

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD FEBRUARY 21, 2008
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(4:34 p.m. – 7:01 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, County Administrator
Mrs. Alison Rogers, County Attorney
Mrs. Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services
Mrs. Shirley L. Gafford, Program Coordinator, County Administrator's Office
Mrs. Doris Harris, Deputy Clerk to the Board

PUBLIC FORUM WORK SESSION

Chairman Whitehead called the Public Forum Work Session to order at 4:34 p.m.

1. FOR INFORMATION: The Board heard comments from Andrew Blewer regarding the purchase of property for a boat ramp for Perdido Bay access and the lack of improvements in District 1. 1634

2. FOR INFORMATION: The Board: 1646
 - A. Heard the request from Carter Quina and Richard Brosnaham that the Board consider becoming a sponsor of the Florida Trust for Historic Preservation, Inc., 2008 Annual Statewide Preservation Conference, being held May 15, 2008, through May 17, 2008, by making a monetary contribution of \$10,000, regarding which Mr. Quina provided an information packet; and
 - B. Heard the request from Commissioner Whitehead that staff determine whether or not the request qualifies for funding through the 4th Cent Tourist Development Tax Fund.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

PUBLIC FORUM WORK SESSION – Continued

3. FOR INFORMATION: The Board:

1651

- A. Heard the request from Arlene Pugh, Deverean G. Pugh, and Robert Hadden that the Board consider temporarily stopping the daily fines relative to a Code Enforcement Lien against property located at 2620 Hernandez Street, in order to assist with the sale of the property; and
- B. Heard the request from Commissioner Whitehead that this item be added to the Agenda under Written Communication.

4. FOR INFORMATION: The Board:

1655

- A. Heard the request from James Fenton that the Board direct staff to correct the Public Record by removing the County's name from a certain parcel of property located in the Sun and Sand Subdivision and to correct the serious stormwater issues at that same property; and
- B. Was advised by Mr. Fenton that several residents of the Sun and Sand Subdivision were present to express their concerns regarding the Written Communication Agenda Item from Sandra Gilmore regarding a Code Enforcement Lien against property located at 13832 Canal Drive, and was advised by Commissioner Whitehead that the appropriate time for public input concerning an Agenda Item is when the Board discusses it.

5. FOR INFORMATION: The Board heard comments from L. Gary Sansing regarding issues discussed during Public Forum and various County/National issues.

1703

6. FOR INFORMATION: The Board heard comments from Anne Bennett, Soil and Water Conservation Board, concerning Eco-Tourism, regarding which Ms. Bennett provided information published by the Environmental Protection Agency.

1705

5:09 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 Bishop John H. Ricard, Catholic Diocese of Pensacola-Tallahassee, would deliver the Invocation.

3. Pledge of Allegiance to the Flag

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

4. Adoption of the Agenda

Motion made by Commissioner White, and carried unanimously, with no second, adopting the agenda as prepared and duly amended to include Commissioner Robinson's add-on item concerning offshore oil and gas drilling off the coast of Florida; Commissioner Whitehead's two add-on items, one concerning a Written Communication request from Arlene Pugh (*made during Public Forum – Item 8.E.*) and one concerning recognition of two citizen appointees; and Addendum #1 to the County Attorney's Report (*Item I-3*).

1734

5. Commissioners' Forum

A. Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning County Attorney Selection and Employment Agreement:

1734

(1) Selecting Alison Rogers as the County Attorney; and

(2) Approving the *Employment Agreement* between Escambia County and Alison Rogers for the position of County Attorney.

(Continued on Page 4)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

5. Continued...

B. District 5 – The Board:

- (1) Heard comments from Commissioner White expressing gratitude toward the Volunteer Firefighters, who assisted tornado victims in Molino, and Jeff Bohannon and his Corrections Officers for the cleanup of the old Molino Jail; and
- (2) Was advised by County Administrator McLaughlin that a press release is scheduled for February 22, 2008, informing the citizens that the vegetative and C&D (*Construction and Demolition*) debris in the areas affected by the tornado will be picked up on the right-of-way by the County Road Department from February 25, 2008, through March 7, 2008; and

- C. District 3 – Commissioner Young presented a plaque to Reverend Carl E. Reeves for his dedicated services as an Appointee for Commissioner Marie K. Young, District 3, to the Escambia County Citizens' Environmental Committee, from April 21, 2005, through December 31, 2007.

6. Proclamations

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

1740

- A. The Proclamation proclaiming February 26, 2008, as "Spay Day" in Escambia County;
- B. The Proclamation proclaiming February 28, 2008, as "Military Appreciation Day in Escambia County"; and
- C. The Proclamation proclaiming March 2008 as "Purchasing Month" in Escambia County.

Speaker(s):

Helaine Gottschalk

REGULAR BCC AGENDA – Continued

1734

7. Employee of the Month Proclamations/Employee of the Year Proclamation/Special Recognition/Years of Service

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning Employee of the Month Proclamations/Employee of the Year Proclamation/Special Recognition/Years of Service:

A. Adopting three Proclamations commending and congratulating the following employees for being selected as Employee of the Year for 2007 and Employees of the Month for January and February 2008:

- (1) Mr. Stanley D. Gray, Safety Technician, Solid Waste Management Department, Community Services and Public Safety Agency, Employee of the Year for 2007;
- (2) Ms. Connie R. Jones, Custodial Worker, Facilities Management Department, Public Works and Land Management Agency, Employee of the Month for January 2008; and
- (3) Mr. Steven R. Smith, Equipment Operator IV, Road Department, Public Works and Land Management Agency, Employee of the Month for February 2008;

B. Recognizing and commending the following employees for being nominated for Employee of the Year for 2007:

- (1) Amy Lovoy, Budget Manager, Administrative Services Department;
- (2) Donald Miller, Maintenance Technician, Facilities Management Department;
- (3) Dorothy Lee, Extension Agent II, Extension Services Department;
- (4) Eva Peterson, Urban Planner II, Planning and Engineering Department;
- (5) Fay Dees, Human Resources Supervisor, Human Resources Department;
- (6) Laurie Johnson, Office Support Assistant, Community Corrections Department;
- (7) Michael Baxter, Equipment Operator, Road Department;
- (8) Robin Lambert, Accountant II, Planning and Engineering Department;
- (9) Shirley Gafford, Program Coordinator, County Administrator's Office; and
- (10) Vickie McClure, Senior Office Support Assistant, Neighborhood and Environmental Services Department; and

(Continued on Page 6)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

7. Continued...

C. Recognizing, with pins and certificates, the below-named employees for their dedication and years of service to the County:

- (1) William S. Cross, Community Corrections Department, 30 years;
- (2) Paula Saunders, Road Department, 30 years;
- (3) Kathleen A. Spencer, Office of Purchasing, 30 years;
- (4) Kenneth F. Castleberry, Road Department, 25 years;
- (5) Russ W. Davis, Solid Waste Management Department, 25 years;
- (6) William J. Brady, Solid Waste Management Department, 25 years;
- (7) Debra J. Wallace, Community Corrections Department, 25 years; and
- (8) William E. Meador, Public Safety Department, 25 years.

8. Written Communication

A. Code Enforcement Lien – Sandra Gilmore

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, approving to not forgive any portion of the Lien, in the amount of \$7,700, relative to communication, dated August 21, 2007, from Sandra Gilmore requesting that the Board forgive a Code Enforcement Lien against property located at 13832 Canal Drive.

1807

Speaker(s):

Shawn Swigart
James Fenton
Harry H. Boyette

For Information: The Board received photos of the above-referenced property from Mr. Fenton.

(Continued on Page 7)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

8. Continued...

B. Code Enforcement Lien – David Krasnosky

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, denying the request, relative to a communication, dated December 6, 2007, from David Krasnosky requesting that the Board remove a lien filed against property located in the 3700 Block of Mobile Highway, and subsequent communication, dated January 11, 2008, from Mark Lee Smith, Esquire, representing Mr. Krasnosky, requesting that either a separate order be entered by the Special Magistrate, or in lieu thereof, that the Board officially proclaim that Mr. Krasnosky's homestead property, located at 5920 Leesway Boulevard, is free and clear of the lien, and allow Mr. Krasnosky to pay \$48.21 as his 1/14 share of the original lien.

1816

C. Lien – 3001 West Cervantes Street

Motion made by Commissioner White, seconded by Commissioner Young, and carried unanimously, dropping the communication, dated December 6, 2007, from Charles Norton, II, requesting that the Board release the liens against property located at 3001 West Cervantes Street, owned by Norton Family, Ltd.

1817

Speaker(s):

Charles "Chuck" Norton

D. Code Enforcement Lien – Mirza A. Ahmad

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, accepting Mr. Ahmad's offer to pay the hard costs, in the amount of \$6,075, and forgiving the balance, relative to a communication, dated December 7, 2007, from Mirza A. Ahmad requesting that the Board waive \$28,875 in fines, imposed by Order of Special Magistrate, against property located at the southwest corner of Blount Street and "W" Street.

1824

Speaker(s):

Mirza A. Ahmad

(Continued on Page 8)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

8. Continued...

E. Code Enforcement Lien – Arlene Pugh

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving to clear the lien in an amount certain, as of February 21, 2008, and give Ms. Pugh 30 days to close on the sale of the property, and on the 31st day fines will continue, relative to a request from Arlene Pugh, made during Public Forum, that the Board consider temporarily stopping the daily fines relative to a Code Enforcement lien against property located at 2620 Hernandez Street, in order to assist with the sale of the property.

1824

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:

1826

A. The 5:32 p.m. Public Hearing, advertised in the Pensacola News Journal on February 12, 2008, concerning Section 5307 Flex Funding Grant Application for Mass Transit Projects; and

(Continued on Page 9)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

9. Continued...

B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule February 18, 2008 – February 22, 2008 – Legal No. 71978*, as published in the Pensacola News Journal on February 17, 2008, as follows:

February 18		Holiday/President's Day – County Offices Closed
February 19	10:00 a.m.	Dirt Road Paving Committee
February 19	1:30 p.m.	Environmental Enforcement Special Magistrate
February 19	4:00 p.m.	Health Facilities Authority
February 20	8:00 a.m.	Soil & Water Conservation Board
February 20	8:30 a.m.	Board of Adjustment
February 20	1:00 p.m.	Development Review Committee
February 20	5:00 p.m.	Escambia County Area Transit Citizens Advisory Committee
February 21	9:00 a.m.	Agenda Work Session
February 21	9:00 a.m.	Board of Electrical Examiners
February 21	1:30 p.m.	Environmental Enforcement Special Magistrate
February 21	3:30 p.m.	Board of County Commissioners Attorney-Client Session
February 21	4:20 p.m.	Community Redevelopment Agency
February 21	4:30 p.m.	Board of County Commissioners Public Forum
February 21	5:30 p.m.	Board of County Commissioners Public Hearings & Reports
NEXT WEEK'S NOTE:		
February 25	8:30 a.m.	Planning Board Workshop
February 25	3:00 p.m.	Public Trust and Confidence Team
February 25	5:00 p.m.	Commissioner's West-End Advisory Committee
February 25	5:30 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, and carried unanimously, with no second, authorizing the rescheduling of the 5:31 p.m. Public Hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) for March 6, 2008, at 5:34 p.m., for consideration of adopting an Ordinance creating the Dunleith Street Lighting MSBU. 1826

Speaker(s) – None.

11. 5:32 p.m. Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried unanimously, taking the following action concerning the Fiscal Year 2008 Federal Transit Administration (FTA) Section 5307 Flex Funding Grant Application, FL-95-X005, for Planning and Capital Assistance for Mass Transit Projects for Escambia County Area Transit (ECAT): 1827

- A. Ratifying the scheduling and advertising of a Public Hearing for 5:32 p.m. on Thursday, February 21, 2008, for the purpose of receiving comments from the general public concerning the Escambia County Fiscal Year 2008 Section 5307 Flex Funding Grant Application for \$125,000 in Federal assistance for Mass Transit Projects;
- B. Approving Escambia County Fiscal Year 2008 Project FL-95-X005 Grant Application for \$125,000 in Federal assistance for Mass Transit Projects;
- C. Adopting the Resolution (*R2008-35*) authorizing the Chairman or County Administrator to sign and file all appropriate documents for application and receipt of Federal funds from the FTA; and
- D. Authorizing the ECAT General Manager to file the Grant Application via the Federal Transportation Electronic Award and Management (TEAM) System, using the authorized Passwords for the Chairman and County Attorney, where necessary.

Speaker(s) – None.

REGULAR BCC AGENDA – Continued

12. Committee of the Whole Recommendation(s)

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, taking the following action concerning recommendations from the February 12, 2008, Committee of the Whole (C/W) Workshop:

1827

A. Referring to the March 13, 2008, C/W Workshop, the recommendation that the Board take the following action concerning Fire Services/Volunteer Fire Department Stipend/Contracts (Item 5):

- (1) Approve waiving the lump sum stipend repayments, in the total amount of \$24,575, to the individual Firefighters who were overpaid, contingent upon receipt of a Memorandum of Understanding between Escambia County and the Escambia County Volunteer Firefighters Association (ECVFFA), indicating that the ECVFFA supports a consolidated (*Fire Services*) Department with a unified command;
- (2) Approve applying, upon 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; and
 - (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;
- (3) Approve a one-year extension of the Contract between Escambia County and each Volunteer Fire Department; and
- (4) Approve that, on or before September 30, 2008, the group (*Strategic Planning Team*) will provide a report identifying the exact process for accomplishing a consolidated (*Fire Services*) Department;

(Continued on Page 12)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

12. Continued...

- B. Referring to the March 13, 2008, C/W Workshop, the recommendation that the Board approve, subject to Legal sign-off, the Policy to Address Code Enforcement Hardship Cases (*Procedures for Special Needs Cases*), as amended to incorporate into Section B the language "including, but not limited to..." (Item 8); and
- C. Approving staff's replacement recommendation and taking the following action concerning the Pensacola Bay Fishing Bridge (Item 13):
 - (1) Authorizing staff to submit an application to the Federal Emergency Management Agency for an alternate Project Worksheet for the One Stop Project and the purchase of a fire truck;
 - (2) Rescinding the Contract award amount of \$5,421,000 for PD 06-07.025, for Design-Build Services / Pensacola Bay Fishing Bridge Replacement, awarded on July 19, 2007, to F&W Construction Co., Inc., and Scott Bridge Company, a Joint Venture; and
 - (2) Awarding the Contract amount of \$10,774,391 for PD 06-07.025, "Design-Build Services / Pensacola Bay Fishing Bridge Replacement," to F & W Construction Co., Inc., and Scott Bridge Company, Inc., a Joint Venture (Funding: Fund 112, Category G, Ivan, Parks and Recreation, Cost Center 330467).

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

1828

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

1828

A. Payroll Expenditures as of Payday February 8, 2008, in the amount of \$2,620,819.04; and

B. The following two Disbursement of Funds:

(1) January 31, 2008, to February 6, 2008, in the amount of \$10,185,351.53; and

(2) February 7, 2008, to February 13, 2008, in the amount of \$4,660,266.68.

2. Accepting, for filing with the Board's Minutes, the Investment Report for the month ended January 31, 2008, as prepared by the Clerk & Comptroller's Finance Department.

1828

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

1828

4. Approving *Records Disposition Document No. 392*, for disposition of Board of County Commissioners' records, Item 32a, Minutes: Official Meetings (Transcripts: Microfilmed on Rolls 430-432), for the period August 2, 2007, through September 24, 2007, in accordance with State Retention Schedule GS1, since the permanent records have been scanned and/or microfilmed.

1828

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:

1828

- A. A copy of the recorded Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreement between Escambia County Community Redevelopment Agency (CRA) and Larry M. Tronu and Barbara J. Tronu, owners of commercial property located at 3701 North Pace Boulevard, Pensacola, Florida, in the Palafox Redevelopment Area, in the amount of \$10,000, as approved by the Board on August 16, 2007, and received in the Clerk to the Board's Office on February 5, 2008;
- B. The *Mortgage and Security Agreement (Morris Court III)* and the *Subordination Agreement (Third Mortgage)*, based on the Board's action of June 7, 2007, committing \$1,000,000 in Hurricane Housing Recovery Program funds to Morris Court III, LTD, as received in the Clerk to the Board's Office on February 6, 2008;
- C. Closing documents relating to the sale of surplus property, located at 914 North 7th Avenue, to Randy A. Maygarden, pursuant to the Board's action of April 10, 2007, approving the surplus and sale of the property, as provided to the Clerk to the Board's Office on February 8, 2008;
- D. The *HHRP Loan Agreement for Silurian Pond Apartments Rental Development* between Escambia County and Silurian Pond, LTD., based on the Board's action of June 21, 2007, committing \$1,147,870 in Hurricane Housing Recovery Program (HHRP) funds to Silurian Pond, LTD., as received in the Clerk to the Board's Office on February 8, 2008.

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

1828

A. Approving the Minutes of the Public Forum Work Session and Regular Board Meeting held February 7, 2008; and

B. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held February 7, 2008, as follows:

1. FOR INFORMATION: The agenda package for the 5:30 p.m., February 7, 2008, Regular Board Meeting was reviewed as follows:

A. Shirley L. Gafford, Program Coordinator, County Administrator's Office, Interim County Attorney Rogers, 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, and Commissioner Robinson advised that he will not need to declare a conflict concerning the 5:45 p.m. Public Hearing for consideration of adopting an Ordinance relating to Airport/Airfield Environs Real Estate Disclosure and an Ordinance relating to Airfield Influence Planning Districts;

D. Shirley L. Gafford, Program Coordinator, County Administrator's Office, and David Wheeler, Facilities Management, reviewed the County Administrator's Report; and

E. Interim County Attorney Rogers reviewed the County Attorney's Report; and

F. Commissioner Valentino and Commissioner Whitehead each reviewed his add-on item(s), respectively.

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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...
- B. Report of the February 7, 2008, Agenda Work Session – Continued
 - 2. FOR INFORMATION: Commissioner Valentino advised that he and Larry Newsom met recently with Ronnie Bell, the County Administrator for Walton County, Commissioner Whitehead advised that Representative Clay Ford might present a resolution requiring the Florida Department of Transportation to provide priority funding for a bond issue, and Commissioner Robinson advised that a resolution will be presented to the Legislative Delegation.

GROWTH MANAGEMENT REPORT – T. Lloyd Kerr, Director, Planning and Engineering

I. ACTION ITEM

1. Champion Oaks Final Plat

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning recording of the Final Plat of Champion Oaks (a 30-lot, single-family residential subdivision), located in the Bellview community, lying west of Mobile Highway (U. S. Highway 90) and north of Saufley Field Road (County Road 296), owned and developed by Conti Construction Company, Inc.; prior to recording, the County Engineer, Planning and Engineering 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 Florida Statutes, Section 177.081 (1):

1828

- A. Approving the Final Plat for recording;
- B. Approving the street name “Champion Oaks Drive”;

(Continued on Page 17)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. ACTION ITEM – Continued

1. Continued...

C. Accepting the public road paving, all public easements, drainage improvements, and Parcel "A" (0.37-acre Retention Pond), as depicted upon the Final Plat, for permanent County maintenance; the cost of maintenance for drainage improvements are to be funded through the establishment of a stormwater management Municipal Services Benefit Unit; and

D. Authorizing the Chairman or Vice Chairman to execute a *Two-Year Warranty Agreement for Streets and Drainage Improvements without Surety/Financial Security*.

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

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-7. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 7, as follows:

1829

1. Taking the following action concerning the development of the Technology Park:

1829

A. Approving the conveyance of real property located in the 300 Block of Chase Street, Account Number 130639100, Reference Number 00-0S-00-9002-003-424, to the Pensacola-Escambia Promotion and Development Commission (PEDC), for use in the development of a Technology Park, subject to the conditions set forth in the Interlocal Agreement;

B. Approving the conveyance of real property located on Ninth Avenue and Chase Street, Account Number 130639400, Reference Number 00-0S-00-9002-006-424, to the PEDC for use in the development of a Technology Park, subject to the conditions set forth in the Interlocal Agreement;

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

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

1. Continued...

C. Approving an Interlocal Agreement with the City of Pensacola, City of Pensacola Community Redevelopment Agency, and the PEDC for the development of a Technology Park, subject to the development criteria and other terms and conditions contained in the Interlocal Agreement;

D. Acknowledging that a Resolution and the form of the deed will be brought back to the Board at a later date; and

E. Authorizing the Chairman to sign all necessary documents.

2. Authorizing the scheduling of a Public Hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on March 6, 2008, at 5:32 p.m., to consider the adoption of an Ordinance creating the Scenic Hills North Street Lighting MSBU. 1829

3. Authorizing the scheduling of a Public Hearing on Thursday, March 6, 2008, at 5:33 p.m., to consider the adoption of an Ordinance establishing an Economic Development Ad Valorem Tax Exemption for Wayne-Dalton Corporation, for 100% of their expansion, for 10 years. 1829

4. Approving, and authorizing the Chairman to sign, the *Interlocal Agreement between Escambia County, Florida, and the Pensacola Downtown Improvement Board for the Creation of a Comprehensive Downtown Parking Strategy for Centralized and Efficient Management of Downtown Parking Facilities*. 1829

5. Approving, for filing with the Board's Minutes, the January 24, 2008, Community Redevelopment Agency (CRA) Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA. 1829

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

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

6. Amending the Board's action of October 4, 2007, to address Gulf Power's concerns relative to granting Gulf Power an Underground Distribution Easement for supplying electrical service to the new Sheriff's Garage, as follows:

1829

A. Approving the revised *Underground Distribution Easement*, which deletes the special terms and conditions; and

B. Authorizing the Chairman to sign the Easement.

7. Approving, and authorizing the Chairman to sign, an Agreement between Escambia County and Pensacola Junior College for the use of their premises to conduct "Sports for Squirts" classes.

1829

For Information: Commissioner Robinson disclosed that he is an uncompensated Board Member for the PJC Foundation and, after conferring with the County Attorney, he believes that there is no conflict of interest, pursuant to Section 112.3143, Florida Statutes, that would require him to abstain from voting on this agenda item.

II. BUDGET/FINANCE CONSENT AGENDA

1-27. Approval of Various Consent Agenda Items

Motion made by Commissioner Young, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 27, as follows, as amended to drop Item 9:

1830

1. Adopting the Resolution (*R2008-29*) approving Supplemental Budget Amendment Number 125, Economic Development Fund (102), in the amount of \$129,550, to recognize the proceeds of land sales in Central Commerce Park and to appropriate these funds for a principal payment on an outstanding Commerce Park loan.

1830

2. Adopting the Resolution (*R2008-30*) approving Supplemental Budget Amendment Number 132, Other Grants and Projects Fund (110), in the amount of \$35,939, to recognize proceeds from a Florida Department of State, Division of Elections, Federal Elections Activities Grant, and to appropriate these funds for election activities.

1830

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

3. Adopting the Resolution (R2008-31) approving Supplemental Budget Amendment Number 133, Other Grants and Projects Fund (110), in the amount of \$27,832, to recognize proceeds from a Department of Homeland Security Assistance to Firefighters Grant and to appropriate these funds for purchasing equipment for the Type II Urban Search and Rescue Team. 1830

4. Adopting the Resolution (R2008-32) approving Supplemental Budget Amendment Number 134, Local Option Sales Tax II Fund (351), in the amount of \$57,200, to recognize funds received from the Emerald Coast Utilities Authority and to appropriate these funds as reimbursement for the Maplewoods Project. 1830

5. Adopting the Resolution (R2008-33) approving Supplemental Budget Amendment Number 135, Other Grants and Projects Fund (110), in the amount of \$84,526, to recognize and appropriate proceeds from a United States Department of Justice, Office of Justice Programs, Bulletproof Vest Partnership Grant. 1830

6. Adopting the Resolution (R2008-34) approving Supplemental Budget Amendment Number 136, Economic Development Fund (102), in the amount of \$109,973, to recognize unspent proceeds from a prior year U. S. Department of Housing and Urban Development Fiscal Year 2001 Economic Development Initiative Special Project Grant, Agreement Number B01SPFL0135, and to appropriate these funds for development costs for infrastructure of Central Commerce Park. 1830

7. Rescinding the Board's action of December 6, 2007, approving the Fiscal Year 2007-2008 Miscellaneous Appropriations Agreement for Springfest, Inc., in the amount of \$150,000, to be paid from the 4th Cent Tourist Development Tax Fund (108), Cost Center 360105 (funds will be returned to Reserves). 1830

8. Approving the *Interlocal Agreement between Escambia County and the Office of the State Attorney, First Judicial Circuit*, whereby Escambia County allows 25% of the funding of a State position from the County's \$2 Court Technology Filing Fee, in order to cooperatively use this resource to mutual advantage. 1830

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

9. Dropping the recommendation that the Board rescind its action of December 6, 2007, concerning the surplus and sale of a portion of real property, Account Number 091894700, (*located at*) Muldoon and Hogan Road, on which access through County right-of-way was made available by Board action on November 1, 2007, as follows (the Engineering Department has determined that there are some encroachments on this Easement):

1830

A. "Declaring surplus of a 78 foot by 127 foot portion of the Board's real property, Account Number 091894700, Reference Number 39-1S-31-3205-000-000 (see the diagram, approximately .277 acre); a legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting bids by sealed bid";

B. "Authorizing the sale of this property to the highest offer received from sealed bid above the minimum bid of \$3,000, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board"; and

C. "Authorizing the Chairman to sign all documents related to the sale."

10. Approving issuance of the following Change Order to Roads, Inc., of NWF, to supply material to the Road Department so that they can continue resurfacing open graded cold mix roads (White Ash Road, Holly Park Lane, and Ivory Lane in the Dogwood Park area) (Funding Source: Fund 351, Local Option Sales Tax Extension, Account 210105/56301, Project Number 07EN0328, Open Graded Cold Mix Roads):

1830

Department:	Planning and Engineering
Type:	Addition
Amount:	\$70,000
Vendor:	Roads, Inc., of NWF
Project Name:	Open Graded Cold Mix Roads
Contract:	06-07.08
Purchase Order Number:	280783
Change Order Number:	1
Original Award Amount:	\$200,000
Amount of Change Order Number 1:	<u>\$ 70,000</u>
New Contract Total:	<u>\$270,000</u>

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

11. Adopting the Resolution (R2008-36) establishing authority for the Public Safety Director to write off unpaid accounts up to \$1,000 and providing for criteria for the writing off of such accounts. 1830

12. Ratifying the following action of the Escambia County Community Redevelopment Agency (CRA) concerning Facade Grant Funding and Lien Agreements at 4000 North Palafox Street: 1830

A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Larry N. Kendrick, owner of commercial property located at 4000 North Palafox Street, Pensacola, Florida, in the Palafox Redevelopment Area, in the amount of \$9,750, representing an in-kind match through the Palafox Tax Increment Financing (TIF), Fund 151 – Cost Center 220517, Object Code 58301, and 2006 Community Development Block Grant (CDBG), Fund 129 – Cost Center 221403, Object Code 58301, for the following improvements:

Upgrade front of building with stucco

B. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreement for the property located at 4000 North Palafox Street, in the amount of \$9,750; and

C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Larry N. Kendrick 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

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

13. Taking the following action concerning the *Escambia County Ex-Oriskany PCB Artificial Reef Monitoring Project Year 3, FWC Grant No. 07012* Agreement with Florida Fish and Wildlife Conservation Commission (FWC) for PCB Artificial Reef Monitoring (Cost Center: TBD *(To Be Determined)*), Object Code 53101):

1830

- A. Approving the Grant Agreement between Escambia County Board of County Commissioners and FWC for the Ex-Oriskany PCB Artificial Reef Monitoring Project Year 3 Grant, in the amount of \$40,000, from the date of execution to December 28, 2009; and
- B. Authorizing the Chairman to execute the Agreement and any documents related to acceptance, execution, reporting, and Amendments to this Grant.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

14. Ratifying the following action of the Escambia County Community Redevelopment Agency (CRA) concerning Facade Grant Funding and Lien Agreements at 923 West Yonge Street:

1830

A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Terry L. Hale, owner of commercial property located at 923 West Yonge Street, Pensacola, Florida, in the Englewood Redevelopment Area, in the amount of \$10,000, representing an in-kind match through the Englewood Tax Increment Financing (TIF), Fund 151 – Cost Center 220520, Object Code 58301, and 2006 Community Development Block Grant (CDBG), Fund 129 – Cost Center 221403, Object Code 58301, for the following improvements:

Parking lot improvement

B. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreement for the property located at 923 West Yonge Street, in the amount of \$10,000; and

C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Terry L. Hale, and any other related documents necessary to implement this Grant award.

15. Taking the following action regarding revisions to the *Florida Boating Improvement Program Grant Agreement, Contract No. 06164* (BCC approved June 21, 2007), with the Florida Fish and Wildlife Conservation Commission, for Derelict Vessels:

1830

A. Approving the Grant Agreement providing for an extension to the Grant project completion date from December 31, 2007, to June 30, 2008, and increasing the compensation amount from \$50,000 to an amount not to exceed \$104,825; and

B. Authorizing the Chairman to sign the Agreement and any other documents related to this Grant Agreement.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

16. Ratifying the following action of the Escambia County Community Redevelopment Agency (CRA) concerning Residential Rehab Grant Funding and Lien Agreements at 332 Gibbs Road:

1830

- A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Denise O'Dell, owner of residential property located at 332 Gibbs Road, Pensacola, Florida, in the Warrington Redevelopment Area, in the amount of \$1,487.50, representing an in-kind match through Warrington Tax Increment Financing (TIF), Fund 151 – Cost Center 220516, Object Code 58301, for the following improvements:

Sanitary sewer connection

- B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 332 Gibbs Road, in the amount of \$1,487.50; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Denise O'Dell 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

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

17. Ratifying the following action of the Escambia County Community Redevelopment Agency (CRA) concerning Residential Rehab Grant Funding and Lien Agreements at 419 Baublits Court:

1830

- A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and James L. Thiesse and Jane E. Thiesse, owners of residential property located at 419 Baublits Court, Pensacola, Florida, in the Warrington Redevelopment Area, in the amount of \$625, representing an in-kind match through Warrington Tax Increment Financing (TIF), Fund 151 – Cost Center 220516, Object Code 58301, for the following improvements:

Sanitary sewer connection

- B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 419 Baublits Court, in the amount of \$625; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and James L. Thiesse and Jane E. Thiesse 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

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

18. Ratifying the following action of the Escambia County Community Redevelopment Agency (CRA) concerning Residential Rehab Grant Funding and Lien Agreements at 1301 Poppy Avenue:

1830

A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Kenneth H. McClure and Karen L. McClure, owners of residential property located at 1301 Poppy Avenue, Pensacola, Florida, in the Barrancas Redevelopment Area, in the amount of \$5,250, representing an in-kind match through Barrancas Tax Increment Financing (TIF), Fund 151 – Cost Center 220519, Object Code 58301, for the following improvements:

Install a new roof

- B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 1301 Poppy Avenue, in the amount of \$5,250; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Kenneth H. McClure and Karen L. McClure and any other related documents necessary to implement this Grant award.

19. Authorizing the County to piggyback off the National Center for State Courts Contract #C06-1355-C01-61 with Okaloosa County, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Applications; Exemptions; and Section 46-64, Board Approval, and awarding a Purchase Order, not to exceed \$140,000, for the purpose of completing a Criminal Justice System Assessment Study for Escambia County, with funds available in Cost Center 410507 – Article V Fund.

1830

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

20. Taking the following action concerning the Design-Build Intersection Project at Olive Road and Gregg Road:

1830

A. Accepting and approving the selection and ranking of the following four firms, relating to solicitation PD 07-08.010, "Design Build Intersection Olive Road & Gregg Road":

- (1) Panhandle Grading & Paving, Inc. / Dyer, Riddle, Mills & Precourt, Inc.
- (2) Roads, Inc., of NWF / Merrill Parker Shaw, Inc.
- (3) Chadbourne Construction, LLC / Hatch Mott MacDonald
- (4) Geci & Associates, Inc. / Gulf Atlantic Constructors, Inc.

B. Awarding a Contract for PD 07-08.010, "Design-Build Intersection Olive Road & Gregg Road," in a negotiated amount not to exceed \$300,000, to Panhandle Grading & Paving, Inc. / Dyer, Riddle, Mills & Precourt, Inc., the number-one-selected Design-Build Team;

C. Authorizing the Escambia County Transportation and Traffic Operations Office to issue a Task Order and Purchase Order to Panhandle Grading & Paving, Inc. / Dyer, Riddle, Mills & Precourt, Inc., to commence the design development for the negotiated amount; and

D. Authorizing the issuance of Purchase Orders(s) in accordance with Chapter 46 of the Escambia County Code of Ordinances (funds to be available in Fund 352, Local Option Sales Tax III, Cost Center 210107, Object Code 56301, Project Number 08EN0184 – \$200,000, and Fund 110, "County Incentive Grant," Cost Center to be determined – \$100,000).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

21. Approving the sale of surplus real property located on Moore Street, Reference Number 26-5N-31-1101-001-001, for \$1,750, to William Moore (the sale of this property will provide revenue to the General Fund [001]).

1830

22. Taking the following action concerning Professional Services as Governed by Florida Statute 287.055 (A&E Services):

1830

A. Awarding a Task-Order-based continuing Contract to Hernandez-Calhoun Design International and Alliance Design Group, P.A., per PD 02-03.79, Professional Services as Governed by Florida Statute 287.055 (A&E Services), on a “Maximum Ceiling” basis fee schedule, as follows:

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

B. Authorizing the department(s), in conjunction with the Office of Purchasing, to negotiate Task Orders according to Florida Statute 287.055, “Consultants’ Competitive Negotiation Act” (A&E Services), on a project-by-project basis.

23. Taking the following action concerning the County Incentive Grant Program Agreement between the State of Florida Department of Transportation and Escambia County toward infrastructure improvements for Olive Road (State Road 290) and Cody Lane Intersection (Funding Source: Fund 352, Local Option Sales Tax III, Project Number 08EN0604, Account Number 210107/56301):

1830

A. Approving the Agreement, which specifies the State of Florida Department of Transportation will pay one-half the project cost, up to \$112,500, and the County will pay the remaining cost estimated to be \$112,500; and

B. Adopting a Resolution (*R2008-37*) authorizing the Chairman to sign the Agreement.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

24. Taking the following action concerning the Transportation Regional Incentive Program Agreement between the State of Florida Department of Transportation and Escambia County toward the design of roadway improvements on Sorrento Road (State Road 292) and bridge from south of Theo Baars Bridge to Blue Angel Parkway (State Road 173) (Funding Source: Fund 152, "Southwest Sector," Account Code 110269):

1830

A. Approving the Agreement, which specifies the State of Florida Department of Transportation will pay one-half the project cost, up to \$2,750,000, and the County will pay the remaining cost estimated to be \$2,750,000; and

B. Adopting a Resolution (*R2008-38*) authorizing the Chairman to sign Agreement.

25. Taking the following action concerning the Transportation Regional Incentive Program Agreement between the State of Florida Department of Transportation and Escambia County toward the design of roadway improvements for the Pinestead-Longleaf Drive Corridor between Pine Forest Road (State Road 297) and U. S. Highway 29 (State Road 95) (Funding Source: Fund 352, Local Option Sales Tax III, Project Number 08EN0078, Account Number 210107/56301):

1830

A. Approving the Agreement, which specifies the State of Florida Department of Transportation will pay one-half the project cost, up to \$819,250, and the County will pay the remaining cost estimated to be \$819,250; and

B. Adopting a Resolution (*R2008-39*) authorizing the Chairman to sign the Agreement.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

26. Taking the following action concerning Metro Ethernet LAN Addendum Agreement from AT&T (formerly BellSouth Telecommunications, Inc.), to allow the County to add the Solid Waste Facility located at 13009 Beulah Road, Cantonment, Florida:

1830

A. Approving the Addendum to the AT&T Metro Ethernet Service Agreement with AT&T to provide the fiber optic service at the Solid Waste Facility; this Addendum waives the Special Construction Charges of \$22,099 and the Contract Preparation Charge of \$910; it also adds a mileage charge of \$370 per month for this location to the Rate Elements of the original Agreement (funds are available in the current Budget, General Fund [001], Cost Center 270103, Object Code 54101); and

B. Authorizing the Chairman to sign the AT&T Metro Ethernet Service Addendum Agreement.

27. Taking the following action concerning the construction/financing of a Regional Public Safety Training Facility (County funds totaling \$10,907,469; the breakdown is as follows: [1] \$4.5 million – Local Option Sales Tax [LOST] II [Residual]; [2] \$5 million – LOST III [Sheriff Facilities/Training Complex]; [3] \$1 million – LOST II [Fire Services Training Facility]; and [4] \$407,469 in General Funds – BCC):

1830

A. Approving, and authorizing the Chairman to sign, the Interlocal Agreement among Escambia County, Florida, the Escambia Sheriff's Office, the District Board of Trustees of Pensacola Junior College, Florida, and the Pensacola Junior College Foundation, Inc.; and

B. Approving, and authorizing the Chairman to sign, the Assignment of Agreement Between Escambia County, Florida and DAG Architects, Inc.

For Information: Commissioner Robinson disclosed that he is an uncompensated Board Member for the PJC Foundation and, after conferring with the County Attorney, he believes that there is no conflict of interest, pursuant to Section 112.3143, Florida Statutes, that would require him to abstain from voting on this agenda item.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION

1. Roads, Inc., of NWF – Stormwater Permit

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 3-2, with Commissioner Robinson and Commissioner Whitehead voting "no," revoking, immediately, the Stormwater Management Permit issued to Road's Inc., of NWF, for construction of a catfish pond located on Hillock Road.

1832

Speaker(s):

Crystal Glenny
Pansy Sanders
Ernestine Small
Jacqueline Rogers
R. Todd Harris

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. CONSENT AGENDA

1-2. Approval of Consent Agenda Items 1 and 2

Motion made by Commissioner Robinson, seconded by Commissioner Young, and carried 4-0, with Commissioner White abstaining (*and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), approving Consent Agenda Items 1 and 2, as follows:

1854

1. Taking the following action concerning Carl R. and Sharon Gilbert v. Harry R. McNesby, Sheriff, Charlie Walker, Code Enforcement Supervisor, et al., Case No. 3:08CV51/MRC/EMT, and Robert K. and Sharon F. Mandel v. Harry R. McNesby, Sheriff, Charlie Walker, Code Enforcement Supervisor, et al., Case No. 3:08cv49/RV/MD:

1854

- A. Approving the Retainer Agreements (*Contracts for Legal Services*) between James M. Messer and Charles Walker to defend Mr. Walker in his individual capacity in the above pending Cases; and
- B. Authorizing the payment, on a monthly basis, of the attorney's fees charged by Mr. Messer, in the sum of \$145 per hour, plus the expenses as outlined in the Retainer Agreements, to the extent that the fees and expenses are reasonably charged by Mr. Messer in defending Mr. Walker in the above Cases.

2. Taking the following action concerning Robert K. and Sharon F. Mandel v. Harry R. McNesby, Sheriff, Charlie Walker, Code Enforcement Supervisor, et al., Case No. 3:08cv49/RV/MD:

1854

- A. Approving the Retainer Agreement (*Contract for Legal Services*) between James M. Messer and Steve Littlejohn to defend Mr. Littlejohn in his individual capacity in the above pending Case; and
- B. Authorizing the payment, on a monthly basis, of the attorney's fees charged by Mr. Messer, in the sum of \$145 per hour, plus the expenses as outlined in the Retainer Agreement, to the extent that the fees and expenses are reasonably charged by Mr. Messer in defending Mr. Littlejohn in the above Case.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Continued

- I. CONSENT AGENDA – Continued
3. Scheduling of an Attorney-Client Session

Motion made by Commissioner Robinson, seconded by Commissioner Young, and carried unanimously, taking the following action concerning scheduling an Attorney-Client Session regarding Rapid Management Company v. Board of County Commissioners, Escambia County, Florida, Case No. 2008 CA 000527:

1855

- A. Scheduling a private meeting with the Board's attorneys to discuss pending litigation, in accordance with Section 286.011 (8), Florida Statutes, for March 13, 2008, at 8:00 a.m.; and
- B. Approving the Public Notice printed below to be published in the Pensacola News Journal along with the weekly notice of meetings.

PUBLIC NOTICE

IT IS THE INTENTION of the Board of County Commissioners of Escambia County, Florida, to hold a private meeting with its attorney to discuss pending litigation in accordance with § 286.011 (8), Fla. Stat., in the matter of *Rapid Management Company v. Board of County Commissioners, Escambia County, Florida; Case No. 2008-CA-000527*. Such attorney-client session will be held prior to the meeting of the Committee of the Whole scheduled to commence at 8:00 a.m., C.S.T. on Thursday, March 13, 2008, in the Board Meeting Room, First Floor, Escambia County Government Complex, 221 Palafox Place. Commissioners D. M. "Mike" Whitehead, Grover Robinson, IV, Marie Young, Gene Valentino, and Kevin White, County Administrator Robert R. McLaughlin, Attorneys representing Escambia County, Charles V. Pepler, Interim County Attorney Alison Rogers, and a certified court reporter will attend the attorney-client session.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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

1. Offshore Oil and Gas Drilling

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried unanimously, adopting the Resolution (*R2008-40*) urging the Florida Legislature to stand strong and united against offshore oil and gas drilling off the coast of Florida.

1855

ANNOUNCEMENTS

1. FOR INFORMATION: The Board expressed gratitude toward Assistant County Administrator Willie C. Taylor for his dedicated service to the County.

1856

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 7:01 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: March 6, 2008