

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD NOVEMBER 6, 2008
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(4:35 p.m. – 7:34 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
Mrs. Lisa N. Bernau, Chief Deputy Clerk, representing the
 Honorable Ernie Lee Magaha, Clerk of the Circuit Court & Comptroller
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 4:35 p.m.

1. FOR INFORMATION: The Board heard comments from Alton Williams concerning the County Administrator's Report, Item III-1, a supplemental Resolution authorizing the issuance of not exceeding \$555,000,000 in Revenue Bonds for Baptist Hospital, Inc., and The Baptist Manor, Inc. 1735

2. FOR INFORMATION: The Board:
 - A. Heard comments Scott Remington, Escambia All For One, and his request that the Board adopt a Resolution requesting the Legislative Delegation to introduce legislation to create, by special law, a Constitutional Commission to draft a Unified Government Constitution for Escambia County, regarding which Mr. Remington provided a hard copy of the request and the proposed Resolution; and 1736

 - B. Was advised by Commissioner Valentino that this item is on the agenda for the November 12, 2008, Committee of the Whole Workshop.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

PUBLIC FORUM WORK SESSION – Continued

3. FOR INFORMATION: The Board heard the request from Margo Stringfield, on behalf of St. Michael's Cemetery Foundation, that the Board provide \$25,000 in 4th Cent Tourist Development Tax funds for maintenance support at St. Michael's Cemetery, and was advised by Commissioner Whitehead that he would add this item to the agenda for tonight's Regular Board Meeting.

1737

4. FOR INFORMATION: The Board heard comments from the following seven citizens, who expressed their support for the proposed *Escambia County Animal Services Veterinarian & Spay/Neuter Program (to be considered at the November 12, 2008, Committee of the Whole Workshop)*:

1759

Christa Pettijohn
Laura Catterton
Teresa Bradley
Lisa Dinolov
Ann Erickson
Mickey Tener
Katie Tener

5. FOR INFORMATION: The Board heard the request from Charles Hall that the Board waive a Code Enforcement Lien against his property, and heard the suggestion from Commissioner Whitehead that this item be considered under Written Communication at tonight's Regular Board Meeting.

1820

6. FOR INFORMATION: The Board heard the request from Frank Cutrone that County-owned property on Scenic Highway be developed as a mini park, if the property does not sell.

1822

7. FOR INFORMATION: The Board heard the request from David Morgan, Sheriff-elect, that the Board delay any decision regarding the Ensley Sheriff's Substation until he takes office, because his intent is to reopen the Substation.

1826

8. FOR INFORMATION: The Board heard comments from L. Gary Sansing regarding the economy and Commissioner Whitehead's term as a County Commissioner.

1828

5:31 P.M. – PUBLIC FORUM ADJOURNED

5:38 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 5:38 p.m.

2. Invocation

Chairman Valentino advised that Commissioner Whitehead would deliver the Invocation.

3. Pledge of Allegiance to the Flag

Chairman Valentino led the Pledge of Allegiance to the Flag.

4. Adoption of the Agenda

Motion made by Commissioner Whitehead, seconded by Commissioner Young, and carried unanimously, adopting the agenda, as prepared and duly amended *(to include Commissioner White's add-on item concerning the language for the licensing of retaining walls, Commissioner Whitehead's two add on items, one under Written Communication concerning a Code Enforcement Lien against Charles Hall, and one concerning funding for St. Michael's Cemetery, Commissioner Valentino's add-on item concerning Public Official Bonds, and the County Attorney's Addendum [Item I-2])*.

1839

5. Commissioners' Forum

- A. District 4 – Commissioner Robinson advised that he and Larry Newsom, at the request of Congressman *(Jeff)* Miller, attended a meeting at Eglin *(Air Force Base)* last Friday *(October 30, 2008)* concerning the Highway 98 bypass, which should alleviate congestion across Northwest Florida;
- B. District 5 – Commissioner White expressed his appreciation to the voters and citizens who supported him and helped with his re-election, and expressed his appreciation to Commissioner Whitehead for his assistance while serving on the Board;
- C. District 1 – Commissioner Whitehead expressed his concern that federal dollars are not being provided for infrastructure development in Escambia County;

1840

(Continued on Page 4)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

5. Continued...

- D. District 3 – Commissioner Young provided an update on the Gary Circle sanitary sewer project, which will begin in early 2009, and the Airway Drive sidewalk project, which will begin within the next two weeks, and advised that the County has received State funding for the construction of sidewalks on Highway 29, from Pace Boulevard to Brent Lane; and
- E. District 2 – Commissioner Valentino expressed his appreciation to Commissioner Whitehead for his service on the Board, congratulated Commissioner White and Commissioner Young on their re-election, advised that today's Meetings were the first to be broadcast live on Cox Digital Channel 98, and expressed his appreciation to the Honorable Janet Holley, Tax Collector, for returning \$1.1 million to the General Fund, and the Honorable Chris Jones, Property Appraiser, for returning \$875,000 to the General Fund.

6. Proclamations

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

1852

- A. The Proclamation proclaiming November 16-22, 2008, as "National Hunger and Homelessness Awareness Week" in Escambia County; and
- B. The Proclamation proclaiming November 19, 2008, as "Geographic Information Systems Day" in Escambia County.

Speaker(s):

Mick Breault
Adam Estes

7. Employee of the Month Proclamations – None.

REGULAR BCC AGENDA – Continued

8. Written Communication

A. Code Enforcement Lien – Novastar Mortgage

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried unanimously, approving to forgive the fines, but require payment of the hard costs, in the amount of \$1,100, relative to a communication, dated October 7, 2008, from Howard C. Pyle, Kahane and Associates, on behalf of Novastar Mortgage, requesting that the Board reduce the amount of the Code Enforcement Lien against property located at 5608 Pointe Verde Road to the amount of hard costs and administrative costs.

1901

Speaker(s):

Brandon Vinyard

B. Code Enforcement Lien – Jefferey K. Godwin

Motion made by Commissioner Whitehead, seconded by Commissioner White, and carried unanimously, approving to drop a communication, dated October 15, 2008, from Cathy Scott, on behalf of Jefferey K. Godwin, requesting relief from a Code Enforcement Lien against property located at 3750 Highway 168, Century, Florida.

1903

C. Code Enforcement Lien – James Black

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried unanimously, approving to waive the interest (*in the amount of \$821.42*), and require payment of the hard costs, in the amount of \$2,622.11, relative to a communication, dated October 21, 2008, from James Black concerning a Code Enforcement Lien against property located at 122 Majors Road.

1904

Speaker(s):

James Black

(Continued on Page 6)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

8. Continued...

D. Code Enforcement Lien – Charles Hall

Motion made by Commissioner Whitehead, seconded by Commissioner White, and carried unanimously, approving to accept the overage (*collected during the Tax Deed Sale*) as full and final payment and write-off the balance of the Lien, which consists of daily fines, relative to a request from Charles Hall during Public Forum regarding a Code Enforcement Lien (*against property located at 509 Warrington Road, acquired by Tax Deed in August 2008*).

1912

Speaker(s):

Charles Hall

9. Proofs of Publication

Motion made by Commissioner White, seconded by Commissioner Whitehead, and carried 4-0, with Commissioner Robinson temporarily out of Board Chambers, 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:

1922

A. The following five Public Hearings on the agenda:

- (1) The 5:45 p.m. Public Hearing, advertised in the Pensacola News Journal on October 24, 2008, for consideration of adopting an Ordinance amending the Official Zoning Map;
- (2) The **first** 5:46 p.m. Public Hearing, advertised in the Pensacola News Journal on October 24, 2008, for consideration of CPA Public School Facilities Element;
- (3) The **second** 5:46 p.m. Public Hearing, advertised in the Pensacola News Journal on October 24, 2008, for consideration of CPA 2008-01;

(Continued on Page 7)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

9. Continued...

A. Continued...

(4) The 5:47 p.m. Public Hearing, advertised in the Pensacola News Journal on October 24, 2008, for consideration of CPA 2009-01; and

(5) The 5:48 p.m. Public Hearing, advertised in the Pensacola News Journal on October 24, 2008, for consideration of Comprehensive Plan Amendment, amending the updated five-year Capital Improvement Program Schedule; and

B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule November 3-7, 2008 – Legal No. 1362267*, as published in the Pensacola News Journal on November 1, 2008, as follows:

1922

November 3	3:30 p.m.	LMS Project Review and Ranking TSG
November 3	3:30 p.m.	Public Trust and Confidence Team
November 3	5:30 p.m.	Marine Advisory Committee
November 4	1:30 p.m.	Environmental Enforcement Special Magistrate
November 4	3:00 p.m.	LMS-Hazard Identification and Vulnerability Assessment TSG
November 4	5:00 p.m.	Merit System Protection Board
November 5	8:30 a.m.	Examination Committee for Competency Board
November 5	9:00 a.m.	Construction Industry Competency Board
November 5	1:00 p.m.	Development Review Committee
November 5	5:00 p.m.	Santa Rosa Island Authority Regular Meeting
November 6	9:00 a.m.	Agenda Work Session
November 6	1:30 p.m.	Citizens Environmental Committee
November 6	2:30 p.m.	Affordable Housing Advisory Committee
November 6	4:30 p.m.	Board of County Commissioners Public Forum
November 6	5:30 p.m.	Board of County Commissioners Public Hearings & Reports

NEXT WEEK'S NOTE:

November 10	8:30 a.m.	Planning Board
November 11		Holiday/Veteran's Day – County Offices Closed

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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

I. CONSENT AGENDA

1-6. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Young, and carried 4-0, with Commissioner Robinson temporarily out of Board Chambers, approving Consent Agenda Items 1 through 6, as follows:

1922

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

1922

A. The following two Payroll Expenditures:

- (1) As of Payday October 17, 2008, in the amount of \$2,225,597.79; and
- (2) As of Payday October 31, 2008, in the amount of \$1,908,063.25; and

B. The following three Disbursement of Funds:

- (1) October 9, 2008, to October 15, 2008, in the amount of \$9,522,848.95;
- (2) October 16, 2008, to October 22, 2008, in the amount of \$2,065,335.51; and
- (3) October 23, 2008, to October 29, 2008, in the amount of \$1,778,161.42.

2. Adopting (*as requested by the Public Safety Bureau*) the Resolution (*R2008-179*) authorizing the write-off of \$1,315,632.64 in receivables that have been recorded in the Emergency Medical Services Fund of the County and have been determined to be uncollectible bad debts.

1922

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-6. Approval of Various Consent Agenda Items – Continued
3. Taking the following action concerning Disposition of Property and/or Reinstatement of Fixed Assets/Removal of Fixed Assets from Inventory: 1922
 - A. Approving nine (9) forms, *Requests for Disposition of Property*, indicating equipment to be sold as surplus and/or appropriately disposed of; the Requests were prepared by various County Bureaus and state the reasons for disposition/reinstatement; and
 - B. Approving the transfer of machinery and equipment from the Board's Fixed Assets Inventory Records to the Escambia County Sheriff's Office, as of September 30, 2008, in the amount of \$1,684,149.26.
4. Accepting, for filing with the Board's Minutes, a copy of the *Award of Financial Reporting Achievement* presented by the Government Finance Officers Association of the United States and Canada, for the Comprehensive Annual Financial Report (CAFR) for Fiscal Year ended September 30, 2007, as prepared by the Finance Department of the Clerk of the Circuit Court & Comptroller's Office, and audited by O'Sullivan Creel, LLP, Certified Public Accountants and Consultants; the Award was received by the Finance Department on October 27, 2008. 1922
5. Accepting, for filing with the Board's Minutes, the following documents provided to the Clerk & Comptroller's Office: 1922
 - A. The original *State Financial Assistance Agreement, DEP Agreement No. LP6085, Escambia County, Amendment No. 2*, as approved by the Board on October 6, 2005, and executed by the Chairman on August 21, 2008; and
 - B. The Board of County Commissioners' *Resource Conservation and Recycling Policy – Section II; D.7*, as adopted by the Board on May 17, 2005.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

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

6. Taking the following action concerning Minutes and Reports prepared by the Clerk to the Board's Office: 1922

A. Approving the Minutes of the Public Forum Work Session and Regular Board Meeting held October 16, 2008;

B. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held October 16, 2008, as follows:

1. FOR INFORMATION: The agenda package for the 5:30 p.m., October 16, 2008, Regular Board Meeting was reviewed as follows:

A. Judy H. Witterstaeter, Administrative Assistant, County Administrator's Office, and County Attorney Rogers, reviewed the agenda cover sheet, with comments from Nicholas Rogers concerning the 5:32 p.m. Public Hearing;

B. Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services, reviewed the Clerk's Report, and advised that the Clerk's Report was revised to include the Investment Report for September 30, 2008, and the Tourist Development Tax Collections Data for August 2008;

C. County Administrator McLaughlin, County Attorney Rogers, Judy H. Witterstaeter, Administrative Assistant, County Administrator's Office, Keith Wilkins, Neighborhoods and Community Services Bureau, and Marcie Whitaker, Neighborhoods and Community Services Bureau, reviewed the County Administrator's Report;

D. County Attorney Rogers reviewed the County Attorney's Report; and

E. 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
- 1-6. Approval of Various Consent Agenda Items – Continued
- 6. Continued...
- C. Accepting, for filing with the Board's Minutes, the Report of the Committee of the Whole (C/W) Workshop held October 9, 2008, as follows:

AGENDA NUMBER

1. Call To Order

Chairman Valentino called the Committee of the Whole (C/W) to order at 9:05 a.m.

2. Was the Meeting Properly Advertised?

The C/W was advised by Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services, that the Meeting was advertised in the Pensacola News Journal on October 4, 2008, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule October 6, 2008 – October 10, 2008, Legal No. 1354682.*

3. Presentation of Standardized Records Management Plan for Bureaus / Offices Under the Board of County Commissioners

A. Discussion – The C/W discussed the Presentation of Standardized Records Management Plan for Bureaus / Offices Under the Board of County Commissioners, and was advised by Steve M. Lewis, President, SML, Inc., that records must be destroyed based on retentions approved by the Florida Department of State; however, certain historical records should be retained, while administrative processes and Legal actions must be resolved prior to disposition of the associated documents;

B. Board Direction – None.

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

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

6. Continued...

C. Report of the October 9, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

4. The Arts Council of Northwest Florida – Pensacola Museum of Art

A. Discussion – The C/W discussed The Arts Council of Northwest Florida – Pensacola Museum of Art, and the C/W:

- (1) Was advised by David W. Wheeler, Deputy Bureau Chief, Public Works Bureau, that a solicitation (*Request for Letters of Interest*) was advertised for an interested organization to occupy the main floor of the Old Escambia County Courthouse, and responses were received from The Arts Council of Northwest Florida and the Pensacola Museum of Art; however, the two organizations have combined, with the Arts Council taking the lead; and
- (2) Upon inquiry from Commissioner White, was advised by Mr. Wheeler that Escambia County will continue to pay for utilities, custodial services, and maintenance/ancillary services, at a cost of approximately \$4,000 per month, and heard the suggestion from Commissioner White that the County request funding assistance from the Tourist Development Council; and

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-6. Approval of Various Consent Agenda Items – Continued
- 6. Continued...
- C. Report of the October 9, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

4. Continued...

- B. Board Direction – The C/W recommends that the Board authorize 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*).

Approved 4-0, with Commissioner Whitehead absent

Speaker(s):

Keith Bullock
David Behr

- 5. 2009 Federal Transportation Bill Submittal
 - A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled *Transportation 2009*, presented by Larry Newsom, Traffic Operations, Development Services Bureau, concerning the 2009 Federal Transportation Bill Submittal; and
 - B. Board Direction – None.

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

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

6. Continued...

C. Report of the October 9, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

6. Establishment of an Advisory Committee for Economic Development (Referred from 9/11/08, COW)

A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, entitled *Economic Development*, presented by Larry Newsom, Traffic Operations, Development Services Bureau, and the C/W:

(1) Heard comments from Mort O'Sullivan, Pensacola Bay Area Chamber of Commerce, who advised that the economic development initiative should be a study that focuses on the following four issues:

(a) The level of funding that is appropriate and necessary for successful economic development;

(b) Dedicated sources of funding that should be examined as potential for steady performance over a period of time;

(c) The incentives needed to encourage economic development; and

(d) Where economic development should be "housed";

(2) Heard the request from Mr. O'Sullivan that the Committee meetings be private (*not subject to the provisions of the Sunshine Law*);

(3) Discussed the composition of the proposed Economic Development Advisory Committee and whether or not it should be subject to the Sunshine Law;

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

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

6. Continued...

C. Report of the October 9, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

6. Continued...

A. Continued...

(4) Was advised by County Attorney Rogers that the Board should delay any decision regarding the "Sunshine" issue, which is determined by law and normally applies if a County function is delegated to a committee that is established (*by the Board*); and

(5) Was advised by Commissioner Valentino that the Board will take no action until a recommendation is provided regarding the structure of the Committee; and

B. Board Direction – None.

7. Workforce Housing Interest Buy-Down Program

A. Discussion – The C/W heard an update from Randy Wilkerson, Executive Director, Neighborhood Enterprise Foundation, Inc., concerning the Workforce Housing Interest Buy-Down Program, and heard the request from County Administrator McLaughlin that Mr. Wilkerson provide a report at a future C/W Workshop, when the market improves; and

B. Board Direction – None.

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

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

6. Continued...

C. Report of the October 9, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

8. Disabled Parking Ordinance

A. Discussion – The C/W was advised by Commissioner Valentino that this item would be dropped from the agenda; and

B. Board Direction – None.

9. Conduit Bond Ordinance

A. Discussion – The C/W discussed the draft Conduit Bond Ordinance, and was advised by County Attorney Rogers that no action is necessary if the Board does not wish to remove the Bank-Eligible Obligation Issuance Fee provisions from the existing Ordinance; and

B. Board Direction – None.

10. Community Rating System Recertification

A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, entitled *Community Rating System (CRS)*, by Tamara "Tammy" Hansen, and was advised by Ms. Hansen that the CRS is a voluntary program that recognizes communities that exceed the minimum standards of the National Flood Insurance Program, and benefits the citizens of those communities by reducing flood insurance premiums; and

B. Board Direction – None.

(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

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

6. Continued...

C. Report of the October 9, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

11. BCC Rotation of Chairman and Vice Chairman Policy

A. Discussion – The C/W discussed the BCC Rotation of Chairman and Vice Chairman Policy, and the C/W:

(1) Heard the suggestion from Commissioner White that any Commissioner who is interested in serving as Chairman submit his or her name to the County Attorney, one week prior to the end of the term of the current Chairman, with the Board to elect the Chairman;

(2) Heard a motion by Commissioner Robinson that the Policy be amended to reflect that, in the event of an unexpired term, the Board will elect that individual to serve out the unexpired term, then go to the rotation, and that, for this year only, the Board will allow names to be submitted to the County Attorney and the Board will elect the Chairman; and

(3) Heard the request from County Attorney Rogers that this issue be added to the County Administrator's Report, as a "For Discussion" Item, for the October 16, 2008, Regular Board Meeting; and

B. Board Direction – None.

(Continued on Page 18)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

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

6. Continued...

C. Report of the October 9, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

12. Spay / Neuter

A. Discussion – The C/W heard the request from County Administrator McLaughlin that this item be referred to the November 12, 2008, C/W Workshop, and the C/W:

- (1) Heard the request from Commissioner Robinson that the Chairman allow the individuals who appeared to address this issue (*Greg and Cynthia Farrar*) an opportunity to speak, and was advised by County Attorney Rogers that a RFP (*Request for Proposals*) is pending; therefore, the subject matter of the proposal should not be discussed at this time;
- (2) Heard comments from Sandra P. Jennings, Bureau Chief, Neighborhoods and Community Services Bureau, concerning the *Escambia County Animal Services, Veterinarian & Spay / Neuter Program*;
- (3) Was advised by County Administrator McLaughlin that the solicitation will be canceled, as requested by Commissioner Valentino; and
- (4) Was advised by Commissioner Valentino that this issue will be "pulled" from today's agenda, as requested; and

B. Board Direction – None.

(Continued on Page 19)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

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

6. Continued...

C. Report of the October 9, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

13. Volunteer Fire Department Stipend Policy (Referred from 9/11/08 COW)

A. Discussion – The C/W heard the request from Kenneth W. "Ken" Perkins, Fire Chief, that this item be referred to the November 12, 2008, C/W Workshop; and

B. Board Direction – None.

14. Employee Suggestion Program

A. Discussion – The C/W heard comments from Ron Sorrells and Larry Daniel, Human Resources, regarding an Employee Suggestion Program; and

B. Board Direction – The C/W recommends that the Board take the following action regarding the *Board of County Commissioners (BCC) "Employees in Action (EMPACT)" Suggestion Award Program* (Item 14):

(1) Authorize staff to incorporate the Program into the Human Resources Policy and Procedures Manual; and

(2) Rescind the current Policy at the BCC level.

Approved 3-0, with Commissioner Whitehead and Commissioner Young absent

(Commissioner Young was absent for discussion of this Item)

(Continued on Page 20)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-6. Approval of Various Consent Agenda Items – Continued
- 6. Continued...
- C. Report of the October 9, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

15. Escambia County Government Access Channel / Escambia County Television (ECTV) Policy and Procedures

A. Discussion – The C/W heard an update from Sonya M. Daniel, Public Information Manager, regarding the Escambia County Government Access Channel/Escambia County Television (ECTV) Policy and Procedures, and was advised by Mrs. Daniel that it is necessary to purchase additional equipment that will encode audio and video at the same level, which will result in a delay of approximately 45 days, and the C/W:

- (1) Was advised by Commissioner Valentino that he would like to work with Mrs. Daniel and County Administrator McLaughlin regarding how to handle the funding for the Government Access Channel; and
- (2) Was advised by Commissioner Robinson that all meetings held in Board Chambers should be televised, and heard his request that the Channel be available to all government entities; and

B. Board Direction – None.

(Commissioner Young was absent for discussion of this Item)

(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
- 1-6. Approval of Various Consent Agenda Items – Continued
- 6. Continued...
- C. Report of the October 9, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

16. Citizen Community Survey

- A. Discussion – The C/W heard the request from Sonya M. Daniel, Public Information Manager, that the Citizen Community Survey be conducted again this year (*on October 18, 2007, the Board authorized The Listener Group to finalize and conduct the "Escambia County Community Survey Fall/2007"*), and heard the request from Commissioner Valentino that Mrs. Daniel proceed with the Survey; and
- B. Board Direction – None.

(Commissioner Young was absent for discussion of this Item)

ANNOUNCEMENTS

- 1. FOR INFORMATION: The C/W was advised by County Attorney Rogers that she recently received a telephone call from James "Jim" Messer, the Attorney representing Wanda McBrearty (*in the Case, Wanda McBrearty v. Madison National Life Insurance Company, Inc. Of Wisconsin, a Wisconsin Corporation, and National Insurance Services Of Wisconsin, Inc., a Wisconsin Corporation*), advising that a settlement was mediated and expressing his appreciation to the Commissioners for their care and concern regarding the Case.
- 2. FOR INFORMATION: Upon inquiry from Commissioner Valentino, the C/W was advised by County Attorney Rogers that litigation is pending in the Case regarding Allied Waste (*Escambia County, Florida v. Allied Waste Services Of North America, LLC*), but that a "shade" meeting can be scheduled, at the appropriate time, to discuss the Case.

(Continued on Page 22)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-6. Approval of Various Consent Agenda Items – Continued
6. Continued...
- C. Report of the October 9, 2008, C/W Workshop – Continued

ANNOUNCEMENTS – Continued

3. FOR INFORMATION: The C/W was advised by County Attorney Rogers that the Attorney General's Office was represented by one of its Senior Attorneys in the Hearing against Escambia County regarding the fencing of enclosures (*[stormwater retention ponds] in 2007, the Governor of Florida vetoed an amendment that would have repealed House Bill 558, which requires that any clay pit, cave, or depression in the earth in which a child could conceivably drown to be enclosed with fencing a minimum of four feet in height*) and the issue is under advisement by Judge (*Terry D.*) Terrell in the Circuit Court.
4. FOR INFORMATION: The C/W was advised by County Attorney Rogers that the Florida Supreme Court did not allow for an extension of time to Escambia County regarding the Strand Case (*Dr. Gregory L. Strand v. Escambia County, Florida*), and, further, that Ginger Delegal, FACA (*Florida Association of County Attorneys*), does not support any attorneys fees in the matter because FACA filed an amicus brief, which is considered an in-kind contribution to Escambia County's efforts, and heard the request from Commissioner Valentino that this item be added to the next C/W Workshop agenda.

(Continued on Page 23)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-6. Approval of Various Consent Agenda Items – Continued
- 6. Continued...
- C. Report of the October 9, 2008, C/W Workshop – Continued

ANNOUNCEMENTS – Continued

- 5. FOR INFORMATION: The C/W:
 - A. Heard the request from Commissioner Valentino for funding from the Perdido Key "escrow reserve" for an economic development narrative concerning issues relating to Perdido Key;
 - B. Heard comments from Debbie Waters, Perdido Key Area Chamber of Commerce, who advised that the Chamber has approved funding this study; and
 - C. Heard the request from Commissioner Robinson that this issue be placed on the agenda for the October 16, 2008, Regular Board Meeting.

AGENDA NUMBER – Continued

- 17. Adjourn

Chairman Valentino declared the C/W Meeting adjourned at 12:28 p.m.

GROWTH MANAGEMENT REPORT – T. Lloyd Kerr, Chief, Development Services Bureau

I. PUBLIC HEARINGS

1. Rezoning Cases

Motion made by Commissioner Whitehead, seconded by Commissioner Young, and carried unanimously, approving to move (*reschedule*), to the December 11, 2008, Board Meeting, the recommendation that the Board take the following action concerning Rezoning Case Z-2008-13, and approving that the costs of advertising will be borne by the Owners:

1923

- A. Review and either adopt, modify, or overturn the Rezoning Hearing Examiner's (RHE) recommendation for Rezoning Case Z-2008-13; and
- B. Authorize the Chairman to sign the Order of the Escambia County Board of County Commissioners for the Rezoning Case that was reviewed, as follows:

- (1) Case Number: Z-2008-13
- Location: 4851 Saufley Field Road
- Property Reference Number: 01-2S-31-4105-000-000
- Property Size: 3.3 (+/-) acres
- From: R-2, Single-Family District, Low-Medium Density (cumulative) (7 dwelling units per acre)
- To: R-4, Multiple-Family District, Medium High Density (cumulative) (18 dwelling units per acre)
- FLU Category: C, Commercial, and R, Residential
- Commissioner District: 1
- Requested by: W. R. Ward, Agent for John Drysdale and Frank Abad, Owners
- RHE Recommendation: Denial

Speaker(s) – None.

(Continued on Page 25)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Continued...

Motion made by Commissioner Young, seconded by Commissioner White, and carried unanimously, taking the following action concerning Rezoning Case Z-2008-16:

1924

- A. Adopting the Rezoning Hearing Examiner's (RHE) recommendation and approving C-1; and
- B. Authorizing the Chairman to sign the Order of the Escambia County Board of County Commissioners for the Rezoning Case that was reviewed, as follows:

- (2) Case Number: Z-2008-16
- Location: 229 and 233 East Brent Lane
- Property Reference Numbers: 48-1S-30-3109-000-001 and 48-1S-30-3110-000-000
- Property Size: 2.84 (+/-) acres
- From: R-6, Neighborhood Commercial and Residential District, High Density (cumulative) (25 dwelling units per acre)
- To: C-1, Retail Commercial District, (cumulative) (25 dwelling units per acre)
- FLU Category: MU-1, Mixed Use 1
- Commissioner District: 3
- Requested by: George Edward Brown, Jr., Agent for Nelson Developers, LLC, Owner
- RHE Recommendation: Approval

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

1. PUBLIC HEARINGS – Continued

2. 5:45 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Whitehead, and carried unanimously, adopting an Ordinance (*Number 2008-55*) to amend the Official Zoning Map to include Rezoning Case Z-2008-16 (*Rezoning Case Z-2008-13 was rescheduled for December 11, 2008*).

1925

Speaker(s) – None.

3. First 5:46 p.m. Public Hearing

Motion made by Commissioner Whitehead, seconded by Commissioner White, and carried unanimously, taking the following action concerning Comprehensive Plan Amendment – Public School Facilities Elements (CPA-PSFE):

1925

- A. Referring this item back to the Planning Board;
- B. Approving to call an Emergency Meeting of the Planning Board to address this issue;
- C. Directing staff to contact representatives of "NAOP" and the development community, as identified by the group specifically in the central corridor area, with any questions from the Board to be forwarded, and schedule the meeting for the Commissioners, School Board, etc., to occur concurrently; and
- D. Approving, if necessary, to schedule a Special Board Meeting prior to December 31, 2008.

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

4. Second 5:46 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, to reschedule the Public Hearing (*for November 20, 2008, at 5:45 p.m.*), regarding the recommendation that the Board take the following action concerning CPA 2008-01:

2010

A. Review and recommend adoption of Comprehensive Plan Amendment (CPA 2008-01, Parts A and B), composed of two (2) draft Ordinances and attachments therein, to amend Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended; amending portions thereof, as follows:

- (1) CPA 2008-01A: Large-scale Comprehensive Plan map amendment, amending Chapter 7, “The Future Land Use Element,” providing for an amendment to the Year 2020 Future Land Use Map, as amended, changing the Future Land Use Category of two parcels, located at 8594 West Highway 98, from Low Density Residential (LDR), to Mixed Use 1 (MU-1), totaling 29.97 (+/-) acres; and
- (2) CPA 2008-01B: Text amendment, amending Chapter 7, “The Future Land Use Element,” to define the maximum residential density allowed in the Commercial Future Land Use category; and

B. Vote individually on each of the CPA 2008-01 components (A and B above), and approve transmittal to the Department of Community Affairs (DCA) as the first of two Comprehensive Plan Amendments allowed by Florida Statute for the Year 2008.

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

5. 5:47 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving, for transmittal to the Department of Community Affairs (DCA), Large Scale Comprehensive Plan Amendment 2009-01A, an amendment to Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended; amending Chapter 7, "Future Land Use Element," providing for an amendment to the Year 2020 Future Land Use Map, as amended, changing the Future Land Use Category of two parcels, along East Quintette Road, from Cottage Hill/Quintette Activity Area (AA-15) to Industrial (I), totaling 91.88 acres.

2011

Speaker(s) – None.

6. 5:48 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, adopting (*an Ordinance [Number 2008-56] approving*) the proposed Comprehensive Plan Amendment, Capital Improvements Plan herein, amending Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended; amending the updated five-year Capital Improvement Program Schedule, and adopting the revised Table 14-1, to be included in Chapter 14 of the Comprehensive Plan, entitled "Capital Improvement Element."

2012

Speaker(s) – None.

GROWTH MANAGEMENT REPORT – Continued

II. CONSENT AGENDA

1. Scheduling of Public Hearings

Motion made by Commissioner White, seconded by Commissioner Whitehead, and carried unanimously, scheduling the following two Public Hearings, as amended to add Rezoning Case Z-2007-08 (*to Item A*):

2013

- A. 5:45 p.m. – Thursday, December 11, 2008 – A Public Hearing to amend the Official Zoning Map to include the following Rezoning Case heard by the Rezoning Hearing Examiner (RHE) on October 27, 2008:

Case Number: Z-2008-17
Location: 4900 Northpoint Parkway
Property Reference Number: 06-1S-29-1003-000-004
Property Size: 2.2 (+/-) acres
From: R-5, Urban Residential/Limited Office District, High Density, (cumulative) (20 dwelling units per acre)
To: C-1, Retail Commercial District (cumulative) (25 dwelling units per acre)
FLU Category: MU-1, Mixed Use 1
Commissioner District: 4
Requested by: Woodrow R. Neal, Agent for Northpoint Retirement Community, Owner

- B. 5:46 p.m. – Thursday, December 11, 2008 – A Public Hearing to review the development plan for Calabria Place PUD (*Planned Unit Development*), a proposed 90-lot, single-family residential subdivision within a 9.75-acre, 2-parcel site, on the west side of Bowman Avenue across from Rebecca Street, requested by Hammond Engineering, Inc., project Agent and Engineer.

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

1-22. Approved of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving Consent Agenda Items 1 through 22, as follows, with the exception of Item 2, which was held for a separate vote: 2014

1. Approving the *Notice of Lien (Nuisance Abatement)* Form regarding nuisance abatements, to be used to validate the abatement cost expended by Escambia County for property with nuisance violations. 2014
2. See Page 34.
3. Taking the following action regarding a Resolution to support efforts to establish a weather buoy in the Gulf of Mexico waters off Escambia County, effective upon Board approval: 2014
 - A. Adopting a Resolution (*R2008-181*) to support efforts to establish a weather buoy in the Gulf of Mexico Waters off Escambia County; and
 - B. Authorizing the Chairman to sign the Resolution.
4. Taking the following action concerning a Memorandum of Understanding (MOU) between Escambia County Board of County Commissioners and the Escambia County 4-H Foundation, Inc.: 2014
 - A. Approving a MOU that will provide for the Escambia County 4-H Foundation, Inc., to fund a part-time maintenance worker (camp caretaker) position at the Langley Bell 4-H Center as a Grant-funded position for Fiscal Year 2008-2009; and
 - B. Authorizing the Chairman to sign the MOU.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-22. Approved of Various Consent Agenda Items – Continued

5. Taking the following action concerning the Escambia County Brownfields Program: 2014
- A. Rescinding Resolution R2008-161, adopted September 18, 2008, concerning entering into a Memorandum of Agreement (MOA) between Escambia County, the West Florida Regional Planning Council, and the City of Pensacola;
 - B. Adopting a Resolution (*R2008-182*) of the Board of County Commissioners of Escambia County, Florida, to supersede Resolution R2008-161, and enter into a MOA with the West Florida Regional Planning Council, the City of Pensacola, and the City of Fort Walton Beach, Florida, to submit a Grant Application to the United States Environmental Protection Agency for a Brownfields Assessment Coalition Grant; and providing for an effective date; and
 - C. Authorizing the Chairman to sign the Resolution.
6. Authorizing out-of-County travel for any member of the Commission, County Administrator, and County Attorney wishing to participate in the annual conference/events as noted on the 2008/2009 Annual Travel/Conference Schedule. 2014
7. Taking the following action concerning a *Short-Term License Agreement* between Escambia County and John Reynolds & Sons, Inc., a/k/a Reynolds, Inc., for property on Pipeline Road: 2014
- A. Approving the *Short-Term License Agreement* between Escambia County and John Reynolds & Sons, Inc., a/k/a Reynolds Inc., for temporary access and use of County property for a storage and staging area in connection with the Emerald Coast Utilities Authority's Central Water Reclamation Facility, Central Transmission Main Project; and
 - B. Authorizing the Chairman to execute the *Short-Term License Agreement*.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-22. Approved of Various Consent Agenda Items – Continued

8. Authorizing the scheduling of a Public Hearing for December 11, 2008, at 5:33 p.m., to consider the proposed vacation of a 20-foot wide Drainage Easement (approximately 3,060 square feet), located off Ailanthus Court, Wildwood Lakes Subdivision, on the Board's own motion. 2014

9. Authorizing the scheduling of a Public Hearing for December 11, 2008, at 5:32 p.m., to consider the proposed vacation of a 20-foot by 350-foot (7,000 square feet) Drainage Easement located at 4650 Wilde Lake Boulevard, on the Board's own motion. 2014

10. Taking the following action concerning a *Short-Term License Agreement* between Escambia County and John Reynolds & Sons, Inc., a/k/a Reynolds, Inc., for property at Brent Athletic Field: 2014
 - A. Approving the *Short-Term License Agreement* between Escambia County and John Reynolds & Sons, Inc., a/k/a Reynolds, Inc., for temporary access and use of County property for a storage and staging area in connection with the Emerald Coast Utilities Authority's Central Water Reclamation Facility, Central Transmission Main Project; and

 - B. Authorizing the Chairman to execute the *Short-Term License Agreement*.

11. Taking the following action regarding an Interlocal Agreement between Escambia County and the City of Pensacola for National Pollutant Discharge Elimination System (NPDES) Stormwater Permit management services: 2014
 - A. Approving the revised Interlocal Agreement to supersede the original Agreement approved on March 6, 2008; and

 - B. Authorizing the Chairman to sign the Interlocal Agreement and any subsequent Agreement-related documents, including time extensions.

12. Authorizing the scheduling of a Public Hearing for November 20, 2008, at 5:31 p.m., to consider (*adopting*) an Ordinance amending Chapter 50 of the Escambia County Code of Ordinances, establishing the powers and duties of the County Fire Chief and Fire Marshal. 2014

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-22. Approved of Various Consent Agenda Items – Continued

13. Appointing Mrs. Eddie Pocase to the West Florida Regional Library Board of Trustees, to serve a four-year term, effective November 21, 2008, through November 20, 2012, replacing Ms. Bennie Kenney. 2014
14. Reappointing Mrs. Janice E. Monks to the Escambia-Pensacola Human Relations Commission, effective November 8, 2008, through November 7, 2011, as recommended by Dr. Calvin Avant, Executive Director. 2014
15. Authorizing the scheduling of a Public Hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on November 20, 2008, at 5:32 p.m., to consider the adoption of an Ordinance creating the Lillian Woods Subdivision Street Lighting MSBU. 2014
16. Authorizing the scheduling of a Public Hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on November 20, 2008, at 5:33 p.m., to consider the adoption of an Ordinance creating the Summerfield Subdivision Street Lighting MSBU. 2014
17. Authorizing the scheduling of a Public Hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on November 20, 2008, at 5:34 p.m., to consider the adoption of an Ordinance creating the Providence Manor Street Lighting MSBU. 2014
18. Authorizing the scheduling of a Public Hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on November 20, 2008, at 5:35 p.m., to consider the adoption of an Ordinance creating the Weatherstone Street Lighting MSBU. 2014
19. Authorizing the scheduling of a Public Hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on November 20, 2008, at 5:36 p.m., to consider the adoption of an Ordinance creating the Autumn Meadows Street Lighting MSBU. 2014
20. Authorizing the scheduling of a Public Hearing on December 11, 2008, at 5:31 p.m., to consider the adoption of a Resolution establishing the Board's intent to use the Uniform Method of Collection for Non-Ad Valorem Special Assessments, as provided in Florida Statutes 197.3632. 2014

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-22. Approved of Various Consent Agenda Items – Continued

21. Acknowledging that *Exhibit "A"* of the recommendation approved on October 16, 2008, was not a copy of the original Ordinance 2005-38, and was replaced prior to the recording of the Interlocal Agreement with the Santa Rosa Island Authority related to the Merit System Protection Board.

2014

22. Appointing Steven Barry, replacing Rodney F. Jackson, who resigned, as one of the two required at-large members of the Planning Board, with a term of office effective November 6, 2008, through April 15, 2009.

2014

2. Resolution Regarding Artificial Reef Permitting

2014

Taking the following action regarding a Resolution requesting that the U.S. Army Corps of Engineers assign jurisdiction to the Mobile, Alabama District for the regulatory permitting of artificial reefs in the Florida Counties of Escambia, Okaloosa, and Bay:

A. Adopting a Resolution (*R2008-180*) requesting that the U.S. Army Corps of Engineers assign jurisdiction to the Mobile, Alabama District for the regulatory permitting of artificial reefs in the Florida Counties of Escambia, Okaloosa, and Bay; and

B. Authorizing the Chairman to sign the Resolution.

II. BUDGET/FINANCE CONSENT AGENDA

1-35. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Young, and carried unanimously, approving Consent Agenda Items 1 through 35, as follows, with the exception of Item 28, which was held for a separate vote, as amended to drop Item 29:

2016

1. Approving the issuance of a blanket Purchase Order to Securitas Security Services USA, in the amount of \$215,000, based upon previously awarded Contract, PD-05-06.136, which provides security services for the M. C. Blanchard Judicial Center, Juvenile Justice Center, and Escambia County Cobb facility; funds are available in Fund 114 (Court Security Fund), Cost Center 410505.

2016

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

2. Taking the following action concerning the Contract between the Escambia County Board of County Commissioners and the State of Florida, Department of Health, Escambia County Health Department: 2016

A. Adopting, as allowed by Florida Statutes, Chapter 154, the Resolution (*R2008-183*) entitled *A Resolution Authorizing a Contract Between the Escambia County Board of County Commissioners and the State of Florida, Department of Health, Escambia County Health Department* for operation of the Escambia County Health Department Contract year of October 1, 2008, through September 30, 2009; and

B. Authorizing the Chairman to sign the Resolution and Contract.

3. Taking the following action regarding utilization of Escambia/Pensacola State Housing Initiatives Partnership (SHIP) Program funds: 2016

A. Approving Agreements with existing, participating local lenders and the City of Pensacola, committing a total of \$1,020,000 for down payment and/or closing cost assistance for SHIP-eligible, very low, low, and moderate income homebuyers; participating lenders for 2008-2009 are: American Nationwide Mortgage Company, Inc.; Branch Banking and Trust Company; Countrywide Bank, FSB; Gulf Coast Community Bank; Hancock Bank; National City Mortgage; Peoples First Community Bank; Regions Bank; Rural Development; SunTrust Bank; Wachovia Mortgage Corporation; and Whitney National Bank (subject to availability of SHIP funds budgeted in Fiscal Year 2008-2009: Fund 120/2008 SHIP, Cost Center 220424, and 2009 SHIP, Cost Center 220428);

B. Authorizing the County Administrator and Pensacola City Manager to mutually approve reallocation of available 2008 and 2009 SHIP funds between the participating lenders as required to meet the demand for SHIP assistance; and

C. Authorizing the Chairman or Vice Chairman to execute the Agreements and all related documents required to implement the projects.

For Information: The Board was advised by Commissioner Robinson that the Bank with which he is involved no longer participates in SHIP issues; therefore, he will no longer need to declare a conflict.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

4. Taking the following action regarding the 2008-2009 State Housing Initiatives Partnership (SHIP) Agreement with West Florida Regional Planning Council (WFRPC):

2016

- A. Approving the 2008-2009 SHIP Housing Repair Project Agreement with WFRPC to provide \$365,000 in SHIP Program funds to support housing repair activities and to provide SHIP administrative funds for the project (Fund 120/2007 SHIP-220412 and 2008 SHIP-220424);
- B. Authorizing the Chairman or Vice Chairman to execute the Agreement and all project-related documents as required to implement the project; and
- C. Authorizing the Office of the Clerk of the Circuit Court to record the Agreement in the Official Records of Escambia County.

For Information: The Board was advised by Commissioner Robinson that the Bank with which he is involved no longer participates in SHIP issues; therefore, he will no longer need to declare a conflict.

5. Taking the following action regarding the 2008/2009 Fair Housing Services Agreement with Escambia-Pensacola Human Relations Commission:

2016

- A. Approving the 2008/2009 Community Development Block Grant (CDBG)-funded Fair Housing Services Agreement with Escambia-Pensacola Human Relations Commission, providing a total of \$18,500 for the 2008-2009 Fiscal Year (Fiscal Year 2008-2009, Fund 129/2008 CDBG-Cost Center 220564); and
- B. Authorizing the Chairman or Vice Chairman to execute the Agreement and all documents required to implement the Agreement.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

6. Taking the following action regarding the 2008-2009 State Housing Initiatives Partnership (SHIP) Agreement with the Town of Century (Century):

2016

- A. Approving the 2008-2009 SHIP Housing Repair Project Agreement with Century to provide \$75,000 in SHIP Program funds to support housing repair activities (Fund 120/2008 SHIP-220424);
- B. Authorizing the Chairman or Vice Chairman to execute the Agreement and all project-related documents as required to implement the project; and
- C. Authorizing the Office of the Clerk of the Circuit Court to record the Agreement in the Official Records of Escambia County.

For Information: The Board was advised by Commissioner Robinson that the Bank with which he is involved no longer participates in SHIP issues; therefore, he will no longer need to declare a conflict.

7. Taking the following action concerning Amendment Number Five to the Agreement with the Disabled American Veterans, Department of Florida, Inc.:

2016

- A. Approving the *Fifth Amendment to Veterans and Dependent Counseling and Assistance Services Agreement between Escambia County Board of County Commissioners and Disabled American Veterans Department of Florida, Incorporated (D.A.V.)*, to provide counseling and assistance services to veterans and dependents and extend Contract provisions, effective October 1, 2008, through September 30, 2009, in the amount of \$15,000, budgeted in Cost Center 220202, Account Code 53401; and
- B. Authorizing the Chairman to execute the Contract Amendment.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

8. Taking the following action regarding the Emergency Management Preparedness and Assistance Grant Program Subgrant Agreement Number 09-BG-03-01-27-01-XXX, providing State funds in the amount of \$98,726 (funding will be identified in Fund 110, Other Grants and Projects, Cost Center 330405 –*[in the amount of]* \$98,726):

2016

A. Approving the Florida Division of Emergency Management Emergency Management and Preparedness Assistance Subgrant Agreement, for the State share amount of \$98,726, that provides Grant funding to assist in improving our Local Division of Emergency Management operations, both for daily and emergency operations, and to assist in local disaster preparations and community outreach; the Agreement period will be from October 1, 2008, through September 30, 2009; and

B. Authorizing the Chairman to execute the Agreement.

9. Taking the following action concerning the Interlocal Agreement for Provision of Emergency Medical Services between Escambia County Healthcare Authority and Escambia County, Florida, approved by the Board on December 8, 2005, for services provided that portion of Escambia County, Alabama, generally described as the area of Flomaton, Alabama, with compensation recognized in Fund 408 (Emergency Medical Services) / Revenue Account 342605 (Escambia County Alabama Lease):

2016

A. Approving *Amendment # 1 to the Interlocal Agreement for the Provision of Emergency Medical Services between Escambia County Healthcare Authority and Escambia County, Florida*, to extend the provision of services for a two-year period, to expire December 7, 2010; and

B. Authorizing the Chairman to sign the Amendment.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

10. Taking the following action concerning the Addendum to the Fire Control Cooperative Agreement between Escambia County and the Florida Division of Forestry, which is a result of recent Legislative change to Florida Statute 125.27 that increases the wildfire control per acre charge from \$.03 to \$.07 per acre; this will increase the annual cost from \$7,794.12 to \$22,849.54, and will be paid from Cost Center 330202, Object Code 54901, Other Current Charges and Obligations:

2016

A. Approving the Addendum to the Fire Control Cooperative Agreement between Escambia County and the Florida Division of Forestry; and

B. Authorizing the Chairman to sign the *Contract Amendment*.

11. Awarding an Indefinite Quantity, Indefinite Delivery, Unit Price Contract, PD 07-08.132, “Chemstrand & Nine Mile Intersection Improvements” to Panhandle Grading & Paving, Inc., in the amount of \$961,829.50 (Fund 352, Local Option Sales Tax III, Cost Center 210107, Object Code 56301, Project Number 08EN0155).

2016

12. Taking the following action concerning approval of the Fiscal Year 2008-2009 Miscellaneous Appropriations Agreement for The Arts Council of Northwest Florida, Inc.:

2016

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

1-35. Approval of Various Consent Agenda Items – Continued

13. Taking the following action regarding the Interlocal Agreement between Escambia County and the City of Pensacola: 2016
- A. Approving the Interlocal Agreement relating to the Fiscal Year 2008-2009 funding of the Pensacola-Escambia County Promotion and Development Commission in the amount of \$150,000, for a one-year period, from October 1, 2008, through September 30, 2009;
 - B. Authorizing the Chairman to execute the Interlocal Agreement; and
 - C. Authorizing approval of the necessary Purchase Order.
14. Adopting the Resolution (*R2008-184*) approving Supplemental Budget Amendment Number 8, Other Grants and Projects Fund (110), in the amount of \$49,814, to recognize Grant funds from the Florida Department of State and appropriate these funds for the Escambia County Supervisor of Elections to be used exclusively for elections for Federal office. 2016
15. Adopting the Resolution (*R2008-185*) approving Supplemental Budget Amendment Number 9, Other Grants and Projects Fund (110), in the amount of \$4,876, to recognize proceeds from a Department of Homeland Security Assistance to Firefighters Grant and to appropriate these funds for purchasing equipment for the Urban Search and Rescue Team. 2016
16. Adopting the Resolution (*R2008-186*) approving Supplemental Budget Amendment Number 12, Other Grants and Projects Fund (110), in the amount of \$92,718, to carry over Grant balances in Grants awarded to the Supervisor of Elections and to appropriate these funds for voter education programs, poll-worker training, and purchasing voting equipment. 2016
17. Approving Budget Amendment Number 416, Management and Budget Services Bureau, Internal Service Fund (501), and Neighborhood and Community Services Bureau, Tourist Promotion Fund (108), in the amount of \$19,710, to cover the final Fiscal Year 2007-2008 pay period in Risk Management and Marine Resources. 2016

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

18. Authorizing the County to piggyback off GSA Contract GS-35F-0890N and awarding a Purchase Order in the amount of \$50,978.41 to Florida Micro, LLC, for the purchase and installation of two REO 9000/9100 tape drive expansion units (Funding: Fund 001, General Fund, Cost Center 140101 – *[in the amount of]* \$50,978.41). 2016
19. Taking the following action concerning approval of the Fiscal Year 2008-2009 Miscellaneous Appropriations Agreement for Pensacola Bay Area Chamber of Commerce, Inc.: 2016
- A. Approving the Miscellaneous Appropriations Agreement between Escambia County and Pensacola Bay Area Chamber of Commerce, Inc., in the amount of \$600,000, 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.
20. Awarding a Contract for PD 07-08.135, “Bob Sikes Bridge Fender System Repair,” to Marine Contracting Group, LLC, to perform repairs to the fender protection system surrounding the bridge support columns, in the amount of \$225,331 (funding to be provided from the Bob Sikes Toll Operations and Maintenance Fund 167, Cost Center 140302, Object Code 54601, Project ENG 1506). 2016

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

21. Taking the following action concerning approval of the Fiscal Year 2008-2009 Miscellaneous Appropriations Agreements for Outside Agencies:

2016

A. Approving the following Miscellaneous Appropriations Agreements to be paid from the 4th Cent Tourist Development Tax, Fund 108, Cost Center 360105:

- | | |
|--|-----------|
| (1) West Florida Historic Preservation, Inc. | \$ 60,000 |
| (2) African American Heritage Society, Inc. | \$ 15,124 |
| (3) Pensacola Historical Society, Inc. | \$ 10,000 |
| (4) Pensacola Museum of Art, Inc. | \$ 15,000 |

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

C. Authorizing the execution of the necessary Purchase Orders.

22. Approving the assignment of the Agreement awarded to Allan Paul Waters, of Waters Risk Management to 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 Water's staff will be absorbed into the Siver's corporate entity (Fund Source: Fund 501, Workers' Compensation Health and Life Fund, Cost Center 140835, Object Code 53101).

2016

_____ Old Address:

_____ New Address:

Waters Risk Management
6580 64th Avenue North
Pinellas Park, Florida 33781

E.W. Siver and Associates
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

1-35. Approval of Various Consent Agenda Items – Continued

23. Taking the following action concerning Contract PD 07-08.143, “Re-bid Water Treatment and Analytical Services” (Funding Source: Fund 001, General Fund, Cost Center 210602):

2016

A. Awarding a Contract to Triple Point Industries, LLC, for a period of 36 months, with an option to extend the Contract for two additional 12-month periods, effective January 20, 2009, in accordance with the terms and conditions of the solicitation; and

B. Authorizing Facilities Management to issue a Purchase Order, not to exceed \$10,000, for PD 07-08.143.

24. Approving Amendment Number 1 to the Contract between Escambia County and MSCW, Inc., PD 07-08.041, Evaluation and Appraisal Report (EAR) Amendments to the Escambia County, Florida Comprehensive Plan –Re-Solicit, as follows (Funding: Fund 001, General Fund, Cost Center 240206, Object Code 53101):

2016

A. Section 2.1 is amended to read as follows:

Under this Agreement, Escambia County budgeted funds during Fiscal Year(s) 07-08 in the amount of Five Hundred Sixteen Thousand and Nine Hundred Dollars (\$516,900.00) for this Project and will budget funds during Fiscal Years(s) 08-09 in the amount of Four Hundred Fifty Thousand Dollars (\$450,000.00), for a total amount of Nine Hundred Sixty-Six Thousand Nine Hundred Dollars (\$966,900.00).

(Continued on Page 44)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

24. Continued...

B. Section 5.1 is amended to read as follows:

Compensation: The County agrees to pay the Consultant, as compensation for its services under Section 3.1 of this Agreement, an aggregate fee for certain project tasks pursuant to the fee schedule set forth in Exhibit “B,” attached hereto and made a part hereof. At the completion of each task, the Consultant will be compensated by a lump sum amount, which has been negotiated for that task, unless otherwise mutually agreed to by the parties hereto. The total fee for all such services, to be performed by the Consultant, including costs, direct expenses, and any other charges described in Section 5.3, is to be paid as follows: A lump sum amount of ~~Five Hundred Sixteen Thousand and Nine Hundred Dollars (\$516,900.00)~~ Nine Hundred Sixty-Six Thousand Nine Hundred Dollars (\$966,900.00). Final payment will be subject to approval by the Board of County Commissioners.

C. Exhibit “A,” Scope of Work be amended to include “Land Development Code Amendments ” attached and included therein; and

D. Exhibit “B,” Project Costs Schedule be amended to include estimated costs for FY 08-09, attached and included therein.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

25. Taking the following action concerning the Design Services for the Perdido Key Fire Station and Community Center (Funding: Cost Center 110267, Project 08PF0028):

2016

A. Approving the Selection/Negotiation Committee Ranking for Design Services for Perdido Key Fire Station and Community Center, PD 07-08.109, as follows:

- (1) DAG Architects
- (2) Quina Grundhoefer Architects
- (3) Hatch Mott MacDonald of Florida

B. Awarding a Contract for Design Services for Perdido Key Fire Station and Community Center, PD 07-08.109, to DAG Architects, in the amount of \$378,509.

26. Taking the following action concerning Design Services for Fairground Road (Funding: Local Option Sales Tax II, Fund 351, Account Number 210105/56301, Project Number 08EN0835):

2016

A. Approving the Selection/Negotiation Committee Ranking for Design Services for Fairground Road, TO 07-08.095, as follows (Per The Terms and Conditions of PD 02-03.079):

- (1) Fabre Engineering & Surveying
- (2) PBS&J
- (3) Hatch Mott MacDonald of Florida

B. Awarding a Task Order, Design Services for Fairground Road, TO 07-08.095 (Per The Terms and Conditions of PD 02-03.079) to Fabre Engineering & Surveying, in the amount of \$59,352.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

27. Taking the following action concerning traffic restrictions – speed limitations (funds are budgeted in Fund 175, Transportation Trust Fund, Cost Center 250701, and Account Code 53401, for sign installations):

2016

A. Adopting the Resolutions for the reduction in speed, from 30 miles per hour to 25 miles per hour, for each of the following areas:

- (1) Bellview Avenue from North Blue Angel Parkway to Muldoon Road
(R2008-187)
- (2) Cedar Tree Lane from North Highway 95A to Cedar Point Road (R2008-188)
- (3) Frederick Street from Pine Forest Road to Pine Forest Road (R2008-189)
- (4) Greenbrier Boulevard from the bridge to Tam O Shanter Road (R2008-190)
- (5) North Eight Mile Creek Road from Highway 297A to West Nine Mile Road
(R2008-191)
- (6) Pine Forest Road from East Kingsfield Road to West Roberts Road
(R2008-192)

B. Authorizing the Chairman to sign the Resolutions for these roadways.

28. See Page 50.

29. Dropping the recommendation that the Board take the following action concerning the surplus and sale of real property located at 97 Hood Drive, known as the Sheriff's Ensley Sub-Station:

2016

A. Declare surplus the Board's real property, Account Number 02-0336-910, Reference Number 11-1S-30-1101-140-280, acquired in 1998; a legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting offers by sealed bid;

B. Authorize the sale of this property to the bidder with the highest offer received from sealed bids, above the minimum bid of \$325,000, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and

C. Authorize the Chairman to sign all documents related to the sale.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

30. Taking the following action concerning the surplus and sale of real property located at West Intendencia Street:

2016

A. Declaring surplus the Board's real property, Account Number 15-3333-000, Reference Number 00-0S-00-9080-060-113, acquired in 1944 by Chancery Order, and offer it to the adjacent property owners;

B. Authorizing the private sale of the property to the adjacent property owner with the highest offer received, above the minimum bid of \$100, in accordance with Section 46-131 Escambia County Code of Ordinances, without further action of the Board; and

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

31. Taking the following action regarding a \$200,000 Grant from the Florida Department of Environmental Protection (DEP) for the Escambia Bay PCB (Polychlorinated Biphenyl) Remediation Project; this grant award provides \$200,000 for the Escambia Bay PCB Remediation Project; no new County matching funds will be required; the County's \$200,000 match requirement will be satisfied by one of the water quality improvement projects in the Escambia Bay Watershed that the County has already planned, funded, and scheduled for construction:

2016

A. Approving the State Financial Assistance Agreement from the Florida Department of Environmental Protection, DEP Agreement No. LP8914; and

B. Authorizing the Chairman to sign the Agreement and any subsequent Grant-related documents, including no-cost extensions.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

32. Taking the following action concerning annual Grant funding received from the Florida Department of Agriculture and Consumer Services (FDACS) for Mosquito Control Administration and Operation: 2016
- A. Approving the Contract Agreement (FDACS Contract Number 014131) between the Florida Department of Agriculture and Consumer Services and Escambia County; and
 - B. Authorizing the Chairman to sign the Contract Agreement.
33. Authorizing staff to pursue appraisals, surveys, and inspections as needed to facilitate the possible sale of The Pensacola Civic Center (*at a cost of up to \$20,000* [Funding Source: Fund 409, Civic Center, Account # 221301/ 53101]). 2016
34. Ratifying the Transportation Regional Incentive Program Application submitted to the State of Florida Department of Transportation by staff in August 2008, for a Project Development and Environmental (PD&E) study update and a design update for State Road 742 (Burgess/Creighton) extension and realignment; the estimated combined cost for the PD&E study update and design update is \$1,900,000; these project costs are split 50/50 by FDOT and the County; therefore, the County's cost is estimated to be \$950,000 (Funding Source: funds to be determined, State (Florida Department Of Transportation) Transportation Regional Incentive Program [a copy of the Application Booklet was provided to the Commissioners, County Administrator, County Attorney, and Clerk's Office; review copy is available in the County Administrator's Office]). 2016

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

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

2016

A. Awarding Task-Order-based continuing Contracts to David W. Fitzpatrick, PE, PA; Universal Engineering Sciences, Inc.; Spencer Maxwell Bullock Architects, PA; Kimley-Horn and Associates, Inc.; MRD Associates, Inc.; Larry M. Jacobs and Associates, Inc.; KHAFRA; Southeastern Surveying and Mapping Corporation; LandMark Engineering and Land Planning, Inc.; ValleyCrest Design Group; Comprehensive Engineering Services, Inc.; Environmental and Geotechnical Specialists, Inc.; Florida Bridge and Transportation, Inc.; Goodwyn, Mills and Cawood, Inc.; Wood+Partners, Inc.; Engineering Services Company, LLC; and Bellomo-Herbert & Company, 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 Division(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.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-35. Approval of Various Consent Agenda Items – Continued

28. Property Located on Scenic Highway

Motion made by Commissioner White, seconded by Commissioner Whitehead, and carried unanimously, dropping the recommendation that the Board take the following action concerning the surplus and sale of real property located in the 9200 Block of Scenic Highway:

2017

- A. Declare surplus the Board's real property, Account Number 01-0069-000, Reference Number 02-1S-29-2011-000-000, acquired from the State of Florida in 1987; a legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting offers by sealed bid;
- B. Authorize the sale of this property to the bidder with the highest offer received from sealed bids (above the minimum bid of \$240,000), in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and
- C. Authorize the Chairman to sign all documents related to the sale.

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION

1. Revenue Bonds

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*), adopting the supplemental Resolution (*R2008-193*), which authorizes the issuance by the Escambia County Health Facilities Authority of not exceeding \$555,000,000 in Revenue Bonds for Baptist Hospital, Inc., and The Baptist Manor, Inc., (collectively, the Baptist Obligated Group or the "Borrower"), Series 2008, and adds additional uses for the proceeds of the Bonds; and authorizing the Chairman to sign the Resolution.

1919

For Information: The Board:

- A. Heard Commissioner Whitehead disclose that he has a business relationship with Baptist Hospital and Baptist Manor; however, because of the "conduit" nature of the relationship, he is not prevented from voting on this item; and
- B. Heard Commissioner Young disclose that she is a Baptist Hospital Foundation Member; however, because of the volunteer nature of her appointment, she is not prevented from voting on this item.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

- I. FOR ACTION
and
- II. FOR INFORMATION

Motion made by Commissioner White, seconded by Commissioner Whitehead, and carried unanimously, approving the County Attorney's Report, as follows: 2024

I. FOR ACTION

- 1. Taking the following action regarding the Satisfaction of Settlement Agreement between Roads, Inc., of NW Florida and Escambia County:
 - A. Accepting the findings of Steve A. Geci, P.E., regarding construction of a recreational lake pursuant to a Settlement Agreement between Roads, Inc., of NW Florida and Escambia County, dated June 23, 2008;
 - B. Approving the *Satisfaction of Settlement Agreement* and authorizing the Chairman to execute the Satisfaction Agreement; and
 - C. Authorizing the recording of the *Satisfaction of Settlement Agreement* and payment of any recording fees by the County.
- 2. Authorizing the Chairman to execute and send the letter to Stephen E. Sorrell, Executive Director to Emerald Coast Utilities Authority (ECUA [*regarding Allied Waste accepting ECUA's Recyclables*]). 2024

II. FOR INFORMATION

- 1. Accepting, for filing with the Board's Minutes, the information concerning Escambia County Circuit Court Case No.: 2008 CA 002110, *Final Summary Judgment Declaring Chapter 57-1291, Laws of Florida, Unconstitutional*. 2024

ITEMS ADDED TO THE AGENDA – COMMISSIONER KEVIN W. WHITE

1. Executive Landscaping

Motion made by Commissioner White, seconded by Commissioner Young, and carried 4-1, with Commissioner Whitehead voting "no," taking the following action regarding Rene West, Executive Landscaping, Inc.:

2027

- A. Authorizing the County Attorney to send an additional letter to the Judge (*Michael G. Allen*) in the Case of Executive Landscaping, Inc., vs. James and Huntley Jimenez, Case No.: 2005 CA 2425, to include the following language: "Up to the time of the issuance of the citation to Rene West in November 2006, a person or entity constructing a retaining wall of two feet high or greater, in Escambia County, was not required to be a licensed general contractor or to hold a specialty license."; and
- B. Accepting the General Release and Hold Harmless Agreement.

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 Robinson, and carried 3-1, with Commissioner White voting "no" and Commissioner Young temporarily out of Board Chambers, approving to advance \$12,500 from the General Fund, Reserves for Operating, earmarked for maintenance and repairs at St. Michael's Cemetery, in anticipation of the 450th (*Anniversary*) Celebration, with the caveat that the City of Pensacola will provide a \$12,500 match, with a report to be provided to the Board after the request has been presented to the City of Pensacola.

1915

ITEMS ADDED TO THE AGENDA – COMMISSIONER GENE M. VALENTINO

1. Public Official Bonds

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving the following Public Official Bonds through Fisher-Brown, Inc., as bond agent, and as outlined in Florida Statute 137.04, to be signed by the Chairman and Board of Commissioners and filed with the Clerk of the Circuit Court's Office:

2030

- A. Commissioner Wilson B. Robertson, District 1, \$2,000, Fidelity and Deposit Company of Maryland, Bond Number POB8900438, effective November 18, 2008, to November 19, 2012;
- B. Commissioner Marie K. Young, District 3, \$2,000, Fidelity and Deposit Company of Maryland, Bond Number POB8526340, effective November 18, 2008, to November 19, 2012; and
- C. Commissioner Kevin W. White, District 5, \$2,000, Fidelity and Deposit Company of Maryland, Bond Number POB8783260, effective November 18, 2008, to November 19, 2012.

ANNOUNCEMENTS

- 1. FOR INFORMATION: The Board was advised by Commissioner Whitehead that he has enjoyed serving the citizens of Escambia County for the past four years, and was advised by Commissioner Robinson and Commissioner Valentino that they have enjoyed working with Commissioner Whitehead.
- 2. FOR INFORMATION: The Board was introduced by County Attorney Rogers to Marena Ramirez, a new Assistant County Attorney.

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 7:34 p.m.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

ATTEST:

Ernie Lee Magaha
Clerk of the Circuit Court & Comptroller

By: _____
Marie Young, Chairman



Deputy Clerk

Approved: November 20, 2008