

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD OCTOBER 16, 2008
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(4:36 p.m. – 7:30 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 4:36 p.m.

1. FOR INFORMATION: The Board:

- A. Heard the request, which was also provided in the form of a letter, from Danny C. Doege and Jerry Westmoreland that the peacocks that, until recently, have been allowed to roam free in the Pleasant Grove area, be allowed to roam free once again;
- B. Was advised by County Attorney Rogers that, because the County's Animal Control Ordinance does not identify peacocks as pets, they fall into the category of wild animals, which, if determined to be a nuisance, are subject to impoundment; and
- C. With consensus from the Board, heard the request from Commissioner Valentino that staff "clean up" the Ordinance to allow peacocks to roam free.

1639

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

PUBLIC FORUM WORK SESSION – Continued

2. FOR INFORMATION: The Board:

1642

A. Heard comments/requests from the following three individuals concerning allocating funds to remove hurricane debris and restore the canal located in Siguenza Cove:

Trish Altgilbers
Ron Waggoner
Ann Griffin

B. Upon inquiry from Commissioner White, was advised by Keith Wilkins, Deputy Bureau Chief, Neighborhoods and Community Services Bureau, that there are no Grants available for this project; and

C. Was advised by County Administrator McLaughlin that discussion concerning this issue will be on the agenda for the November Committee of the Whole Workshop.

3. FOR INFORMATION: The Board heard comments from Sherri Myers, who expressed her concerns regarding the Board's discussion at the October 9, 2008, Committee of the Whole Workshop relating to the Economic Development Advisory Committee and whether or not the Committee should be required to adhere to the Florida Sunshine Law, and heard her request that the County Attorney research this matter.

1718

4. FOR INFORMATION: The Board heard the request from Margo Stringfield, on behalf of the St. Michael's Cemetery Foundation, that the Board consider an allocation, from the 4th Cent Tourist Development Tax, to assist with funding for St. Michael's Cemetery.

1732

5. FOR INFORMATION: The Board heard the request from Dan Arnold that the County allow Just for Jesus, Inc., to utilize The Pensacola Civic Center, at no cost, for a student/family Christian event.

1733

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

PUBLIC FORUM WORK SESSION – Continued

6. FOR INFORMATION: The Board:

1735

- A. Heard the request from Joe Whitten, owner of Lot 9, Central Commerce Park, that the Board approve allowing a cellular telephone tower to be built on his property; and
- B. Upon inquiry from Commissioner Robinson, was advised by County Attorney Rogers that the zoning for Mr. Whitten's property allows towers up to 150 feet, and, since the Covenants do not address this issue, the following options are conceivable:
 - (1) Allow the tower to be constructed, as allowed by the current zoning of Mr. Whitten's property;
 - (2) Proactively amend the Covenants to specifically allow towers; or
 - (3) Take no action to amend the Covenants and contact the adjoining land owners to seek no objection.

7. FOR INFORMATION: The Board:

1743

- A. Heard the request from John Trawick, Esquire, representing Rene West, Executive Landscaping, Inc., for written documentation from the County acknowledging that the requirement to obtain a permit to build a retaining wall was not in place (*in the County's Ordinance*) at the time Mr. West was cited; and
- B. With consensus from the Board, was advised by Commissioner Whitehead that he would add a recommendation concerning Mr. Trawick's request to the agenda for this evening's Regular BCC Meeting.

5:51 P.M. – PUBLIC FORUM ADJOURNED

6:00 P.M. – REGULAR BOARD MEETING CONVENED

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA

1. Call to Order

Chairman Valentino called the Regular Meeting of the Board of County Commissioners to order at 6:00 p.m.

2. Invocation

Commissioner White advised that Horace Jones would deliver the Invocation.

3. Pledge of Allegiance to the Flag

Horace Jones led the Pledge of Allegiance to the Flag.

4. Adoption of the Agenda

Motion made by Commissioner Whitehead, seconded by Commissioner White, and carried unanimously, adopting the agenda as prepared and duly amended (*to add Items I-1.C and I-1.D to the Clerk of the Circuit Court & Comptroller's Report; and include Commissioner Whitehead's add-on item concerning a request made during Pubic Forum from John Trawick, Esquire, Commissioner Valentino's add-on item concerning adoption of a Resolution, and the County Attorney's Report [Item I-1]*).

1801

5. Commissioners' Forum

- A. District 4 – Commissioner Robinson expressed gratitude toward the Road Prison Division for cleanup work done on Spanish Trail; and
- B. District 5 – Commissioner White wished Amy Lovoy, Bureau Chief, Management and Budget Services Bureau, "Happy Birthday."

1803

REGULAR BCC AGENDA – Continued

6. Proclamations

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

1806

- A. The Proclamation proclaiming October 2008 as “National Disabilities Awareness Month” in Escambia County; and
- B. The Proclamation proclaiming October 2008, as “Community Planning Month” in Escambia County.

7. Employee of the Month Proclamations/Retirement Proclamations

1807

Motion made by Commissioner White, seconded by Commissioner Young, and carried unanimously, adopting the following four Proclamations:

- A. The Proclamation commending and congratulating Larry P. Overton, Deputy Bureau Chief, Public Works Bureau, on his retirement after 30 years of service;
- B. The Proclamation commending and congratulating Kathleen A. Spencer, Purchasing Specialist, Management and Budget Services Bureau, on her retirement after 30 years of service;
- C. The Proclamation commending and congratulating Phillip S. Veazey, GIS Technician, Development Services Bureau, on his retirement after 11 years of service; and
- D. The Proclamation commending and congratulating Roger E. Workman, Program Manager, Public Works Bureau, on his retirement after 29 years of service.

REGULAR BCC AGENDA – Continued

8. Written Communication

A. Funding Request – The ZOO Northwest Florida

1807

Motion made by Commissioner Whitehead, seconded by Commissioner Robinson, and carried 4-1, with Commissioner White voting "no," approving to structure a payment schedule that would allow immediate disbursement of \$50,000, subsequent disbursement, in 90 days, of an additional \$50,000, and (*disbursement of*) the remaining \$25,000 on or around March 1, 2009, relative to an email communication, dated October 6, 2008, from Danyelle L. Lantz, Executive Director, The ZOO Northwest Florida, requesting that the Board consider providing matching funds to support the annual operating Budget of the Gulf Coast Zoological Society d/b/a The ZOO Northwest Florida.

Speaker(s):

Danyelle L. Lantz
Jay Gould
Joel Sampson

B. Code Enforcement Lien – Amos Weatherspoon

1833

Motion made by Commissioner White, seconded by Commissioner Young, and carried unanimously, approving to waive the fines and collect the abatement fees, in the amount of \$1,660, and the Hearing cost, in the amount of \$675, relative to a communication, dated September 10, 2008, from Amos Weatherspoon requesting that the Board forgive a Code Enforcement Lien against property located at 1806 West Lakeview Drive.

Speaker(s):

Amos Weatherspoon

REGULAR BCC AGENDA – Continued

9. Proofs of Publication

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

1834

A. The following four Public Hearings on the agenda:

- (1) The 5:31 p.m. Public Hearing, advertised in the Pensacola News Journal on October 1, 2008, for consideration of the Petition to Vacate a 90 square-foot portion of a 20-foot wide drainage easement on Lot 12, Block C, Creekside Oaks Subdivision, as petitioned by William E. Foster;
- (2) The 5:32 p.m. Public Hearing, advertised in the Pensacola News Journal on October 4, 2008, for consideration of adopting an Ordinance establishing maximum prices for towing and storage services in Escambia County, including documentation requirements;
- (3) The 5:33 p.m. Public Hearing, advertised in the Pensacola News Journal on October 5, 2008, for consideration of adopting an Ordinance repealing Ordinance Number 2007-80, which removed the MU-PK dwelling and lodging unit cap on Perdido Key; and
- (4) The 5:34 p.m. Public Hearing, advertised in the Pensacola News Journal on October 14, 2008, for consideration of SBA Number 1 re-budget the Funds associated with ongoing projects that were not completed by the end of Fiscal Year 2007-2008; and

(Continued on Page 8)

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 October 13, 2008 – October 17, 2008 – Legal No. 1356392*, as published in the Pensacola News Journal on October 12, 2008, as follows:

1834

- October 13 8:30 a.m. Planning Board
- October 14 10:00 a.m. Benefits Committee Meeting
- October 14 1:00 p.m. Local Mitigation Strategy Planning/Plan Review TSG
- October 14 1:30 p.m. Environmental Enforcement Special Magistrate
- October 14 2:00 p.m. Local Mitigation Strategy Workshop
- October 14 5:00 p.m. Housing Finance Authority
- October 14 5:00 p.m. Merit System Protection Board
- October 15 8:00 a.m. Soil & Water Conservation Board
- October 15 8:30 a.m. Board of Adjustment
- October 15 1:00 p.m. Development Review Committee
- October 15 5:00 p.m. Santa Rosa Island Authority Regular Meeting
- October 16 9:00 a.m. Agenda Work Session
- October 16 9:00 a.m. Board of Electrical Examiners
- October 16 4:20 p.m. Community Redevelopment Agency
- October 16 4:30 p.m. Board of County Commissioners Public Forum
- October 16 5:30 p.m. Board of County Commissioners Public Hearings & Reports

NEXT WEEK'S NOTE:

- October 20 4:00 p.m. West Florida Regional Planning Council

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 Whitehead, seconded by Commissioner White, and carried unanimously, taking the following action regarding the Petition to Vacate a 90 square-foot portion of a 20-foot wide Drainage Easement on Lot 12, Block C, Creekside Oaks Subdivision, as petitioned by William E. Foster:

1834

- A. Approving the Petition to Vacate;
- B. Accepting the Hold/Harmless Agreement;
- C. Adopting the Resolution (*R2008-172*) to Vacate;
- D. Accepting the Drainage Easement from William E. Foster; and
- E. Authorizing the Chairman or Vice Chairman to accept the documents as of the day of delivery of the documents to the Chairman or Vice Chairman, and authorizing the Chairman or Vice Chairman to execute them at that time.

Speaker(s) – None.

11. 5:32 p.m. Public Hearing

Motion made by Commissioner Whitehead, seconded by Commissioner Young, and carried unanimously, approving to hold and bring to the November 18, 2008 (*City-County Joint*) Meeting, the recommendation that the Board, at the, take the following action concerning nonconsensual towing and storage services:

1835

- A. Hold the 5:32 p.m. Public Hearing to consider adopting an Ordinance establishing maximum prices for towing and storage services in Escambia County, including documentation requirements;
- B. Adopt, and authorize the Chairman to sign the Ordinance;
- C. Adopt the Rate Resolution as authorized by the Ordinance; and
- D. Authorize the Chairman to sign the Resolution.

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

12. 5:33 p.m. Public Hearing

Motion made by Commissioner Whitehead, seconded by Commissioner Young, and carried unanimously, adopting an Ordinance (*Number 2008-54*) repealing Ordinance Number 2007-80, which removed the MU-PK dwelling and lodging unit caps on Perdido Key.

1835

Speaker(s):

Joe Gilchrist
Ann Griffin

13. 5:34 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning re-budgeting ongoing projects that were not completed by the end of Fiscal Year 2007-2008, with the exception of SHIP Fund (120):

1857

- A. Ratifying the scheduling (*and advertising*) of the 5:34 p.m. Public Hearing on October 16, 2008, to amend the Fiscal Year 2008-2009 Budget for the purpose of recognizing prior year grants and fund balances and appropriating these funds for ongoing projects;
- B. Adopting the Resolution (*R2008-174*) approving Supplemental Budget Amendment Number 1, in the amount of \$94,781,020, to re-budget the following funds associated with ongoing projects that were not completed by the end of Fiscal Year 2007-2008:

- General Fund (001)
- Escambia County Restricted Fund (101)
- Economic Development Fund (102)
- Code Enforcement Fund (103)
- Tourist Promotion Fund (108)
- Other Grants and Projects Fund (110)
- Disaster Recovery Fund (112)

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

13. Continued...

B. Continued...

CDBG/Entitlement Fund (129)
Fire Protection Fund (143)
E-911 Operations Fund (145)
HUD HOME Fund (147)
Community Redevelopment Fund (151)
Southwest Sector CRA Fund (152)
Transportation Trust Fund (175)
Master Drainage Funds (181)
FTA Capital Fund (320)
New Road Construction Fund (333)
Local Option Sales Tax Fund (350)
Local Option Sales Tax II Fund (351)
Local Option Sales Tax III Fund (352)
Solid Waste Fund (401)
Building Inspections Fund (406)
Emergency Medical Services Fund (408)
Civic Center Fund (409)
Internal Service Fund (501)

C. Approving all associated Fiscal Year 2008-2009 Purchase Orders for projects with existing Purchase Orders.

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*), approving (*to re-budget*) SHIP Fund (120).

Speaker(s) – None.

REGULAR BCC AGENDA – Continued

14. Committee of the Whole Recommendation(s)

Motion made by Commissioner Robinson, seconded by Commissioner Young, and carried unanimously, taking the following action, as recommended by the Committee of the Whole (C/W), at the October 9, 2008, C/W Workshop:

1859

- A. Authorizing staff to work with the County Attorney to prepare an agreement with The Arts Council of Northwest Florida and the Pensacola Museum of Art to lease, upon completion of the Historical Renovation Project, the first floor of the Old County Courthouse to develop an Arts and Cultural Center, regarding the RLI (*Request for Letters of Interest, Lease of the First Floor of the Old County Courthouse, 223 Palafox Place, Pensacola, Florida, PD 07-08.097* [Item 4]); and
- B. Taking the following action regarding the *Board of County Commissioners (BCC) "Employees in Action (EMPACT)" Suggestion Award Program* (Item 14):
 - (1) Authorizing staff to incorporate the Program into the Human Resources Policy and Procedures Manual; and
 - (2) Rescinding the current Policy at the BCC level.

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

1-5. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving Consent Agenda Items 1 through 5, as follows:

1859

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

1859

A. The following two Payroll Expenditures:

- (1) Early Retirement Buyout Payroll, as of Payday September 30, 2008, in the amount of \$1,141,172.00; and
- (2) As of Payday October 3, 2008, in the amount of \$2,211,093.75;

B. The following two Disbursement of Funds:

- (1) September 25, 2008, to October 1, 2008, in the amount of \$17,567,857.31; and
- (2) October 2, 2008, to October 8, 2008, in the amount of \$728,611.72;

C. The Investment Report for the month ended September 30, 2008; and

D. The Tourist Development Tax (TDT) Collections Data for Fiscal Year 2007-2008, which includes the August 2008 returns received in the month of September 2008; the revenues collected to date represent 12 months of collections and reflect 108% of the Budget for Fiscal Year 2007-2008; these collections overall are 5% greater than collections in Fiscal Year 2006-2007.

2. Accepting, for filing with the Board's Minutes, the Minutes of the Quarterly Meeting of the County Investment Advisory Committee (CIAC) held July 25, 2008, as prepared by the Clerk to the Board's Office.

1859

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

1-5. Approval of Various Consent Agenda Items – Continued

3. Approving six (6) forms, *Requests for Disposition of Property*, indicating equipment to be sold as surplus and/or appropriately disposed of, to be effective September 30, 2008; the Requests were prepared by various County Bureaus and state the reasons for disposition/reinstatement. 1859

4. Accepting, for filing with the Board's Minutes, the following documents provided to the Clerk & Comptroller's Office: 1859

A. Closing documents relating to the sale of surplus property located on Moore Street, Reference Number 26-5N-31-1101-001-001, to William K. Moore, pursuant to the Board's action of February 21, 2008, approving the sale of the property, as provided to the Clerk to the Board's Office on September 24, 2008; and

B. The *Northwest Florida Water Management District Proposed Budget Fiscal Year 2008-2009, Effective October 1, 2008, and Resolution No. 704, Adoption of Fiscal Year 2008-2009 Budget*, as provided by Larry R. Wright, Deputy Executive Director, Northwest Florida Water Management District, and received in the Clerk to the Board's Office on September 30, 2008.

5. Taking the following action concerning Minutes and Reports prepared by the Clerk to the Board's Office: 1859

A. Approving the Minutes of the Attorney-Client Session held October 2, 2008;

B. Approving the Minutes of the Public Forum Work Session and Regular Board Meeting held October 2, 2008, 2008; and

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

1-5. Approval of Various Consent Agenda Items – Continued

5. Continued...

1859

C. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held October 2, 2008, as follows:

1. FOR INFORMATION: The agenda package for the 5:30 p.m., October 2, 2008, Regular Board Meeting was reviewed as follows:
 - A. Shirley L. Gafford, Program Coordinator, County Administrator's Office, and 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, Bureau Chief, Development Services Bureau, County Attorney Rogers, Colby Brown, Division Manager, Development Services Bureau, and Joy D. Blackmon, Bureau Chief, Public Works Bureau, reviewed the Growth Management Report;
 - D. Shirley L. Gafford, Program Coordinator, County Administrator's Office, County Administrator McLaughlin, Amy Lovoy, Bureau Chief, Management and Budget Services Bureau, Sandra Jennings, Bureau Chief, Neighborhoods and Community Services Bureau, and Claudia Simmons, Purchasing Manager, reviewed the County Administrator's Report; and
 - E. County Attorney Rogers reviewed the County Attorney's Report.
2. FOR INFORMATION: The Board was advised by Keith Wilkins, Deputy Bureau Chief, Neighborhoods and Community Services Bureau, that representation from Districts 1, 2, 4, and 5 is needed to fill nine vacancies in the County's first Citizens' Academy Class, which begins October 13, 2008.

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

1-13. Approval of Various Consent Agenda Items

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried unanimously, approving Consent Agenda Items 1 through 13, as follows, with the exception of Item 5, which was held for a separate vote, as amended to drop Item 13:

1900

1. Appointing Alfred F. Grimm, President of the Brownsville Neighborhood Watch Group, in the Brownsville Redevelopment Area, to serve a four-year term on the Enterprise Zone Development Agency Board, as a resident living in the Enterprise Zone, effective October 2008 until October 2012. 1900
2. Accepting, for filing with the October 16, 2008, Board's Minutes, the Enterprise Zone Development Agency Third Quarter Report. 1900
3. Approving, for filing with Board's Minutes, the September 18, 2008, Community Redevelopment Agency (CRA) Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA.
4. Taking the following action concerning the Henley Sports, Inc., Pensacola Civic Center Lease Agreement: 1900
 - A. Authorizing the County Administrator to confirm the termination of the current Lease with Henley Sports, Inc., based on Section 17.a.2 of the Lease Agreement;
 - B. Directing the County Attorney's Office to draft the appropriate document providing notice of Lease termination for Henley Sports, Inc., to vacate the premises to avoid eviction; and
 - C. Notifying Henley Sports, Inc., they must vacate the Pensacola Civic Center premises within 30 days.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-13. Approval of Various Consent Agenda Items – Continued

5. See Page 20.
6. Taking the following action concerning the donation of surplus property (obsolete computers/monitors) to New World Believers Ministries (to assist in the organization's mission to provide a GED education program open to all in the local community):
 - A. Adopting a Resolution (*R2008-175*) stating the application being made and the purpose for which such surplus property is to be used is in compliance with Florida Statutes 274.06 and 125.38; and
 - B. Authorizing the Chairman to sign all documents related to the donation.
7. Supporting the annual “Day of Caring,” sponsored by the United Way of Escambia County, as a public purpose, thereby, authorizing a maximum of eight hours of administrative leave, with pay, on October 24, 2008, for employees who voluntarily participate in this event, and approving to extend Workers’ Compensation coverage to County employees involved in this event.
8. Taking the following action regarding the donation of a 30-foot by 500-foot Drainage Easement, located east off Stallion Road just south of Pinto Circle:
 - A. Authorizing Staff to resolve any matters related to or associated with the donation of the Drainage Easement;
 - B. Authorizing payment of documentary stamps because the property is being donated for governmental use, which is for improvement and maintenance of the County drainage system, and the County benefits from this donation of property because this improvement will improve the quality of life, as well as minimize environmental impacts and recurring maintenance costs;

1900

1900

1900

(Continued on Page 18)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-13. Approval of Various Consent Agenda Items – Continued

8. Continued...

C. Authorizing the payment of incidental expenditures associated with the donation of this property, which includes title searches, legal document preparation fees, and recording of documents; and

D. Authorizing the Chairman or Vice Chairman to accept the Drainage Easement as of the day of delivery to the Chairman or Vice Chairman, and authorizing the Chairman or Vice Chairman to acknowledge the Board's acceptance at that time.

9. Taking the following action concerning the conveyance of a Utility Easement to Peoples Water Service Company of Florida, Inc., for the Jones Swamp Preserve:

1900

A. Authorizing the Chairman to execute the *Utility Easement* granting a 10-foot by 278.98-foot (2,789.80 square feet, 0.064 acre) Utility Easement in favor of Peoples Water Service Company of Florida, Inc., for the maintenance of fire and water service for County property located on Albany Avenue and which is part of the Jones Swamp Preserve property; and

B. Authorizing the Chairman to execute the *Bill of Sale of Utility System* document for the transfer to Peoples Water Service Company of Florida, Inc., the pipelines, fire hydrant, and other related structures, as described on Exhibit "A" to the *Bill of Sale of Utility System* document.

10. Approving, and authorizing the Chairman to sign, the *Overhead Distribution Easement*, to Gulf Power to facilitate the relocation of its power line on the Pipeline Road Microwave Communications Tower property.

1900

11. Directing the Escambia County Attorney to prepare an Ordinance, and schedule a Public Hearing (*for consideration of adopting the drafted Ordinance*), to designate a portion of the Gulf side beach on Pensacola Beach as an alcohol-free area (320 feet west of the existing Pensacola Beach Gulf Pier and approximately 225 feet east from the shoreline to the sand fencing [1.75 acres]), with enforcement powers.

1900

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-13. Approval of Various Consent Agenda Items – Continued

12. Taking the following action concerning economic development:

1900

A. Adopting the following two Resolutions:

- (1) The Resolution (*R2008-176*) approving Project Green Leaf as a qualified applicant, pursuant to Section 288.106, Florida Statutes, in the Qualified Target Industry Tax Refund Program for Fiscal Year(s) 2009 through 2014; and acknowledging the project/manufacturing location lies within a designated Brownfield and a designated Enterprise Zone; and
- (2) The Resolution (*R2008-177*) approving Project Green Leaf's Corporate Office as a qualified applicant, pursuant to section 288.106, Florida Statutes; providing an appropriation of up to \$39,000 in the form of local tax rebates provided for under the Escambia County Economic Development Incentives Ordinance as local participation in the qualified Target Industry Tax Refund Program for Fiscal Year(s) 2009 through 2014; and

B. Authorizing the Chairman to sign the Resolutions.

13. Dropping the recommendation that the Board schedule a Public Hearing on November 6, 2008, at 5:31 p.m., for consideration of adopting an Ordinance creating (*Chapter 18, Article IX, Division 1*) Section 18-400, of the Escambia County Code of Ordinances, providing authorization for pari-mutuel wagering facilities to conduct cardroom gaming as allowed by Florida Law.

1900

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

5. Agency for Health Care Administration's Low Income Pool

Motion made by Commissioner Young, 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*), taking the following action concerning County participation in the Agency for Health Care Administration's Low Income Pool:

1900

- A. Approving the *Letter of Agreement* between the State of Florida Agency for Health Care Administration (AHCA) and Escambia County; and
- B. Authorizing the Chairman to sign the *Letter of Agreement*.

II. BUDGET/FINANCE CONSENT AGENDA

1-32. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Young, and carried unanimously, approving Consent Agenda Items 1 through 32, as follows, with the exception of Items 4, 6, 15, 25, and 26, which were held for separate votes, as amended to drop Item 13 and correct the Cost Center (*for Fund 143 [Fire Services]*) to 330202 in Item 12:

1902

- 1. Taking the following action concerning Supplemental Budget Amendment Number 2:
 - A. Adopting the Resolution (*R2008-178*) approving Supplemental Budget Amendment Number 2, General Fund (001), Tourist Promotion Fund (108), and the Debt Service Fund (203), in the amount of \$10,960,009, to:
 - (1) Transfer the 2002 Tourist Development Tax Debt Reserve from the Tourist Development Tax Fund to the Debt Service Fund;
 - (2) Transfer the General Fund Debt Service Reserve from the General Fund to the Debt Service Fund;

1902

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

1. Continued...

A. Continued...

- (3) Appropriate portions of these funds to pay off the Downtown and Leonard Street Energy Performance Loans;
- (4) Appropriate \$560,000 to make a Debt Service payment on the 2002 Tourist Development Tax Bond from the Tourist Development Tax Debt Reserve;
- (5) Delete the contribution from the Santa Rosa Island Authority;
- (6) Appropriate the balance of these funds into Reserves to make future Debt Service payments on the 2002 Tourist Development Bonds, as well as the 1997 Gulf Breeze Loan Pool Loan;
- (7) Delete the Loan from the General Fund to the Tourist Promotion Fund; and
- (8) Appropriate \$794,506 into the First 3-Cents Reserves in the Tourist Promotion Fund;

B. Authorizing the Clerk's Office to pay off the Downtown and Leonard Street Energy Performance Loans; and

C. Authorizing the Clerk's Office to remove the restriction on the cash collected from taxes on Santa Rosa Island (including funding received from any Portofino accounts), with the exception of the monies collected from accounts remaining in litigation.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

2. Approving, for Fiscal Year 2008-2009, the issuance of individual Purchase Orders in excess of \$50,000, based upon previously-awarded annual requirements, as follows:

1902

<u>Contractor</u>	<u>Amount</u>
A. City of Pensacola Vendor Number: 033300 Northwest Florida Regional Library Fund: 001 Cost Center: 110201 Account Code: 58102	\$3,477,405
B. Northwest Florida Legal Services, Inc. Vendor Number: 141832 Legal Aid Fund: 115 Cost Center: 410802 Account Code: 58201	\$ 124,688
C. O'Sullivan, Creel, LLP Vendor Number: 150323 Audit Services Fund: 001 Cost Center: 140201 Account Code: 53101	\$ 184,120
D. City of Pensacola Vendor Number: 033300 Saenger Renovations Fund: 352 Cost Center: 110267 Account Code: 58101	\$2,000,000

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

3. Taking the following action concerning approval of the Fiscal Year 2008-2009 Miscellaneous Appropriations Agreement for Pensacola-Escambia Clean Community Commission, Inc.:

1902

A. Approving the Miscellaneous Appropriations Agreement, for \$35,000, to be paid from Fund 401, Solid Waste Fund, Cost Center 230314, Account 53401;

B. Authorizing the Chairman to sign the Agreement and all other necessary documents; and

C. Authorizing the execution of the necessary Purchase Order.

4. See Page 42.

5. Approving a Purchase Order, in the amount of \$219,877.53, for the funds allocated to the Pensacola Little Theatre, Inc., for Fiscal Year 2008-2009; there is no additional budgetary impact; the funds remaining from the original appropriation have been carried over for Fiscal Year 2008-2009.

1902

6. See Page 42.

7. Taking the following action concerning approval of the Fiscal Year 2008-2009 Miscellaneous Appropriations Agreement for the Naval Aviation Museum Foundation, Inc.:

1902

A. Approving the Miscellaneous Appropriations Agreement, for \$100,000, to be paid from the 4th Cent Tourist Development Tax, Fund 108, Cost Center 360105;

B. Authorizing the Chairman to sign the Agreement and all other necessary documents; and

C. Authorizing the execution of the necessary Purchase Order.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

8. Taking the following action concerning approval of the Fiscal Year 2008-2009 Miscellaneous Appropriations Agreement for Wildlife Sanctuary of Northwest Florida, Inc.:
 - A. Approving the Miscellaneous Appropriations Agreement, for \$40,000, to be paid from Fund 101, Escambia County Restricted Fund, Cost Center 220310, Account 58201;
 - B. Authorizing the Chairman to sign the Agreement and all other necessary documents; and
 - C. Authorizing the execution of the necessary Purchase Order.
9. Awarding a Contract for “Escambia County Graphics Design Package,” PD 07-08.128, to Birdwell Photography & Multimedia, Inc., in accordance with the terms and conditions of the solicitation and appropriation of funds, for the negotiated price of \$49,000, with funding available from the Capital Improvement Program Fund 001 (Government Access TV Station), Cost Center 380201.
10. Taking the following action concerning Term Employment Services:
 - A. Authorizing the Contract “Term Employment Services,” PD 06-07.017, awarded originally to Staffco Management Group, Inc., d/b/a American Staffing Resources, be assigned to Compensation Management, Inc., d/b/a American Staffing Resources, to be effective retroactive to August 20, 2008, in accordance with the terms and conditions of the Contract; funding is available in various Funds and Cost Centers; and
 - B. Authorizing the Chairman to sign the Assignment of Agreement.

1902

1902

1902

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

11. Authorizing the County to piggyback off the Defense Supply Center Columbus Land Supply Chain Contract # BOA SPM7LX-08-G-0002 and authorizing various Divisions to issue Purchase Orders to NAPA for automotive parts and supplies; expenditures over \$50,000 will be brought to the Board for approval; funding is available from various Funds and Cost Centers. 1902
12. Approving the Assignment of Agreement of awarded vendor, Tri-anim Health Services, Inc., to Bound Tree Medical, LLC, also an awarded vendor, on the pricing Agreement with multiple vendors awarded on Contract PD 06-07.072, "Medical Supplies and Equipment," approved on June 21, 2007; the two companies merged on September 29, 2008 (Funding Source: Cost Center 330302, Fund 408 [Emergency Medical Service], and Cost Center 330202, Fund 143 [Fire Services]). 1902
13. Dropping the recommendation that the Board approve the assignment of the Agreement with awarded client Allan Paul Waters, of Waters Risk Management, who has recently integrated his business with Siver Insurance Consultants; Al Waters will remain the CEO of the newly merged firms as of October 1, 2008; Waters Risk Management will assume the new name of E.W. Siver and Associates, Inc., maintaining the same professional staff, while Waters' staff will be absorbed into the Siver's corporate entity; this wealth of experience and expertise of the combined professionals will only enhance Waters Risk Management's capabilities to serve the Board of County Commissioners (Funding Source: Fund 501, Workers' Compensation Health and Life Fund, Cost Center 140835, Object Code 53101): 1902

<u>Old Address</u>	<u>New Address</u>
Waters Risk Management 6580 64th Avenue North Pinellas Park, Florida 33781	E.W. Siver and Associates, Inc. 9400 4th Street North, Suite 119 St. Petersburg, Florida 33702

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

14. Taking the following action concerning a *Memorandum of Understanding by and between the Civil Air Patrol by the Florida Wing and Escambia County Board of Commissioners* (Funding Source: Fund 112, Disaster Recovery [if required]):

1902

A. Approving the Memorandum of Understanding (MOU) for a term of five years from its effective date (*October 16, 2008*), with cost incurred only when the Civil Air Patrol (CAP) mission support is requested by Escambia County; and

B. Authorizing the Chairman to sign the MOU.

15. See Page 44.

16. Ratifying the following (*October 16, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Facade Grant Funding and Lien Agreements (*for property located*) at 5104 North “W” Street:

1902

A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Dennis C. Paedae, Jr., and Suzanne R. Paedae, owners of commercial property located at 5104 North “W” Street, Pensacola, Florida, in the Palafox Redevelopment Area, in the amount of \$10,000, representing an in-kind match through the Palafox Tax Increment Financing (TIF), Fund 151, Cost Center 220517, Object Code 58301, and/or Neighborhood Enterprise Foundation, Inc. (NEFI), 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 5104 North “W” Street, in the amount of \$10,000; and

C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Dennis C. Paedae, Jr., and Suzanne R. Paedae, 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

1-32. Approval of Various Consent Agenda Items – Continued

17. Ratifying the following (*October 16, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Facade Grant Funding and Lien Agreements (*for property located*) at 1612 North Pace Boulevard, Suite 5:

1902

- A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and L 5006 Investments, Inc., owner of commercial property located at 1612 North Pace Boulevard, Suite 5, Pensacola, Florida, in the Englewood Redevelopment Area, in the amount of \$3,880, representing an in-kind match through the Englewood Tax Increment Financing (TIF), Fund 151, Cost Center 220520, Object Code 58301, and/or Neighborhood Enterprise Foundation, Inc. (NEFI), 2007 Community Development Block Grant (CDBG), Fund 129, Cost Center 220555, Object Code 58301, for the following improvements:

Install new electric sliding glass doors

- B. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreement for the property located at 1612 North Pace Boulevard, Suite 5, in the amount of \$3,880; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and L 5006 Investments, Inc., 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

1-32. Approval of Various Consent Agenda Items – Continued

18. Ratifying the following (*October 16, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Facade Grant Funding and Lien Agreements (*for property located*) at 3603 West Mobile Highway:

1902

A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Joseph E. Melei and Margie R. Melei, owners of commercial property located at 3603 West Mobile Highway, Pensacola, Florida, in the Brownsville Redevelopment Area, in the amount of \$10,000, representing an in-kind match through the Brownsville Tax Increment Financing (TIF), Fund 151, Cost Center 220515, Object Code 58301, and/or Neighborhood Enterprise Foundation, Inc. (NEFI), 2007 Community Development Block Grant (CDBG), Fund 129, Cost Center 220555, Object Code 58301, for the following improvements:

Restoration of architectural features and parking lot improvements

B. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreement for the property located at 3603 West Mobile Highway, in the amount of \$10,000; and

C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Joseph E. Melei and Margie R. Melei, 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

1-32. Approval of Various Consent Agenda Items – Continued

19. Ratifying the following (*October 16, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Facade Grant Funding and Lien Agreements (*for property located*) at 1002 North Navy Boulevard:

1902

A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Rydon, Inc., owner of commercial property located at 1002 North Navy Boulevard, Pensacola, Florida, in the Warrington Redevelopment Area, in the amount of \$5,777, representing an in-kind match through the Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, and/or Neighborhood Enterprise Foundation, Inc. (NEFI), 2007 Community Development Block Grant (CDBG), Fund 129, Cost Center 220555, Object Code 58301, for the following improvements:

Electrical rewiring

B. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreement for the property located at 1002 North Navy Boulevard, in the amount of \$5,777; and

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

1-32. Approval of Various Consent Agenda Items – Continued

20. Ratifying the following (*October 16, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 1200 Rio Grande Circle:

1902

A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Ernest McNeil and Alice F. McNeil, owners of residential property located at 1200 Rio Grande Circle, Pensacola, Florida, in the Palafox Redevelopment Area, in the amount of \$888, representing an in-kind match through the Palafox Tax Increment Financing (TIF), Fund 151, Cost Center 220517, Object Code 58301, for the following improvements:

Install new storm shutters

B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 1200 Rio Grande Circle, in the amount of \$888; and

C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Ernest McNeil and Alice F. McNeil, and any 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

1-32. Approval of Various Consent Agenda Items – Continued

21. Ratifying the following (*October 16, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 3405 West Fisher Street:

1902

A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and John H. Albritton, owner of residential property located at 3405 West Fisher Street, Pensacola, Florida, in the Englewood Redevelopment Area, in the amount of \$892, representing an in-kind match through the Englewood Tax Increment Financing (TIF), Fund 151, Cost Center 220520, 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 3405 West Fisher Street, in the amount of \$892; and

C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and John H. Albritton, and any 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

1-32. Approval of Various Consent Agenda Items – Continued

22. Ratifying the following (*October 16, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 1221 Cheyenne Circle:

1902

A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Kenneth Harrison, owner of residential property located at 1221 Cheyenne Circle, Pensacola, Florida, in the Palafox Redevelopment Area, in the amount of \$4,532, representing an in-kind match through the Palafox Tax Increment Financing (TIF), Fund 151, Cost Center 220517, Object Code 58301, for the following improvements:

Replace roof, replace windows, and install new storm shutters

B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 1221 Cheyenne Circle, in the amount of \$4,532; and

C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Kenneth Harrison, and any 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

1-32. Approval of Various Consent Agenda Items – Continued

23. Ratifying the following (*October 16, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 405 Gibbs Road:

1902

A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Robert W. Tubb, owner of residential property located at 405 Gibbs Road, Pensacola, Florida, in the Warrington Redevelopment Area, in the amount of \$5,925, representing an in-kind match through the Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, for the following improvements:

Install new storm shutters and replace windows

B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 405 Gibbs Road, in the amount of \$5,925; and

C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Robert W. Tubb, and any 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

1-32. Approval of Various Consent Agenda Items – Continued

24. Ratifying the following (*October 16, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Sign Grant Funding Agreement (*for property located*) at 5104 North “W” Street:

1902

A. Approving the Sign Grant Program Funding Agreement between Escambia County CRA and Dennis C. Paedae, Jr., and Suzanne R. Paedae, owners of commercial property located at 5104 North “W” Street, Pensacola, Florida, in the Palafox Redevelopment Area, in the amount of \$2,000, representing an in-kind match through the Palafox Tax Increment Financing (TIF), Fund 151, Cost Center 220517, Object Code 58301, and/or Neighborhood Enterprise Foundation, Inc. (NEFI) 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 Dennis C. Paedae, Jr., and Suzanne R. Paedae, and any other related documents necessary to implement this Grant award.

25. See Page 45.

26. See Page 46.

27. Taking the following action regarding a \$29,650 Grant from the Florida Department of Transportation (FDOT) for the County’s Crash Database:

1902

A. Approving the *State of Florida Department of Transportation Subgrant Application for Highway Safety Funds* for Escambia County Crash Data GIS Mapping, FDOT Project Number TR-09-09-07, effective October 1, 2008; and

B. Authorizing the County Administrator to sign the Subgrant Application for Highway Safety Funds Agreement and any subsequent Grant-related documents.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

28. Taking the following action concerning the Interlocal Agreement between Escambia County and the Santa Rosa Island Authority (SRIA):

1902

A. Approving the Interlocal Agreement with the SRIA, in the amount of \$4,275.00 (\$356.25 per month), for annual participation in the Merit System Protection Board (MSPB); Fund 001, General Fund, Cost Center 140606/MSPB;

B. Authorizing the Chairman to execute the Interlocal Agreement; and

C. Authorizing the Office of the Clerk of the Circuit Court to record the Interlocal Agreement in the Official Records of Escambia County.

29. Authorizing staff to enter into negotiations with the owners (*Lani A. Bond and Dawn Taylor, Trustee for Dawn Taylor and Richard Awalt*) of a parcel of property, located at 14260 Innerarity Point Road, for the proposed acquisition of property they own for the expansion of the existing Innerarity Point Fire Station; the property consists of 0.47 acre (20,473 square feet); this includes, but is not limited to, obtaining title commitments, Phase I Environmental Assessments, appraisals, and surveys, and conducting inspections as needed (Funding Source: Fund 143, Fire Protection Fund, Cost Center 330202, Account Number 53401).

1902

30. Authorizing staff to enter into negotiations with Russell Container Corporation for the proposed acquisition of property it owns for a possible fire station facility; the property is located at 2429 Pensacola Boulevard and consists of approximately 0.55 acre; the negotiations include, but are not limited to, obtaining title commitments, Phase I Environmental Assessments, appraisals, and surveys, and conducting inspections as needed (Funding Source: Fund 143, Fire Protection Fund, Cost Center 330202, Account Number 53401).

1902

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

31. Approving, and authorizing the County Administrator to execute, the following Change Order (Funding Source: Fund 351, "Local Option Sales Tax Extension," Account 210105/56301, Project No. 08EN0694):

1902

Bureau: Public Works
Division: Engineering
Type: Addition
Amount: \$16,490.82
Vendor: Utility Services, Inc.
Project Name: Citadel Drive
Contract: 04-05.10.9A
Purchase Order Number: 281576 (New Year Purchase Order not yet assigned)
Change Order Number: 2
Original Award Amount: \$46,089.80
Cumulative Amount of Change Orders through this Change Order: \$20,311.04
New Contract Total: \$66,400.84

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

32. Approving, for the Fiscal Year 2008-2009, the issuance of blanket and/or individual Purchase Orders, for the Road Department, based upon previously awarded Contracts, Contractual Agreements, or annual requirements, as follows:

1902

<u>Contractor</u>	<u>Amount</u>	<u>Contract Number</u>
A. APAC Vendor Number: 843894 Road Construction Materials Fund: 175 Cost Center: 210402 (Road Maintenance)	\$ 150,000	PD 06-07.082
B. Ferguson Enterprises, Inc. a/k/a Ferguson Mill Supply Vendor Number: 060880 Polyethylene Pipe Fund: 175 Cost Center: 210402 (Road Maintenance)	\$ 150,000	PD 05-06.052
C. Unifirst Corporation Vendor Number: 210127 Employee Uniforms Fund: 175 Cost Center: 210402 (Road Maintenance)	\$ 100,000	PD 05-06.035
D. Preferred Materials, Inc. Vendor Number: 164913 Concrete Fund: 175 Cost Center: 210402 (Road Maintenance)	\$ 150,000	

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

32. Continued...

<u>Contractor</u>	<u>Amount</u>	<u>Contract Number</u>
E. Vulcan Signs Vendor Number: 220810 Sign Maintenance Fund: 175 Cost Center: 210404 (Sign Maintenance)	\$ 100,000	PD 07-08.054
F. A-1 Small Engines Steadham Enterprises Vendor Number: 010105 Small Engine Parts Fund: 175 Cost Center: 210406 (Small Equipment)	\$ 150,000	PD 07-08.121
G. Automotive Truck & Industrial Parts ATI-NAPA Vendor Number: 015006 Light and Heavy Equipment Parts/Supplies Fund: 175 Cost Center: 210405 (Fleet Maintenance)	\$ 150,000	PD 08-09.006
H. Beard Equipment Company Vendor Number: 022300 Heavy Equipment Parts Fund: 175 Cost Center: 210405 (Fleet Maintenance)	\$ 100,000	

(Continued on Page 39)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

32. Continued...

<u>Contractor</u>	<u>Amount</u>	<u>Contract Number</u>
J. Covington Heavy Duty Parts, Inc. Vendor: 034898 Heavy Equipment Parts Fund: 175 Cost Center: 210405 (Fleet Maintenance)	\$ 100,000	
K. Tractor & Equipment Co., Inc. Vendor Number: 202301 Heavy Equipment Parts Fund: 175 Cost Center: 210405 (Fleet Maintenance)	\$ 100,000	
L. Thompson Tractor Co., Inc. Vendor Number: 201639 Heavy Equipment Parts (CAT) Fund: 175 Cost Center: 210405 (Fleet Maintenance)	\$ 100,000	
M. Howell's Truck & Giant Tire Service, Inc. Vendor Number: 410406 Light and Heavy Equipment Tires Fund: 175 Cost Center: 210405 (Fleet Maintenance)	\$ 150,000	BCC Approved State Contract 863-000-06-1

(Continued on Page 40)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

32. Continued...

<u>Contractor</u>	<u>Amount</u>	<u>Contract Number</u>
N. Southern Energy Company, Inc. Vendor Number: 194108 Gasoline and Diesel Fuel Fund: 501 Cost Center: 210407 (Fuel Distribution)	\$6,000,000	PD 07-08.116
O. Cougar Oil, Inc. Vendor Number: 034871 Oil/grease and lubricant Fund: 501 Cost Center: 210407 (Fuel Distribution)	\$ 200,000	PD 06-07.084
P. Panhandle Grading & Paving, Inc. Vendor Number: 160114 Road Construction Material Fund: 175 Cost Center: 210402 (Road Maintenance)	\$ 150,000	PD 06-07.082
Q. Martin Marietta Aggregates, Inc. Vendor Number: 131502 Road Construction Material Fund: 175 Cost Center: 210402 (Road Maintenance)	\$ 150,000	PD 06-07.082

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

32. Continued...

<u>Contractor</u>	<u>Amount</u>	<u>Contract Number</u>
R. Pensacola Ready Mix USA Vendor Number: 162690 Concrete Fund: 175 Cost Center: 210402 (Road Maintenance)	\$ 150,000	
S. Arcadia Culvert Vendor Number: 013789 Metal Pipe Fund: 175 Cost Center: 210402 (Road Maintenance)	\$ 100,000	PD 05-06.052
T. Roads Inc., of NWF Vendor Number: 182328 Asphalt Fund: 175 Cost Center: 210402 (Road Maintenance)	\$ 200,000	PD 06-07.082
U. Woerner Landscape Source, Inc. Vendor Number: 233840 Sod Fund: 175 Cost Center: 210402 (Road Maintenance)	\$ 100,000	PD 06-07.039

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

4. Escambia Community Clinics, Inc.

Motion made by Commissioner White, seconded by Commissioner Young, and carried 3-0, with Commissioner Robinson and Commissioner Whitehead abstaining (*and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), taking the following action concerning approval of the Fiscal Year 2008-2009 Miscellaneous Appropriations Agreement for Escambia Community Clinics, Inc.:

1904

- A. Approving the Miscellaneous Appropriations Agreement, for \$384,634, to be paid from the General Fund (001), Cost Center 110201;
- B. Authorizing the Chairman to sign the Agreement and all other necessary documents; and
- C. Authorizing the execution of the necessary Purchase Order.

6. Miscellaneous Appropriations Agreements for Outside Agencies

Motion made by Commissioner Whitehead, seconded by Commissioner Robinson, and carried unanimously, approving Items A.(1), A.(3), A.(4), A.(6), B, and C, concerning approval of the Fiscal Year 2008-2009 Miscellaneous Appropriations Agreements for Outside Agencies, as follows:

1904

- A. Approving the following Miscellaneous Appropriations Agreements to be paid from the General Fund (001), Cost Center 110201:
 - (1) Council on Aging of West Florida, Inc. \$ 40,000
 - (3) United Way of Escambia County, Inc. (First Call for Help) \$ 35,000
 - (4) Pensacola Bay Area Chamber of Commerce, Inc. (Foundations) \$402,000
 - (6) Pensacola's Promise, Inc., d/b/a Chain Reaction \$ 20,000
- B. Authorizing the Chairman to sign the Agreements and all other necessary documents; and
- C. Authorizing the execution of the necessary Purchase Orders.

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

6. Miscellaneous Appropriations Agreements for Outside Agencies – Continued

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried 4-0, with Commissioner Whitehead abstaining (*and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), approving the Miscellaneous Appropriations Agreement, to be paid from the General Fund (001), Cost Center 110201, for Escambia County School Readiness Coalition, Inc., d/b/a Early Learning Coalition of Escambia County, in the amount of \$230,000 (Item A.[2]).

Motion made by Commissioner White, seconded by Commissioner Whitehead, and carried 4-0, with Commissioner Robinson abstaining (*and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), approving the Miscellaneous Appropriations Agreement, to be paid from the General Fund (001), Cost Center 110201, for Lakeview Center, Inc., in the amount of \$31,038 (Item A.[5]).

Speaker(s):

T. R. Eagan

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

15. Facade Grant Funding and Lien Agreements – 207 Beverly Parkway

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried 4-0, with Commissioner Whitehead abstaining (*and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), ratifying the following (*October 16, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Facade Grant Funding and Lien Agreements (*for property located*) at 207 Beverly Parkway:

1910

- A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Eddie Zarahn and Adrienne Zarahn, owners of commercial property located at 207 Beverly Parkway, Pensacola, Florida, in the Palafox Redevelopment Area, in the amount of \$3,605, representing an in-kind match through the Palafox Tax Increment Financing (TIF), Fund 151, Cost Center 220517, Object Code 58301, and/or Neighborhood Enterprise Foundation, Inc. (NEFI), 2007 Community Development Block Grant (CDBG), Fund 129, Cost Center 220555, Object Code 58301, for the following improvements:

Replace vinyl siding and paint exterior building

- B. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreement for the property located at 207 Beverly Parkway, in the amount of \$3,605; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Eddie Zarahn and Adrienne Zarahn, 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

25&26. Approval of Consent Agenda Items 25 and 26

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*), approving Consent Agenda Items 25 and 26, as follows:

1910

25. Taking the following action regarding implementation of the \$1,612,138, 2008 Housing and Urban Development (HUD) Home Investment Partnerships Act (HOME) Programs Grant (Number M-08-DC-12-0225):

1910

- A. Approving the HOME Programs Interlocal Agreement with the City of Pensacola, providing for the utilization of \$364,356 in 2008 HOME funds and \$50,000 in State Housing Initiatives Partnership (SHIP) Program matching funds, to support approved Substantial Housing Rehabilitation/Reconstruction Assistance and related project management activities within the City of Pensacola, with an effective date of October 16, 2008, (HOME and SHIP funds budgeted in Fiscal Year 2009: Fund 147/2008 HOME Grant, Cost Center 221501, and Fund 120/2008 SHIP Program, Cost Center 220424);
- B. Approving the HOME Programs Interlocal Agreement with Santa Rosa County, providing for the utilization of \$267,050 in 2008 HOME funds, to support approved Substantial Housing Rehabilitation/Reconstruction assistance and related project management activities within Santa Rosa County, with an effective date of October 16, 2008, (HOME funds budgeted in Fiscal Year 2009: Fund 147/2008 HOME Grant, Cost Center 221501);
- C. Authorizing the Chairman or Vice Chairman to execute the Interlocal Agreements and all documents required to implement HOME project activities; and
- D. Authorizing the Clerk of the Circuit Court to record the Agreements in the Official Records of Escambia County.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

25&26. Approval of Consent Agenda Items 25 and 26 – Continued

26. Taking the following action regarding utilization of Escambia/Pensacola State Housing Initiatives Partnership (SHIP) Program funds:

1910

- A. Approving an *Agreement* with Pensacola Habitat for Humanity, Inc. (“Habitat”), in the amount of \$400,000, to partially finance the construction of new homes for occupancy by SHIP-eligible, very low and low income families (Fund 120/2009 SHIP, Cost Center 220428);
- B. Approving *Amendment #1 to 2007/8 Agreement Concerning SHIP Affordable Homeownership Project* with Pensacola Habitat for Humanity, Inc., to extend the term of the existing 2007-2008 SHIP Agreement through January 31, 2009, to allow units committed and under construction as of September 30, 2008, to be completed and occupied in accordance with SHIP requirements;
- C. Authorizing the County Administrator, with concurrence of the Pensacola City Manager, to reallocate available 2008-2009 SHIP funds between participating agencies as required to meet the demand for SHIP assistance; and
- D. Authorizing the Chairman or Vice Chairman to execute the Agreement and all related documents required to implement the projects.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION

1. Determination of 2008-2009 Chairman

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning the reorganization of the Board of County Commissioners and the installation of newly-elected Commissioners:

1911

A. Amending the Board's Chairman Policy to clarify what occurs in the event a Chairman or Vice Chairman only serves a partial term, as follows:

In the event a Commissioner accepts the office of Chairman or Vice Chairman pursuant to this Policy but resigns, is removed by a majority of the Board, or becomes incapacitated during the term, then the remainder of the term shall be served by a Chairman and/or a Vice Chairman elected from the floor. At the conclusion of the partial term, the rotation shall continue as if the previous Chairman's term had not been interrupted

B. Approving that, for purposes of the 2008-2009 term only, nominations for Chairman shall be submitted to the County Attorney; the County Attorney will prepare a ballot and hold an election at a public meeting of the Board of County Commissioners; the Vice Chairman shall be the corresponding Commissioner on the rotation chart under this Policy; upon completion of the 2008-2009 term, the rotation shall continue with the next level subsequent to the level elected by this process.

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1. Public Records Request

Motion made by Commissioner Whitehead, seconded by Commissioner Robinson, and carried unanimously, authorizing the release of the audit work papers, notes, and calculations of the County's audit performed by O'Sullivan Creel, LLP, pursuant to a pending public records request.

1927

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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

1. Verbal Recommendation Made During the Meeting

Motion made by Commissioner Whitehead, seconded by Commissioner White, and carried unanimously, directing the County Attorney to send a letter to the Judge presiding over the Case of Mr. Rene West, of Executive Landscaping, Inc., stating that "at the time of his citation, there was nothing in the Ordinances of Escambia County prohibiting Mr. West from constructing a retaining wall."

1929

ITEMS ADDED TO THE AGENDA – COMMISSIONER GENE M. VALENTINO

1. Adoption of a Resolution

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, adopting, and authorizing the Chairman to sign, the Resolution (R2008-173) relating to certain fund-raising events by qualified not-for-profit organizations; authorizing the Santa Rosa Island Authority (SRIA) to reimburse such organizations for certain fees imposed on the sale of food and beverages at such fund-raising events; approving a Policy of the SRIA for such purposes; making certain findings; providing for certain other matters; and providing for an effective date.

1927

Speaker(s):

W. A. "Buck" Lee

ANNOUNCEMENTS

1. FOR INFORMATION: The Board heard the request from Commissioner Robinson that discussion concerning Requests for Letters of Interest for ideas relating to economic development be placed on the agenda for the November Committee of the Whole (C/W) Workshop, and, after discussion, heard the request from Commissioner Valentino that discussion, entitled "County Commission's Initiative on an Economic Development Advisory Committee and Its Composition," be added to the November 12, 2008, C/W Workshop.

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 7:30 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: November 6, 2008