

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE  
BOARD OF COUNTY COMMISSIONERS  
HELD NOVEMBER 20, 2008  
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX  
221 PALAFOX PLACE, PENSACOLA, FLORIDA  
(4:33 p.m. – 6:26 p.m.)

Present: Commissioner Marie K. Young, Chairman, District 3  
Commissioner Grover C. Robinson, IV, Vice Chairman, District 4  
Commissioner Wilson B. Robertson, District 1  
Commissioner Gene M. Valentino, District 2  
Commissioner Kevin W. White, District 5  
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  
Ms. Lorraine Hudson, Accounting Supervisor, Clerk & Comptroller's Office  
Mrs. Shirley L. Gafford, Program Coordinator, County Administrator's Office  
Mrs. Doris Harris, Deputy Clerk to the Board

PUBLIC FORUM WORK SESSION

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

1. FOR INFORMATION: The Board heard comments from Sherri Myers concerning economic development in Escambia County and heard Ms. Myers' request that the Board consider establishing an Economic Development Advisory Committee, which would function in accordance with the Florida Sunshine Law. 1633
  
2. FOR INFORMATION: The Board: 1638
  - A. Heard the request from Stevan Hite that, because he was unable to attend the mandatory pre-bid meeting for a General Paving, Drainage, and Resurfacing Pricing Agreement Contract, the Board consider allowing his company to submit a bid because he believes the award of this Contract to his company would save the taxpayers money;
  
  - B. Upon inquiry from Commissioner White, was advised by County Administrator McLaughlin that staff recommends the scheduling of a second mandatory pre-bid meeting; and

(Continued on Page 2)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

PUBLIC FORUM WORK SESSION – Continued

2. Continued...

C. Was advised by Commissioner White that he would add this item to the Agenda for tonight's Regular Board Meeting.

3. FOR INFORMATION: The Board heard comments from L. Gary Sansing concerning economic development, education, and other national issues.

1642

4:46 P.M. – PUBLIC FORUM ADJOURNED

5:30 P.M. – REGULAR BOARD MEETING CONVENED

REGULAR BCC AGENDA

1. Call to Order

Chairman Young called the Regular Meeting of the Board of County Commissioners to order at 5:30 p.m.

2. Invocation

Commissioner Valentino advised that Father Jack Gray, Saint Anne's Catholic Church, would deliver the Invocation.

3. Pledge of Allegiance to the Flag

Commissioner White led the Pledge of Allegiance to the Flag.

4. Adoption of the Agenda

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried unanimously, adopting the agenda as prepared and duly amended *(to include Commissioner Valentino's two add-on items, one concerning Value Adjustment Board Appointments and one concerning a Grant Application to the Florida Energy and Climate Commission; Commissioner White's two add-on items, one concerning adoption of a Proclamation and one concerning a second mandatory pre-bid meeting for PD 07-08.134; Commissioner Robinson's two add-on items, one concerning Americas Basketball International franchise proposal and one concerning The Pensacola Civic Center; Addendum #1 to the County Attorney's Report [Items I-3 through I-6]; and Addendum #1 to the Clerk of the Circuit Court & Comptroller's Report [Item I-4]).*

1735

REGULAR BCC AGENDA

5. Commissioners' Forum

1736

- A. District 2 – Commissioner Valentino advised that he will be presenting a list of his "project priorities" at a future Committee of the Whole Workshop and made comments regarding the final outcome of the Strand Case (Dr. Gregory L. Strand v. Escambia County), which was in favor of Escambia County;
- B. District 1 – Commissioner Robertson advised that he looks forward to serving the citizens of Escambia County for the next four years and reiterated that his number one priority for Escambia County is economic development;
- C. District 5 – Commissioner White welcomed Commissioner Robertson to the Board of County Commissioners;
- D. District 4 – Commissioner Robinson expressed gratitude toward Commissioner Valentino for his service as the Chairman of the Board of County Commissioners; and
- E. District 3 – Commissioner Young expressed gratitude toward Commissioner Valentino for his leadership during his service as the Chairman of the Board of County Commissioners and toward those who made it possible for her to serve the citizens of Escambia for another term.

6. Proclamations

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, adopting the Proclamation proclaiming December 2008 as "Keep the Wreath Green Month" in Escambia County.

1742

7. Employee of the Month Proclamations – None.

REGULAR BCC AGENDA

8. Written Communication

A. Code Enforcement Lien – Carla Dedolph

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried unanimously, forgiving the Lien, in the amount of \$380, relative to a communication, dated October 8, 2008, from Carla Dedolph requesting that the Board authorize the County Attorney to prepare a Partial Release of Lien for property located at 2932 Mission Road;

1748

B. Code Enforcement Lien – Howard C. Teachey

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, forgiving the balance of the Lien, relative to a communication, dated October 23, 2008, from Howard C. Teachey requesting that the Board forgive a Code Enforcement Lien against property located at 608 Benjulyyn Road, Cantonment, Florida; and

1749

Speaker(s):

Howard C. Teachey

C. Code Enforcement Lien – Robert Johnson

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried unanimously, dropping the October 27, 2008, communication from Robert Johnson concerning forgiveness of a Code Enforcement Lien against property located at 223 Rosalyn Way.

1751

REGULAR BCC AGENDA – Continued

9. Proofs of Publication

Motion made by Commissioner White, seconded by Commissioner Valentino, 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:

1751

A. The following six Public Hearings on the agenda (*the 5:45 p.m. Public Hearing is to be rescheduled*):

- (1) The 5:31 p.m. Public Hearing, advertised in the Pensacola News Journal on November 9, 2008, for consideration of 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;
- (2) The 5:32 p.m. Public Hearing, advertised in the Pensacola News Journal on November 10, 2008, for consideration of adopting an Ordinance creating the Lillian Woods Subdivision Street Lighting MSBU;
- (3) The 5:33 p.m. Public Hearing, advertised in the Pensacola News Journal on November 10, 2008, for consideration of adopting an Ordinance creating the Summerfield Street Lighting MSBU;
- (4) The 5:34 p.m. Public Hearing, advertised in the Pensacola News Journal on November 10, 2008, for consideration of adopting an Ordinance creating the Providence Manor Street Lighting MSBU;
- (5) The 5:35 p.m. Public Hearing, advertised in the Pensacola News Journal on November 10, 2008, for consideration of adopting an Ordinance creating the Weatherstone Street Lighting MSBU; and
- (6) The 5:36 p.m. Public Hearing, advertised in the Pensacola News Journal on November 10, 2008, for consideration of adopting an Ordinance creating the Autumn Meadows Street Lighting MSBU; and

(Continued on Page 6)

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 November 17, 2008 – November 21, 2008 – Legal No. 1366062*, as published in the Pensacola News Journal on November 15, 2008, as follows:

November 17	4:00 p.m.	West Florida Regional Planning Council
November 18	7:45 a.m.	Pensacola Escambia Promotion & Development Commission
November 18	10:00 a.m.	Special Board of County Commissioners Installation/ Organization Meeting
November 18	1:30 p.m.	Environmental Enforcement Special Magistrate
November 18	2:00 p.m.	Local Mitigation Strategy Board Meeting
November 18	4:00 p.m.	Health Facilities Authority
November 19	8:00 a.m.	Soil & Water Conservation Board
November 19	8:30 a.m.	Board of Adjustment
November 19	9:00 a.m.	Tourism Administration and Convention Committee
November 19	12:00 p.m.	Bay Area Resource Council – Technical Advisory Council
November 19	1:00 p.m.	Development Review Committee
November 19	1:30 p.m.	Bay Area Resource Council
November 19	5:00 p.m.	Santa Rosa Island Authority Committee Meetings
November 19	6:00 p.m.	Optional Sector Plan Alternatives Workshop
November 20	8:00 a.m.	Safety Committee Meeting
November 20	9:00 a.m.	Agenda Work Session
November 20	9:00 a.m.	Board of Electrical Examiners
November 20	2:00 p.m.	BCC Information Technology Governance Council
November 20	4:20 p.m.	Community Redevelopment Agency
November 20	4:30 p.m.	Board of County Commissioners Public Forum
November 20	5:30 p.m.	Board of County Commissioners Public Hearings & Reports
NEXT WEEK'S NOTE:		
November 24	8:30 a.m.	Planning Board Workshop
November 24	11:00 a.m.	Special Planning Board Meeting
November 24	5:00 p.m.	District 2 Commissioner's West-End Advisory Committee

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

10. 5:31 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, adopting an Ordinance (*Number 2008-57*) amending Chapter 50 of the Escambia County Code of Ordinances, establishing the powers and duties of the County Fire Chief and Fire Marshal.

1751

Speaker(s) – None.

11. 5:32 p.m. Public Hearing

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, adopting, and authorizing the Chairman to sign, the Ordinance (*Number 2008-58*) creating the Lillian Woods Subdivision Street Lighting Municipal Services Benefit Unit (MSBU), and all related documents, and making the following findings of fact:

1751

- A. Lots in the District are specially benefited since street lighting not only increases the market value of an individual lot in the District, but also increases safety in the District surrounding individual lots and the ability of lot owners to use their individual lots after dark;
- B. The benefit from improved street lighting varies according to the relative size of the affected lots; residential lots benefit from improved street lighting uniformly because of the small variation in size throughout the District;
- C. The non-ad valorem special assessments levied represent a fair and reasonable apportionment of the cost of the special benefit received by each lot and do not represent a fair share of the cost of general governmental service provided to residents in the unincorporated areas of Escambia County; and
- D. Lots which do not receive a special benefit have been and shall be excluded from the non-ad valorem special assessment for street lighting.

Speaker(s) – None.

REGULAR BCC AGENDA – Continued

12. 5:33 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, adopting, and authorizing the Chairman to sign, the Ordinance (*Number 2008-59*) creating the Summerfield Street Lighting Municipal Services Benefit Unit (MSBU), and all related documents, and making the following findings of fact:

1752

- A. Lots in the District are specially benefited since street lighting not only increases the market value of an individual lot in the District, but also increases safety in the District surrounding individual lots and the ability of lot owners to use their individual lots after dark;
- B. The benefit from improved street lighting varies according to the relative size of the affected lots; residential lots benefit from improved street lighting uniformly because of the small variation in size throughout the District;
- C. The non-ad valorem special assessments levied represent a fair and reasonable apportionment of the cost of the special benefit received by each lot and do not represent a fair share of the cost of general governmental service provided to residents in the unincorporated areas of Escambia County; and
- D. Lots which do not receive a special benefit have been and shall be excluded from the non-ad valorem special assessment for street lighting.

Speaker(s) – None.



REGULAR BCC AGENDA – Continued

13. 5:34 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, adopting, and authorizing the Chairman to sign, the Ordinance (*Number 2008-60*) creating the Providence Manor Street Lighting Municipal Services Benefit Unit (MSBU), and all related documents, and making the following findings of fact:

1752

- A. Lots in the District are specially benefited since street lighting not only increases the market value of an individual lot in the District, but also increases safety in the District surrounding individual lots and the ability of lot owners to use their individual lots after dark;
- B. The benefit from improved street lighting varies according to the relative size of the affected lots; residential lots benefit from improved street lighting uniformly because of the small variation in size throughout the District;
- C. The non-ad valorem special assessments levied represent a fair and reasonable apportionment of the cost of the special benefit received by each lot and do not represent a fair share of the cost of general governmental service provided to residents in the unincorporated areas of Escambia County; and
- D. Lots which do not receive a special benefit have been and shall be excluded from the non-ad valorem special assessment for street lighting.

Speaker(s) – None.

REGULAR BCC AGENDA – Continued

14. 5:35 p.m. Public Hearing

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, adopting, and authorizing the Chairman to sign, the Ordinance (*Number 2008-61*) creating the Weatherstone Street Lighting Municipal Services Benefit Unit (MSBU), and all related documents, and making the following findings of fact:

1752

- A. Lots in the District are specially benefited since street lighting not only increases the market value of an individual lot in the District, but also increases safety in the District surrounding individual lots and the ability of lot owners to use their individual lots after dark;
- B. The benefit from improved street lighting varies according to the relative size of the affected lots; residential lots benefit from improved street lighting uniformly because of the small variation in size throughout the District;
- C. The non-ad valorem special assessments levied represent a fair and reasonable apportionment of the cost of the special benefit received by each lot and do not represent a fair share of the cost of general governmental service provided to residents in the unincorporated areas of Escambia County; and
- D. Lots which do not receive a special benefit have been and shall be excluded from the non-ad valorem special assessment for street lighting.

Speaker(s) – None.

REGULAR BCC AGENDA – Continued

15. 5:36 p.m. Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, adopting, and authorizing the Chairman to sign, the Ordinance (*Number 2008-62*) creating the Autumn Meadows Street Lighting Municipal Services Benefit Unit (MSBU), and all related documents, and making the following findings of fact:

1753

- A. Lots in the District are specially benefited since street lighting not only increases the market value of an individual lot in the District, but also increases safety in the District surrounding individual lots and the ability of lot owners to use their individual lots after dark;
- B. The benefit from improved street lighting varies according to the relative size of the affected lots; residential lots benefit from improved street lighting uniformly because of the small variation in size throughout the District;
- C. The non-ad valorem special assessments levied represent a fair and reasonable apportionment of the cost of the special benefit received by each lot and do not represent a fair share of the cost of general governmental service provided to residents in the unincorporated areas of Escambia County; and
- D. Lots which do not receive a special benefit have been and shall be excluded from the non-ad valorem special assessment for street lighting.

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

16. Adoption of a Resolution

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, adopting the Resolution (*R2008-197*), removing the time deadlines of the proposed Resolution provided by Escambia All for One, P.C., requesting the Florida Legislature to adopt a Special Act that creates a process for the consolidation of County and Municipal governments in Escambia County, and, additionally, requiring submission of the proposed unified community charter to the Board of County Commissioners prior to it being placed on a ballot for vote by the electors of Escambia County.

1753

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

I. CONSENT AGENDA

1-4. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving Consent Agenda Items 1 through 4, as follows:

1800

1. Accepting, for filing with the Board's Minutes, the following five Reports prepared by the Clerk and Comptroller's Finance Department:
  - A. Payroll Expenditures as of Payday November 14, 2008, in the amount of \$2,215,610.64;
  - B. The following two Disbursement of Funds:
    - (1) October 30, 2008, to November 5, 2008, in the amount of \$8,354,536.41; and
    - (2) November 6, 2008, to November 12, 2008, in the amount of \$5,759,279.28;
  - C. The Investment Report for the month ended October 31, 2008; and
  - D. The Tourist Development Tax (TDT) Collections Data for Fiscal Year 2008-2009, which includes the September 2008 returns received in the month of October 2008; the revenues collected to date represent one month of collections and reflect 6.8% of the Budget for Fiscal Year 2008-2009.

1800

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1-4. Approval of Various Consent Agenda Items – Continued

2. Accepting, for filing with the Board's Minutes, Budget Analyses for the fourth quarter of Fiscal Year 2007-2008, as follows:

1800

- A. Expenditure Budget Analysis (Budget to Actual) as of September 30, 2008;
- B. Revenue Budget Analysis (Budget to Actual) as of September 30, 2008; and
- C. Profit and Loss Statements for the following five Enterprise Funds:

- (1) *Solid Waste Fund*
- (2) *Inspections Fund*
- (3) *Emergency Medical Service Fund*
- (4) *Civic Center Fund*
- (5) *Internal Service Fund*

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

1800

- A. Approving the Minutes of the Public Forum Work Session and Regular Board Meeting held November 6, 2008; and
- B. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held November 6, 2008, as follows:

- 1. FOR INFORMATION: The agenda package for the 5:30 p.m., November 6, 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;

(Continued on Page 14)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-4. Approval of Various Consent Agenda Items – Continued
  3. Continued...
- B. Report of the November 6, 2008, Agenda Work Session – Continued
  1. Continued...
    - C. T. Lloyd Kerr, Bureau Chief, and Larry Newsom, Traffic Operations, Development Services Bureau, reviewed the Growth Management Report;
    - D. County Administrator McLaughlin, County Attorney Rogers, Shirley L. Gafford, Program Coordinator, County Administrator's Office, T. Lloyd Kerr, Bureau Chief, Development Services Bureau, John Sims, Public Safety Bureau, Wesley J. "Wes" Moreno, Deputy Bureau Chief, Public Works Bureau, and Keith Wilkins, Deputy Bureau Chief, Neighborhoods and Community Services Bureau, reviewed the County Administrator's Report, with comments from Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services, regarding Item II-33;
    - E. County Attorney Rogers reviewed the County Attorney's Report; and
    - F. Commissioner White and Commissioner Valentino each reviewed his add-on item.
4. Acknowledging that the Clerk of the Circuit Court & Comptroller's Office processed checks this week under the signatures of the previous Chairman, Commissioner Gene M. Valentino, and the Honorable Ernie Lee Magaha, Clerk of the Circuit Court & Comptroller, and that the necessary bank processing and transition of appropriate signatures of the new Chairperson of the Board of County Commissioners, Commissioner Marie Young, should take place tomorrow, Friday, November 21, 2008.

1800

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

I. PUBLIC HEARINGS

1. 5:45 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, rescheduling the 5:45 p.m. Public Hearing from November 20, 2008, to 5:48 p.m. on December 11, 2008.

1802

II. ACTION ITEM

1. Chasefield Subdivision Final Plat

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning recording of the Final Plat of Chasefield Subdivision (a 77-lot, single-family residential subdivision), located in the Montclair community, lying south of Massachusetts Avenue (County Road C-296A), and east of Mobile Highway (U. S. Highway 90), owned and developed by James A. Scoggins; prior to recording, the County Engineer, County Surveyor, Development Services Bureau Chief, and the Clerk of the Circuit Court must sign the Final Plat, as set forth in Section 4.02.07.E of the Escambia County Land Development Code; also, prior to recording, the County Surveyor must sign the Final Plat, as set forth in Chapter 177.081 (1), Florida Statutes:

1802

- A. Approving the Final Plat for recording;
- B. Approving the street names "Waltham Street," "Preservation Boulevard," and "Embers Landing";
- C. Accepting the public road paving, all public easements, drainage improvements, and Parcel "D" (a 1.46-acre Retention Pond), as depicted upon the Final Plat, for permanent County maintenance; the cost of maintenance for drainage improvements are to be founded through the establishment of a stormwater management Municipal Services Benefit Unit; and
- D. Authorizing the Chairman or Vice Chairman to execute a *Two-Year Warranty Agreement for Streets and Drainage Improvements Without Surety/Financial Security and a Conservation Easement (Limited Liability Company)*.

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

1-9. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 18, as follows, with the exception of Item 7, which was held for a separate vote:

1803

1. Taking the following action concerning appointment/reappointments to the Escambia County Extension Council for two-year terms, effective December 1, 2008, through November 30, 2010:

1803

A. Appointing the following individual:

<u>ZONE</u>	<u>NAME AND ADDRESS</u>
10	Larry Knight, 8657 Blue Jay Way, Pensacola, Florida 32534-1774

B. Reappointing the following five individuals:

<u>ZONE</u>	<u>NAME AND ADDRESS</u>
2	Brett Ward, 4761 Highway 99A, Walnut Hill, Florida 32568-1910
4	Russell "Rusty" Hendrix, 1299 Bet Raines Road, Molino, Florida 32577-7126
6	Tena Gindl, 309 Wegner Avenue, Cantonment, Florida 32533-1245
8	Eddie Jones, 608 West Avery Street, Pensacola, Florida 32501-1904
12	Elizabeth "Herbie" Morin, 6051 Moss Lane, Pensacola, Florida 32505-2244

C. Requesting the County Administrator's office provide letters of appointment to incoming members and letters of appreciation to out-going members.

2. Approving, for filing with Board's Minutes, the October 16, 2008, Community Redevelopment Agency (CRA) Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA.

1803



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-9. Approval of Various Consent Agenda Items – Continued

3. Taking the following action concerning Catholic Charities of Northwest Florida, Inc.: 1803
  - A. Approving the Agreement designating Catholic Charities of Northwest Florida, Inc., as the lead agency in Escambia County to administer and distribute revenue proceeds from the sale of “Choose Life” license plates; and
  - B. Authorizing the Chairman to sign the Agreement.
4. Approving the revised *Substance Abuse Policy* so that the Board of County Commissioners will be in compliance with Federal, State, and local laws and statutes. 1803
5. Approving, and authorizing the Chairman to sign, the *Underground Distribution Easement*, allowing Gulf Power to install and repair underground power to the new Pensacola Beach Fire Station. 1803
6. Taking the following action concerning the *2007-2010 State Homeland Security Grant Program Subrecipient Agreement for Expenditure of Local Government Unit Funding for Florida*: 1803
  - A. Approving the Agreement between Escambia County, Florida, and the State of Florida Department of Financial Services, for the continued training for team members and upkeep of equipment for Type II/WMD Hazardous Material Teams; and
  - B. Authorizing the Chairman to sign the Agreement.
7. See Page 18.
8. Authorizing out-of-County travel for any member of the Commission, County Administrator, and County Attorney wishing to participate in the 17th Annual Sterling Competitive Advantage, May 26-29, 2009, in Orlando, Florida. 1803

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-9. Approval of Various Consent Agenda Items – Continued

9. Amending the Board's action of December 6, 2007, concerning the designation of the Ethics Officer, Section II; C.26, Escambia County Code of Ethics Policy, by changing the language in C.16, Ethics Officer, as follows: "Unless another County employee is specifically designated as the County Ethics Officer by the Board of County Commissioners, the employee holding the position of County Human Resources Manager shall be the County Ethics Officer."

1803

7. Scheduling of a Public Hearing

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried 4-1, with Commissioner Young voting "no," authorizing the scheduling of a Public Hearing for December 11, 2008, at 5:34 p.m., for consideration of adopting an Ordinance creating Chapter 18, Article IX, Division 1, a new 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.

1804

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA

2-18. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 2 through 18, as follows (Item 1 was held for a separate vote):

1805

1. See Page 28.
2. Taking the following action concerning the Neighborhood Stabilization Program (NSP)/Substantial Amendment to 2008 Escambia Consortium Annual Action Plan:
  - A. Approving and authorizing submission of a Substantial Amendment to the 2008 Escambia Consortium Annual Action Plan to incorporate \$4,565,918 in Neighborhood Stabilization Program (NSP) funding to undertake activities targeting the acquisition, rehabilitation, or redevelopment of foreclosed or abandoned properties in designated areas of Escambia County, the City of Pensacola, and the Town of Century, as provided by the U. S. Department of Housing and Urban Development (HUD), under the National Housing Economic Recovery Act of 2008 (HERA); and
  - B. Authorizing the County Administrator to execute the 2008 Substantial Amendment and related NSP Program forms, certifications, and any related documents as may be required to submit the Amendment to the U. S. Department of Housing and Urban Development, and authorizing the County Administrator or Chairman, as appropriate, to execute all documents required to receive the NSP funds and to implement the NSP Program.

1805

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

2-18. Approval of Various Consent Agenda Items – Continued

3. Ratifying the following (*November 20, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 209 Southeast Baublits Road:

1805

- A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Jerry Robbins and Jan Robbins, owners of residential property located at 209 Southeast Baublits Road, Pensacola, Florida, in the Warrington Redevelopment Area, in the amount of \$550, representing an in-kind match through the Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, for the following improvements:

Sanitary sewer connection

- B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 209 Southeast Baublits Road, in the amount of \$550; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Jerry Robbins and Jan Robbins, 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

2-18. Approval of Various Consent Agenda Items – Continued

4. Ratifying the following (*November 20, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Facade Grant Funding and Lien Agreements (*for property located*) at 3 North New Warrington Road:

1805

- A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Sojourn Associates, LLC, owner of commercial property located at 3 North New Warrington Road, Pensacola, Florida, in the Warrington Redevelopment Area, in the amount of \$4,578, 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:

Parking lot improvements

- B. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreement for the property located at 3 North New Warrington Road, in the amount of \$4,578; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Sojourn Associates, LLC, and any other related documents necessary to implement this Grant award.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

2-18. Approval of Various Consent Agenda Items – Continued

5. Ratifying the following (*November 20, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 1611 West Lakeview Avenue:

1805

- A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Colvin Rancifer, Jr., and Evelyn Rancifer, owners of residential property located at 1611 West Lakeview Avenue, Pensacola, Florida, in the Englewood Redevelopment Area, in the amount of \$3,500, representing an in-kind match through the Englewood Tax Increment Financing (TIF), Fund 151, Cost Center 220520, Object Code 58301, for the following improvements:

Electrical rewiring and installing central heating and air conditioning system

- B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 1611 West Lakeview Avenue, in the amount of \$3,500; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Colvin Rancifer, Jr., and Evelyn Rancifer, 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

2-18. Approval of Various Consent Agenda Items – Continued

6. Ratifying the following (*November 20, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 2 Northwest Baublits Drive:

1805

- A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Carrie Melton, owner of residential property located at 2 Northwest Baublits Drive, Pensacola, Florida, in the Warrington Redevelopment Area, in the amount of \$3,610, representing an in-kind match through the Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, for the following improvements:

Replacement windows

- B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 2 Northwest Baublits Drive, in the amount of \$3,610; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Carrie Melton, 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

2-18. Approval of Various Consent Agenda Items – Continued

7. Ratifying the following (*November 20, 2008*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Facade Grant Funding and Lien Agreements (*for property located*) at 1000 North Navy Boulevard:

1805

- A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Fun Zone Pizza, Inc., owner of commercial property located at 1000 North Navy Boulevard, Pensacola, Florida, in the Warrington Redevelopment Area, in the amount of \$6,478, 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:

Security monitoring systems

- B. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreement for the property located at 1000 North Navy Boulevard, in the amount of \$6,478;and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Fun Zone Pizza, Inc., and any other related documents necessary to implement this Grant award.
8. Awarding an Indefinite Quantity, Indefinite Delivery, Unit Price Contract, PD 07-08.120, "Installation, Refurbish and Removal of Pavement Markers Term Contract," for a period of up to 36 months, with a retroactive effective date of October 1, 2008, to Gulf Coast Traffic Engineers, Inc., for an annual amount of \$200,000 (funds to be available in Fund 175, Transportation Trust Fund, Cost Center 210304, Object Code 56301).



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

2-18. Approval of Various Consent Agenda Items – Continued

9. Authorizing the County to piggyback off of the Florida Sheriff's Association Contract 08-16-0908, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Applications; Exemption; and Section 46-64, Board Approval, and awarding a Purchase Order to Orville-Beckford Ford-Mercury for two 2009 Ford-550 17,501 lb, GVWR Cab & Chassis (Dual Rear Wheel), 4X4's, for a total amount of \$107,698, for the Division of Solid Waste Management; these trucks will be added to the inventory to support Road Correction Officers work crews assigned to respond to illegal dumping and right-of-way clean up (Solid Waste Fund 401, Cost Center 220603). 1805
10. Taking the following action concerning approval of the Fiscal Year 2008-2009 Miscellaneous Appropriations Agreements for Outside Agencies: 1805
- A. Approving the following Miscellaneous Appropriations Agreements to be paid from the 3rd Cent Tourist Development Tax Fund (108), Cost Center 360101:
- |  |             |
|--|-------------|
| (1) Pensacola Sports Association, Inc.           | \$ 222,850  |
| (2) Perdido Key Area Chamber of Commerce, Inc.   | \$ 113,000  |
| (3) Pensacola Bay Area Chamber of Commerce, Inc. | \$1,205,212 |
- B. Authorizing the Chairman to sign the Agreements and all other necessary documents; and
- C. Authorizing the execution of the necessary Purchase Orders.
11. Adopting the Resolution (*R2008-198*) approving Supplemental Budget Amendment Number 16, Mosquito and Arthropod State 1 Funds (Fund 106), in the amount of (\$1,179), to reduce Grant funds allocated from the State of Florida for Mosquito Control activities in Escambia County. 1805
12. Adopting the Resolution (*R2008-199*) approving Supplemental Budget Amendment Number 17, Other Grants and Projects (Fund 110), in the amount of \$29,650, to recognize proceeds from a Florida Department of Transportation Highway Safety Funds Grant and to appropriate these funds for crash data mapping. 1805

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

2-18. Approval of Various Consent Agenda Items – Continued

13. Adopting the Resolution (*R2008-200*) approving Supplemental Budget Amendment Number 18, Southwest Sector CRA (Fund 152), in the amount of \$428,026, to recognize proceeds from Pensacola Exchange, LLC, and appropriate these funds for the Proportionate Fair Share contribution for Blue Angel Parkway. 1805
14. Approving an Interlocal Agreement among Escambia County, Walton County, and the Offices of the State Attorney and Public Defender, whereby Escambia County acts as the Fiscal Agent for \$1 of Walton County's \$2 court technology filing fee, providing purchasing approval and oversight of the collected funds for the State Attorney and Public Defender only; this Agreement excludes the other \$1 Court Administration portion of the funds; the Walton County Board of County Commissioners has already approved this Interlocal Agreement. 1805
15. Taking the following action concerning Contract PD 05-06.018, Exterior Bus Advertising for Escambia County, Florida: 1805
  - A. Approving *Amendment #1 and Extension to the Agreement to Provide Exterior Advertising Services for Fixed Route Buses Operated by Escambia County Area Transit*, as prepared by the County Attorney's Office, and authorizing the Chairman to execute the Amendment; and
  - B. Awarding a one-year extension of the Contract (*with Transit Advertising Limited, Inc.*), in accordance with the terms and conditions of Contract PD 05-06.018, for the period of January 1, 2009, to December 31, 2009.
16. Approving issuance of a Purchase Order to Greg Williams Electric, Inc., in the amount of \$9,198.50, to pay for unpaid invoices for work that was completed during Fiscal Year 2005-2006 and Fiscal Year 2006-2007 (Funding Source: Fund 351, "Local Option Sales Tax II," Account 350213/56301, Project 06PR0099, Park Development). 1805

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

2-18. Approval of Various Consent Agenda Items – Continued

17. Accepting Modification No. 1 to Grant Agreement No. 401816G077 with the United States Department of the Interior Fish and Wildlife Service, increasing the Grant Award from \$20,000 to \$30,000, and extending the period of the Grant award through December 31, 2011, for the Jones Swamp Habitat and Water Quality Restoration Project; Modification No. 1 provides an additional \$10,000 for the ongoing Jones Creek Stream Restoration Project; staff from the Water Quality Division will provide match in the form of in-kind services; no cash match is required. 1805
18. Taking the following action concerning the City of Pensacola (d/b/a Energy Services of Pensacola), First Amendment to the Agreement for Interruptible Natural Gas Service: 1805
- A. Approving the *First Amendment to Agreement for Interruptible Natural Gas Service* authorizing a fixed charge of \$150.00 monthly; a fuel charge of \$8.64 per MMBTU (Million British Thermal Units); a usage charge of \$1.99 per MMBTU; and a time extension for a period of 11 months, from December 1, 2008, to October 31, 2009; and
  - B. Authorizing the Chairman or Vice Chairman to execute all documents relating to the Amendment as required.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1. Escambia County Adult Drug Court Treatment Program

Motion made by Commissioner White, seconded by Commissioner Valentino, 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 the Escambia County Adult Drug Court Treatment Program:

1806

- A. Approving the two Agreements with Lakeview Center, Inc., for out-patient services for the Escambia County Drug Court Program, based on piggy-backing off the Agreement with the State of Florida for the Non-Competitive Bid Process for continuation of Senate Bill 1258 Initiative (Contract Number AH 338), and authorizing the Chairman to sign all related documents; and
- B. Approving funding for the program, (*in an amount*) not-to-exceed \$156,300, effective October 1, 2008, through September 30, 2009; the sources of funding are as follows:
  - (1) Florida Department of Corrections – \$12,000
  - (2) Local Law Enforcement Block Grant – \$29,000
  - (3) Drug Abuse Trust Fund – \$97,800

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1-6. Approval of Various Action Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Action Items 1 through 6, as follows:

1807

1. Authorizing the Fiscal Year 2008-2009 Time and Material billing rates of GeoTrans, Inc., specifically, Pete Andersen, P.E., who serves as an expert witness for the County.
2. Taking the following action concerning the scheduling of an Attorney-Client Session to discuss Escambia County v. Allied Waste Services of North America, LLC:
  - A. Scheduling an Attorney-Client Session for Thursday, December 11, 2008, at 3:30 p.m.; and
  - B. Approving to advertise (*the Public Notice*) in the Pensacola News Journal on Sunday, November 30, 2008.
3. Ratifying the letter dated November 18, 2008, sent (*to Bradley S. Odom, Esquire, Kievit, Odom & Barlow*), from the County Attorney's Office, regarding pending issues with Emerald Coast Utilities Authority (ECUA).
4. Scheduling a Public Hearing for December 11, 2008, at 5:36 p.m., to consider (*adopting an Ordinance*) repealing, for the 2008 tax year forward, Ordinance Number 2003-52 and Ordinance Number 2008-14, which granted Wayne-Dalton Corporation certain County Economic Development Ad Valorem Tax Exemptions.
5. Scheduling a Public Hearing for December 11, 2008, at 5:35 p.m., to consider (*adopting an Ordinance*) repealing Ordinance Number 2008-36, which granted West Fraser, Inc., certain County Economic Development Ad Valorem tax Exemptions.

1807

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

1-6. Approval of Various Action Items – Continued

6. Taking the following action concerning the scheduling of an Attorney-Client Session to discuss Escambia County, Florida v. SmartCop, Inc., Case No. 2008 CA 2547:

1807

A. Scheduling an Attorney-Client Session for Thursday, December 3, 2008, at 8:15 a.m.; and

B. Approving to advertise (*the Public Notice*) in the Pensacola News Journal on Sunday, November 23, 2008, as follows:

**PUBLIC NOTICE**

**IT IS THE INTENTION** of the Board of County Commissioners of Escambia County, Florida, to hold a private meeting with its attorney to discuss pending litigation in the case of *Escambia County, Florida v. SmartCop, Inc.*, in accordance with § 286.011 (8), Florida Statutes. Such attorney-client session will be held prior to the meeting of the Board of County Commissioners scheduled to commence at 8:15 a.m., C.S.T. on Wednesday, December 3, 2008, in the Board Meeting Room, First Floor, Escambia County Governmental Complex, 221 Palafox Place. Commissioners Gene Valentino, Marie Young, Wilson Robertson, Grover Robinson, IV, and Kevin White, County Administrator Robert McLaughlin, Attorney representing Escambia County Charles V. Peppler, County Attorney Alison Rogers and a certified court reporter will attend the attorney-client session.

ITEMS ADDED TO THE AGENDA – COMMISSIONER GENE M. VALENTINO

1. Value Adjustment Board Appointments

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, approving the following appointments to the Escambia County Value Adjustment Board:

1807

- A. Commissioner Gene M. Valentino, effective November 20, 2008, through December 2009, replacing D. M. "Mike" Whitehead; and
- B. Charles C. Sherrill, Jr., MAI, to serve the unexpired term of Steven Barry, effective November 20, 2008, through August 31, 2010.

2. RE&EE Technologies Grant Program Application

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, taking the following action concerning energy efficient economic grant incentives (no funds are required):

1808

- A. Authorizing staff to submit, as a local agency, the *Florida Renewable Energy and Energy-Efficient (RE&EE) Technologies Grant Program Application* to the Florida Energy and Climate Commission; and
- B. Authorizing the County Administrator to sign the RE&EE Grant Application.

Speaker(s):

Byron Keesler

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

ITEMS ADDED TO THE AGENDA – COMMISSIONER KEVIN W. WHITE

1. Adoption of a Proclamation

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, adopting the Proclamation proclaiming the week of November 21, 2008, through November 27, 2008, as "Farm-City Week" in Escambia County.

1742

2. PD 07-08.134

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, allowing for a second mandatory pre-bid meeting, to be made available for prospective bidders, in regards to "General Paving, Drainage, and Resurfacing Pricing Agreement," PD 07-08.134; any prospective bidder who attended the initial mandatory pre-bid meeting is excused from attendance at the second mandatory pre-bid meeting.

1824

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

1. Americas Basketball International Franchise

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried unanimously, taking the following action concerning Americas Basketball International Franchise at The Pensacola Civic Center:

1825

- A. Authorizing the County Administrator to reject the proposal to establish a franchise of Americas Basketball International; and
- B. Directing the County Attorney's Office to draft the appropriate document providing notice of the rejection.

2. Appraisal for The Pensacola Civic Center

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, rescinding the Board's action of November 6, 2008, authorizing staff to pursue appraisals, surveys, and inspections as needed to facilitate the possible sale of The Pensacola Civic Center.

1825



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

ANNOUNCEMENTS – None.

ADJOURNMENT

There being no further business to come before the Board, Chairman Young declared the Regular Meeting of the Board of County Commissioners adjourned at 6:26 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: December 11, 2008