

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD AUGUST 21, 2008
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(4:32 p.m. – 5:49 p.m.)

Present: Commissioner Gene M. Valentino, Chairman, District 2
Commissioner Marie K. Young, Vice Chairman, District 3
Commissioner Grover C. Robinson, IV, District 4
Commissioner Kevin W. White, District 5
Commissioner D. M. "Mike" Whitehead, District 1
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 Valentino called the Public Forum Work Session to order at 4:32 p.m.

1. FOR INFORMATION: The Board heard comments from Lee Roy Wiggins and Billy Ward concerning the importance of the Board's support for Volunteer Fire Departments. 1633
2. FOR INFORMATION: The Board:
 - A. Heard the request from John Buziak, Kevin Rudzki, and Kelly Hultgren that the Board maintain the ice at the Pensacola Civic Center for use by the Pensacola Figure Skating Club and the Pensacola Youth Hockey League; and 1643
 - B. Was advised by County Administrator McLaughlin that this issue will be added to the agenda for the September 11, 2008, Committee of the Whole Workshop.
3. FOR INFORMATION: The Board heard comments from L. Gary Sansing concerning the economy and issues discussed during Public Forum. 1659

5:01 P.M. – PUBLIC FORUM ADJOURNED

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

REGULAR BCC AGENDA

1. Call to Order

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

2. Invocation

Chairman Valentino advised that Commissioner Whitehead would deliver the Invocation.

3. Pledge of Allegiance to the Flag

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

4. Adoption of the Agenda

Motion made by Commissioner Whitehead, seconded by Commissioner Robinson, and carried unanimously, adopting the agenda, as prepared and duly amended *(to include Commissioner Robinson's add-on item concerning the adoption of a Resolution supporting the Gulf Coast Citizen Diplomacy Council's Application for Provisional Membership with the National Council for International Visitor and Commissioner White's add-on item concerning appointments to the Building Inspections Division Inspections Fund Advisory Board)*.

1737

5. Commissioners' Forum – District 1 – The Board heard the request from Commissioner Whitehead that staff provide a recommendation at the September 4, 2008, Regular Board Meeting concerning a Code Enforcement Lien against property *(located on Dallas Avenue)*, owned by Ms. *(Pearley)* Sapp, who is under guardianship with Lutheran Services.

1739

6. Proclamations – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

7. Retirement Proclamations:

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, adopting the following two Proclamations:

1740

- A. The Proclamation commending and congratulating Deborah H. Greene, Urban Planner II, Development Services Bureau, Development Review Division, on her retirement after 32 years of service; and
- B. The Proclamation commending and congratulating Marcus B. Martin, Jr., Corrections Officer, Corrections Bureau, Road Prison Division, on his retirement after 22 years of service.

8. Written Communication – None.

9. Proof of Publication

Motion made by Commissioner Whitehead, seconded by Commissioner Robinson, and carried unanimously, waiving the reading of the legal advertisement and accepting, for filing with the Board's Minutes, the certified affidavit establishing proof of publication for the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule August 18-22, 2008 – Legal No. 72663*, as published in the Pensacola News Journal on August 16, 2008, as follows:

1742

August 19	4:00 p.m.	Health Facilities Authority
August 19	6:30 p.m.	District 5 Town Hall Meeting–Plainview Baptist Church
August 20	8:00 a.m.	Soil & Water Conservation Board
August 20	8:30 a.m.	Board of Adjustment
August 20	1:00 p.m.	Development Review Committee
August 21	9:00 a.m.	Agenda Work Session
August 21	9:00 a.m.	Board of Electrical Examiners
August 21	3:00 p.m.	Affordable Housing Advisory Committee
August 21	4:20 p.m.	Community Redevelopment Agency
August 21	4:30 p.m.	Board of County Commissioners Public Forum
August 21	5:30 p.m.	Board of County Commissioners Public Hearings & Reports
NEXT WEEK'S NOTE:		
August 25	4:30 p.m.	Rezoning Hearing Examiner
August 25	5:00 p.m.	District 2 Commissioner's West-End Advisory Committee

REGULAR BCC AGENDA – Continued

10. Committee of the Whole Recommendation(s)

Motion made by Commissioner Whitehead, seconded by Commissioner Young, and carried unanimously, taking the following action, as recommended by the Committee of the Whole (C/W), at the August 14, 2008, C/W Workshop:

1741

- A. Taking the following action concerning the Escambia County Health Facilities Authority reserves (Item 4 [*at the July 30, 2008, Budget Workshop, the Board directed staff to begin negotiations with the Authority that would allow or would effect the transfer of a portion of the (Authority's investment) proceeds, to be allocated to community non-profit health organizations*]):
- (1) Approving to direct staff to meet with the Authority Board to discuss the Board of County Commissioners' (BCC) concerns, with a designee of the BCC to also be in attendance; and
 - (2) Approving to direct County Attorney Rogers and her staff to explore the BCC's options, and provide a Report at a future C/W Workshop; and
- B. Approving specifically earmarking, to pay off that portion (*of the Tourist Development Tax Bond*) that is associated with the (*\$10 million*) beach re-nourishment project on Santa Rosa Island, the Santa Rosa Island Authority revenues (*\$2,569,988 in reserves*) that have been collected (Item 6).

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

1-3. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving Consent Agenda Items 1 through 3, as follows, with the exception of Item 2, which was held for separate vote:

1742

1. Accepting, for filing with the Board's Minutes, the following five Reports prepared by the Clerk & Comptroller's Finance Department:
 - A. Payroll Expenditures for Pay Date August 8, 2008, in the amount of \$2,249,204.65; and
 - B. The following two Disbursement of Funds:
 - (1) July 31, 2008, to August 6, 2008, in the amount of \$14,863,221.40; and
 - (2) August 7, 2008, to August 13, 2008, in the amount of \$6,695,419.77;
 - C. The Investment Report for the month ended July 31, 2008; and
 - D. The Tourist Development Tax Collections Data for Fiscal Year 2007-2008, which includes the June 2008 returns received in the month of July 2008; the revenues collected to date represent ten months of collections and reflect 79% of the Budget to date.
2. See Page 21.

1742

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1-3. Approval of Various Consent Agenda Items – Continued

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

1742

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

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

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

A. Shirley L. Gafford, Program Coordinator, County Administrator's Office, and County Attorney Rogers, and Sandra Slay, Division Manager, Office of Environmental Enforcement, reviewed the agenda cover sheet;

B. Cheryl Maher, Accounting Supervisor, Clerk & Comptroller's Office, reviewed the Clerk's Report;

C. T. Lloyd Kerr, Bureau Chief, Development Services Bureau, and Keith Wilkins, Neighborhoods/Community Services Bureau, reviewed the Growth Management Report;

D. Shirley L. Gafford, Program Coordinator, County Administrator's Office, County Attorney Rogers, Randy Wilkerson, Executive Director, Neighborhood Enterprise Foundation, Inc., and Amy Lovoy, Bureau Chief, Management and Budget Services Bureau, reviewed the County Administrator's Report;

E. County Attorney Rogers reviewed the County Attorney's Report, with comments from Michael Hardin, Bureau Chief, Public Safety Bureau; and

F. Commissioner Valentino reviewed his add-on item.

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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
- 1-3. Approval of Various Consent Agenda Items – Continued
3. Continued...
- B. Report of the August 7, 2008, Agenda Work Session – Continued
 2. FOR INFORMATION: The Honorable Janet Holley, Tax Collector, and the Honorable Chris Jones, Property Appraiser, provided a report on the litigation concerning ad valorem taxes on leasehold improvements on Santa Rosa Island, and Ms. Holley provided five documents entitled *Santa Rosa Island Litigation Case Summary Sheet; Taxes by Authorities – All Pending Beach Litigation Cases; Taxes by Authorities – Non-Litigated Accounts – Pensacola Beach; Taxes by Authorities – Alvins Island Cases Only; and Taxes by Authorities – Portofino Towers Only.*
- C. Accepting, for filing with the Board's Minutes, the Report of the Budget Workshop held July 30 and July 31, 2008, as follows:

AGENDA NUMBER

Chairman Valentino called the Budget Workshop to order on July 30, 2008, at 9:13 a.m., and reconvened on July 31, 2008, at 9:06 a.m.

The C/W, on July 30, 2008, was advised by Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services, that the Meeting was advertised in the Pensacola News Journal on July 26, 2008, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule July 28, 2008 – August 1, 2008, Legal No. 72590*; and, on July 31, 2008, was advised by County Attorney Rogers that the Meeting was advertised via blast media alert.

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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
- 1-3. Approval of Various Consent Agenda Items – Continued
3. Continued...
- C. Report of the July 30 and July 31, 2008, Budget Workshop – Continued

AGENDA NUMBER – Continued

1&2. County Administrator's FY 2008/09 Budget Overview / Budget Development and Revenue Projections

The Board discussed County Administrator's FY 2008/09 Budget Overview / Budget Development and Revenue Projections, and the Board:

- A. Was advised by County Administrator McLaughlin that staff recommends that the Board take the following action:
 - (1) Certify the millage rate for Fiscal Year 2008-2009 as follows:
 - (a) County-wide operating millage rate – 7.923
 - (b) Law Enforcement MSTU – .685
 - (2) Certify the proposed millage rate at 4.85% below the aggregate rollback rate;
 - (3) Schedule a Public Hearing for the Fiscal Year 2008-2009 Budget for September 4, 2008, at 5:01 p.m., to be held in the Chamber of the Board of County Commissioners; and
 - (4) Schedule a Public Hearing to adopt the Fiscal Year 2008-2009 non-ad valorem special assessment roll for September 4, 2008, at 5:02 p.m., to be held in the Chamber of the Board of County Commissioners; and

(Continued on Page 9)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

1-3. Approval of Various Consent Agenda Items – Continued

3. Continued...

C. Report of the July 30 and July 31, 2008, Budget Workshop – Continued

AGENDA NUMBER – Continued

1&2. Continued...

B. Viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, presented by Amy Lovoy, Bureau Chief, Management and Budget Services Bureau, and, additionally, was advised by Ms. Lovoy that the International Paper EDATE (*Economic Development Ad Valorem Tax Exemption*) was not included on the tax rolls; therefore, the net impact will be an approximate \$1.6 million reduction to the Fiscal Year 2008-2009 Budget.

3. Outside Agencies (General Fund/Third Cent Tourist Development Tax/Fourth Cent Tourist Development Tax)

The Board reviewed and discussed the proposed Budget for Outside Agencies (General Fund/Third Cent Tourist Development Tax/Fourth Cent Tourist Development Tax).

Recommendation: That the Board re-appropriate \$15,000 for the Veterans' Services position.

Recommended 5-0

Speaker(s):

Randy Cudd	George Touart
Beth Barrios	Jerrold Hall
Jean Norman	Charles Wood

(Continued on Page 10)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-3. Approval of Various Consent Agenda Items – Continued
3. Continued...
- C. Report of the July 30 and July 31, 2008, Budget Workshop – Continued

AGENDA NUMBER – Continued

4. Constitutional Officers

A. Tax Collector

The Board reviewed the Tax Collector's proposed Budget for Fiscal Year 2008-2009 and was advised by Amy Lovoy, Bureau Chief, Management and Budget Services Bureau, that the Tax Collector's Budget is set by Florida Statute;

B. Sheriff

The Board:

- (1) Was advised by Ms. Lovoy that there will be a difference in the accounting procedures for the Sheriff's Office, whereby instead of the Sheriff remitting certain revenues collected for Law Enforcement, Corrections, and Security to the County, the Sheriff will retain those revenues and the County will decrease the Sheriff's draw;
- (2) Was advised by Benjamin A. "Steve" Stevens that the proposed Budget for Fiscal Year 2008-2009 represents a \$1.4 million decrease from Fiscal Year 2007-2008; additionally, the Sheriff is requesting funding for a 3% Cost of Living Adjustment (COLA) for Fiscal Year 2008-2009 and for a 1% COLA for Fiscal Year 2007-2008;

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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
- 1-3. Approval of Various Consent Agenda Items – Continued
3. Continued...
- C. Report of the July 30 and July 31, 2008, Budget Workshop – Continued

AGENDA NUMBER – Continued

4. Continued

(3) Heard the request from Mr. Stevens that County staff work with the Sheriff's Office in order to identify/review the revenues (*referenced in Item [1]*), and, possibly, establish a Memorandum of Understanding to ensure the legalities of the change in accounting procedure; and

(4) Heard the request from Commissioner White that the proposed Budget for the Jail be submitted separately.

Recommendation: That the Board authorize the Chairman, County Administrator, County Attorney, and Amy Lovoy, Bureau Chief, Management and Budget Services Bureau, to meet with the Sheriff and his appropriate appointees and report back to the Board.

Recommended 5-0

C. Clerk of the Circuit Court

The Board reviewed and discussed the Clerk of the Circuit Court's proposed Budget for Fiscal Year 2008-2009 and was advised by Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services, that the proposed Budget represents a 9% reduction from the Budget for Fiscal Year 2007-2008;

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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

1-3. Approval of Various Consent Agenda Items – Continued

3. Continued...

C. Report of the July 30 and July 31, 2008, Budget Workshop – Continued

AGENDA NUMBER – Continued

4. Continued...

D. Property Appraiser

The Board reviewed and discussed the Property Appraiser's proposed Budget for Fiscal Year 2008-2009 and was advised by Enoch Leatherwood that the proposed Budget represents a 10% reduction from the Budget for Fiscal Year 2007-2008;

E. Supervisor of Elections

The Board reviewed and discussed the Supervisor of Elections' proposed Budget for Fiscal Year 2008-2009 and was advised by David Stafford, Supervisor of Elections, that the proposed Budget represents a 10% reduction from the budget for Fiscal Year 2008-2009.

5. Merit System Protection Board

The Board did not discuss the proposed Budget for the Merit System Protection Board.

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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
- 1-3. Approval of Various Consent Agenda Items – Continued
- 3. Continued...
- C. Report of the July 30 and July 31, 2008, Budget Workshop – Continued

AGENDA NUMBER – Continued

6. County Attorney

The Board reviewed and discussed the County Attorney's proposed Budget for Fiscal Year 2008-2009.

Recommendation: That the Board reduce the County Attorney's total proposed Budget (*Page 45*) by \$4,000.

Recommended 5-0

7. Board of County Commissioners

The Board reviewed and discussed the Board of County Commissioners', County Administration Division, Cost Centers: Administration and Executive Support, proposed Budget for Fiscal Year 2008-2009.

Recommendation: That the Board drop the \$2,500 allocation from the proposed Budget for Other Current Charges & Obligations (*of the County Administrator's Division/Cost Center: Executive Support, Page 47*).

Recommended 5-0

(Continued on Page 14)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

3. Continued...

C. Report of the July 30 and July 31, 2008, Budget Workshop – Continued

AGENDA NUMBER – Continued

8. County Administrator – Vehicle Analysis – Low Utilization/Mileage Policy

The Board reviewed and discussed County Administration's proposed Budget for Fiscal Year 2008-2009 (*the Vehicle Analysis will be discussed at the August 14, 2008, Committee of the Whole Workshop*).

Recommendation: That the Board reduce the proposed Budget of the Community Services and Public Safety Agency Division/Cost Center: Executive Administration (*Page 48*), by \$150,000.

Recommended 5-0

Recommendation: That the Board reduce the proposed Budget of the Office of Public Information and Marketing (*Page 49*), by \$4,000.

Recommended 5-0

9. Public Works Bureau

The Board reviewed and discussed the Public Works Bureau's proposed Budget for Fiscal Year 2008-2009.

Recommendation: That the Board reduce the proposed Budget of the Engineering Division/Cost Center: Administration (*Page 50*), by \$19,000.

Recommended 5-0

(Continued on Page 15)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

3. Continued...

C. Report of the July 30 and July 31, 2008, Budget Workshop – Continued

AGENDA NUMBER – Continued

9. Continued...

Recommendation: That the Board reduce the proposed Budget of the Engineering Division/Cost Center: Construction Management (*Page 51*), by \$2,000.

Recommended 5-0

Recommendation: That the Board reduce the proposed Budget of the Engineering Division/Cost Center: Transportation (*Page 54*), by \$4,000.

Recommended 5-0

Recommendation: That the Board reduce the proposed Budget of the Engineering Division/Cost Center: New Road Construction (*Page 55*), by \$61,629.

Recommended 5-0

Recommendation: That the Board reduce the proposed Budget (of the Road Department Administration Division/Cost Center: Road Department Administration (*Page 60*), by \$4,000.

Recommended 5-0

Recommendation: That the Board reduce the proposed Budget for Account: 55401, Books, Publications, Subscriptions & Memberships, Roads & Bridges Division/Cost Center: Road Maintenance (*Page 61*), by \$8,000.

Recommended 5-0

Continued on Page 16)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

3. Continued...

C. Report of the July 30 and July 31, 2008, Budget Workshop – Continued

AGENDA NUMBER – Continued

9. Continued...

Recommendation: That the Board add \$500,000 to the proposed Budget for the Fleet Maintenance Division/Cost Center: Fuel Distribution (*Page 66*).

Recommended 5-0

Recommendation: That the Board reduce the proposed Budget for the Administration Division/Cost Center: Administration (*Page 67*), by \$4,000.

Recommended 5-0

Recommendation: That the Board take the following action:

A. Increase the proposed Budget for Account 54301, Utility Services, Telecommunications Division/Cost Center: Telecommunications Administration (*Page 70*), by \$390,000; and for Account 54301, Utility Services, Road Department Administration Division/Cost Center: Road Department Administration, by \$25,000, due to an 18% fuel rate increase approved by the Florida Public Service Commission for Gulf Power Company; and

B. Reduce the proposed Budget for the Telecommunications Division/Cost Center: Telecommunications Administration (*Page 70*), by \$6,000.

Recommended 5-0

(Continued on Page 17)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

3. Continued...

C. Report of the July 30 and July 31, 2008, Budget Workshop – Continued

AGENDA NUMBER – Continued

9. Continued...

Recommendation: That the Board earmark \$10,000 from the proposed Budget for Account 55201, Operating Supplies, Neighborhood Services Division/Cost Center: Mosquito Control, for waste tire amnesty, to be coordinated with Clean and Green and anyone else involved.

Recommended 5-0

10. Public Safety Bureau

Recommendation: That the Board reduce the proposed Budget for the Emergency Medical Service Division/Cost Center: Operations, by \$75,000 (*Page 80*).

Recommended 5-0

11. Development Services Bureau

The Board did not discuss the proposed Budget for the Development Services Bureau; however, the Board heard the request from Commissioner Valentino that staff research the possibility of phasing, or deferring a portion of the cost of, the rewrite of the Escambia County Land Development Code to Fiscal Year 2009-2010.

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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

3. Continued...

C. Report of the July 30 and July 31, 2008, Budget Workshop – Continued

AGENDA NUMBER – Continued

12. Neighborhoods/Community Services Bureau/Veterans' Service Officer Funding

The Board discussed the proposed Budget for the Neighborhood and Community Services Bureau, NEFI (*Neighborhood Enterprise Foundation, Inc.*) Division/Cost Center: CDBG 2008 Administration/Planning (*Page 131*), and for the Solid Waste Management Division/Cost Centers: Recycling Operations and Projects (*Pages 148 and 149*).

Recommendation: That the Board direct staff to provide, at the August 14, 2008, Committee of the Whole Workshop, a presentation outlining any function funded through the General Fund that could be attributed to, and funded through, Solid Waste Management.

Recommended 5-0

13. Management & Budget Services Bureau

The Board did not discuss the proposed Budget for the Management and Budget Services Bureau.

14. Corrections Bureau

The Board did not discuss the proposed Budget for the Corrections Bureau.

15. Judicial Services/State Attorney's Office/Public Defender/Medical Examiner/Judicial Services

The Board did not discuss the proposed Budget for Judicial Services/State Attorney's Office/Public Defender/Medical Examiner/Judicial Services.

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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

3. Continued...

C. Report of the July 30 and July 31, 2008, Budget Workshop – Continued

ITEMS ADDED TO THE AGENDA

1. Escambia County Health Facilities Authority

A. Discussion – The Board:

(1) Was advised by Commissioner Valentino that according to its financial statements, the Escambia County Health Facilities Authority (Authority) has an unused cash asset of over \$3 million; therefore, he would request that the Board authorize staff to contact the Authority to request a contribution of up to \$3 million of the unused cash asset to assist with the Fiscal Year 2008-2009 Budget;

(2) Was advised by Commissioner Whitehead that according to Florida Statutes, Chapter 209(14), the funds may only be appropriated to a qualifying human health service agency, e.g. the Escambia County Health Department, Community Clinics, etc.; and

(3) Heard the request from Commissioner Valentino that discussion concerning this issue be placed on the agenda for the August 14, 2008, Committee of the Whole Workshop; and

B. Recommendation: That the Board direct staff to determine the staffing/operating requirements of the Escambia County Health Facilities Authority and begin negotiations with the Escambia County Health Facilities Authority that would allow or would effect the transfer, this year, of a portion, yet to be determined, of the (*Authority's investment*) proceeds, to be allocated to community non-profit health organizations.

Recommended 5-0

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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

3. Continued...

C. Report of the July 30 and July 31, 2008, Budget Workshop – Continued

ITEMS ADDED TO THE AGENDA – Continued

2. Debt Service Reserves/Civic Center Bond

A. Discussion – The Board discussed the Debt Service Reserves and the possibility of using a portion of the Reserves to "defease" the Bond attributed to The Pensacola Civic Center; and

B. Recommendation: That the Board direct staff to explore the legalities and the action needed in order to utilize \$7.794 million in earmarked Debt Service Reserves and \$3.4 million in earmarked Santa Rosa Island Reserves for the purpose of defeasing the Bonds associated with The Pensacola Civic Center and improvements on Pensacola Beach, with a report to be brought back to the Board at the August 14, 2008, Committee of the Whole Workshop, for discussion prior to the September Budget Public Hearing.

Recommended 5-0

3. Perdido Key Chamber of Commerce Funding Request

A. Discussion – The Board:

(1) After relinquishing the Chair to Commissioner Young, heard a motion from Commissioner Valentino that the Board approve an allocation, in the amount of \$230,000, for the Perdido Key Chamber of Commerce, to be paid from the Third Cent Tourist Development Tax; and

(2) Was advised by Commissioner Whitehead that it would be more appropriate to refer the request to the Tourist Development Council; and

(Continued on Page 21)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

3. Continued...

C. Report of the July 30 and July 31, 2008, Budget Workshop – Continued

ITEMS ADDED TO THE AGENDA – Continued

3. Continued...

B. Recommendation: That the Board refer the request to the Tourist Development Council for consideration.

Recommended 4-1, with Commissioner Valentino voting "no"

4. Budget Reduction

Recommendation: That the Board direct staff to trim an additional \$2.7 million from the proposed Budget, as presented, with the amendments to date.

Recommended 5-0

2. Acceptance of Document(s)

Motion made by Commissioner Whitehead, seconded by Commissioner White, and carried 4-0, with Commissioner Robinson abstaining (*and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), accepting, for filing with the Board's Minutes, the recorded copy of the *Mortgage and Security Agreement (Pines at Warrington)*, based on the Board's April 6, 2006, action approving the SHIP (State Housing Initiatives Partnership) Loan Agreement with Pines at Warrington Limited Partnership, and the September 21, 2006, action approving Amendment #1 to the Pines at Warrington Rental Development Agreement, as provided to the Clerk to the Board's Office.

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-8. Approval of Various Consent Agenda Items

Motion made by Commissioner Whitehead, seconded by Commissioner Robinson, and carried unanimously, approving Consent Agenda Items 1 through 8, as follows, with the exception of Item 5, which was held for a separate vote:

1744

1. Taking the following action concerning the Tobacco-Free Workplace Policy:
 - A. Approving the Tobacco-Free Workplace Policy, effective October 1, 2008;
 - B. Adopting the Resolution (*R2008-148*) providing a guideline relating to a Tobacco-Free Workplace Policy; and
 - C. Authorizing the Chairman to sign the Resolution.
2. Taking the following action concerning the Equal Employment Opportunity Plan Policy:
 - A. Approving the Equal Employment Opportunity Plan Policy, so that the Board of County Commissioners will be in compliance with federal, state, and local laws, regulations, and statutes;
 - B. Rescinding the Workforce Diversity Plan, which will be replaced by the Equal Employment Opportunity Plan Policy; and
 - C. Authorizing the Chairman and County Administrator to sign the Equal Employment Opportunity Policy Statement.
3. Accepting, for filing with the August 21, 2008, Board's Minutes, the Operation Brownsville April through June 2008 Action Register and Escambia Sheriff's Office Report.
4. Approving, for filing with the Board's Minutes, the July 24, 2008, Community Redevelopment Agency (CRA) Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA.
5. See Page 23.

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1744

1744

1744

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

6. Reappointing Austin Courson to the Equestrian Center Advisory Committee for a one-year term, effective August 24, 2008, through August 23, 2009, to fill the student ex-officio, non-voting position. 1744

7. Taking the following action regarding Florida Fish and Wildlife Conservation Commission (FWC) Grant Number 07047a1, Amendment to Contract, Escambia County Beaches Habitat Conservation Plan: 1744

A. Approving the amendment authorizing a time extension to the Grant for a period of one year, from August 31, 2008, to August 31, 2009; and

B. Authorizing the Chairman to sign the amendment.

8. Approving, and authorizing the Chairman to execute, the *Amendment to 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*, to allow County-owned vehicles with a County-issued license plate, including Sheriff's vehicles, to park in any of the undesignated spaces set aside for County employee parking within the parking garage at any time, subject to space availability. 1744

5. Florida Division of Forestry's Annual Report

Motion made by Commissioner Whitehead, seconded by Commissioner Robinson, and carried unanimously, accepting, for filing with the Board's Minutes, the Florida Division of Forestry Annual Report to the Escambia County Board of Commissioners for Fiscal Year 2007-2008, submitted by Elton Gilmore, Forest Area Supervisor, and Adam Parden, County Forester, Division of Forestry. 1745

Speaker(s):

Elton Gilmore

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA

1-23. Approval of Various Consent Agenda Items

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried unanimously, approving Consent Agenda Items 1 through 23, as follows, as amended to drop Item 6: 1746

1. Taking the following action concerning Federal Elections Activities Funds from the Department of State: 1746

A. Certifying that the County will match State Grant funds with \$7,472.04 from the Supervisor of Elections' Fiscal Year 2007-2008 Budget; and

B. Authorizing the Chairman to sign the *Certificate Regarding Matching Funds*.

2. Taking the following action concerning a Change Order for National Center for State Courts for the Criminal Justice System Assessment Study (Funding: Cost Center 410507 – Article V Fund): 1746

A. Approving the following Change Order:

Bureau:	Management & Budget Services Bureau
Type:	Addition
Amount:	\$102,362
Vendor:	Justice Concepts Incorporated
Project Name:	Criminal Justice System Assessment Study
Contract:	PD 07-08-050
Purchase Order Number:	281274
Change Order Number:	1
Original Award Amount:	\$140,000
Cumulative Amount of Change Orders through Number 1:	<u>\$102,362</u>
New Contract Total:	<u>\$242,362</u>

B. Authorizing the County Administrator to execute the necessary Change Order.

3. Adopting the Resolution (*R2008-149*) approving Supplemental Budget Amendment Number 325, Other Grants and Projects (Fund 110), in the amount of \$152,648, to recognize funds from the State of Florida and appropriate these funds for the Non-Custodial Parent Placement Grant programs in Escambia County. 1746

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-23. Approval of Various Consent Agenda Items - Continued

4. Taking the following action concerning the Group Health and Pharmacy Insurance Services Contract with Blue Cross Blue Shield of Florida Insurance Company for the County's Health and Pharmacy Benefits Plan (PD 01-02.18) and authorization of retiree dental rates (Funding Source: Cost Center 140804):

1746

A. Awarding an extension to the Blue Cross and Blue Shield (BCBS) of Florida, Inc., Contract for one year, from October 1, 2008, to September 30, 2009, to provide health insurance coverage in the form of plans Blue Option 1352, Blue Option 1552, Health Saving Accounts (HSA), as well as BlueMedicare; this will also include a \$250,000 commitment from BCBS to promote wellness programs throughout the County in exchange for a three-year commitment to continue our health insurance with BCBS; if the County chooses a different healthcare provider in the next three years, then the County will refund this \$250,000; the final enrollment numbers will determine premiums increase; estimated cost to support this program including County, employees, and retiree contributions will be approximately \$13,618,500;

B. Approving the employee and retiree rates as provided;

C. Authorizing the County to deposit \$600 into the HSA account of each employee who elects the HSA; this will assist the employee in paying the higher deductible (\$2,100 or \$4,200); the deposit will be reviewed each year at renewal time; the cost would include a \$3 monthly fee for each employee, along with a one-time start-up fee of \$22 for each new employee who enrolls; the cost is included in our total cost estimate;

D. Authorizing the County Administrator to sign the Application; and

E. Authorizing retiree dental rates.

5. Authorizing the issuance of a Purchase Order to Zonar Systems, as a Sole Source Purchase, in the amount of \$75,569.44, for the purchase of an Electronic Vehicle Inspection Reporting System Integrated with High Definition GPS (funding to be provided in Fund 320, FTA [*Federal Transit Administration*] Capital Project, Cost Center 360529, Object Code 56301).

1746

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-23. Approval of Various Consent Agenda Items - Continued

6. Dropping the recommendation that the Board award a Contract to Beck Property Co., Inc., per the terms and conditions of PD 07-08.074, Real Estate Brokerage Services, for a 3% brokerage fee (funds will be identified when the actual property/properties are brought before the Board for approval). 1746

7. Taking the following action concerning Professional Services as Governed by Florida Statute 287.055 (A&E Services): 1746

A. Awarding a Task-Order-based continuing Contract to RSW of NW Florida, Inc., 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 Statutes 287.055 “Consultants’ Competitive Negotiation Act” (A&E Services), on a project-by-project basis.

8. Approving and authorizing a Purchase Order, in the amount of \$53,983.77, to the Environmental Systems Research Institute, Inc., for proprietary annual Geographic Information System (GIS) software maintenance for the County (Funding: Fund 001, General Fund, Cost Center 270102, Information Systems –\$53,983.77). 1746

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-23. Approval of Various Consent Agenda Items - Continued

9. Approving, and authorizing the County Administrator to execute, the following Change Order (Funding Source: Fund 112, "Disaster Recovery," Cost Center 330465, Category E, "Hurricane Ivan Building & Equipment," FEMA-1551-DR, Object Code 56201):

1746

Bureau: Public Works Bureau
Division: Facilities Management
Type: Addition
Amount: \$7,406.01
Vendor: Hatch Mott MacDonald
Project Name: A&E Services for IVAN Reconstruction – Judicial
Contract: PD 04-05.07
Purchase Order Number: 280295 (270638-1) (260529-1) (251317)
Contract Change Order Number: 3
Original Award Amount: \$313,600.00
Cumulative Amount for Contract Change Orders through Number 3: \$123,987.95
New Contract Total: \$437,587.95

10. Approving, and authorizing the County Administrator to execute, the following Change Order (Funding Source: Fund 175, Cost Center 260206, Object Code 55201):

1746

Bureau: Public Works
Division: Roads
Type: Addition
Amount: \$900,000
Vendor: Southern Energy Company, Inc.
Project Name: Fuel Purchase
Contract: PD# 04-05.83
Purchase Order Number: 280185
Change Order Number: 2
Original Award Amount: \$4,000,000
Cumulative Amount of Change Orders through Number 2: \$1,900,000
New Purchase Order Total: \$5,900,000

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-23. Approval of Various Consent Agenda Items – Continued

11. Approving, and authorizing the County Administrator to execute, the following Change Order (Funding Source: Fund 143, Fire Protection, Cost Center 330202 – Fire Suppression, Object Code 55201 – Operating Supplies):

1746

Bureau: Public Safety
Division: Fire Rescue
Type: Addition
Amount: \$6,000
Vendor: Bosso's Uniform Company, Inc.
Project Name: Firefighter Uniforms
Purchase Order Number: 280409
County Change Order Number: 5
Original Amount: \$15,000
Cumulative Amount of Change Orders through Number 5: \$39,000
New Contract Total: \$54,000

12. Taking the following action relative to the 2006-2007 State Homeland Security Grant Program (SHSGP) Sub-recipient Agreement 07DS-5N-13-00-16-217 (Fund 110, Other Grants and Projects – \$38,412):

1746

- A. Rescinding the Board's action of June 5, 2008, which amended a correction to the date on a modification to the original SHSGP Agreement;
- B. Approving the updated *2006-2007 State Homeland Security Grant Program SHSGP Subrecipient Agreement for Expenditure of Local Government Unit Funding for Florida Type II Hazardous Materials/WMD Teams*, Contract Number 07DS-5N-13-00-16-217; and
- C. Authorizing the Chairman to sign the updated Agreement.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-23. Approval of Various Consent Agenda Items – Continued

13. Ratifying the following (*August 21, 2008*) action of the Escambia County Community Redevelopment (CRA) concerning Facade Grant Funding and Lien Agreements at 2400 Fernwood Avenue:

1746

- A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and D & D Cycles, Inc., owner of commercial property located at 2400 Fernwood Avenue, 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 2007 Community Development Block Grant (CDBG), Fund 129, Cost Center 220555, Object Code 58301, for the following improvements:

Parking lot improvements

- B. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreement for the property located at 2400 Fernwood Avenue, in the amount of \$10,000; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and D & D Cycles, Inc., and any other related documents necessary to implement this Grant award.

14. Taking the following action concerning revision of the following Hurricane Housing Recovery Program (HHRP) Small Rental Development Award:

1746

- A. Approving *Amendment # 1 Tarragona Townhomes HHRP Loan Agreement* with Ronald Mangum as originally approved by the Board on June 15, 2006, decreasing the funding from \$200,000 to \$80,000 and decreasing the number of units from 10 units to 4 units (Fund 120/HHRP, Cost Center 220426); and
- B. Authorizing the Chairman or Vice Chairman to execute the Amendment and all related documents required to implement the remaining project activities.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-23. Approval of Various Consent Agenda Items – Continued

15. Ratifying the following (*August 21, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning Residential Rehab Grant Funding and Lien Agreements at 110 Holmes Drive:

1746

- A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Ben B. Cabell and Evalyn A. Cabell, owners of residential property located at 110 Holmes Drive, Pensacola, Florida, in the Warrington Redevelopment Area, in the amount of \$2,384, representing an in-kind match through Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, for the following improvements:

Replace windows

- B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 110 Holmes Drive, in the amount of \$2,384; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Ben B. Cabell and Evalyn A. Cabell and any other related documents necessary to implement this Grant award.

16. Ratifying the following (*August 21, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning Residential Rehab Grant Funding and Lien Agreements at 319 Northwest Syrcle Drive:

1746

- A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Christopher M. Telhiard and Ann M. Telhiard, owners of residential property located at 319 Northwest Syrcle Drive, Pensacola, Florida, in the Warrington Redevelopment Area, in the amount of \$1,665, representing an in-kind match through Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, for the following improvements:

Replace roof

(Continued on Page 31)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-23. Approval of Various Consent Agenda Items – Continued

16. Continued...

B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 319 Northwest Syrcle Drive, in the amount of \$1,665; and

C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Christopher M. Telhiard and Ann M. Telhiard, and any other related documents necessary to implement this Grant award.

17. Ratifying the following (*August 21, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning Residential Rehab Grant Funding and Lien Agreements at 3703 West Jackson Street:

1746

A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Jessie Johnson, owner of residential property located at 3703 West Jackson Street, Pensacola, Florida, in the Brownsville Redevelopment Area, in the amount of \$1,250, representing an in-kind match through Brownsville Tax Increment Financing (TIF), Fund 151, Cost Center 220515, Object Code 58301, for the following improvements:

Electrical rewiring

B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 3703 West Jackson Street, in the amount of \$1,250; and

C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Jessie Johnson, 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

1-23. Approval of Various Consent Agenda Items – Continued

18. Ratifying the following (*August 21, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning Residential Rehab Grant Funding and Lien Agreements at 600 Pelham Road:

1746

- A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Karen Summerville, owner of residential property located at 600 Pelham Road, Pensacola, Florida, in the Warrington Redevelopment Area, in the amount of \$2,400, representing an in-kind match through Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, for the following improvements:

Electrical rewiring and install new central heating and air conditioning system

- B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 600 Pelham Road, in the amount of \$2,400; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Karen Summerville, and any other related documents necessary to implement this Grant award.

19. Ratifying the following (*August 21, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning Residential Rehab Grant Funding and Lien Agreements at 2920 North G Street:

1746

- A. Approving Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Rosia Ishmael, owner of residential property located at 2920 North G Street, Pensacola, Florida, in the Englewood Redevelopment Area, in the amount of \$4,750, representing an in-kind match through Englewood Tax Increment Financing (TIF), Fund 151, Cost Center 220520, Object Code 58301, for the following improvements:

Install new central heating and air conditioning system and replace roof

(Continued on Page 33)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-23. Approval of Various Consent Agenda Items – Continued

19. Continued...

B. Approving Residential Rehab Grant Program Lien Agreement for the residential property located at 2920 North G Street, in the amount of \$4,750; and

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

20. Ratifying the following (*August 21, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning Sign Grant Program Funding Agreement at 3203 Olde Barrancas Avenue:

1746

A. Approving the Sign Grant Program Funding Agreement between Escambia County CRA and Law Office of Kenneth M. Jayne, owner of commercial property located at 3203 Olde Barrancas Avenue, Pensacola, Florida, in the Barrancas Redevelopment Area, in the amount of \$578, representing an in-kind match through the Barrancas Tax Increment Financing (TIF), Fund 151, Cost Center 220519, Object Code 58301 and 2007 Community Development Block Grant (CDBG), Fund 129, Cost Center 220555, Object Code 58301, for the following improvements:

Install new signage

B. Authorizing the Chairman to sign the Funding Agreement between Escambia County CRA and Law Office of Kenneth M. Jayne, 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

1-23. Approval of Various Consent Agenda Items – Continued

21. Ratifying the following (*August 21, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning Sign Grant Program Funding Agreement at 9 South 3rd Street:

1746

- A. Approving the Sign Grant Program Funding Agreement between Escambia County CRA and Ned King, Jr., owner of commercial property located at 9 South 3rd Street, Pensacola, Florida, in the Warrington Redevelopment Area, in the amount of \$597, representing an in-kind match through the Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, and 2007 Community Development Block Grant (CDBG), Fund 129, Cost Center 220555, Object Code 58301, for the following improvements:

Install new signage

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

22. Taking the following action regarding a Purchase and Sale Agreement between The Trust for Public Lands and Escambia County, to acquire certain real property located at 14700 River Road (Funding: LOST [*Local Option Sales Tax*] III, Fund 352, Account 220102):

1746

- A. Approving the Purchase and Sale Agreement with the Trust for Public Lands to purchase property at 14700 River Road for the appraised value of \$501,000;
- B. Approving the expenditure of closing and due diligence costs in accordance with the Purchase and Sale Agreement; and
- C. Authorizing the Chairman to sign the Agreement and associated documents related to the transaction.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-23. Approval of Various Consent Agenda Items – Continued

23. Taking the following action regarding the submission of the 2010 Fiscal Year Rollover Attestation Application for the Historical Grant for the Restoration of Escambia County Old Courthouse Phase IV:

1746

- A. Approving the submission of the 2010 Fiscal Year Rollover Attestation Grant Application to the Florida Department of State;
- B. Adopting a Resolution (*R2008-150*) authorizing or affirming:
 - (1) The submission of the 2010 Fiscal Year Rollover Attestation for Recommended 2009 Special Category Grant Application to the Florida Department of State, and authorizing the Chairman to execute the Grant Application and all documents required to receive and implement the Grant; and
 - (2) The availability of \$350,000 as local matching funds for the Historical Resources Grants-In-Aid Grant should the Grant be awarded; and
- C. Ratifying the County Administrator's signature on the Certification Update Form.

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1-4. Approval of Various Action Items

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving Action Items 1 through 4, as follows, with the exception of Item 3 (*the Board was advised by County Attorney Rogers that this item is scheduled for the October Committee of the Whole Workshop*):

1747

1. Approving not to intervene in the pending litigation, regarding Wanda McBrearty v. Madison National Life Insurance Company, Inc. Of Wisconsin, a Wisconsin Corporation, and National Insurance Services Of Wisconsin, Inc., a Wisconsin Corporation; Case No.: 2005-CA-001803, Division K, even though it may appear that Ms. McBrearty has an arguable claim for relief against either or both of the Defendants.
2. Ratifying, regarding Escambia County, Florida v. Allied Waste Services Of North America, LLC; Case No.: 3:08cv88/LAC/EMT, the rejection of the settlement proposal made by Allied Waste after mediation took place on July 18, 2008, according to the letter provided.
3. See Page 37.
4. Taking the following action concerning an Attorney-Client Session:
 - A. Scheduling a private meeting with the Board's attorneys to discuss pending litigation, in accordance with 286.011 (8), Florida Statutes, for September 4, 2008, at 3:45 p.m.; and

1747

1747

1747

(Continued on Page 37)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1-4. Approval of Various Action Items

4. Continued...

B. Approving the public notice printed below to be published in the Pensacola News Journal on Sunday, August 24, 2008:

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 the case of *Escambia County, Florida v. SmartCop, Inc.*, in accordance with § 286.011 (8), Florida Statutes. Such attorney-client session will be held prior to the meeting of the Board of County Commissioners scheduled to commence at 3:45 p.m., C.S.T. on Thursday, September 4, 2008, in the Board Meeting Room, First Floor, Escambia County Governmental Complex, 221 Palafox Place. Commissioners Gene Valentino, Marie Young, D. M. "Mike" Whitehead, Grover Robinson, IV, and Kevin White, County Administrator Robert McLaughlin, Attorney representing Escambia County, Charles V. Pepler, County Attorney Alison Rogers and a certified court reporter will attend the attorney-client session.

3. Scheduling of a Public Hearing

The Board took no action concerning the recommendation that the Board schedule a Public Hearing for September 4, 2008, at 5:31 p.m., to consider (*adopting an Ordinance*) repealing Section 46-310 of the Escambia County Code of Ordinances concerning Bank Eligible Obligation Issuance Fees.

1747

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

1. Adoption of Resolution

Motion made by Commissioner Robinson, seconded by Commissioner Whitehead, and carried unanimously, adopting the Resolution (*R2008-151*) supporting the Gulf Coast Citizen Diplomacy Council's Application for Provisional Membership with the National Council for International Visitor, which will allow the region to participate in the United States Department of State International Visitor Leadership Program.

1747

ITEMS ADDED TO THE AGENDA – COMMISSIONER KEVIN W.WHITE

1. Appointments to the Building Inspections Division Inspections Fund Advisory Board

Motion made by Commissioner White, seconded by Commissioner Whitehead, and carried unanimously, taking the following action concerning appointments to the BID (Building Inspections Division) Inspections Fund Advisory Board (IFAB):

1748

A. Waiving Board Policy B.1. Appointment Policy Procedures; and

B. Re-appointing the following two (2) members, for a three-year term, effective October 1, 2008, through September 30, 2011:

(1) Bob Price, Jr., Bob Price, Jr. Builder, Inc. (Construction Industry Trade); and

(2) Paul E. Stanley, BB & T Corporation (Licensed Architect, Professional Engineer or Construction Lending and Finance).

ANNOUNCEMENTS

1. Scheduling of Special Emergency Meeting

Motion made by Commissioner Robinson, seconded by Commissioner Young, and carried unanimously, scheduling a Special Emergency Board Meeting for Friday, August 22, 2008, at 10:00 a.m., at the Emergency Operations Center, due to the forecast track of Tropical Storm Fay.

1732

2. FOR INFORMATION: The Board was advised by Commissioner Valentino that students from Chain Reaction, who will assist the Board as volunteer Pages (*at future Board Meetings*), were present at tonight's Meeting.

1748

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

ADJOURNMENT

There being no further business to come before the Board, Chairman Valentino declared the Regular Meeting of the Board of County Commissioners adjourned at 5:49 p.m.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

ATTEST:

Ernie Lee Magaha
Clerk of the Circuit Court & Comptroller

By: _____
Gene M. Valentino, Chairman



Deputy Clerk

Approved: September 4, 2008