

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD JANUARY 24, 2008
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(4:33 p.m. – 6:36 p.m.)

Present: Commissioner D. M. "Mike" Whitehead, Chairman, District 1
Commissioner Gene M. Valentino, Vice Chairman, District 2
Commissioner Grover C. Robinson, IV, District 4
Commissioner Kevin W. White, District 5
Commissioner Marie K. Young, District 3
Mr. Robert R. "Bob" McLaughlin, Interim County Administrator
Mrs. Janet Lander, County Attorney
Mrs. Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services
Mrs. Shirley L. Gafford, Program Coordinator, County Administrator's Office
Mrs. Doris Harris, Deputy Clerk to the Board

PUBLIC FORUM WORK SESSION

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

1. FOR INFORMATION: The Board heard comments from Nephi Pratt Clanton concerning the treatment of mentally ill individuals and individuals with hardships, the area surrounding the Wal-Mart Supercenter on Highway 29 that is infested with crime, and Code Enforcement. 1633
2. FOR INFORMATION: The Board was advised by Commissioner White that the Commissioners received, for review, a Resolution drafted by the Transportation Planning Organization (TPO), and that, if there are any concerns regarding the Resolution, the Commissioners should contact Victor Jordan or Mary Beth Washnock, TPO. 1638
3. FOR INFORMATION: The Board heard comments from Robert Greene regarding the County's contract and relationship with the Volunteer Firefighters. 1639
4. FOR INFORMATION: The Board heard the request from Thomas Walker that the Board consider temporarily releasing the fines associated with a Code Enforcement lien against property located at 57 Trevillian Street, in order to assist with the sale of the property, and heard the request from Commissioner Whitehead that this issue be added to the Agenda under Written Communication. 1703

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

PUBLIC FORUM WORK SESSION – Continued

5. FOR INFORMATION: The Board heard comments from L. Gary Sansing regarding various County/National issues.

1705

5:12 P.M. – PUBLIC FORUM ADJOURNED

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

REGULAR BCC AGENDA

1. Call to Order

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

2. Invocation

Chairman Whitehead advised that Commissioner Valentino would deliver the Invocation.

3. Pledge of Allegiance to the Flag

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

4. Adoption of the Agenda

Motion made by Commissioner White, seconded by Commissioner Young, and carried unanimously, adopting the agenda as prepared and duly amended to include Commissioner Valentino's add-on item concerning the establishment of the West-End Advisory Committee and Commissioner Whitehead's two add-on items, one concerning Solid Waste Container Service Contract and one concerning authorization for payment of travel expenses for the candidates for the position of Escambia County Administrator.

1731

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

1731

5. Commissioners' Forum.

- A. District 5 – The Board heard "Happy Birthday" wishes to Audrey Finnegan, County Attorney Lander's mother, from Commissioner White, as well as comments expressing condolences to the family of John E. Frenkel, Jr., who passed away;
- B. District 4 – The Board was advised by Commissioner Robinson that, for public clarification, the cost to the County for participation in the NACo Prescription Drug Discount Card Program is the County's NACo annual membership fee (*refer to Item 16.F.*);
- C. District 3 – The Board heard comments expressing condolences to the family of Tai Morris, who passed away, from Commissioner Young, as well as a reminder to the Public to vote next Tuesday (*January 29, 2008*);
- D. District 2 – The Board:
 - (1) Was advised by Commissioner Valentino that the interviews for the final six candidates for the position of County Administrator will be held Saturday, January 26, 2008, at 9:00 a.m.;
 - (2) Heard comments from Commissioner Valentino honoring Tracy and Brenda Herring, Herring Realty, who recently died in a vehicle accident that occurred on Gulf Beach Highway;
 - (3) Heard the suggestion from Commissioner Valentino that the Board consider, for discussion at a Committee of the Whole Workshop, securing a contract with a real estate agent to assist with the search for property for the purpose of a boat ramp (*for Perdido Bay access [refer to Item 16.D]*);
 - (4) Upon inquiry from Commissioner Valentino (*concerning the default of the Franchise Agreement with Allied Waste Services of North America, LLC*), was advised by Interim County Administrator McLaughlin that staff has a meeting with Allied Waste on January 30, 2008, to discuss "the numbers"; and

(Continued on Page 4)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

5. Continued...

- E. District 1 – The Board was advised by Commissioner Whitehead that he received an email from a constituent concerning a historical marker commemorating Brownsville that has been removed from its location at Navy Boulevard and Barrancas Avenue, and heard his request that Keith Wilkins, Director, Neighborhood and Environmental Services, resolve the issue.

6. Proclamations

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting the following two Proclamations, as recommended by Travis Lakin, General Manager, Escambia County Area Transit: 1740

- A. The Proclamation commending and congratulating Mrs. Ella P. MacLaren on her retirement after 53 years of dedicated service to Escambia County Area Transit; and
- B. The Proclamation commending and congratulating Mrs. Matilda R. Townsend on her retirement after 57 years of dedicated service to Escambia County Area Transit.

Speaker(s):

Travis Lakin
Ella P. MacLaren
Matilda R. Townsend

7. Employee of the Month Proclamations/Special Recognition

Motion made by Commissioner White, seconded by Commissioner Young, and carried unanimously, recognizing Justin Gittings, Paramedic, and Tracie Bickelhaupt, Emergency Medical Technician, Emergency Medical Services, Public Safety Department, for cardiac arrest saves. 1750

REGULAR BCC AGENDA – Continued

8. Written Communication

A. Code Enforcement Lien – 3700 Block of Mobile Highway

The Board took no action concerning a communication, dated December 6, 2007, from David Krasnosky requesting that the Board consider removing a lien against property located at the 3700 Block of Mobile Highway (the Board was advised by Commissioner Whitehead that the issue *[regarding the forgiveness of costs and/or fines associated with Code Enforcement liens]* has been referred to a Committee of the Whole Workshop for discussion and the communication will be placed on the Agenda for the February 21, 2008, Board Meeting).

1756

B. Code Enforcement Lien – 3001 West Cervantes Street

The Board took no action concerning a communication, dated December 6, 2007, from Charles Norton, II, requesting that the Board consider releasing the liens against property located at 3001 West Cervantes Street, owned by Norton Family, Ltd. (the Board was advised by Commissioner Whitehead that the issue *[regarding the forgiveness of costs and/or fines associated with Code Enforcement liens]* has been referred to a Committee of the Whole Workshop for discussion and the communication will be placed on the Agenda for the February 21, 2008, Board Meeting).

1756

C. Code Enforcement Lien – Mirza A. Ahmad

The Board took no action concerning a communication, dated December 7, 2007, from Mirza A. Ahmad requesting that the Board consider waiving the fines imposed by the Order of the Environmental Enforcement Special Magistrate, in the amount of \$28,875, against property located at the Southwest Corner of Blount and "W" Streets (the Board was advised by Commissioner Whitehead that the issue *[regarding the forgiveness of costs and/or fines associated with Code Enforcement liens]* has been referred to a Committee of the Whole Workshop for discussion and the communication will be placed on the Agenda for the February 21, 2008, Board Meeting).

1756

(Continued on Page 6)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

8. Continued...

D. Code Enforcement Lien – Bruno Piotrowski

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried unanimously, reducing the total indebtedness to \$25,000 and approving to accept 20% of the total for each property Mr. Piotrowski wants released, which amounts to \$5,000 per property, relative to an email communication from Bruno Piotrowski requesting that the Board consider forgiving the interest and releasing the Environmental Code Enforcement liens attached to properties located at 2150, 2160, 2170, and 2180 Frazier Street, and 1912 North "K" Street.

1756

Speaker(s):

Bruno Piotrowski
Holly Piotrowski

E. Code Enforcement Lien – 57 Trevillian Street

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving to fix the fine to an amount certain, which amounts to the fines through January 24, 2008, and the hard costs for 57 Trevillian Street, hold the fines in abeyance for 30 days, contingent upon Mr. Walkers' execution of the sales contract, and, if the contract is not executed within 30 days, on day 31 resume the fines, relative to a communication (*added to the Agenda during Public Forum*) from Thomas Walker requesting that the Board consider temporarily releasing the fines associated with a Code Enforcement lien against property located at 57 Trevillian Street, in order to assist with the sale of the property.

1759

REGULAR BCC AGENDA – Continued

9. Proofs of Publication

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, waiving the reading of the legal advertisement(s) and accepting, for filing with the Board's Minutes, the certified affidavit(s) establishing proof of publication for the Public Hearing(s) on the agenda, and the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule*, as follows:

1824

A. The following six Public Hearings on the agenda:

- (1) The 5:31 p.m. Public Hearing, advertised in the Pensacola News Journal on January 12, 2008, for consideration of adopting an Ordinance to require posting notices of Public Hearings on applications to construct, operate, modify, or close a regional, rural, infill, transfer, or LCD facility in Escambia County;
- (2) The 5:32 p.m. Public Hearing, advertised in the Pensacola News Journal on January 13, 2008, for consideration of adopting an Ordinance to establish an ad valorem tax exemption for 100% of the assessed value of all improvements to the historic property located at 323 East Romana Street, from January 1, 2008, through December 31, 2017;
- (3) The 5:33 p.m. Public Hearing, advertised in the Pensacola News Journal on January 12, 2008, for consideration of adopting an Ordinance creating the Heritage Oaks Street Lighting MSBU;
- (4) The 5:34 p.m. Public Hearing, advertised in the Pensacola News Journal on January 21, 2008, for consideration of adopting a Resolution amending the Fiscal Year 2007-2008 Budget to include fund balance carry forwards;
- (5) The 5:35 p.m. Public Hearing, advertised in the Pensacola News Journal on January 13, 2008, for consideration of adopting an Ordinance eliminating the applicability of Escambia County Code of Ordinances Chapter 2, Article III, Division 1, to the Sheriff, Supervisor of Elections, Property Appraiser, Clerk of the Circuit Court, and Tax Collector; and

(Continued on Page 7)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

9. Continued...

A. Continued...

(6) The 5:36 p.m. Public Hearing, advertised in the Pensacola News Journal on January 12, 2008, for consideration of adopting an Ordinance to allow the Director (*of Solid Waste Management*) to revoke the Permit of any Permit holder when the Director determines that the Permit holder has failed to maintain proper insurance as required by the Board of County Commissioners; and

B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule January 21, 2008 – January 25, 2008 – Legal No. 71862*, as published in the Pensacola News Journal on January 20, 2008, as follows:

January 21		Holiday/Martin Luther King, Jr. Day – County Offices Closed
January 22	1:30 p.m.	Environmental Enforcement Special Magistrate
January 22	3:00 p.m.	Joint City-County-School Board Meeting
January 22	6:00 p.m.	Pinestead/Longleaf Typical Section Alternative Workshop
January 22	6:30 p.m.	Optional Sector Plan Explanatory Workshop
January 23	10:00 a.m.	Disaster Committee Meeting
January 23	12:00 p.m.	Bay Area Resource Council Technical Advisory Council
January 23	12:00 p.m.	Enterprise Zone Development Advisory Board
January 23	1:00 p.m.	Development Review Committee
January 23	1:30 p.m.	Bay Area Resource Council
January 23	5:00 p.m.	Escambia County Area Transit Citizens Advisory Committee
January 23	5:00 p.m.	Santa Rosa Island Authority Special Meeting
January 23	5:01 p.m.	Santa Rosa Island Authority Committee Meeting
January 24	9:00 a.m.	Agenda Work Session
January 24	4:20 p.m.	Community Redevelopment Agency
January 24	4:30 p.m.	Board of County Commissioners Public Forum
January 24	5:30 p.m.	Board of County Commissioners Public Hearings & Reports
January 25	9:00 a.m.	County Investment Advisory Committee
January 25	12:00 p.m.	Pensacola Escambia Promotion & Development Council
January 26	9:00 a.m.	Board of County Commissioners Special Meeting
NEXT WEEK'S NOTE:		
January 28	4:30 p.m.	Rezoning Hearing Examiner

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

10. 5:31 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, adopting an Ordinance (*Number 2008-6*) amending Chapter 82, Solid Waste, Article V, Section 82-226, of the Escambia County Code of Ordinances, to require posting notices of Public Hearings on applications to construct, operate, modify, or close a regional, rural, infill, transfer, or LCD (*Land Clearing Debris*) facility in Escambia County.

1825

Speaker(s) – None.

11. 5:32 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, adopting an Ordinance (*Number 2008-7*) to establish an ad valorem tax exemption for 100% of the assessed value of all improvements to the historic property located at 323 East Romana Street (*Christie House*), from January 1, 2008, through December 31, 2017.

1825

Speaker(s) – None.

12. 5:33 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting, and authorize the Chairman to sign, the Ordinance (*Number 2008-8*) creating the Heritage Oaks Street Lighting Municipal Services Benefit Unit (MSBU), and all related documents, and making the following findings of fact:

1826

- A. Lots in the District are specially benefited since street lighting not only increases the market value of an individual lot in the District, but also increases safety in the District surrounding individual lots and the ability of lot owners to use their individual lots after dark;
- B. The benefit from improved street lighting varies according to the relative size of the affected lots; residential lots benefit from improved street lighting uniformly because of the small variation in size throughout the District;

(Continued on Page10)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

12. Continued...

- C. The non-ad valorem special assessments levied represent a fair and reasonable apportionment of the cost of the special benefit received by each lot and do not represent a fair share of the cost of general governmental service provided to residents in the unincorporated areas of Escambia County; and
- D. Lots which do not receive a special benefit have been and shall be excluded from the non-ad valorem special assessment for street lighting.

Speaker(s) – None.

13. 5:34 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning fund balance carry forwards:

1826

- A. Adopting the Resolution (*R2008-8*) approving Supplemental Budget Amendment Number 99, in the amount of \$43,425,008, to recognize certain revenues and adjust fund balance estimates for the following funds and to appropriate these funds accordingly:

<u>Fund</u>	<u>Number(s)</u>
General Fund	001
Escambia County Restricted Fund	101
Economic Development Fund	102
Code Enforcement Fund	103
Mass Transit Fund	104
M&A State Fund	106
Tourist Promotion Fund	108
Other Grants and Projects Fund	110
Misdemeanor Probation Fund	114
Article V Fund	115
Law Enforcement Trust	121
Escambia Affordable Housing	124
Handicapped Parking Fund	130
Family Mediation Fund	131

(Continued on Page 11)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

13. Continued...

A. Continued...

<u>Fund</u>	<u>Number(s)</u>
Fire Protection Fund	143
E-911 Operations Fund	145
HUD-CDBG Housing Rehabilitation	146
Community Redevelopment Fund	151
Bob Sikes Toll Bridge Fund	167
MSBU Assessment Fund	177
Transportation Trust Fund	175
Master Drainage Basin Fund	181
Capital Improvement Program Fund	310
New Road Construction Fund	333
Local Option Sales Tax Fund	350
Local Option Sales Tax II Fund	351
Local Option Sales Tax III Fund	352
Solid Waste Fund	401
Building Inspections Fund	406
EMS Fund	408
Civic Center Fund	409
Self-Insurance Fund	501

B. Authorizing the transfer of \$4,000,000 from the Local Option Sales Tax II Fund (351), to the General Fund (001), to repay the General Fund for the money fronted in Fiscal Year 2006-2007 for the contribution to the Main Street Wastewater (*Treatment*) Plant project; and

C. Forgiving the \$3,000,000 advance from the Local Option Sales Tax II Fund (351) to the Local Option Sales Tax III Fund (352), since there are more than \$3,000,000 in excess Local Option Sales Tax II funds remaining; this advance was done in Fiscal Year 2006-2007 for the contribution to the Main Street Wastewater (*Treatment*) Plant project.

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

14. 5:35 p.m. Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried unanimously, adopting an Ordinance (*Number 2008-9*) amending the Escambia County Code of Ordinances, Chapter 2, Article III, Division 1, "Generally," Section 2-65, eliminating the applicability of this Section to the Sheriff, Supervisor of Elections, Property Appraiser, Clerk of the Circuit Court, and Tax Collector (*who require a minimum of three emergency interim successors*) in the event of an attack upon the United States.

1826

Speaker(s) – None.

15. 5:36 p.m. Public Hearing

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried 4-0, with Commissioner White abstaining (*and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), adopting an Ordinance (*Number 2008-10*) amending Chapter 82, Solid Waste, Article V, Section 82-103, of the Escambia County Code of Ordinances, to allow the Director (*of Solid Waste Management*) to revoke the Permit of any Permit holder when the Director determines that the Permit holder has failed to maintain proper insurance as required by the Board of County Commissioners.

1827

Speaker(s) – None.

REGULAR BCC AGENDA – Continued

16. Committee of the Whole Recommendation(s)

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried unanimously, taking the following action, as recommended by the Committee of the Whole (C/W), at the January 17, 2008, C/W Workshop, with the exception of Item C (*the Board was advised by Commissioner Whitehead that Item C is being held for discussion at the February 12, 2008, Committee of the Whole Workshop*):

1827

- A. Adopting a Resolution (*R2008-20*) opposing an Amendment to the Florida Constitution that would force voters to decide all changes to a City's or County's Comprehensive Plan (Item 3);
- B. Approving to allocate \$18,000 (*from General Fund 001, Cost Center 110201*), to fund the first annual BRACE (*Be Ready Alliance Coordinating for Emergencies*) Mitigation and Preparedness Expo to be held at The Pensacola Civic Center on April 12, 2008 (Item 4);
- C. Taking no action concerning the recommendation that the Board take the following action concerning Fire Service – Volunteer Fire Department Stipend (Item 7):
 - (1) Approve waiving the lump sum stipend repayments, in the total amount of \$24,575, to the individual Firefighters;
 - (2) Approve applying, upon the adoption of the proposed Stipend Policy, the following restrictions to the payment of stipends under said Policy to those volunteers who have obtained Exemption Letters from the State Fire Marshal:
 - (a) Any volunteer holding an Exemption Letter on the date of adoption of this Policy shall be permitted to collect a stipend at the level of Firefighter I until September 30, 2008;
 - (b) Any volunteer receiving an Exemption Letter after the date of adoption of this Policy shall only be entitled to receive a stipend at the level of Firefighter Trainee until the volunteer has met the State Certification requirements of Firefighter I; and

(Continued on Page 14)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

16. Continued...

C. Continued...

(2) Continued...

(c) As of October 1, 2008, Escambia County shall not issue a stipend to any volunteer who has not at least met the State Certification requirements of Firefighter I, regardless of whether the volunteer has an Exemption Letter; and

(3) Approve to not renew the Contract between Escambia County and each Volunteer Fire Department;

D. Approving to reject all applications (*responses to the Request for Letters of Interest, Land Search For Boat Launch Facilities, PD 07-08.012*) received to date, and directing staff to provide a new recommendation to the Board regarding the acquisition of property for North Perdido Bay access (Item 10);

E. Taking the following action regarding a request from Jeff Taggart, Macky Bay Development Company, that the County exchange a County-owned parcel of property, located on Scenic Highway, for a parcel owned by Macky Bay Development, also located on Scenic Highway (Item 11):

(1) Approving to direct staff to advertise the exchange, to include the additional 30 feet of property that Macky Bay Development will include in the exchange to equate the difference between the \$240,000 appraisal of the County's parcel and the \$180,000 appraisal of Macky Bay Development's parcel, and to obtain stormwater and wetland verification, with the applicant bearing all costs associated with the exchange; and

(2) Adopting a Resolution (*R2008-9*) setting forth the terms and conditions of the exchange, after it has been properly advertised;

(Continued on Page 15)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

16. Continued...

- F. Approving (*renewal of the County's Membership in the National Association of Counties [NACo], at a cost of \$5,948, and*) the County's participation in the NACo Prescription Drug Discount Card Program, which could result in significant savings on prescription drugs for the County's uninsured and underinsured residents (Item 12);
- G. Approving the creation of the (*Northwest Florida*) Regional Transportation Finance Authority (RTFA) by authorizing the execution and delivery by the County of an Interlocal Agreement, in substantially the form provided in the C/W backup as Exhibit A, with the initial parties to be one or more of the four Florida Members (*[Escambia County], Santa Rosa County, Okaloosa County, and Walton County*) of the Northwest Florida Regional Transportation (*Planning*) Organization (Item 13);
- H. Approving an allocation from the General Fund Operating Reserves, in the amount of \$3,500 per month, for the months of February, March, and April 2008, for a total of \$10,500, to maintain Escambia County Area Transit (*Pensacola*) Beach Route 61 (Item 14);
- I. Approving to enter into an Interlocal Agreement (*with the Escambia County School Board to operate*) the Summer Feeding Program, and providing that the School Board will fund any shortfall between reimbursements and actual costs for the Program (Item 15); and
- J. Approving an allocation, in the amount of \$3,500, from the 4th Cent Tourist Development Tax proceeds, to offset certain expenses associated with relocating the Beulah Sausage Festival to the Escambia County Equestrian Center (Item 16).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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

I. CONSENT AGENDA

1-6. Approval of Various Consent Agenda Items

Motion made by Commissioner Valentino, seconded by Commissioner Young, and carried unanimously, approving Consent Agenda Items 1 through 6, as follows:

1830

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

1830

- A. Payroll Expenditures as of Payday January 11, 2008, in the amount of \$2,554,209.98; and

- B. The following three Disbursement of Funds:

- (1) December 27, 2007, to January 2, 2008, in the amount of \$15,571,025.57;

- (2) January 3, 2008, to January 9, 2008, in the amount of \$4,488,186.76; and

- (3) January 10, 2008, to January 16, 2008, in the amount of \$3,638,427.12.

2. Accepting, for filing with the Board's Minutes, the Investment Report for the month ended December 31, 2007, as prepared by the Clerk & Comptroller's Finance Department.

1830

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

1830

4. Adopting the Resolution (*R2008-10*) authorizing the write-off of \$167.50 in returned checks in various funds of the County that have been determined to be uncollectible bad debts.

1830

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1-6. Approval of Various Consent Agenda Items – Continued

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

1830

A. The *Request for Disposition of Property*, dated November 27, 2007, for Property Number 44880, 1997 Ford Truck Jet Vac, based on the Board's June 7, 2007, approval of the trade-in of the truck and award of a six-month Contract for one 2008 Mack Vacuum/Pressure Cleaner Truck;

B. A facsimile copy of the *Preliminary Engineering Agreement* with CSX Transportation, Inc., for design of a signal crossing on Johnson Avenue, and reimbursable expenses for the design, as part of the Ensley Drainage Project Phase II, as approved by the Board on June 7, 2007, and provided to the Clerk to the Board's Office, via email, on January 8, 2008;

C. The *Application to Access Availity's Secured Web Site*, based on the Board's June 21, 2007, approval of the Agreement between Escambia County Department of Public Safety, Emergency Medical Services Division, and Availity, L.L.C., as provided to the Clerk to the Board's Office on January 11, 2008; and

D. The *Santa Rosa Island Authority – Pensacola, Florida – Component Unit Financial Statements – September 30, 2007 and 2006*, as prepared and audited by Saltmarsh, Cleaveland & Gund, Certified Public Accountants and Consultants.

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

1830

A. Approving the Minutes of the Attorney-Client Session held January 10, 2008;

B. Approving the Minutes of the Public Forum Work Session and Regular Board Meeting held January 10, 2008; and

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1-6. Approval of Various Consent Agenda Items – Continued

6. Continued...

C. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held January 10, 2008, as follows:

1. FOR INFORMATION: The agenda package for the 5:30 p.m., January 10, 2008, Regular Board Meeting was reviewed as follows:
 - A. Robert R. "Bob" McLaughlin, Interim County Administrator, Shirley L. Gafford, Program Coordinator, County Administrator's Office, County Attorney Lander, Charles Walker, Chief, Environmental Code Enforcement, Jean A. Kassab, Director, Administrative Services, and Donald R. Mayo, Building Official, Building Inspections Department, reviewed the agenda cover sheet;
 - B. Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services, reviewed the Clerk's Report;
 - C. T. Lloyd Kerr, Director, Planning and Zoning Department, reviewed the Growth Management Report;
 - D. Interim County Administrator McLaughlin, County Attorney Lander, John Hartman, Interim Assistant County Administrator, Shirley L. Gafford, Program Coordinator, County Administrator's Office, Jean A. Kassab, Director, Administrative Services, and Janice R Kilgore, Director, Public Safety, reviewed the County Administrator's Report; and
 - E. County Attorney Lander reviewed the County Attorney's Report.
2. FOR INFORMATION: Interim County Administrator McLaughlin advised that staff will brief the Board at the January 17, 2008, Committee of the Whole Workshop regarding the Pensacola Bay Bridge Fishing Pier.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-8. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Young, and carried unanimously, approving Consent Agenda Items 1 through 8, as follows: 1831

1. Approving the Requests for Disposition of surplus equipment to be sold as surplus or appropriately disposed of, all of which are described on nine Requests as provided by various County Departments for the reasons stated on each, the value of which is estimated at under \$5,000 each. 1831
2. Authorizing the scheduling of a Public Hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on February 7, 2008, at 5:34 p.m., to consider the adoption of an Ordinance creating the Baywalk Circle Street Lighting MSBU. 1831
3. Authorizing the scheduling of a Public Hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on February 7, 2008, at 5:32 p.m., to consider the adoption of an Ordinance creating the Wetherby Cove Street Lighting MSBU. 1831
4. Approving, for filing with Board's Minutes, the December 6, 2007, Community Redevelopment Agency (CRA) Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA. 1831
5. Taking the following action regarding an Interlocal Agreement between Escambia County and the Town of Century for National Pollutant Discharge Elimination System (NPDES) Permit Management Services: 1831
 - A. Approving the Interlocal Agreement; and
 - B. Authorizing the Chairman to sign the Interlocal Agreement and any subsequent Agreement-related documents, including time extensions.
6. Confirming the appointment of Commissioner Marie Young to the Community Action Program Committee, Inc., Board of Directors, effective January 1, 2008, to run concurrent with her term of office, as requested by Brenda Trimble, Executive Director, Community Action Program Committee, Inc. 1831

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

7. Confirming the County Administrator's reappointment of Captain Paul Redman to the Escambia Marine Advisory Committee; this term will be effective January 8, 2008, through January 7, 2012, or at the discretion of the County Administrator. 1831
8. Taking the following action concerning a Public Access Easement (Funding Source: N/A – Redeemer Lutheran Church of Warrington, Florida, Inc., is responsible for all costs associated with the County's acceptance of this Public Access Easement): 1831
 - A. Accepting a Public Access Easement, located at 333 Commerce Street and measuring approximately 6.00 feet by 164.50 feet = 987 square feet or 0.02 acre, as dedicated by Redeemer Lutheran Church of Warrington, Florida, Inc.; and
 - B. Authorizing the Chairman or Vice Chairman to execute the Public Access Easement document as of the day of delivery of the document to the Chairman or Vice Chairman.

II. BUDGET/FINANCE CONSENT AGENDA

1-19. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 19, as follows, with the exception of Item 2, which was held for a separate vote: 1831

1. Taking the following action concerning the Third Amendment to the Escambia Charter School Lease Agreement: 1831
 - A. Adopting a Resolution (*R2008-11*) approving the Third Amendment to the Escambia Charter School Lease, extending the term to May 15, 2018, at a rate of \$500 per month; and
 - B. Authorizing the Chairman to sign the Resolution and Third Amendment.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-19. Approval of Various Consent Agenda Items – Continued

2. See Page 27.

3. Approving an Agreement (*Agreement Between Fairfield Drive Properties, LLC, and Escambia County for Property Improvements in Connection with the Construction of the Escambia County One Stop Center*) with Halford Corporation for the funding of a road adjacent to the One Stop Project on Fairfield Avenue to provide additional access to both properties; the County's share of the Project costs is estimated at \$333,100.48, and will be paid from Local Option Sales Tax funds. 1831

4. Adopting the Resolution (*R2008-13*) approving Supplemental Budget Amendment Number 89, Other Grants and Projects Fund (110), in the amount of \$45,925, to recognize incentive Grant funds and to appropriate these funds for the Food Stamp Employment and Training (FSET) – Workfare Program activities in the Community Services Department. 1831

5. Adopting the Resolution (*R2008-14*) approving Supplemental Budget Amendment Number 94, Local Option Sales Tax II Fund (351), in the amount of \$471,000, to recognize proceeds from the sale of property at the Equestrian Center and to appropriate these funds for the Beulah Community Park Project. 1831

6. Adopting the Resolution (*R2008-15*) approving Supplemental Budget Amendment Number 95, Other Grants and Projects Fund (110), in the amount of \$71,879, to recognize proceeds from an Emergency Medical Services County Award Grant and to appropriate these funds for the purchase of computer equipment and software. 1831

7. Adopting the Resolution (*R2008-16*) approving Supplemental Budget Amendment Number 96, Other Grants and Projects Fund (110), in the amount of \$6,068, to recognize unspent proceeds from a prior-year Grant, Environmental Protection Agency Stormwater Outfall Sampling, and to appropriate these funds in the current Fiscal Year. 1831

8. Adopting the Resolution (*R2008-17*) approving Supplemental Budget Amendment Number 97, Other Grants and Projects Fund (110), in the amount of \$461,000, to recognize proceeds from a U. S. Fish and Wildlife Service Grant, Contract FL E-29-1, and to appropriate these funds to help develop a Habitat Conservation Plan for Perdido Key. 1831

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-19. Approval of Various Consent Agenda Items – Continued

9. Adopting the Resolution (*R2008-18*) approving Supplemental Budget Amendment Number 98, Other Grants and Projects Fund (110), in the amount of \$150,500, to recognize proceeds from a Florida Department of Environmental Protection Grant, Agreement Number IG8-16, and to appropriate these funds for a pilot project to determine the feasibility of landfill mining at the Perdido Landfill. 1831

10. Approving the issuance of a Purchase Order to HDR Engineering, Inc., in the amount of \$335,739, on Contract PD 05-06.041, Perdido Landfill – Landfill Engineering Services, providing for the preliminary design and permitting of the Section Five Expansion to Perdido Landfill (funds are available in Solid Waste Fund [401], Cost Center 230315-56301). 1831

11. Ratifying the following action of the Community Redevelopment Agency concerning the Commercial Facade, Landscape, and Infrastructure Grant Program: 1831

A. Approving the following four Commercial Facade, Landscape, and Infrastructure Grant Program Cancellations of Lien since the Grant recipients have met their Grant requirements:

<u>Property Owner's Name</u>	<u>Property Address</u>	<u>Lien Amount</u>
Sixteen Twelve, LLC	1612 North Pace Boulevard	\$10,000
Charles Truckenbrodt, as Trustee for the Trust Agreement of Eleanor S. Matella, dated July 25, 1991	3105 North "T" Street	\$ 5,250
Anna Nguyen	3725 Mobile Highway	\$10,000
Grande Lagoon Marine, Inc.	1220 Mahogany Mill Road	\$10,000

B. Authorizing the Chairman to sign and execute the Cancellations of Lien.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-19. Approval of Various Consent Agenda Items – Continued

12. Ratifying the following action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements at 319 Southeast Baublits Drive:

1831

- A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Gregory R. Lawrence, owner of residential property located at 319 Southeast Baublits Drive, Pensacola, Florida, in the Warrington Redevelopment Area, in the amount of \$3,230, representing an in-kind match through Warrington Tax Increment Financing (TIF) Fund 151, Cost Center 220516, Object Code 58301, for the following improvements:

Install new roof and sanitary sewer connection

- B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 319 Southeast Baublits Drive, in the amount of \$3,230; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Gregory R. Lawrence, and any other related documents necessary to implement this Grant Award.

13. Ratifying the following action of the Escambia County Community Redevelopment Agency (CRA) concerning the Sign Grant Funding Agreement at 5101 North Palafox Street:

1831

- A. Approving the Sign Grant Program Funding Agreement between Escambia County CRA and Pensacola PetPlace, LLC, owner of commercial property located at 5101 North Palafox Street, Pensacola, Florida, in the Palafox Redevelopment Area, in the amount of \$2,000, representing an in-kind match through the 2006 Community Development Block Grant (CDBG) Fund 129, Cost Center 221403, Object Code 58301, for the following improvement:

Install a new freestanding sign

- B. Authorizing the Chairman to sign the Funding Agreement between Escambia County CRA and Pensacola PetPlace, LLC, and any other related documents necessary to implement this Grant award.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-19. Approval of Various Consent Agenda Items – Continued

14. Approving, and authorizing the County Administrator to execute, the following Change Order (Funding: Fund 352, Local Option Sales Tax III –\$6,750; Fund 110, Other Grants and Projects – \$8,250):

1831

Department:	Neighborhood and Environmental Services
Type:	Addition to Purchase Order for public meetings
Amount:	\$15,000
Vendor:	PBS&J (<i>Post, Buckley, Schuh & Jernigan</i>)
Project Name:	Perdido Key Habitat Conservation Plan
Contract:	PD 06-07.063
Purchase Order Number:	280677
Change Order Number:	2
Original Award Amount:	\$ 65,000
Change Order Number 1:	\$360,570
Change Order Number 2:	<u>\$ 15,000</u>
New Contract Total:	\$440,570

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-19. Approval of Various Consent Agenda Items – Continued

15. Taking the following action concerning Perdido Key Beach Restoration Project – Phase III: 1831

- A. Approving “piggybacking” on a Contract awarded by Santa Rosa Island Authority to Olsen and Associates, Inc.; and
- B. Authorizing the issuance of a Purchase Order, regarding Perdido Key Beach restoration efforts, to Olsen and Associates, Inc. (*for the following Project Costs*) (Funding: Fund 110, Other Grants and Projects, Account 220333, Object Code 56301 – \$641,150):

(1) Design Survey, Final Design, & Construction Documents	\$186,000
(2) Project Bidding & Bid Management	\$ 17,000
(3) Contract Negotiation	\$ 20,000
(4) Pre-construction Fill Rebalance	\$ 25,000
(5) Construction Observation	\$190,000
(6) Contract Administration & Permit Compliance	\$ 95,000
(7) Sediment Testing	\$ 10,500
(8) Post-Construction Documentation (including aerials)	\$ 65,650
(9) Client/Public Liaison	\$ 15,000
(10) Construction-Related Permit Submittal Requirements	<u>\$ 17,000</u>
Total Project Costs:	\$641,150

16. Taking the following action concerning the Contract for Emergency Medical Services between Escambia County, Florida, and Atmore Ambulance, Inc., approved by the Board on January 8, 2004, and amended January 23, 2007, for services provided for the portion of Northwest Florida served by the Davisville and Walnut Hill telephone exchanges (Funding Source: Fund 408/Emergency Medical Services, Cost Center 330301, Account Code 53401): 1831

- A. Approving the Amendment and Extension of Contract to extend the provision of services for a one-year period, to expire February 3, 2009, at a cost of \$75,000; and
- B. Authorizing the Chairman to sign the document.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-19. Approval of Various Consent Agenda Items – Continued

17. Taking the following action concerning the *Amendment and Extension of Contract*, PD 03-04.5, "Collection Agency Services Agreement between Escambia County, Florida, and Armstrong & Associates," to extend the provision of services for a one-year period, effective February 5, 2008, through February 4, 2009 (Funding Source: Fund 408/Emergency Medical Services, Cost Center 330304, Account Code 53401):

1831

A. Approving the *Amendment and Extension of Contract* to extend the provision of services established by the February 5, 2004, Agreement, as amended and extended February 15, 2007, for a one-year period to expire February 4, 2009, at a cost of \$45,000; and

B. Authorizing the Chairman to sign the *Amendment and Extension of Contract*.

18. Awarding an Indefinite Quantity, Indefinite Delivery Contract, PD 07-08.019, "Harbourview Subdivision Drainage Improvements," to Henry Haire Building & Development, Inc., in the amount of \$175,924.46 (funding to be provided from Fund 352, Local Option Sales Tax III, Cost Center 210107, Object Code 56301, Project Number 08EN0342, Object Code 56301).

1831

19. Taking the following action concerning a Letter of Agreement between the State of Florida's Agency for Health Care Administration:

1831

A. Approving, and authorizing the Chairman to sign, the Letter of Agreement between the State of Florida's Agency for Health Care Administration (AHCA) and Escambia County; and

B. Decreasing the allocation to the Escambia Community Clinics by \$33,605 and increasing the allocation to AHCA by \$33,605.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

2. Supplemental Budget Amendment Number 100

Motion made by Commissioner White, seconded by Commissioner Young, and carried unanimously, taking the following action: 1832

A. Adopting the Resolution (*R2008-12*), with a supermajority vote of the Board, approving Supplemental Budget Amendment Number 100, General Fund (001) and Emergency Medical Services (EMS) Fund (408), in the amount of (\$721,081), to eliminate the indirect cost charge and the transfer to pay for the EMS 9-1-1 Call-Takers and to appropriate this reduction in General Fund (001) revenues by decreasing the Reserves for Contingency, and making the following findings of fact:

- (1) That the expenditure is necessary and cannot be delayed;
- (2) That there is no other source of funds; and
- (3) That the expenditure was unanticipated; and

B. Approving a revolving interfund loan from the General Fund (001) to the EMS Fund (408), in an amount not to exceed \$1,000,000; this revolving loan may be repaid as EMS revenues are received.

COUNTY ATTORNEY'S REPORT – Janet Lander, County Attorney

I. CONSENT AGENDA

1. Workers' Compensation Washout Settlement

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving a Workers' Compensation washout settlement with former Escambia County Department of Corrections employee Barbara Malone-Ordonia, in the amount of \$282,195.00, inclusive of all attorneys fees and costs; the County shall pay \$143,136.46 and shall be reimbursed for \$139,058.54 of the settlement amount by the excess insurance carrier in this Workers' Compensation Case. 1833

ITEMS ADDED TO THE AGENDA – COMMISSIONER GENE M. VALENTINO

1. West-End Advisory Committee

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, taking the following action concerning the establishment of a West-End Advisory Committee:

1833

- A. Adopting the Resolution (*R2008-19*) establishing the West-End Advisory Committee (*formerly approved as the Perdido Key HCP [Habitat Conservation Plan] Nourishment Advisory Committee*), and providing for an effective date;
- B. Authorizing the Chairman to sign the Resolution; and
- C. Confirming the appointment of the following initial five members of the Committee:

Joseph R. Gilchrist
Bobby McCarley
Stuart R. Kaplan
Eddie McMillan
Tim Pyle

ITEMS ADDED TO THE AGENDA – COMMISSIONER D. M. “MIKE” WHITEHEAD

1. Solid Waste Container Service Contract

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, authorizing a six-month extension for "Solid Waste Container Service," PD 04-05.04, to Allied Waste Services, in accordance with the terms and conditions of the solicitation; funding is available from Fund 001 (General Fund), Cost Centers 350204 and 350221; Fund 143 (Fire Suppression), Cost Center 330202 and various other Cost Centers.

1834

2. Payment of Travel Expenses

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, authorizing payment of travel expenses related to interviews for finalists/candidates for the position of Escambia County Administrator.

1834

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

ANNOUNCEMENTS

1. FOR INFORMATION: The Board heard comments from Commissioner White and Commissioner Young expressing gratitude toward County Attorney Lander for her service over the years to the Board of County Commissioners. 1834

2. FOR INFORMATION: The Board heard a reminder from Commissioner Whitehead that the February 14, 2008, Committee of the Whole Workshop has been rescheduled for February 12, 2008, at 9:30 a.m. 1835

ADJOURNMENT

There being no further business to come before the Board, Chairman Whitehead declared the Regular Meeting of the Board of County Commissioners adjourned at 6:36 p.m.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

ATTEST:

Ernie Lee Magaha
Clerk of the Circuit Court & Comptroller

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



Deputy Clerk

Approved: February 7, 2008