

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD JANUARY 22, 2009
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(4:34 p.m. – 6:03 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
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 Young called the Public Forum Work Session to order at 4:34 p.m.

1. FOR INFORMATION: The Board heard comments from Sherri Myers and Barbara Mayall concerning Escambia County Area Transit (ECAT), and heard their request that the Board consider establishing a permanent ECAT Citizens' Advisory Committee. 1634
2. FOR INFORMATION: The Board heard comments from Jeff Bergosh in support of an Alcohol-Free Zone on Pensacola Beach and cardroom gaming (*at Pensacola Greyhound Track*). 1648
3. FOR INFORMATION: The Board heard comments from David E. McMillian disputing the amount of a Code Enforcement Lien against property owned by the Estate of Mary A. Lockwood, which is in the process of being foreclosed on, and heard the request from Commissioner Young that Sandra Slay, Division Manager, Office of Environmental Enforcement, work with Mr. McMillian regarding this matter. 1652
4. FOR INFORMATION: The Board heard comments from L. Gary Sansing concerning items discussed during Public Forum and various national issues. 1656

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

PUBLIC FORUM WORK SESSION – Continued

5. FOR INFORMATION: The Board heard the request from Commissioner Robinson, with consensus from the Board, that staff begin the process of designating Weed Street, located in Ellyson Industrial Park, as a one way street. 1700

6. FOR INFORMATION: The Board heard comments from Ann Tritschler and Timothy Whaley in support of cardroom gaming (*at Pensacola Greyhound Track*). 1705

5:12 P.M. – PUBLIC FORUM ADJOURNED

5:35 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 5:35 p.m.

2. Invocation

Chairman Young advised that Horace Jones would deliver the Invocation.

3. Pledge of Allegiance to the Flag

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

4. Adoption of the Agenda

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, adopting the agenda as prepared and duly amended (*to include Commissioner Valentino's add-on item concerning appointments to the West-End Advisory Committee and the Addendum to the County Administrator's Report [Item III-1]*). 1737

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

5. Commissioners' Forum

1737

- A. District 4 – Commissioner Robinson advised that the process to designate Weed Street, located in Ellyson Industrial Park, as a one way street does not require a Public Hearing; and
- B. District 3 – Commissioner Young recognized the President of the United States, Barack Obama.

6. Proclamations

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning adoption/ratification of the following two Proclamations:

1739

- A. Adopting the Proclamation welcoming Dr. Hugh Dell Gatewood, who serves as President of the Woman's Auxiliary to the National Baptist Convention USA, Inc., as she visits Escambia County in celebration of the 60th Annual Woman's Day at Greater Union Baptist Church; and
- B. Ratifying the Proclamation commemorating the accomplishments and sacrifices of the late Dr. Martin Luther King, Jr.

7. Employee of the Month Proclamations – None.

REGULAR BCC AGENDA – Continued

8. Written Communication

A. Code Enforcement Lien – Mark Keeton

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, accepting Mr. Guttman's offer, on behalf of his client, that the hard costs be paid, subject to a payment plan that can be worked out with the Clerk of the Court and the County Attorney; waiving the fines; and waiving interest associated with the payment plan, relative to a communication, dated December 10, 2008, from Stephen M. Guttman, Attorney at Law, representing Mark Keeton, requesting that the Board forgive the fines, costs, and fees associated with a Code Enforcement violation against property located at 57 West Carver Drive.

1739

Speaker(s):

Stephen M. Guttman

B. Code Enforcement Lien – Henry Baker and Michael Breton

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving to send (*the Case*) back to the Special Magistrate for reconsideration, relative to a communication, dated December 16, 2008, from William J. Dunaway, Clark, Partington, Hart, Larry, Bond & Stackhouse, representing Henry Baker and Michael Breton, requesting that the Board forgive the fines associated with a Code Enforcement Lien against property located at 9016 Blue Bay Lane.

1744

C. Code Enforcement Lien – Gail Cook

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried unanimously, approving to take no action relative to a communication, dated December 30, 2008, from Gail Cook concerning a Code Enforcement Lien against property located on Japonica (*Avenue*).

1745

REGULAR BCC AGENDA – Continued

9. Proofs of Publication

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

1745

A. The following five Public Hearings on the agenda:

- (1) The 5:31 p.m. Public Hearing, advertised in the Pensacola News Journal on January 10, 2009, for consideration of adopting an Ordinance establishing an alcohol-free zone on Pensacola Beach;
- (2) The 5:32 p.m. Public Hearing, advertised in the Pensacola News Journal on January 12, 2009, for consideration of adopting an Ordinance creating the West Ridge Place Street Lighting MSBU;
- (3) The 5:33 p.m. Public Hearing, advertised in the Pensacola News Journal on January 19, 2009, for consideration of adopting a Resolution amending the Fiscal Year 2008-2009 Budget to include fund balance carryforwards;
- (4) The 5:34 p.m. (TEFRA) Public Hearing, advertised in the Pensacola News Journal on January 7, 2009, for consideration of the issuance of not exceeding \$8,000,000 Escambia County, Florida, Environmental Improvement Revenue Bonds (International Paper Company Project) 2009 Series A; and
- (5) The 5:45 p.m. Public Hearing, advertised in the Pensacola News Journal on January 9, 2009, for consideration of the Campus Development Agreement for UWF Campus Master Plan; 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 January 19, 2009 – January 23, 2009 – Legal No. 0001379022*, as published in the Pensacola News Journal on January 17, 2009, as follows:

January 19		Holiday/Martin Luther King, Jr. Day / County Offices Closed
January 20	1:00 p.m.	Tourist Development Council Strategic Planning Session
January 20	1:30 p.m.	Environmental Enforcement Special Magistrate
January 20	4:00 p.m.	Health Facilities Authority
January 20	4:30 p.m.	Tourist Development Council Meeting
January 20	6:00 p.m.	Comprehensive Plan Public Input Workshop
January 21	8:00 a.m.	Soil & Water Conservation Board
January 21	8:30 a.m.	Board of Adjustment
January 21	9:00 a.m.	Tourism Administration and Convention Committee
January 21	12:00 p.m.	Bay Area Resource Council – Technical Advisory Council
January 21	1:00 p.m.	Development Review Committee
January 21	1:00 p.m.	Joint Wellness and Benefits Committees
January 21	1:30 p.m.	Bay Area Resource Council
January 22	9:00 a.m.	Agenda Work Session
January 22	9:00 a.m.	Board of Electrical Examiners
January 22	11:00 a.m.	BCC Information Technology Governance Council
January 22	11:00 a.m.	Workforce Escarosa Executive Committee
January 22	11:30 a.m.	Workforce Escarosa Board of Directors
January 22	3:30 p.m.	Board of County Commissioners Attorney-Client Session
January 22	4:20 p.m.	Community Redevelopment Agency
January 22	4:30 p.m.	Board of County Commissioners Public Forum
January 22	5:30 p.m.	Board of County Commissioners Public Hearings & Reports
NEXT WEEK'S NOTE:		
January 26	8:30 a.m.	Planning Board Workshop
January 26	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 Valentino, seconded by Commissioner White, and carried unanimously, taking the following action concerning an Alcohol-Free Zone on Pensacola Beach:

1746

- A. Adopting an Ordinance (*Number 2009-1*) establishing an Alcohol-Free Zone on Pensacola Beach; and
- B. Authorizing the Chairman to sign the Ordinance.

Speaker(s):

W. A. "Buck" Lee
Fred Gant

REGULAR BCC AGENDA – Continued

11. 5:32 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 2009-2*) creating the West Ridge Place Street Lighting Municipal Services Benefit Unit (MSBU), and all related documents, and making the following findings of fact:

1747

- 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

12. 5:33 p.m. Public Hearing

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, taking the following action concerning fund balance carryforwards:

1748

- A. Ratifying the scheduling and advertisement of a Public Hearing for 5:33 p.m., on January 22, 2009, for the fund balance carryforwards amending the Fiscal Year 2008-2009 Budget; and
- B. Adopting the Resolution (*R2009-5*) approving Supplemental Budget Amendment Number 76, in the amount of \$34,243,545, to recognize certain revenues and adjust fund balance estimates for the following funds and to appropriate these funds accordingly:

<u>Fund</u>	<u>Number(s)</u>
General Fund	001
Escambia County Restricted Fund	101
Economic Development Fund	102
Code Enforcement Fund	103
Mass Transit Fund	104
M&A State Fund	106
Tourist Promotion Fund	108
Other Grants and Projects Fund	110
Misdemeanor Probation Fund	114
Article V Fund	115
Law Enforcement Trust Fund	121
Escambia Affordable Housing Fund	124
CDBG Entitlement Fund	129
Handicapped Parking Fund	130
Family Mediation Fund	131
Fire Protection Fund	143
E-911 Operations Fund	145
HUD-CDBG Housing Rehab Fund	146
Community Redevelopment Fund	151
Southwest Sector CRA Fund	152
Bob Sikes Toll Bridge Fund	167

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

12. Continued...

B. Continued...

<u>Fund</u>	<u>Number(s)</u>
Transportation Trust Fund	175
MSBU Assessment Fund	177
Master Drainage Basin Fund	181
New Road Construction Fund	333
Local Option Sales Tax Fund	350
Local Option Sales Tax II Fund	351
Local Option Sales Tax III Fund	352
Solid Waste Fund	401
Building Inspections Fund	406
EMS Fund	408
Civic Center Fund	409
Self-Insurance Fund	501

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

13. 5:34 p.m. TEFRA Public Hearing

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning the proposed issuance of not exceeding \$8,000,000 Escambia County, Florida, Environmental Improvement Revenue Bonds (International Paper Company Project) 2009 Series A:

1748

- A. Ratifying the scheduling and advertising of the Tax Equity and Fiscal Responsibility Act (TEFRA) Public Hearing Public Hearing for January 22, 2009, at 5:34 p.m.;
- B. Conducting the Public Hearing;
- C. Adopting the Resolution (*R2009-6*) authorizing the issuance and sale of the Bonds upon the terms established therein; and
- D. Authorizing the Chairman to sign the Resolution, the Letter of Intent, and all other documents necessary to authorize issuance of the Bonds.

Speaker(s):

John Livingston
Richard Lott

14. Committee of the Whole Recommendation

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting a policy establishing a Centenarian Program to recognize the citizens of Escambia County who are 100 years of age or older, as recommended by the Committee of the Whole (C/W), at the January 15, 2009, C/W Workshop (Item 12).

1755

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

1-8. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving Consent Agenda Items 1 through 8, as follows:

1757

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

1757

- A. Payroll Expenditures as of Payday January 9, 2009, in the amount of \$2,272,136.75; and

- B. The following three Disbursement of Funds:

- (1) December 25, 2008, to December 31, 2008, in the amount of \$4,169,365.19;

- (2) January 1, 2009, to January 7, 2009, in the amount of \$9,590,952.29; and

- (3) January 8, 2009, to January 14, 2009, in the amount of \$4,084,776.39;

- C. The Investment Report for the month ended December 31, 2008; and

- D. The Tourist Development Tax (TDT) Collections Data for Fiscal Year 2008-2009, which includes the November 2008 returns received in the month of December 2008; the three months revenue collected to date reflects 16.7% of the Budget for the Fiscal Year.

2. Accepting, for filing with the Board's Minutes, the Minutes of the Quarterly Meeting of the County Investment Advisory Committee (CIAC) held October 24, 2008, as prepared by the Clerk to the Board's Office.

1757

3. Approving three (3) 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.

1757

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

1-8. Approval of Various Consent Agenda Items – Continued

4. Adopting the Resolution (*R2009-7*) authorizing the write-off of \$510,364.81 in receivables that have been recorded in the Emergency Medical Services Fund of the County and have been determined to be uncollectible bad debts. 1757

5. Approving the Public Official Bond for the Honorable Janet Holley, Tax Collector, Bond No.: POB8783271, underwritten by Fidelity and Deposit Company of Maryland, in the amount of \$50,000, for a term beginning January 6, 2009, and ending January 7, 2013. 1757

6. Accepting, for filing with the Board's Minutes, the Financial Statements for the Pensacola-Escambia County Promotion and Development Commission, for the Fiscal Year ended September 30, 2008, as prepared and audited by Saltmarsh, Cleaveland & Gund, Certified Public Accountants and Consultants, and the Financial Statements for the Escambia-Pensacola Human Relations Commission (HRC), for the Fiscal Year ended September 30, 2008, and 2007, as prepared and audited by Brown Thornton Pacenta & Company, P.A., Certified Public Accountants Business & Financial Consultants (*and the HRC 2007-2008 Annual Report*). 1757

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

1-8. Approval of Various Consent Agenda Items – Continued

7. Accepting, for filing with the Board's Minutes, the following five documents received in the Clerk to the Board's Office on January 13, 2009, as provided by Denee M. Rudd, Accounting Supervisor, Neighborhoods and Community Services Bureau:

1757

- A. *Irrevocable Standby Letter of Credit Number 328000582501*, issued by BancorpSouth Bank, in the amount of \$50,000, in favor of the Board of County Commissioners of Escambia County, through its Division of Solid Waste Management, for the account of SAIIA Construction, LLC, effective December 8, 2008, through November 25, 2009 (*replacing Detrimental Amendment to the Standby Letter of Credit No. 10001130*);
- B. The *Continuation Certificate*, executed by Western Surety Company, in the sum of \$9,720, as Surety on Bond No. 929174191, *Surety Bond for Tipping Fees – Escambia County Department of Solid Waste Management*, for Southern Scrap Company, Inc., effective December 11, 2008, through December 11, 2009;
- C. The *Surety Bond for Solid Waste Disposal Rates and Charges, Bond Number 08-1974*, in the penal sum of \$5,000, with HHH Construction of NWF, Inc., as Principal, and ABBA Bonding, as Surety, and the Department of Solid Waste Management of Escambia County, Florida, as Obligee (*replacing Surety Bond 5-92-20-97*);
- D. The *Solid Waste Disposal Payment Guarantee Bond, No. 1815976*, in the amount of \$30,000, with Waste Pro of Florida, Inc., as Principal, and The Hanover Insurance Company, as Surety, and Escambia County Board of County Commissioners – Division of Solid Waste Management, as Obligee; and
- E. *Irrevocable Standby Letter of Credit Number 167*, issued by Beach Community Bank, in the amount of \$10,000, in favor of Escambia County Solid Waste Management, for the account of Containers, Inc., effective November 17, 2008, through November 17, 2009.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1-8. Approval of Various Consent Agenda Items – Continued

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

1757

A. Approving the Minutes of the Public Forum Work Session and Regular Board Meeting held January 8, 2009;

B. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held January 8, 2009, as follows:

1. FOR INFORMATION: The agenda package for the 5:30 p.m., January 8, 2009, Regular Board Meeting was reviewed as follows:

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

B. Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services, reviewed the Clerk's Report;

C. T. Lloyd Kerr, Bureau Chief, Development Services Bureau, reviewed the Growth Management Report;

D. County Administrator McLaughlin, Shirley L. Gafford, Program Coordinator, County Administrator's Office, Keith Wilkins, Deputy Bureau Chief, Neighborhoods and Community Services Bureau, and Sandra P. Jennings, Bureau Chief, Neighborhoods and Community Services Bureau, reviewed the County Administrator's Report; and

E. County Attorney Rogers reviewed the County Attorney's Report.

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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
- 1-8. Approval of Various Consent Agenda Items – Continued
8. Continued...
- B. Report of the January 8, 2009, Agenda Work Session – Continued
 2. FOR INFORMATION: Marilyn Wesley introduced Kenneth Gordon, Interim General Manager, Escambia County Area Transit.
- C. Accepting, for filing with the Board's Minutes, the Report of the Committee of the Whole (C/W) Workshop held December 18, 2008, as follows:

AGENDA NUMBER

1. Call To Order

Chairman Young called the Committee of the Whole (C/W) to order at 9:03 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 December 13, 2008, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule December 15, 2008 – December 19, 2008, Legal No. 1372469.*

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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
- 1-8. Approval of Various Consent Agenda Items – Continued
- 8. Continued...
- C. Report of the December 18, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

- 3. Clerk of the Circuit Court's Budget Request
 - A. Discussion – The C/W discussed the Clerk of the Circuit Court's Budget Request (*in the amount of \$400,000*), and heard comments from the Honorable Ernie Lee Magaha, Clerk of the Circuit Court & Comptroller; and
 - B. Board Direction – The C/W recommends that the Board direct staff to provide, at the January 8, 2009, Regular Board Meeting, a recommended funding source, and approve up to \$400,000 in additional funding, for the remainder of Fiscal Year 2008-2009, for the Honorable Ernie Lee Magaha, Clerk of the Circuit Court & Comptroller.

Recommended 5-0

- 4. Artificial Reef U.S. Army Corps of Engineers Presentation
 - A. Discussion – The C/W discussed the Artificial Reef U.S. Army Corps of Engineers Presentation, and heard comments from Clif Payne regarding the Corps' position that the procedures and conditions presently utilized by the Jacksonville, Florida, District are appropriate, relative to the Board's request (*on November 6, 2008, by adoption of Resolution R2008-180*) that the Corps assign jurisdiction to the Mobile, Alabama, District for regulatory permitting of artificial reefs in the Florida Counties of Escambia, Okaloosa, and Bay; 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
- 1-8. Approval of Various Consent Agenda Items – Continued
- 8. Continued...
- C. Report of the December 18, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

- 5. Core Improvements / Toll Increase – Santa Rosa Island Authority
 - A. Discussion – The C/W discussed Core Improvements / Toll Increase – Santa Rosa Island Authority, and viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Pensacola Beach Commercial Core Development – Santa Rosa Island Authority*, presented by Tammy Bohannon; and
 - B. Board Direction – The C/W recommends that the Board approve, conceptually, the proposed (*Bob Sikes Bridge Toll Facility*) toll increase (*from \$1 to \$2*), subject to a single purpose or single design which is the consensus of the citizenry from the Pensacola Beach area, with staff to provide a report at the February 12, 2009, Committee of the Whole Workshop, and approve a commitment to retain, for a period of five years, the \$50 (*annual*) transponder rate.

Recommended 5-0

Speaker(s):

Robert Rinke
Chris Shearman
Rich Chisom
Gary Powell

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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
- 1-8. Approval of Various Consent Agenda Items – Continued
- 8. Continued...
- C. Report of the December 18, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

6. Unite Escambia Community Collaborative Update (Economic Development, Education, Environment, Health, Housing and Poverty)

A. Discussion – The C/W discussed the Unite Escambia Community Collaborative Update (Economic Development, Education, Environment, Health, Housing and Poverty), and heard a presentation from Buzz Ritchie, Enid Sisskin, Susan Turner, Susan Senkarik, and Jean Norman, and the C/W:

- (1) Was advised by Ms. Norman that Chairman Young, and other key community leaders, will receive an invitation to a dinner to be held January 15, 2009, to hear about the Cincinnati Works Program, which achieves an 84% retention rate for entry-level, low-skill employees; and
- (2) Heard the request from Commissioner Robinson that County Administrator McLaughlin work with the Unite Escambia group to establish non-financial ways in which the County can assist; 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

1-8. Approval of Various Consent Agenda Items – Continued

8. Continued...

C. Report of the December 18, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

7. Health Facilities Authority

A. Discussion – The C/W discussed the (*Escambia County*) Health Facilities Authority (HFA), and was advised by Paula Drummond, Executive Director and General Counsel for the HFA, that the HFA is willing to offer the County up to \$100,000 from its Charitable Grant Program to fully fund the Budget request of the Escambia Community Clinic, and the C/W:

(1) Was advised by Commissioner Valentino that in excess of \$3 million in County funds, resulting from a change in "financial arbitrage" dating to the former County Comptroller, remain in an account over which HFA has control; and

(2) Was advised by Ms. Drummond that:

(a) The funds originated from the HFA's Series 2000 Loan Program Bond Issue, which is still outstanding; therefore, the HFA is not in a position to utilize the majority of the funds until the Bonds are, in fact, redeemed; and

(b) The funds are currently committed and represent the entire amount of funding for the HFA, with the interest earnings from the invested funds used to fund the HFA's programs and daily operations; 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
- 1-8. Approval of Various Consent Agenda Items – Continued
- 8. Continued...
- C. Report of the December 18, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

7. Continued...

- B. Board Direction – The C/W recommends that the Board approve accepting up to \$100,000, from the Escambia County Health Facilities Authority's Charitable Grant Program, to fully fund the (*Fiscal Year 2008-2009*) Budget request of the Escambia Community Clinic.

Recommended 5-0

8. Peacock Ordinance

- A. Discussion – The C/W discussed the Peacock Ordinance; and
- B. Board Direction – The C/W recommends that the Board approve to not establish a "Peacock Ordinance" and leave the County's (*Animal Control*) Ordinance as it is.

Recommended 5-0

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-8. Approval of Various Consent Agenda Items – Continued
- 8. Continued...
- C. Report of the December 18, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

- 9. Florida Gas Transmission Company
 - A. Discussion – The C/W was advised by County Attorney Rogers that the Florida Gas Transmission Company is in the process of expanding the natural gas transmission lines that cross the entirety of the northern part of Escambia County and most of the Florida Panhandle; however, since the Company falls under the authority of the Federal Energy Regulatory Commission, it is essentially exempt from County regulations; and
 - B. Board Direction – None.
- 10. Siguenza Cove Issues (Referred from 10/16/08 Public Forum)
 - A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Siguenza Cove*, presented by Joy D. Blackmon, Bureau Chief, Public Works Bureau, concerning Siguenza Cove Issues; and
 - B. Board Direction – The C/W recommends that the Board direct staff to provide a cost estimate for drainage improvements at Siguenza Cove, and determine the funding source from the Local Option Sales Tax Projects.

Recommended 4-0, with Commissioner Robinson temporarily out of Board Chambers

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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

1-8. Approval of Various Consent Agenda Items – Continued

8. Continued...

C. Report of the December 18, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

11. State Lobbyist

A. Discussion – The C/W discussed a State Lobbyist, and the C/W:

(1) Upon inquiry from Commissioner Valentino, was advised by County Attorney Rogers that the County cannot pay a State Lobbyist based on performance, due to ethical restraints; and

(2) Was advised by Commissioner Young that a State Lobbyist must be selected through the Request for Proposals (RFP) process; and

B. Board Direction – The C/W recommends that the Board approve, for a six-month to one-year period, a solicitation process for a State Lobbyist.

Recommended 5-0

(Continued on Page 24)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-8. Approval of Various Consent Agenda Items – Continued
- 8. Continued...
- C. Report of the December 18, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

12. County Commission's Initiative on an Economic Development Advisory Committee –(Referred from 11/12/08 Committee of the Whole)

- A. Discussion – The C/W heard comments from Commissioner Valentino concerning the County Commission's Initiative on an Economic Development Advisory Committee; and
- B. Board Direction – The C/W recommends that the Board direct staff to research economic development options for Escambia County, to be followed by a presentation from the Pensacola Bay Area Chamber of Commerce's Subcommittee at the March 2009 Joint City-County Meeting, then general public input regarding the Subcommittee's recommendations at the next Regular Board Meeting.

Recommended 3-0, with Commissioner Robinson and Commissioner White absent (*during discussion of this item*)

13. Neighborhood Improvement Plan, Pinestead-Longleaf Extension

- A. Discussion – The C/W viewed a PowerPoint Presentation, which was also provided in hard copy, entitled *Escambia County Board of County Commissioners –Neighborhood Improvement Plan*, presented by Jim Waite, Baskerville-Donovan, Inc., and Bob Wallace, Tindale-Oliver & Associates, Inc., concerning the Neighborhood Improvement Plan, Pinestead-Longleaf Extension; and
- B. Board Direction – None.

(Continued on Page 25)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-8. Approval of Various Consent Agenda Items – Continued
- 8. Continued...
- C. Report of the December 18, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

14. Mitigation Lands for Road Widening Project to Include State Road 292, Sorrento Road, and Blue Angel Parkway

- A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, presented by Timothy R. Day, concerning Mitigation Lands for Road Widening Project to Include State Road 292, Sorrento Road, and Blue Angel Parkway; and
- B. Board Direction – The C/W recommends that the Board authorize staff to take the following action concerning a wetlands mitigation bank for the proposed expansion of Perdido Key Drive, Sorrento Road, Blue Angel Parkway, and Longleaf/Pinestead Roads:
 - (1) *(Advertise a)* Request for Letters of Interest (RLI) from landowners with large wetland tracts, to be evaluated for suitability;
 - (2) Directly contact known landowners (to ascertain availability and potential costs for the County to directly acquire mitigation lands); and
 - (3) Determine a least-cost option for the County to satisfy regulatory wetland mitigation requirements.

Recommended 3-0, with Commissioner Robinson and Commissioner White absent (*during discussion of this item*)

(Continued on Page 26)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-8. Approval of Various Consent Agenda Items – Continued
- 8. Continued...
- C. Report of the December 18, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

15. Acquisition of 350 Acres South of I10 (AR)

- A. Discussion – The C/W heard comments from Sandra P. Jennings, Bureau Chief, Neighborhoods and Community Services Bureau, regarding the Acquisition of 350 Acres South of I10 (AR); and
- B. Board Direction – The C/W recommends that the Board approve continuing, for one year, the lease of 350 acres of property located south of Interstate 10, on which the County has a number of wells for pumping contaminated groundwater to the constructed wetlands at Perdido Landfill.

Recommended 3-0, with Commissioner Robinson and Commissioner White absent (*during discussion of this item*)

16. List of Priority Hot Topics

- A. Discussion – The C/W heard the request from Commissioner Valentino that the Commissioners provide a List of Priority Hot Topics for their respective Districts; and
- B. Board Direction – None.

(Continued on Page 27)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-8. Approval of Various Consent Agenda Items – Continued
- 8. Continued...
- C. Report of the December 18, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

17. Spay Neuter

- A. Discussion – The C/W discussed Spay Neuter, and was advised by Commissioner Robinson that he supports an in-house Veterinarian position, as well as the establishment of an oversight citizens committee, to include a representative from the Jury Duty organization; and
- B. Board Direction – The C/W recommends that the Board authorize staff to advertise for and hire a staff Veterinarian in Escambia County Animal Services.

Recommended 5-0

18. Update on Veolia and Escambia County Area Transit

- A. Discussion – The C/W discussed the Update on Veolia and Escambia County Area Transit (ECAT), and the C/W was advised by County Administrator McLaughlin that:
 - (1) Travis Lakin (*who had been suspended pending completion of an investigation into allegations that he used ECAT employees and materials to repair his boat*) was terminated as ECAT's General Manager following completion of Veolia's investigation; and

(Continued on Page 28)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1-8. Approval of Various Consent Agenda Items – Continued

8. Continued...

C. Report of the December 18, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

18. Continued...

A. Continued...

(2) Kenneth Westbrook, Veolia's Senior Vice President of the Eastern Region, was Acting General Manager of ECAT for the remainder of the year, and that he would be providing the each Commissioner a copy of the Interim General Manager's Resume; and

B. Board Direction – None.

19. Conveyance of the Second Parcel to Pensacola-Escambia Promotion and Development Commission

A. Discussion – The C/W discussed Conveyance of the Second parcel to Pensacola-Escambia Promotion and Development Commission (PEDC), and approved, for ratification at the January 8, 2009, Regular Board Meeting, staff's recommendation that the Board take the following action concerning the conveyance of real property, located at the corner of Chase Street and 9th Avenue, for the development of the Downtown Technology Park:

(1) Adopt a Resolution (*R2008-215*) authorizing the conveyance of the property to the PEDC; and

(2) Authorize the Chairman to execute a Corrective Deed, the Resolution, and all other documents necessary to complete the conveyance; and

(Continued on Page 29)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-8. Approval of Various Consent Agenda Items – Continued
- 8. Continued...
- C. Report of the December 18, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

19. Continued...

B. Board Direction – The C/W recommends that the Board ratify the following action of the C/W concerning the conveyance of real property, located at the corner of Chase Street and 9th Avenue, for the development of the Downtown Technology Park:

- (1) Adopting a Resolution (*R2008-215*) authorizing the conveyance of the property to the PEDC; and
- (2) Authorizing the Chairman to execute a Corrective Deed, the Resolution, and all other documents necessary to complete the conveyance.

Recommended 5-0

(Continued on Page 30)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-8. Approval of Various Consent Agenda Items – Continued
- 8. Continued...
- C. Report of the December 18, 2008, C/W Workshop – Continued

AGENDA NUMBER – Continued

20. New Year's Eve Fireworks for Pensacola Beach

- A. Discussion – The C/W discussed the New Year's Eve Fireworks for Pensacola Beach, and approved, for ratification at the January 8, 2009, Regular Board Meeting, staff's recommendation that the Board approve the "Special Event Permit Application" for a limited waiver of the noise restrictions imposed by the Escambia County Noise Abatement Ordinance, in conjunction with the New Year's Eve fireworks display by the Pensacola Beach Chamber of Commerce, held at the Casino Beach Fishing Pier from 11:59 p.m., December 31, 2008, to 12:20 a.m., January 1, 2009; and
- B. Board Direction – The C/W recommends that the Board ratify the C/W's action approving the "Special Event Permit Application" for a limited waiver of the noise restrictions imposed by the Escambia County Noise Abatement Ordinance, in conjunction with the New Year's Eve fireworks display by the Pensacola Beach Chamber of Commerce, held at the Casino Beach Fishing Pier from 11:59 p.m., December 31, 2008, to 12:20 a.m., January 1, 2009.

Recommended 5-0

21. Adjourn

Chairman Young declared the C/W Meeting adjourned at 12:18 p.m.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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

I. PUBLIC HEARINGS

1. 5:45 p.m. Public Hearing

Motion made by Commissioner Robertson, seconded by Commissioner White, and carried unanimously, approving the *Campus Development Agreement Between Escambia County and UWF (University of West Florida)* and approving transmittal (*of the Agreement*) to the Department of Community Affairs for filing.

1757

Speaker(s) – None.

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

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-6. Approval of Various Consent Agenda Items

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

1758

1. Approving, for filing with the Board's Minutes, the December 11, 2008, Community Redevelopment Agency (CRA) Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA.
2. Authorizing the scheduling of a Public Hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU), on February 5, 2009, at 5:31 p.m., to consider the adoption of an Ordinance creating the Indian Lake Street Lighting MSBU.
3. Taking the following action concerning the Escambia County Board of County Commissioners Application for Voluntary Cleanup Tax Credit through the Florida Department of Environmental Protection (FDEP), for the environmental remediation of hazardous contamination at the Escambia County Mosquito Control Facility located at 603 West Romana Street:
 - A. Approving the Application to FDEP for Voluntary Cleanup Tax Credit for the Escambia County Mosquito Control facility located at 603 West Romana Street; and
 - B. Authorizing the Chairman to sign the Application and all other documents relating to the Application.

1758

1758

1758

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

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

4. Authorizing the scheduling of a Public Hearing for February 19, 2009, at 5:31 p.m., to consider the Petition to Vacate a portion of a 1-foot-wide (approximately 0.65 square feet), vehicular non-access Easement, located on Lot 3, Lowe's at Ensley Subdivision, as petitioned by Del Lago Ventures, Inc. 1758

5. Reappointing Mr. Denis McKinnon, Jr., to the Tourist Development Council, to serve another four-year term, effective February 3, 2009, through February 2, 2013, as an appointee for the hotel/motel industry. 1758

6. Authorizing the scheduling of a Public Hearing for February 19, 2009, at 5:32 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. 1758

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA

1-23. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving Consent Agenda Items 1 through 23, as follows, as amended to drop Items 13 and 23:

1759

1. Taking the following action regarding approval of the Escambia Consortium 2008 Annual Plan for Housing and Community Development by the U. S. Department of Housing and Urban Development (HUD), and the award of \$3,764,131 in 2008 HUD funds:

1759

A. Acknowledging, for the Official Record, approval of the Escambia Consortium 2008 Annual Plan by the U. S. Department of Housing and Urban Development (HUD), and accept the award of the 2008 Annual Action Plan detailing use of 2008 Community Development Block Grant (CDBG) funds, in the amount of \$2,059,681; 2008 HOME Investment Partnerships Act (HOME) funds, in the amount of \$1,599,877; 2008 HOME American Dream Downpayment Initiative (ADDI) funds, in the amount of \$12,261; and 2008 Emergency Shelter Grant Program (ESG) funds, in the amount of \$92,312; and

B. Ratifying the County Administrator's execution of CDBG, HOME, and ESG Grant Agreements, as required by HUD, and authorize the Chairman or County Administrator, as appropriate, to execute all Grant-related documents as required to receive and implement the 2008 CDBG, 2008 HOME, and 2008 ESG Programs.

2. Taking the following action regarding the renewal of a Lease Agreement with Daniel W. Bailey, as personal representative of the Estate of Winston Claude Bailey, for the operation and maintenance of a groundwater contamination remediation system located on the Mr. Bailey's property (Funding: Solid Waste Fund [401], Cost Center 220602):

1759

A. Approving the renewal of a Lease Agreement with Daniel W. Bailey, for \$15,972.00, for a 12-month period, beginning February 1, 2009, and ending February 1, 2010;

B. Approving the payment of Lease fees owed from June 8, 2007, through January 31, 2009, for \$26,430.38; and

C. Authorizing the Chairman to execute the Agreement.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

3. Taking the following action regarding the *General Release by Escambia County, Florida*, requested by Waste Away Group, Inc., and Waste Management, Inc., of Florida, and *(together with)* their subsidiaries:

1759

A. Approving the *General Release by Escambia County, Florida*, in concert with fees realized through the audit of tipping fees due for 2005, 2006, and 2007 from Waste Management and their subsidiaries;

B. Accepting the payment of \$91,807.93 as being all fees owed as a result of the audit; and

C. Authorizing the Neighborhoods and Community Services Bureau Chief to accept payment and sign the Release.

4. Taking the following action regarding extending the Research Agreement with the University of Florida Board of Trustees, known as “the University,” to assess and address issues associated with elevated iron concentrations at the County-owned and operated Klondike Landfill (funds are available in Solid Waste Fund [401], Cost Center 220608):

1759

A. Approving the *Extension to Research Agreement* with the University for \$100,000, for 12 months, with an option to renew annually; and

B. Authorizing the Chairman to execute the Agreement.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

5. Ratifying the following (*January 22, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 1202 Wisteria Avenue:

1759

- A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Myrtle Barnes, owner of residential property located at 1202 Wisteria Avenue, Pensacola, Florida, in the Barrancas Redevelopment Area, in the amount of \$332, representing an in-kind match through the Barrancas Tax Increment Financing (TIF), Fund 151, Cost Center 220519, Object Code 58301, for the following improvement:

Replace a picture window

- B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 1202 Wisteria Avenue, in the amount of \$332; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

6. Ratifying the following (*January 22, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 1280 Mahogany Mill Road, Unit 13:

1759

- A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Don L. Lowell, owner of residential property located at 1280 Mahogany Mill Road, Unit 13, Pensacola, Florida, in the Barrancas Redevelopment Area, in the amount of \$3,390, representing an in-kind match through the Barrancas Tax Increment Financing (TIF), Fund 151, Cost Center 220519, Object Code 58301, for the following improvement:

Replacement of windows

- B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 1280 Mahogany Mill Road, Unit 13, in the amount of \$3,390; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

7. Ratifying the following (*January 22, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Facade Grant Funding and Lien Agreements (*for property located*) at 3107 Mobile Highway:

1759

- A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Kim P. Rice, owner of commercial property located at 3107 Mobile Highway, Pensacola, Florida, in the Brownsville Redevelopment Area, in the amount of \$10,000, representing an in-kind match through the Brownsville Tax Increment Financing (TIF), Fund 151, Cost Center 220515, Object Code 58301, and/or Neighborhood Enterprise Foundation, Inc. (NEFI), 2007 Community Development Block Grant (CDBG), Fund 129, Cost Center 220555, Object Code 58301, for the following improvements:

Install a new canopy and new awnings

- B. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreement for the property located at 3107 Mobile Highway, in the amount of \$10,000; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements and any other related documents necessary to implement this Grant award.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

8. Ratifying the following (*January 22, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Facade Grant Funding and Lien Agreements (*for property located*) at 3725 Mobile Highway:

1759

A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Anna Nguyen, owner of commercial property located at 3725 Mobile Highway, Pensacola, Florida, in the Brownsville Redevelopment Area, in the amount of \$9,917, representing an in-kind match through the Brownsville Tax Increment Financing (TIF), Fund 151, Cost Center 220515, Object Code 58301, and/or Neighborhood Enterprise Foundation, Inc. (NEFI), 2007 Community Development Block Grant (CDBG), Fund 129, Cost Center 220555, Object Code 58301, for the following improvements:

Paint exterior buildings

B. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreement for the property located at 3725 Mobile Highway, in the amount of \$9,917; and

C. Authorizing the Chairman to sign the Funding and Lien Agreements and any other related documents necessary to implement this Grant award.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

9. Ratifying the following (*January 22, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 437 South Navy Boulevard:

1759

- A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Harold Green and Shirley Green, owners of residential property located at 437 South Navy Boulevard, Pensacola, Florida, in the Warrington Redevelopment Area, in the amount of \$3,248, representing an in-kind match through the Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, for the following improvements:

Install new storm panels

- B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 437 South Navy Boulevard, in the amount of \$3,248; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

10. Ratifying the following (*January 22, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 4416 Havre Way:

1759

- A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Inez W. Chatwood, owner of residential property located at 4416 Havre Way, Pensacola, Florida, in the Palafox Redevelopment Area, in the amount of \$3,225, representing an in-kind match through the Palafox Tax Increment Financing (TIF), Fund 151, Cost Center 220517, Object Code 58301, for the following improvements:

Replacement of windows

- B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 4416 Havre Way, in the amount of \$3,225; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

11. Ratifying the following (*January 22, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Façade Grant Funding and Lien Agreements (*for property located*) at 3015 Mobile Highway:

1759

A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Birch Glade Development Company, owner of commercial property located at 3015 Mobile Highway, Pensacola, Florida, in the Brownsville Redevelopment Area, in the amount of \$10,000, representing an in-kind match through the Brownsville Tax Increment Financing (TIF), Fund 151, Cost Center 220515, Object Code 58301, for the following improvements:

Parking lot improvements and exterior painting to building

B. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreement for the property located at 3015 Mobile Highway, in the amount of \$10,000; and

C. Authorizing the Chairman to sign the Funding and Lien Agreements and any other related documents necessary to implement this Grant award.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

12. Taking the following action concerning the surplus and sale of real property located at 17 Alley #5, Century, Florida:

1759

A. Declaring surplus the Board's real property Account Number 112076000, Reference Number 32-6N-30-0203-000-000, acquired by Escheatment; a "For Sale" sign will be posted at the property, and a legal notice will be posted in the Pensacola New Journal for two weeks stating the County will be accepting offers for this property;

B. Authorizing the sale of this property to the bidder with the highest offer received above the minimum bid of \$5,472, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board, either through a sealed bid or through the Pensacola Community Auction site; the minimum bid and fair market value are established by County staff based on Property Appraiser records; and

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

13. Dropping the recommendation that the Board take the following action concerning the surplus and sale of real property located in the 400 Block of Barnwell Lane:

1759

A. Declare surplus the Board's real property Account Number 111907100, Reference Number 08-5N-30-3200-000-001, acquired by Escheatment; a "For Sale" sign will be posted at the property, and a legal notice will be posted in the Pensacola New Journal for two weeks stating the County will be accepting offers for this property;

B. Authorize the sale of this property to the bidder with the highest offer received above the minimum bid of \$5,198, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board, either through a sealed bid or through the Pensacola Community Auction site; the minimum bid and fair market value are established by County staff based on Property Appraiser records; 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

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

14. Taking the following action concerning forgiveness of MSBU Liens and a Nuisance Abatement Lien to assist in promoting the sale of real property located at 10 Besma Drive:

1759

A. Authorizing forgiveness of Municipal Services Benefit Unit (MSBU) Liens recorded in Official Records (OR) Book 4316, at Page 1520, and OR Book 4451, at Page 1384, of the Public Records of Escambia County, Florida, on real property located at 10 Besma Drive, real property Account Number 071829000, Reference Number 34-2S-30-1151-040-007; the County's total MSBU Lien amount is \$200.80; and

B. Authorizing forgiveness of a Nuisance Abatement Lien recorded in OR Book 4865, at Page 1807, of the Public Records of Escambia County, Florida, on real property located at 10 Besma Drive, real property Account Number 071829000, Reference Number 34-2S-30-1151-040-007; the County's Nuisance Abatement Lien amount is \$1,062.51.

15. Adopting the Resolution (*R2009-8*) approving Supplemental Budget Amendment Number 75, Other Grants and Projects Fund (110), in the amount of \$50,000, to recognize funding from the Florida Department of Law Enforcement and to appropriate these funds for substance abuse treatment for state prisoners in the Pathways for Change Program.

1759

16. Adopting the Resolution (*R2009-9*) approving Supplemental Budget Amendment Number 80, Other Grants and Projects Fund (110), in the amount of \$52,473, to recognize proceeds from a State of Florida 2007-2010 State Homeland Security Grant Program and to appropriate these funds for Hazardous Material Teams training.

1759

17. Adopting the Resolution (*R2009-10*) approving Supplemental Budget Amendment Number 81, Public Safety Bureau, Fire Protection Fund (143), Emergency Services Fund (408), and General Fund (001), in the amount of \$166,706, to transfer funds from Emergency Medical Services and Fire Services to the General Fund, and to appropriate these funds into the correct Cost Centers so that the Funding Source matches the work location.

1759

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

18. Awarding Contract PD 08-09.014, "Collections Services for Escambia County Public Safety EMS," to United Collection Service, Inc., effective February 5, 2009, for a period of 36 months, with an option to extend the Contract for two additional 12-month periods, at the proposed commission rates of 18.5% (primary placement), and 30% (secondary placement), of amount collected, in accordance with the terms and conditions of the solicitation (Funding Source: Fund 408/Emergency Medical Services, Cost Center 330304).

1759

19. Authorizing the County Administrator to approve and execute any Purchase Order for Owner-Direct Purchases that exceed \$50,000, for PD 08-09.008, One Stop Permit Center, awarded by the Board to A.E. New Jr., Inc., on December 11, 2008 (Funding: Fund 112, Disaster Recovery, Cost Center 310104, Project #05AD0029; Base Bid and Alternate 6, Object Code 56201 – [in the amount of] \$10,742,000; Alternates 1 – 5, Object Code 56301 – [in the amount of] \$938,000).

1759

20. Taking the following action concerning the Contract for Emergency Medical Services between Escambia County, Florida, and Atmore Ambulance, Inc., dated February 4, 2004, as amended and extended January 23, 2007, and January 24, 2008, for services provided that portion of Northwest Florida served by the Davisville and Walnut Hill telephone exchanges (Funding Source: Fund 408/Emergency Medical Services, Cost Center 330301, Account Code 53401):

1759

A. Approving the *Amendment and Extension of Contract* to extend the provision of services for an additional one-year period, to expire February 3, 2010, at a cost of \$75,000; and

B. Authorizing the Chairman to sign the *Amendment and Extension of Contract*.

21. Authorizing staff to initiate the purchase process on properties for the acquisition of rights-of-way and easements for the Kingsfield Road portion of the Optional Sector Plan; this includes, but is not limited to, obtaining title commitments, Phase I Environmental Assessments, appraisals, and surveys, and conducting inspections as needed (Funding Source: Fund 351, Local Option Sales Tax II, Account 210105/56101, Project 07EN0375).

1759

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

22. Approving, and authorizing the Chairman to sign, the Interlocal Agreement between Escambia County and the University of West Florida for regulation of building construction with respect to the University's properties, excluding certain properties located within the Historic District of the County and owned or operated by West Florida Historic Preservation, Inc., to ensure compliance with applicable building code requirements, including permitting, plans review, and inspections; there are 16 existing projects with permit fees remaining, in the amount of \$57,404.76, which will be paid to the County in equal monthly installments over a six-month period from the effective date of this Agreement. 1759

23. Dropping the recommendation concerning a Budget Amendment identifying the Funding Source for \$400,000 to cover the Clerk of the Circuit Court's Budget shortfall for Fiscal Year 2008-2009 – Amy Lovoy, Management and Budget Services Bureau Chief (*a recommendation was not provided*). 1759

III. FOR DISCUSSION

1. Allied Waste Services of North America, LLC

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, authorizing the County Administrator to notify Allied Waste Services of North America, LLC, in writing, that the County wishes to terminate the Non-Exclusive Long Term Franchise Agreement at the end of the initial term of December 31, 2010; with this notice the Agreement expires on December 31, 2010; without this notice the Agreement expires December 31, 2011. 1800

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1-4. Approval of Various Action Items

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

1801

1. Approving a Workers' Compensation settlement for former Road Corrections Officer Myrle Trowbridge, Jr., in the amount of \$15,000, inclusive of attorney's fees and costs; in exchange, Mr. Trowbridge shall execute a general release of liability for the County.
2. Approving a Workers' Compensation settlement for former Detention Deputy Richard Harris, in the amount of \$92,642.04, inclusive of attorney's fees and costs; in exchange, Mr. Harris shall execute a general release of liability for the County.
3. Approving a Workers' Compensation settlement for former Deputy David Sanderson, in the amount of \$75,000, inclusive of attorney's fees and costs; in exchange, Mr. Sanderson shall execute a general release of liability for the County.
4. Taking the following action concerning an amendment to Resolution R2008-19:
 - A. Adopting the Resolution (*R2009-11*) amending Resolution R2008-19 to increase the membership of the West-End Advisory Committee from five (5) members to seven (7) members; and
 - B. Authorizing the Chairman to sign the amended Resolution.

1801

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1801

ITEMS ADDED TO THE AGENDA – COMMISSIONER GENE M. VALENTINO

1. West-End Advisory Committee Appointments

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, appointing the following individuals to the West-End Advisory Committee (*f/k/a Perdido Key HCP [Habitat Conservation Plan]*), to serve a term, effective January 22, 2009, to run concurrent with Commissioner Gene M. Valentino's term of office or at his discretion:

1802

- A. Kelley S. Thompson, replacing Stuart Kaplan, who resigned;
- B. Richard M. Columbia, replacing James "Eddie" McMillan, who resigned;
- C. Peter C. King, to fill one of the two newly established positions; and
- D. Mickey Kropf, to fill one of the two newly established positions.

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 6:03 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: February 5, 2009