioners prior to submission of the application; and

WHEREAS, the Board of County Commissioners finds that said adoption is in the best interests of the health, safety, and welfare of Escambia County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, AS FOLLOWS:

Section 1. That Escambia County's Historical Grants-In-Aid Rollover application is approved for submission to the Florida Department of State.

**HISTORIC PRESERVATION GRANTS
Special Category Grant Program 2013 Rollover Application**

Application Deadline: All 2013 Rollover Applications must be delivered to the office of the Bureau of Historic Preservation, 500 South Bronough Street, Tallahassee, Florida 32399-0250, by 5:00 P.M., **August 15, 2011**, or must be clearly postmarked on or before August 15, 2011, or show evidence of submission to an express mail service on or before August 15, 2011. Failure to meet this deadline will result in disqualification.

1) **PROJECT TITLE:** Old Escambia County Courthouse **APPLICATION NUMBER:** FSC12_0027

2) **APPLICANT ORGANIZATION:** Escambia County Board of County Commissioners

3) **GRANT AMOUNT REQUESTED and APPROVED FROM 2012 APPLICATION:** \$350,000

4) **MATCH AMOUNT:** \$350,000

5) **PROJECT TYPE (CHECK ONE PLEASE):**

- a) **ACQUISITION & DEVELOPMENT PROJECT** b) **MAJOR ARCHAEOLOGICAL EXCAVATION PROJECT**
c) **MAJOR MUSEUM EXHIBIT PROJECT**

6) **PROJECT CHANGES:**

In the space provided below, briefly describe any project changes since submission of your 2012 application:

- 1) Changes in the condition of the property;
- 2) Changes in project progress and associated adjustments to grant project scope of work; and/or
- 3) Changes in threats to project.

For all of the above, include labeled photos as Attachment B illustrating the changes described.

Check this box if there is no change to your project.

No Changes

7) APPLICANT INFORMATION UPDATE:

Please provide the following contact information below:

Please check here if any of the information below has changed since the submission of your 2012 Application.

ORGANIZATION NAME: Escambia County Board of County Commissioners

ADDRESS: 221 Palafox Place

CITY: Pensacola STATE: Florida ZIP: 32502

NAME AND TITLE OF ORGANIZATION'S CHIEF OFFICER: Mr. Charles R. "Randy" Oliver

DESIGNATED PROJECT MANAGER: MR. William E. Lawing

ADDRESS:
CITY: Pensacola STATE: Florida ZIP: 32501

DAYTIME TELEPHONE NO: 850-595-3190 EXT.: NA FAX NUMBER: 850-595-4668

EMAIL ADDRESS: welawing@co.escambia.fl.us

YOUR ORGANIZATION'S WEBSITE (if available): www.myescambia.com

8) REVISED TENTATIVE PROJECT TIMELINE: On the graph below, indicate all major elements of the project for which funding assistance is requested, and the planned sequence of these activities beginning July 1, 2012. *Projects must be completed within 24 months.*

	PROJECT ACTIVITY	INDICATE MONTH(S) TO COMPLETE MAJOR ELEMENTS (Ex. Jan, Feb 2012; March and half of April, 2013)
A	Demolition	Sept 2012
B	Exterior Construction	Oct, Nov, Dec 2012
C	Mechanical, Electrical	Nov, Dec 2012 & Jan 2013
D	Interior Finishes	Jan, Feb, Mar 2013
E		
F		
H		
I		
J		

9) FOR ARCHAEOLOGY AND MUSEUM EXHIBIT PROJECTS ONLY:

UPDATED PRINCIPAL INVESTIGATOR / CONSULTANT INFORMATION: Identify the Principal Investigator and key project personnel, if known. **Include curriculum vitae or resume for key project personnel in Attachment D.** This documentation must clearly demonstrate that the Principal Investigator meets the *Secretary of the Interior's Professional Qualification Standards for Archaeologists or Historians*. (Please see www.nps.gov/history/local-law/arch_stnds_9.htm)

Principal Investigator/Consultant: NA
Key Project Personnel:

Name and Responsibility: _____

Name and Responsibility: _____

Name and Responsibility: _____

10) UPDATED PROJECT BUDGET:

Check this box if there is no change to your project budget. You are not required to complete the budget below if there is no change to your project budget.

If there are any changes to your original budget for the 2013 Rollover, you must complete the entire updated budget below. Please note the following:

- You must report the *entire* project budget below, not just the budget items that have changed.
- For each budget item below, describe the item in enough detail for BHP staff to determine that the expense is allowable. Indicate the amount of grant funds and/or Match to be allotted to each budget item and calculate the subtotal amount for each budget item.
- All Match contributions allotted to the project budget items must be accompanied by appropriate confirmation documentation. This documentation must be included in Attachment A to this 2013 Rollover Application. See Page 11 for instructions.

Project Budget:

BUDGET ITEMS	GRANT FUNDS	MATCH	SUBTOTALS
1.	\$	\$	\$
2.	\$	\$	\$
3.	\$	\$	\$
4.	\$	\$	\$
5.	\$	\$	\$
6.	\$	\$	\$
7.	\$	\$	\$
8.	\$	\$	\$
9.	\$	\$	\$
10.	\$	\$	\$
11.	\$	\$	\$
12.	\$	\$	\$
13.	\$	\$	\$
14.	\$	\$	\$
15.	\$	\$	\$
16.	\$	\$	\$
17.	\$	\$	\$
18.	\$	\$	\$
19.	\$	\$	\$
20.	\$	\$	\$
TOTALS:	\$	\$	\$

11) MATCH CONTRIBUTIONS:

*** This section must be completed in full by ALL 2013 Rollover Applicants regardless of whether there is any change to the original application budget.**

All elements of the claimed Match must contribute directly to the grant-assisted project work. Match may include in-kind services, the value of volunteer services and donated materials. Twenty-five percent of the Match must be cash on hand (not salary costs). In-kind services may include salary and benefits but not overhead costs or profit. Volunteer services must be valued at the current Florida Minimum Wage (\$7.31 per hour) unless a higher rate can be justified based on education, skills or training possessed by the donor. Donated material must be valued at actual cost. Public funds must be identified by source, that is: appropriated funds, Community Development Block Grant funds, etc. Major private donations, such as from foundations, should be separately identified.

Each entry below must be clearly documented in Attachment A (Confirmation of Match).

See documentation requirements below on Page 11.

PLEASE ENTER THE BUDGET ITEM NUMBER (from original application budget) FOR WHICH THE CONTRIBUTION WILL BE USED. Include a brief description of each contribution.

MATCH (ALL 2013 ROLLOVER APPLICANTS MUST COMPLETE)

Budget Item #(s) Description Amount/Value

A. Cash-on-Hand to be expended during grant period:

Budget Item #	All budget items are 50% local cost share	\$350,000.00
Budget Item #	(See attached page 11 from original application.)	\$
Budget Item #		\$
Budget Item #		\$

B. In-Kind Services to be contributed during grant period:

Budget Item #		\$
Budget Item #		\$
Budget Item #		\$
Budget Item #		\$

C. Donated Materials to be contributed during grant period:

Budget Item #		
Budget Item #		\$
Budget Item #		\$
Budget Item #		\$

D. Volunteer Labor to be contributed during grant period:

Budget Item #		\$
Budget Item #		\$
Budget Item #		\$
Budget Item #		\$

E. Emergency Matching Funds Expended since 2012 Application Submission of August 15, 2010

Budget Item #		\$
Budget Item #		\$
Budget Item #		\$
Budget Item #		\$

Total Match: (All must be documented in Attachment A) \$350,000.00

APPLICATION ATTACHMENT CHECKLIST

- Attachment A:** Updated Documentation of Confirmed Match.

Attachment A is required for all 2013 Rollover Applications.

All Match contributions for work to be completed during the grant period **must be documented in Attachment A of the 2013 Rollover Application**. If all or a portion of the Match cited in your 2012 application is no longer available, documentation of equivalent alternative resources will be necessary for application eligibility. **Match contributions that are not adequately documented will be disallowed.**

1. Resources to be contributed during the grant period

For **cash contributions** to Match that will be expended during the grant period, the documentation in Attachment A of the 2013 Rollover Application must substantiate the **current availability and allocation** of all contributions. A resolution from the Board of Directors of the organization confirming allocation of the funding for the grant-assisted project is needed along with a bank statement or letter from the organization's financial institution confirming the availability of the funds. For a local government, a resolution of the City Commission or Board of County Commissioners allocating the funding or an adopted budget document including a line item for the contribution will be acceptable.

For commitments of **in-kind services and donated materials**: Letters (on letterhead) from contributors for in-kind services and donated materials that

- a) clearly describe the services or materials to be provided
- b) indicate when the contribution(s) will be made
- c) establish the basis for valuing their contribution(s).

For **volunteer labor**: Pledge forms are used to document volunteer labor contributions unless alternative documentation is approved by the Division. The pledge form must be specific as to (a) the type of work to be accomplished, (b) the number of hours to be donated and the period during which the donation will be made, and (c) how the value of the donation was determined. These forms must be signed by the individuals or entity making the commitments. Note that the per-hour rate of volunteer labor must be valued at the Florida Minimum Wage (currently \$7.31 per hour) at the time of contribution unless a higher rate can be justified based on education, skills or training possessed by the volunteer. For example, a professional carpenter may donate time for carpentry services at his or her normal rate.

- 2. Emergency project work** completed since submission of your original application in August 2010, that you are claiming as a contribution to Match must be listed in #11 on Page 4, under MATCH CONTRIBUTIONS, and must be documented in Attachment A by:
- a) Invoices and cancelled checks for cash expenditures;
 - b) Letters from contributors for in-kind services and donated materials that clearly describe and establish the basis for valuing their contribution(s);
 - c) Volunteer sign-in rosters signed by both the volunteer and Project Manager or letters from individual volunteers. Documentation must describe the work accomplished by individual volunteers and establish the basis for valuing that work.

In addition to Attachment A, Attachments B, C, and D are required, as applicable, for changes in the project, as described in Question 6 in this Rollover Application.

Attachment Checklist is continued on next page...

- Attachment B:** Updated photographs illustrating the existing condition (interior, exterior, surroundings, and problem areas) of the historical property or archaeological site. *(Required, as applicable, if additional project work has been accomplished or other changes in the condition of the property are indicated in question 6 of this application)*
- Attachment C (for changes to Acquisition, Acquisition & Development or Museum Exhibit projects only):** For Acquisition projects, an updated Purchase Agreement must be included in this Attachment. For Acquisition & Development or Museum projects, if architectural project schematics, construction documents or preliminary exhibit design documents have been completed, one set of these documents must be included in the Attachment. *(Required for all Acquisition and Development and Museum Exhibit Applications if additional planning has been completed or if planning documents have changed)*
- Attachment D (for personnel changes to Archaeological Excavation or Museum Exhibit projects only):** Include curriculum vitae or resume for Principal Investigator / Consultant and other key personnel not included in the original application, if known. *(Required of all Archaeological Excavation or Museum Exhibit projects with changes in personnel).*

UPDATES TO SIGNATURE PAGES

Do not resubmit the original 2012 Signature Pages.

Only Updated Certifications with original signatures will be accepted.

Signature Pages Checklist

- Applicant Certification – *all applicants*
- Civil Rights Assurance of Compliance – *all applicants*
- Owner Concurrence – *for properties not owned by applicant*
- Agreement to Execute Restrictive Covenants or Preservation Agreement – *A&D and Archaeological project applicants*
- Project Archaeological Impact Form – *A&D applicants*

Signature Pages are below

2013 Special Category Rollover Application

APPLICANT CERTIFICATION

This form is required of all applicants

This certification must be signed by the duly authorized representative of the applicant organization or agency before the application will be considered for funding assistance.

I certify that the information contained in this application is true and correct to the best of my knowledge, and that I am the duly authorized representative of the applicant.

Name: Charles R. "Randy" Oliver Title: County Administrator

Agency or Organization: Escambia County Board of County Commissioners

Signature _____ Date: _____

2013 Special Category Rollover Application**CIVIL RIGHTS ASSURANCE OF COMPLIANCE***This form is required of all applicants.*U.S. DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

Escambia County, Florida Board of County Commissioners (hereinafter called "Applicant-Recipient") hereby agrees that it will comply with Title VI of the Civil Rights Act of 1964 (P.L. 88-352) and all requirements imposed by or pursuant to the Department of the Interior Regulations (43 CFR 17) issued pursuant to that title, to the end that, in accordance with Title VI of the Act and the Regulations, no person in the United States shall, on the grounds of race, color, or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant-Recipient receives financial assistance from the Florida Department of State and hereby gives assurance that it will immediately take any measures to effectuate this agreement.

The Applicant-Recipient also agrees to comply with Section 504 of the Rehabilitation Act of 1973 and the Age Discrimination Act of 1975 and all requirements imposed by or pursuant to the Department of the Interior Regulations (43 CFR 17) issued pursuant to these titles, to the end that, no person in the United States shall, on the grounds of disability or age be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant-Recipient receives financial assistance from the National Park Service and hereby gives assurance that it will immediately take any measures to effectuate this agreement.

If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant-Recipient by the Florida Department of State, this assurance obligates the Applicant-Recipient, or in the case of any transfer of such property, any transferee for the period during which the real property or structure is used for a purpose involving the provision of similar services or benefits. If any personal property is so provided, this assurance obligates the Applicant-Recipient for the period during which it retains ownership or possession of the property. In all other cases, this assurance obligates the Applicant-Recipient for the period during which the Federal financial assistance is extended to it by the Florida Department of State.

This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property discounts or other Federal financial assistance extended after the date hereof to the Applicant-Recipient by the bureau or office, including installment payments after such date on account of arrangements for Federal financial assistance which was approved before such date. The Applicant-Recipient recognizes and agrees that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance, and that the United States shall reserve the right to seek judicial enforcement of this assurance. This assurance is binding on the Applicant-Recipient, its successors, transferees, and assignees, and the person or persons whose signature appears below are authorized to sign this assurance on behalf of the Applicant-Recipient.

DatedEscambia County, Florida Board of County Commissioners
Applicant-RecipientSigned By _____
(President, Chairman of Board or Comparable authorized Official)Charles R. "Randy" Oliver, County Administrator221 Palafox Place, Pensacola, FL 32502
Applicant-Recipient's Mailing Address

2013 Special Category Rollover Application

OWNER CONCURRENCE

This form is required of all applicants who do not own the project property.

If the applicant does not own the property, the owner of record must sign the following statement indicating concurrence with the proposed project and this application for grant assistance.

I, the undersigned, owner of the property identified in this application, hereby acknowledge my support for and full concurrence with this application.

Name: NA Title: NA

Signature: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

Daytime Telephone: _____ FAX Number: _____

2013 Special Category Rollover Application**AGREEMENT TO EXECUTE RESTRICTIVE COVENANTS OR PRESERVATION AGREEMENT**

This form is required of applicants for A&D or site-specific archaeological projects only

For projects involving historic properties and those involving archaeological sites which will be maintained subsequent to the completion of the project, the owner, long-term lessee or other responsible party must sign the following statement indicating agreement to (a) record Restrictive Covenants running with the deed for projects involving real property, or (b) execute a Preservation Agreement for projects involving properties other than real property, should a grant award be made.

I, the undersigned, am the duly authorized representative of the owner, long-term lessee, or other organization or agency having responsibility for maintenance of the property identified in this application subsequent to completion of the project for which funding is requested. I hereby indicate agreement to record Restrictive Covenants or execute a Preservation Agreement, as applicable, through which the organization or agency I represent will commit to maintenance of the referenced property in accordance with good preservation practice and the applicable standards and guidelines of the Secretary of the Interior for a period of 10 (ten) years. I further agree that the organization or agency will not make any modifications to the property during the term of the preservation agreement (other than routine repairs and maintenance) without review of the plans and specifications by the Bureau of Historic Preservation and that every effort will be made to design any modifications in a manner consistent with the applicable standards and guidelines of the Secretary of the Interior.

Name: Mr. Charles R. "Randy" Oliver Title: County Administrator

Signature _____ Date: _____

Address: 221 Palafox Place

City: Pensacola State: Florida Zip: 32502

Daytime Telephone: 850-595-4900 FAX Number: 850-595-4908

2013 Special Category Rollover Application

PROJECT ARCHAEOLOGICAL IMPACT FORM

This form is required for all Acquisition & Development projects.

Consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards)*, significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

a) Will your project involve ground disturbance? (Examples of ground disturbance include: historic building or structure relocation, grading and site work, installation of sewer and water lines, sub-grade foundation repairs or damp-proofing, construction requiring construction of new foundations, installation of landscape materials.)

- YES (Go to b) below)
- NO (No further action required)

b) Acknowledgement of Responsibility to Protect Archaeological Resources

I, the undersigned, am the owner or duly authorized representative of the owner of the property identified under item 16, Property Ownership, and hereby accept responsibility for ensuring that significant archaeological resources are protected in the course of the proposed project and, if it is unavoidable that such resources are affected by the work, the organization that I represent will accept responsibility for development in consultation with the Division of Historical Resources and implementation of an appropriate mitigation plan for the treatment of those resources.

Owner/Representative Name: NA

Title:

Organization or Agency:

Signature:

Date:

For Relocation Projects: If the Project involves relocation of a historic building or structure from its historic site, plans must include an archaeological survey of the original and new sites. This requirement should be reflected in the Project Budget and project work items unless it is to be accomplished prior to the initiation of the grant-assisted work. Exemption from this requirement will be considered by the Division on a case-by-case basis.

PLEASE NOTE: With prior written approval from the Division, archaeological consulting services costs required to identify and evaluate archaeological resources in areas of ground disturbance, and if determined to be necessary for compliance with the *Standards*, costs required to carry out the provisions of an approved mitigation plan, will be eligible for grant expenditure or contribution to the required Match. For additional information about, or assistance with, required archaeological assessments, please call the Division of Historical Resources Grants Program at 1-800-847-7278.

1	general conditions	\$25,000.00	\$25,000.00	Cash	\$50,000.00
2	prepare for west windows	\$6,000.00	\$6,000.00	Cash	\$12,000.00
3	remove 1970's insert	\$30,000.00	\$30,000.00	Cash	\$60,000.00
4	new roof over remaining single story	\$8,000.00	\$8,000.00	Cash	\$16,000.00
5	prepare openings in exterior construction	\$8,000.00	\$8,000.00	Cash	\$16,000.00
6	new arched windows	\$18,000.00	\$18,000.00	Cash	\$36,000.00
7	new west windows	\$9,000.00	\$9,000.00	Cash	\$18,000.00
8	complete stone details	\$15,000.00	\$15,000.00	Cash	\$30,000.00
9	repair brick wal, interior demolition	\$18,000.00	\$18,000.00	Cash	\$36,000.00
10	remove courtroom ceiling, interior construction	\$5,000.00	\$5,000.00	Cash	\$10,000.00
11	second level restorations	\$54,000.00	\$54,000.00	Cash	\$108,000.00
12	room finishes	\$50,000.00	\$50,000.00	Cash	\$100,000.00
13	mechanical system upgrades	\$34,000.00	\$34,000.00	Cash	\$68,000.00
14	electrical system upgrades	\$25,000.00	\$25,000.00	Cash	\$50,000.00
15	basement upgrades	\$15,000.00	\$15,000.00	Cash	\$30,000.00
16	design fees	\$30,000.00	\$30,000.00	Cash	\$60,000.00
Totals		\$350,000.00	\$350,000.00		\$700,000.00

15. Match Summary

Matching funds include: cash funds, the value of in-kind services or volunteer labor directly involved in project work, and the value of donated materials. **25% of total match must be cash match, that is, cash-on-hand. The applicant organization's staff salaries are considered in-kind match contributions, not cash match contributions.** In-kind services include salary and benefits but not overhead costs or profit. In-kind service or volunteer labor must be valued at the prevailing minimum wage unless it is documented that the donor is performing services or labor in which he or she is regularly employed at a higher wage. Donated material must be valued at the actual cost.

Public funds must be identified by source: e.g. appropriated funds, Community Development Block Grant funds, etc. Major private donations, such as foundation grants, should be clearly identified. See information below for details on match requirements. Applicants requesting REDI Match Reduction in question 5 shall only be required to provide a 10% match. See question 5 for additional details.

Non-allowable match contributions include:

- a) Expenditures made prior to grant award agreement start date, except as allowed in 1A-39.009(3), Florida Administrative Code.
- b) Anticipated proceeds from fundraising activities.
- c) Grant funding from other sources applied for but not yet awarded.
- d) Cash pledges without donor signature and availability date (Anonymous pledges are not acceptable match contributions).
- e) Other grant funds from the Department of State.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1144

County Administrator's Report Item #: 12. 14.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/04/2011

Issue: Change Order to Roads, Inc. of NWF on Contract PD 10-11.028 "Various Road Materials Pricing Agreement"

From: Joy D. Blackmon, P.E.

Organization: Public Works

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Change Order to Roads, Inc., of NWF on Contract PD 10-11.028 "Various Road Materials Pricing Agreement" - Joy D. Blackmon, P.E., Director, Public Works Department

That the Board approve and authorize the County Administrator to execute the following Change Order #2:

Department:	Public Works
Division:	Infrastructure Branch/Engineering
Type:	Addition
Amount:	\$7,134.70
Vendor:	Roads, Inc., of NWF
Project Name:	Resurfacing (Hot In Place)
Contract:	PD 10-11.28 "Various Road Materials Pricing Agreement"
PO No.:	111238
Change Order No.:	2
Original Award Amount:	\$400,000.00
Cumulative Amount of Change Orders through this CO:	\$ 52,134.70
New Contract Total:	\$452,134.70

Meeting in regular session on May 5, 2011, the Board approved issuance of a Purchase Order to Roads, Inc., of NWF, in an amount not to exceed \$400,000, on Contract PD 10-11.028 "Various Road Materials Pricing Agreement", for Fiscal Year 2010-2011, to provide hot mix asphalt to Escambia County for use in the Hot-In-Place Recycling Program. Roads, Inc., of NWF was providing asphalt to Cutler Repaving, Inc., who was repaving portions of Leonard Street, Klondike Road, Eight Mile Creek Road, Beulah Road, Cross Street and Bridlewood

Road. In accordance with Escambia County Code of Ordinances Chapter 46-86, Amendments/Changes After Award, Board approval is required to award Change Orders that have reached or exceeded \$50,000.

Change Order #1, effective June 15, 2011, added \$45,000 worth of asphalt to add "E" Street from Texar Drive to Cervantes Street to the list of roads being repaved under this Contract. Change Order #2 is necessary to cover cost overruns for asphalt that occurred while paving "E" Street from Texar Drive to Cervantes Street.

[Funding Source: Fund 352, "Local Option Sales Tax III", Cost Center 210107, Object Code 56301, Project No. 08EN0208, "Resurfacing"]

BACKGROUND:

Meeting in regular session on May 5, 2011, the Board approved issuance of a Purchase Order to Roads, Inc. of NWF, in an amount not to exceed \$400,000, on Contract PD 10-11.028 "Various Road Materials Pricing Agreement", for Fiscal Year 2010-2011, to provide hot mix asphalt to Escambia County for use in the Hot-In-Place Recycling Program. Roads, Inc. of NWF was providing asphalt to Cutler Repaving, Inc., who was repaving portions of Leonard Street, Klondike Road, Eight Mile Creek Road, Beulah Road, Cross Street and Bridlewood Road. In accordance with Escambia County Code of Ordinances Chapter 46-86, Amendments/Changes After Award, Board approval is required to award Change Orders that have reached or exceeded \$50,000.

Change Order Number 1, effective June 15, 2011 added \$45,000 worth of asphalt to add "E" Street from Texar Drive to Cervantes Street to the list of roads being repaved under this Contract. Change Order 2 is necessary to cover cost overruns for asphalt that occurred while paving "E" Street from Texar Drive to Cervantes Street.

BUDGETARY IMPACT:

Funds for this change order are available in Fund 352 "Local Option Sales Tax III", Cost Center 210107, Object Code 56301, Project No. 08EN0208, "Resurfacing".

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

This recommendation is in compliance with the provisions of the Code of Ordinances of Escambia County, Florida, Chapter 46, Finance, Article II, Purchases and Contracts.

IMPLEMENTATION/COORDINATION:

Upon approval of this recommendation, a Change Order will be transmitted to the Office of Purchasing for processing.

Attachments

Roads Backup

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-20. Approval of Various Consent Agenda Items – Continued

14. Authorizing the issuance of a Purchase Order to Alabama & Gulf Coast Railway for Fiscal Year 2010-2011 (for the period October 1, 2010, to September 30, 2011), Annual Railroad Crossing Maintenance, in the amount of \$51,409; the Transportation and Traffic Operations Division has an annual requirement to reimburse Alabama & Gulf Coast Railway for 50% of the costs for the annual railroad crossing maintenance; since the amount is over \$50,000, Board approval is required (Funding: Fund 175, Transportation Trust Fund, Account 270201/54601 and Account 110303/54601).
15. Authorizing the issuance of a Purchase Order to Roads, Inc., of NWF, in an amount not to exceed \$400,000, on Contract PD 10-11.028, Various Road Materials Pricing Agreement, *(for)* Fiscal Year 2010-2011, to provide hot mix asphalt to Escambia County for use in the Hot-In-Place Recycling Program (Funding Source: Fund 352, Local Option Sales Tax III, Account 210107/56301, Project #08EN0208).
16. Approving the renewal of PD 06-07.096 (*Property, Boiler and Machinery, Crime, Excess Workers Compensation, Statutory Death Benefits Insurance Agent*) to First Florida Insurance Brokers to provide Property, Boiler and Machinery, Crime, and Accidental Death and Dismemberment Insurance, not to exceed the amount of \$1,621,322, for the period of June 1, 2011, through June 1, 2012 (Funding: Fund 501 [Internal Service], Cost Center 140835, Object Code 54501).
17. Taking the following action concerning an additional premium required as a result of the Workers' Compensation Audit (Funding Source: Fund 501 [Internal Service], Cost Center 140834, Object Code 54501):
 - A. Approving the payment to Florida Municipal Insurance Trust, in the amount of \$96,480, for the additional premium for audit period October 1, 2009, through September 30, 2010; and
 - B. Authorizing the issuance of a Purchase Order, in the amount of \$96,480.

Sec. 46-86. Same--Amendments/changes after award.

(a) Threshold approval authority for change orders to executed contracts shall be determined by the cumulative total amount of the original purchase or award and any subsequent change orders to that purchase or award. The county administrator may authorize cumulative increases of up to \$50,000.00 or ten percent of the award amount, whichever is greater. Changes to an award that have reached or exceeded \$50,000.00 or ten percent of the award amount shall not be effective unless such increase is first approved by the board of county commissioners.

(b) Authority to increase the amount of any award is predicated on the condition that all provisions of the original award remain intact and unchanged.

(c) Changes to executed contracts are prohibited which change the scope of work from its original proposal or bid. The county administrator or his designee may approve extensions of delivery dates and performance time on contracts provided that such resultant changes to the established award amount comply with the provisions of this article.

(Code 1985, § 1-14-21(1)(i); Ord. No. 98-47, 10-27-1998; Ord. No. 2001-9, § 6, 3-1-2001; Ord. No. 2001-60, § 3, 11-1-2001; Ord. No. 2002-6, § 2, 2-7-2002; Ord. No. 2002-32, § 2, 7-18-2002)

Sec. 46-87. Competitive proposal process--Alternative to competitive bid process.

When it is determined by the purchasing manager that the use of competitive sealed bidding is impractical or inappropriate, the county may utilize the competitive process in sections 46-87 through 46-90 as an alternative to the competitive bid process.

(Code 1985, § 1-14-21(2))

Sec. 46-88. Same--Requests for proposals or information.

Requests for proposals or requests for information may be issued, setting forth the performance parameters of the goods and/or services, and establishing the evaluation factors to be used which set forth the terms and conditions of the goods and/or services sought including evaluation factors.

(1) *Notice.* Adequate notice shall be published in a newspaper of general circulation for a reasonable time prior to the time set of the submission of responses and by such other means as deemed appropriate by the purchasing manager.

(2) *Submission.* Proposals must be received no later than the original or amended time and date and at the location specified for submission in the request for proposal or request for information. No proposal shall be accepted after such time or at any other location than specified; any proposal received later or at any other location than specified shall not be considered to be responsive. Failure by the proposer to execute the county's contractual services acknowledgment form binding the proposer shall result in such proposal being rejected as nonresponsive.

(3) *Proposal cancellation or postponement.* The purchasing manager may, prior to a proposal opening, elect to cancel or postpone the date and/or time for proposal opening or submission. After the proposal opening, the purchasing manager or designee may cancel the proposal if no or only one responsive, responsible proposal is received, or if the lowest most responsive, most responsible proposal is in excess of the funding limits established by the county for that proposal or if it is deemed that it is not in the best interest of the county to continue with the procurement. In the event of discovery after proposal opening of a patent irregularity or procedural flaw which is so severe as to render the process invalid, the purchasing manager or designee may also cancel the proposal.

BOARD OF COUNTY COMMISSIONERS

ESCAMBIA COUNTY FLORIDA
 213 PALAFOX PLACE SECOND FLOOR SUITE 11.101
 PO BOX 1591
 PENSACOLA, FL 32591-1591
 (850) 595-4980

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 CLERK OF THE COURT & COMPTROLLER
 HON. ERNIE LEE MAGAHA
 221 PALAFOX PLACE, SUITE 140
 PENSACOLA, FL 32502-5843
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 ENGINEERING DEPARTMENT
 1190 WEST LEONARD ST., SUITE #
 PENSACOLA FL 32501
 ATTN: ROBIN LAMBERT

ORDER DATE: 05/12/11	BUYER: ROBERT DENNIS	REQ. NO.: 11001328	REQ. DATE: 05/06/11
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TERMS: NET 30 DAYS	F.O.B.:	DESC.: CONTACT JAMES DUNCAN AT 5
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ITEM#	QUANTITY	UOM	DESCRIPTION	UNIT PRICE	EXTENSION
01	1.00	LOT	CONTRACT PD 10-11.028 "VARIOUS ROAD MATERIALS PRICING AGREEMENT FY 2010-2011" NTE \$400K FOR HOT MIX ASPHALT. VENDOR WILL DELIVER TO CONTRACTOR. BCC APPROVAL 05/05/2011	400000.0000	400,000.00

ITEM#	ACCOUNT	AMOUNT	PROJECT CODE	PAGE TOTAL \$	TOTAL \$
01	210107 56301	400,000.00	08EN0208	400,000.00	400,000.00

APPROVED BY Charles P. Olwe

BOARD OF COUNTY COMMISSIONERS
 ESCAMBA COUNTY FLORIDA
 213 PALAFOX PLACE SECOND FLOOR SUITE 11.101
 PO BOX 1591
 PENSACOLA, FL 32591-1591
 (850) 595-4980

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 HON. ERNIE LEE MAGAHA
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 ROADS INC OF NWF
 106 STONE BLVD
 CANTONMENT FL 32533]

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 [ENGINEERING
 ENGINEERING DEPARTMENT
 1190 WEST LEONARD ST., SUITE #
 PENSACOLA FL 32501
 ATTN: ROBIN LAMBERT]

ORDER DATE: 05/12/11	BUYER: ROBERT DENNIS	REQ. NO.: 11001328	REQ. DATE: 05/06/11
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TERMS: NET 30 DAYS	F.O.B.:	DESC.: CHANGE ORDER - 1
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ITEM#	QUANTITY	UOM	DESCRIPTION	UNIT PRICE	EXTENSION
ADDITVE CHANGE ORDER FOR ADDITIONAL FUNDING TO PROVIDE ASPHALT TO PAVE "E" STREET FROM TEXAR TO CERVANTES (PAVING TO BE COMPLETED BY CUTLER REPAVING. INC. CIP: FY10-11 VARIOUS ROAD MATERIAL PRICING MATERIALS ENC. CARRIED FORWARD/PO TOTAL: \$400,000.00 NET DOLLARS ADDED: \$45,000.00 NEW PO TOTAL: \$445,000.00 PREVIOUS CONTRACT TOTAL: \$400,000.00 NET DOLLARS ADDED: \$45,000.00 NEW CONTRACT TOTAL: \$445,000.00					
01	.00	LOT	CONTRACT PD 10-11.028 "VARIOUS ROAD MATERIALS PRICING AGREEMENT FY 2010-2011" NTE \$400K FOR HOT MIX ASPHALT. VENDOR WILL DELIVER TO CONTRACTOR. BCC APPROVAL 05/05/2011	45000.0000	45,000.00

ITEM#	ACCOUNT	AMOUNT	PROJECT CODE	PAGE TOTAL \$	45,000.00
01	210107 56301	45,000.00	08EN0208	TOTAL \$	45,000.00

APPROVED BY

Claudia Simon



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1147

County Attorney's Report Item #: 12. 1.

BCC Regular Meeting

Action

Meeting Date: 08/04/2011

Issue: Administrative Claim filed by Jared Braxton Phillips

From: Charles V. Pepler, Deputy County Attorney

Organization: County Attorney's Office

CAO Approval:

RECOMMENDATION:

Recommendation Concerning an Administrative Claim filed by Jared Braxton Phillips.

That the Board authorize a settlement of an administrative claim filed by Mr. Phillips in which the County will pay to Mr. Phillips the sum of \$30,000 in exchange for a General Release and Hold Harmless Agreement in favor of Escambia County and Lawrence Vieitez, former Road Corrections Officer.

BACKGROUND:

Mr. Phillips filed a Notice of Claim under Section 768.28, the Waiver of Sovereign Immunity Act relating to torts, alleging that RCO Vieitez coerced Mr. Phillips into acts of sexual misconduct while Mr. Phillips was an inmate at the Road Prison during the months of August through October 2007. Eventually, Mr. Vieitez was arrested for solicitation of sexual acts with a second inmate and was found guilty by a jury on charges of delivery of a controlled substance, introducing contraband into a County detention facility, and solicitation to commit prostitution in November 2010. Mr. Phillips was to be a witness against Mr. Vieitez in this case. Mr. Vieitez is currently serving a state prison sentence.

If a lawsuit would have been filed, the bases of the claims against Escambia County would be that the County failed to conduct an adequate investigation into the background of Mr. Vieitez before hiring him, or once he had been hired, ignored information that Mr. Vieitez was soliciting sexual acts from inmates. Mr. Phillips could have brought a claim that his federal civil rights under 42 USC § 1983 had also been violated. The County Attorney's Office was prepared to defend these claims and investigated the merits by obtaining personnel records from the Sheriff's Office where Mr. Vieitez was a detention deputy prior to his being hired by Escambia County and interviewing his former supervisors and other county personnel. Although there are issues of law as to whether the County could be held liable for negligent hiring or retention, there is always the possibility that a trial judge would refuse to dismiss these claims against the County and allow it to be heard by a jury.

The attorney for Mr. Phillips made an initial settlement demand of \$100,000. The recommended settlement of \$30,000 is substantially less than the settlement demand and is within the reasonable range of jury verdicts or attorney fee awards that could have been entered against the County for tort claims or for a federal civil rights claim. The undersigned has been in contact with each Commissioner on an individual basis and the recommended settlement conforms to

the settlement authority given by each Commissioner.

BUDGETARY IMPACT:

Funds for the settlement will be paid from the reserve account previously established with the Risk Management Division.

LEGAL CONSIDERATIONS/SIGN-OFF:

Charles V. Pepler, Deputy County Attorney, will prepare all documents necessary for settlement.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

The County Attorney's Office will work with Risk Management to process the settlement documents upon approval by the Board.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1160

County Attorney's Report Item #: 12. 2.

BCC Regular Meeting

Action

Meeting Date: 08/04/2011

Issue: 3816 and 3818 Frontera Circle

From: Ryan E. Ross, Assistant County Attorney

Organization: County Attorney's Office

CAO Approval:

RECOMMENDATION:

Recommendation Concerning 3816 and 3818 Frontera Circle

That the Board take the following action:

A. Authorize the County Attorney's Office to settle two code enforcement actions involving 3816 Frontera Circle and 3818 Frontera Circle. The owner of these two properties has offered to convey title to Escambia County in exchange for a dismissal of the pending code enforcement actions.

B. Pursuant to the settlement agreement, accept the donation of the properties located at 3816 Frontera Circle and 3818 Frontera Circle.

BACKGROUND:

On October 13, 2010, Escambia County Environmental Enforcement officers cited properties located at 3816 Frontera Circle and 3818 Frontera Circle for multiple building and environmental code enforcement violations. The owner of the properties is the Harvey D. Jordan Trust ("the Trust"). The Trust has offered to donate the properties to Escambia County in exchange for a voluntary dismissal of the pending code enforcement actions. Escambia County's Community and Environment Department is interested in the properties for potential redevelopment purposes and is recommending that Escambia County agrees to the Trust's proposal, contingent on future Board approval of the actual conveyance. The Escambia County Office of Environmental Enforcement also concurs with a settlement on these terms.

BUDGETARY IMPACT:

Through acceptance of the settlement offer, the Board will waive any entitlement to abatement and court costs.

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

N/A



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1137

County Attorney's Report Item #: 12. 3.

BCC Regular Meeting

Action

Meeting Date: 08/04/2011

Issue: Scheduling a Public Hearing to Consider a Redistricting Ordinance

From: Alison P. Rogers, County Attorney

Organization: County Attorney's Office

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Scheduling a Public Hearing to Consider a Redistricting Ordinance

That the Board authorize the following:

- A. Schedule a Special Board meeting to be held on Tuesday, September 6, 2011 at 5:30 p.m.; and
- B. Authorize the scheduling of a public hearing at 5:31 p.m. to consider a Redistricting Ordinance; and
- C. Authorize the advertising of the ordinance, map(s), and legal description(s); and
- D. Authorize staff to comply with all other legal requirements for adoption and notice of a redistricting scheme; and
- E. Authorize staff to take reasonable additional steps to inform the public of the process and changes.

BACKGROUND:

N/A

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

The County Attorney's Office will be responsible for the advertising of the ordinance, maps and boundaries associated with the Redistricting Ordinance, as well as, all post-adoption requirements.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

N/A



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1156

County Attorney's Report Item #: 12. 1.

BCC Regular Meeting

Information

Meeting Date: 08/04/2011

Issue: Status on RFP of Outside Legal Counsel for Oil Spill Related Issues

From: Alison P. Rogers, County Attorney

Organization: County Attorney's Office

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Status on RFP of Outside Legal Counsel for Oil Spill Related Issues

That the Board be made aware that the outside counsel selection committee has narrowed the potential firms to two options:

A. Beasley, Allen, Crow, Methvin, Portis & Miles, P.C. and McDonald, Fleming, Moorhead, Ferguson, Green, Smith & DeKozan;

OR

B. Levin, Papantonio, Thomas, Mitchell, Rafferty & Proctor, P.A., Weitz & Luxenberg, P.C., Baron & Budd, P.C., Beggs & Lane, RLLP, Morgan & Morgan, P. A., and Hinkle and Foran, P.A.

However, current discussions between Escambia County and BP are continuing without immediate need for outside counsel. When the need arises, a recommendation will be brought to the Board for action. Until that time, the blackout period continues.

BACKGROUND:

N/A

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

N/A
