

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD FEBRUARY 19, 2009
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(4:47 p.m. – 7:04 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 4:47 p.m.

1. FOR INFORMATION: The Board heard comments from L. Gary Sansing concerning various County and national issues. 1647

4:53 P.M. – PUBLIC FORUM ADJOURNED

5:32 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 5:32 p.m.

2. Invocation

Commissioner Valentino advised that Pastor Dave Stafford, Liberty Church, would deliver the Invocation.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

3. Pledge of Allegiance to the Flag

Chairman Young advised that Commissioner Robertson would lead 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 White's add-on item concerning a Resolution regarding Stimulus Project Priorities for 2009 with the Florida Department of Transportation*).

1735

5. Commissioners' Forum – The Board heard comments from all Commissioners concerning the visit of King Juan Carlos I and Queen Sofia, of Spain, in honor of Pensacola's 450th Anniversary Celebration.

1735

6. Proclamations

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

1740

- A. Adopting the Proclamation proclaiming Thursday, February 26, 2009, as "Military Appreciation Day" in Escambia County; and
- B. Adopting the following two Proclamations honoring and congratulating the following citizens for reaching the age of 100 years or more:
 - (1) The Proclamation honoring and congratulating Mrs. Pearl Mueller for reaching the age of 100; and
 - (2) The Proclamation honoring and congratulating Mrs. Mable Marietta Sinkfield for reaching the age of 101.

Speaker(s):

Mable Marietta Sinkfield
Douglas Sinkfield
Martha Adams

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

7. Employee of the Month Proclamations – None.

8. Written Communication

A. 6227 Dallas Avenue

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, approving to release Mr. Sapp's Lien from this property for consideration of the payment of \$2,000, relative to the communication, dated January 21, 2009, from Marcia Thompson, Program Manager, Lutheran Services Florida, Inc., requesting that the Board accept a payment of \$2,000 for partial release of various Liens against property located at 6227 Dallas Avenue.

1746

Speaker(s):

Marcia Thompson

B. Code Enforcement Lien – Harvey D. Jordan

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried unanimously, approving to take no action, relative to the communication, dated January 27, 2009, from Harvey D. Jordan concerning a Code Enforcement Lien against property located at 3830 Frontera Circle.

1748

C. Code Enforcement Lien – Sunil Gupta, M.D.

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, approving to waive the \$1,100 in its entirety, relative to the undated communication from Sunil Gupta, M.D., requesting relief from a Code Enforcement Lien against property located at 5032 North Davis Highway.

1748

(Continued on Page 4)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

8. Continued...

D. Code Enforcement Lien – Frederick H. Gould

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving to waive the \$1,413.71, relative to the undated communication from Frederick H. Gould requesting that the Board forgive a Code Enforcement Lien (*recorded in Official Records Book 5226, Page 888*) against property located at 7 Ellinor Court.

1749

Speaker(s):

Frederick H. Gould

9. Proof of Publication

Motion made by Commissioner Robinson, 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 two Public Hearings on the agenda:

- (1) The 5:31 p.m. Public Hearing, advertised in The Escambia Sun-Press, LLC, on February 19, 2009, for consideration of the Vacation a portion of a one-foot-wide, vehicular non-access Easement, located on Lot 3, Lowe's at Ensley Subdivision, as petitioned by Del Lago Ventures, Inc.; and
- (2) The 5:32 p.m. Public Hearing, advertised in the Pensacola News Journal on February 7, 2009, for consideration of adopting an Ordinance providing authorization for pari-mutuel wagering facilities to conduct cardroom gaming as allowed by Florida Law; and

(Continued on Page 5)

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 February 16, 2009 – February 20, 2009 – Legal No. 219782*, as published in the Pensacola News Journal on February 14, 2009, as follows:

February 16		Holiday/President's Day /County Offices Closed
February 17	1:30 p.m.	Environmental Enforcement Special Magistrate
February 17	4:00 p.m.	Health Facilities Authority
February 18	8:00 a.m.	Soil & Water Conservation Board
February 18	8:30 a.m.	Board of Adjustment
February 18	10:00 a.m.	Agenda Work Session
February 18	10:00 a.m.	Perdido Landfill Public Tour
February 18	1:00 p.m.	Development Review Committee
February 18	1:30 p.m.	Northwest Florida Regional Transportation Planning Organization
February 19	9:00 a.m.	Board of Electrical Examiners
February 19	11:00 a.m.	BCC Information Technology Governance Council
February 19	3:00 p.m.	Board of County Commissioners Executive Session Re: ATU
February 19	3:30 p.m.	Board of County Commissioners Attorney-Client Session
February 19	4:20 p.m.	Community Redevelopment Agency
February 19	4:30 p.m.	Board of County Commissioners Public Forum
February 19	5:30 p.m.	Board of County Commissioners Public Hearings & Reports
NEXT WEEK'S NOTE:		
February 23	8:30 a.m.	Planning Board Workshop
February 23	4:30 p.m.	Rezoning Hearing Examiner

REGULAR BCC AGENDA – Continued

10. 5:31 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning the Vacation a portion of a one-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.:

1751

- A. Approving the Vacation (*Petition to Vacate*);
- B. Accepting the *Hold/Harmless Agreement*;
- C. Adopting the Resolution (*R2009-21*) to Vacate; and
- D. Authorizing the Chairman or Vice Chairman to accept the documents as of the day of delivery of the documents to the Chairman or Vice Chairman, and authorizing the Chairman or Vice Chairman to execute them at that time.

Speaker(s) – None.

11. 5:32 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 3-2, with Commissioner Robertson and Commissioner Young voting "no," adopting an Ordinance (*Number 2009-5*) 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.

1751

Speaker(s):

- | | |
|-----------------|-----------------|
| Martin McGreevy | Timothy Whaley |
| Byron Keesler | Anna Tritschler |
| Paul Swenney | Art Rocker |
| Carol Jenkins | William Lane |
| Rudy Wilson | Randy Cudd |
| Kenneth Moon | Bill Stromquist |

REGULAR BCC AGENDA – Continued

12. Committee of the Whole Recommendation(s)

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, taking the following action, as recommended by the Committee of the Whole (C/W), at the February 12, 2009, C/W Workshop:

1839

- A. Approving to declare as surplus the *(County-owned) property (located on Scenic Highway) (Item 5)*;
- B. Approving to support Walton County's request *(and adopting a Resolution [R2009-22] requesting Governor Charlie Crist and the Florida Legislature to not support legislation that would shift expenditures and the cost of programs to local government to assist the State of Florida in overcoming its budget shortfall and requesting that the State review expenditures and program costs that have been shifted to local government and ensure that unfunded mandates have not already been placed upon local government) (Item 13)*;
- C. Approving to terminate the *(Interlocal) Agreement (among Escambia County, Florida, the Escambia Sheriff's Office, the District Board of Trustees of Pensacola Junior College, Florida, and the Pensacola Junior College Foundation, Inc. [regarding the Joint Training Range Project, a/k/a "Joint Use Training Facility," "Escambia County Gun Firing Range and Public Safety and Fire Training Complex," "Regional Public Safety Training Facility," and "Public Safety Law Enforcement Regional Training Complex"])* and request that the County's funds *(totaling \$10,907,469)* be returned (Item 14);
- D. Approving to leave the Speaking Request Form as it is (Item 15); and
- E. Approving the reappointment of Dr. Andrea N. Minyard as the District 1 Medical Examiner, and authorizing the County Administrator to execute and submit the form *(Medical Examiners Commission Recommendation for Reappointment) (Item 18)*.

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

1-4. Approval of Various Consent Agenda Items

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

1840

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

1840

- A. Payroll Expenditures as of Payday February 6, 2009, in the amount of \$2,217,001.03;
- B. The following two Disbursement of Funds:
 - (1) January 29, 2009, to February 4, 2009, in the amount of \$10,629,476.23; and
 - (2) February 5, 2009, to February 11, 2009, in the amount of \$13,540,766.51;
- C. The Investment Report for the month ended January 31, 2009; and
- D. The Tourist Development Tax (TDT) Collections Data for Fiscal Year 2008-2009, which includes the December 2008 returns received in the month of January 2009; the four months revenue collected to date reflects 21% of the Budget for the Fiscal Year.

2. Approving 14 forms, *Requests for Disposition of Property*, indicating equipment to be sold as surplus and/or appropriately disposed of, and one form, *Request for Re-Instatement of Property*; the Requests were prepared by various County Bureaus and state the reasons for disposition/reinstatement.

1840

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. Accepting, for filing with the Board's Minutes, the Contract and Solicitation documents for PD 07-08.121, "Small Equipment, Parts and Supplies Pricing Agreement," approved by the Board on September 18, 2008, for the following four companies, as received in the Clerk to the Board's Office on January 30, 2009:

1840

Steadham Enterprises, Inc., d/b/a A-1 Small Engines
Fixit Shop & Rentals, Inc.
Coastal Machinery Company
Hendrix Services Corporation

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

1840

- A. Approving the Minutes of the Joint Meeting of the Escambia County Board of Commissioners and the Escambia County District School Board held January 27, 2009;
- B. Approving the Minutes of the Public Forum Work Session and Regular Board Meeting held February 5, 2009; and
- C. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held February 5, 2009, as follows:
1. FOR INFORMATION: The agenda package for the 5:30 p.m., February 5, 2009, Regular Board Meeting was reviewed as follows:
- A. Shirley L. Gafford, Program Coordinator, County Administrator's Office, County Attorney Rogers, and Sandra Slay, Division Manager, Office of Environmental Enforcement, reviewed the agenda cover sheet, and Lisa N. Bernau, Chief Deputy Clerk, advised that the Clerk's *Tax Deed Sale Rules* will be revised to clarify "buyer beware";

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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
- 1-4. Approval of Various Consent Agenda Items – Continued
4. Continued...
- C. Report of the February 5, 2009, Agenda Work Session – Continued
 1. Continued...
 - 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. Shirley L. Gafford, Program Coordinator, County Administrator's Office, and Amy Lovoy, Bureau Chief, Management and Budget Services Bureau, reviewed the County Administrator's Report;
 - E. County Attorney Rogers reviewed the County Attorney's Report; and
 - F. Commissioner Valentino, Commissioner Robertson, and Commissioner Young reviewed their add-on items, with comments from Joy D. Blackmon, Bureau Chief, Public Works Bureau, regarding Commissioner Robertson's add-on Item 1, and County Administrator McLaughlin advised that Commissioner Robinson would also have an add-on item.

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

I. ACTION ITEM

1. Quail Ridge Subdivision Final Plat

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning recording of the Final Plat of Quail Ridge Subdivision (a private, 116-lot, single-family residential subdivision with private streets), located in the Pine Forest community, lying south of Twisted Oak Drive and west of West Roberts Road, owned and developed by Quail Ridge of Escambia County, Inc.; 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;

1840

- A. Approving the Final Plat for recording;
- B. Approving the street names "Millet Circle," "Wiregrass Place," and "Tall Pines Lane";
- C. Accepting all public easements, drainage improvements within public easements/public parcels, and Parcel "B" (a 0.51-acre Retention Pond), as depicted upon the Final Plat, for permanent County maintenance; the cost of maintenance for drainage improvements are to be funded through the establishment of a stormwater management Municipal Services Benefit Unit; and
- D. Authorizing the Chairman or Vice Chairman to execute a *Release of Claims for Damages, Hold Harmless, and Indemnification Agreement*.

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

1-14. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving Consent Agenda Items 1 through 14, as follows, with the exception of Item 4, which was held for a separate vote:

1841

1. Taking the following action concerning a Certificate of Need for Superior Waste & Landclearing, LLC:

1841

- A. Approving a Certificate of Need Application permitting the above-named company to operate in Escambia County; and

- B. Authorizing the Chairman to sign the Certificate.

2. Accepting, for filing with the February 19, 2009, Board's Minutes, the Information Reports concerning the Enterprise Zone Development Agency 2008 Fourth Quarter Report and Annual Report.

1841

3. Approving, for filing with the Board's Minutes, the January 22, 2009, Community Redevelopment Agency (CRA) Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA.

1841

4. See Page 14.

5. Taking the following action concerning disposition of surplus equipment and donation of a 2000 Ford F350 Horton Ambulance (Property Number 49422) to the Castleberry Volunteer Fire Department (VFD), Castleberry, Alabama:

1841

- A. Rescinding the Board's action taken September 4, 2008, approving disposal of above-referenced vehicle by sale or auction, and approve disposal of the obsolete ambulance by the aforementioned donation;

- B. Adopting a Resolution (*R2009-23*) authorizing conveyance of the ambulance (Serial Number 1FDWF36F8YEC97020) to the Castleberry VFD, in compliance with Section 274.06, Florida Statutes; and

- C. Authorizing the Chairman to sign all documents related to the donation.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-14. Approval of Various Consent Agenda Items – Continued

6. Taking the following action concerning disposition of surplus equipment and donation of a 2000 Ford F350 Horton Ambulance (Property Number 49424) to the Escambia County, Alabama, Emergency Management Agency: 1841
 - A. Approving the *Request for Disposition of Property* for the ambulance, which is obsolete and serves no useful function to the County, to be appropriately disposed of through donation to Escambia County, Alabama, Emergency Management Agency;
 - B. Adopting a Resolution (*R2009-24*) authorizing conveyance of the ambulance (Serial Number 1FDWF36F0YED10200) to Escambia County, Alabama, Emergency Management Agency, in compliance with Section 274.06, Florida Statutes; and
 - C. Authorizing the Chairman to sign required documents related to the donation.
7. Adopting, and authorizing the Chairman to sign, a Resolution (*R2009-25*) donating an abandoned 10-foot x 16-foot building and generator (formerly used for communication equipment), located at 590 West Winthrop Avenue, Pensacola, Florida, to Peoples Water Service Company of Florida, Inc. 1841
8. Approving the street name “Old Black Trail” for an unnamed, private road that runs south off of the 1600 Block of Blackwell Lane and is 245 feet east of Whitmire Drive. 1841
9. Taking the following action regarding a Conservation Easement for the Leisure Lakes RV Park Expansion DRC Project #08041783: 1841
 - A. Accepting, as a condition precedent to the development of property in Escambia County, Florida, conveyance of a Conservation Easement, pursuant to Florida Statutes, Section 704.06, "Conservation easements; creation; acquisition; enforcement," consisting of 6.19 (+/-) acres of wetland at 5565 West Nine Mile Road; and
 - B. Authorizing the Chairman to sign all documents related to the Conservation Easement.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-14. Approval of Various Consent Agenda Items – Continued

10. Confirming the appointment of Commissioner Marie K. Young to the Community Action Program Committee, Inc., effective January 2009, to run concurrent with her term of office, as requested by Mary A. Palmer, Director of Support Services, Community Action Program Committee, Inc. 1841

11. Authorizing (*the scheduling and advertising of*) a Public Hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU), on March 5, 2009, at 5:31 p.m., to consider the adoption of an Ordinance creating the Chasefield Subdivision Street Lighting MSBU. 1841

12. Taking the following action concerning the Resolution to authorize a fundraiser for the Escambia County Animal Shelter: 1841

A. Adopting the Resolution (*R2009-26*) authorizing a fundraiser for the Escambia County Animal Shelter; and

B. Authorizing the Chairman to sign the Resolution.

13. Adopting an amended Board Policy – Agenda for Regular Meetings, Section I, Part A.2. 1841

14. Authorizing out-of-County travel for Robert R. "Bob" McLaughlin, County Administrator, to attend the 2009 Transportation Disadvantaged Commission Meetings that will be held at various locations throughout the State of Florida. 1841

4. ECTV Policies and Procedures Guide

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving the Escambia County Government Access Channel (ECTV) Policies and Procedures Guide. 1841

For Information: Commissioner Robinson disclosed that he is President of Pensacola Junior College Foundation, a not-for-profit, public entity; however, because of the volunteer nature of his appointment, he is not prevented from voting on this item.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA

1-36. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving Consent Agenda Items 1 through 36, as follows, with the exception of Item 22, which was held for a separate vote:

1842

1. Taking the following action concerning the (*State of*) Florida, Division of Emergency Management (FDEM), Domestic Security Subgrant Agreement (*Contract*) Number 09-DS-51-01-27-01-XXX, providing Grant funding, in the amount of \$47,000, for a period of 18 months after the date of execution, but no later than May 31, 2010:

1842

- A. Approving the FDEM *Federally-Funded Subgrant Agreement*, with funding to be identified in Fund 110, Other Grants and Projects, Cost Center 330459, Revenue Account 334252; and

- B. Authorizing the Chairman or Vice Chairman to execute the Agreement.

2. Taking the following action regarding an Interlocal Agreement with the Town of Century (funding for this Agreement will be provided from Cost Center 220488, Community Development Block Grant):

1842

- A. Approving an Interlocal Agreement between Escambia County, Florida, and the Town of Century, Florida, for the provision of Environmental Enforcement services in connection with the abatement of neighborhood nuisances within the corporate limits of the Town of Century; and

- B. Authorizing the Chairman to sign the Interlocal Agreement.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-36. Approval of Various Consent Agenda Items – Continued

3. Ratifying the following (*February 19, 2009*) action of the Community Redevelopment Agency concerning the Commercial Facade, Landscape, and Infrastructure Grant Program:

1842

A. Approving the following four Commercial Facade, Landscape, and Infrastructure Grant Program Cancellation of Liens since the Grant recipients have met their Grant requirements:

<u>Property Owner's Name</u>	<u>Property Address</u>	<u>Lien Amount</u>
Clutch Products, Inc.	4811 North Palafox Street	\$10,000.00
Larry M. and Barbara J. Tronu	3701 North Pace Boulevard	\$10,000.00
McBride Development of Northwest Florida, Inc.	2413 North Pace Boulevard	\$10,000.00
Sheet Metal Masters, LLC	3537 North "W" Street	\$ 4,710.75

B. Authorizing the Chairman to execute the Cancellation of Liens.

4. Taking the following action concerning leasing a temporary LFG Utility Blower/Flare System from SCS Engineer Field Services:

1842

A. Authorizing the Chairman or Vice Chairman to execute the Lease Agreement and any related documents; and

B. Approving the emergency lease of a temporary Landfill Gas (LFG) Utility Blower/Flare System for the Perdido Landfill, as described in the SCS Field Services Equipment Rental Agreement and Addendum, for an initial period of six months, with two three-month optional extensions as required, at a rate of \$3,000 per month; funds are available in Solid Waste Fund 401, Cost Center 220602, Object Code 54401.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-36. Approval of Various Consent Agenda Items – Continued

5. Taking the following action concerning the purchase of property, owned by Rinaldo and Connie A. Slaughter, for right-of-way for the Ten Mile Road at Chemstrand Road Intersection Improvement Project (Funding Source: Fund 352, Local Option Sales Tax III, Account 210107/56301/56101, Project 08EN0255):

1842

A. Authorizing staff to purchase a portion of property, owned by Rinaldo and Connie A. Slaughter (approximately 805 square feet, or 0.02 acre), for the Ten Mile Road at Chemstrand Road Intersection Improvement Project, for the negotiated price of \$1,811.25;

B. Authorizing the payment of documentary stamps because this property is being acquired for governmental use to improve the roadway and infrastructure at this intersection; this Project will benefit the County and its citizens by reducing traffic delays and providing greater safety; and

C. Authorizing the Chairman to sign all documents needed to complete the purchase.

6. Taking the following action concerning the acquisition of property for the Kupfrian Park Drainage Project (Funding Source: Fund 351, Local Option Sales Tax [LOST] II, Account 210105/56301/56101, and Fund 352, LOST III, Account 210107/56301/56101, Project 05EN2313):

1842

A. Authorizing staff to negotiate and resolve any matters related to, or associated with, the acquisition of property concerning drainage improvements for the Kupfrian Park Drainage Project, and to gather information and conduct inspections, as needed, to allow the Board's acceptance of the real property;

B. Authorizing payment of documentary stamps because the property is being acquired for governmental use, which is for improvement and maintenance of the County drainage and road system; the County benefits from the acquisition of these properties because these improvements will improve the quality of life for the citizens of Escambia County by providing a safe and efficient roadway and drainage system;

(Continued on Page 18)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-36. Approval of Various Consent Agenda Items – Continued

6. Continued...

C. Authorizing the payment of incidental expenditures associated with the acquisition of these properties, which includes, but is not limited to, title searches, appraisals, legal document preparation fees, and recording of documents; and

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

7. Taking the following action concerning the reduction of minimum bid required for the sale of surplus real property located in the 6100 Block of Schaag Road:

1842

A. Authorizing the sale of surplus real property Account Number 12-0239-000, Reference Number 10-2N-31-2401-000-002, acquired by tax deed, to the highest offer received from sealed bids above the minimum bid of \$3,648, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; a legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting sealed bids; and

B. Authorizing 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

1-36. Approval of Various Consent Agenda Items – Continued

8. Taking the following action concerning the purchase of property (*located at 527 East Ten Mile Road*), owned by Souls Harbor Free Will Baptist Church, for right-of-way for the Ten Mile Road at Chemstrand Road Intersection Improvement Project (Funding Source: Fund 352, Local Option Sales Tax III, Account 210107/56301/56101, Project 08EN0255):

1842

- A. Authorizing Staff to purchase a portion of property, owned by Souls Harbor Free Will Baptist Church (approximately 7,195 square feet, or 0.17 acre), for the Ten Mile Road at Chemstrand Road Intersection Improvement Project, for the negotiated price of \$14,390;
- B. Authorizing the payment of documentary stamps because this property is being acquired for governmental use to improve the roadway and infrastructure at this intersection; this Project will benefit the County and its citizens by reducing traffic delays and providing greater safety; and
- C. Authorizing the Chairman to sign all documents needed to complete the purchase.

9. Taking the following action concerning the purchase of property (*located at 481 East Ten Mile Road*), owned by Joseph E. Johnson and Jacquelyn N. Beck, for right-of-way for the Ten Mile Road at Chemstrand Road Intersection Improvement Project (Funding Source: Fund 352, Local Option Sales Tax III, Account 210107/56301/56101, Project 08EN0255):

1842

- A. Authorizing staff to purchase a portion of property, owned by Joseph E. Johnson and Jacquelyn N. Beck (approximately 559 square feet, or 0.01 acre), for the Ten Mile Road at Chemstrand Road Intersection Improvement Project, for the negotiated price of \$1,118;
- B. Authorizing the payment of documentary stamps because this property is being acquired for governmental use to improve the roadway and infrastructure at this intersection; this Project will benefit the County and its citizens by reducing traffic delays and providing greater safety; and
- C. Authorizing the Chairman to sign all documents needed to complete the purchase.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-36. Approval of Various Consent Agenda Items – Continued

10. Taking the following action concerning the purchase of property (*located at 480 East Ten Mile Road*), owned by Mary Jane Eddins, for right-of-way for the Ten Mile Road at Chemstrand Road Intersection Improvement Project (Funding Source: Fund 352, Local Option Sales Tax III, Account 210107/56301/56101, Project 08EN0255):

1842

A. Authorizing staff to purchase a portion of property, owned by Mary Jane Eddins (approximately 656 square feet, or 0.02 acre), for the Ten Mile Road at Chemstrand Road Intersection Improvement Project, for the negotiated price of \$1,312;

B. Authorizing the payment of documentary stamps because this property is being acquired for governmental use to improve the roadway and infrastructure at this intersection; this Project will benefit the County and its citizens by reducing traffic delays and providing greater safety; and

C. Authorizing the Chairman to sign all documents needed to complete the purchase.

11. Taking the following action concerning the surplus and sale of real property located at North 7th Avenue:

1842

A. Declaring surplus the Board's real property, Account Number 13-3556-000, Reference Number 00-0S-00-9020-003-085, acquired by Chancery Order; a legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting offers by sealed bid;

B. Authorizing the sale of this property to the bidder with the highest offer received from sealed bids above the minimum bid of \$11,168, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and

C. Authorizing 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

1-36. Approval of Various Consent Agenda Items – Continued

12. Taking the following action concerning the surplus and sale of real property located in the 1800 Block of North Tarragona Street:

1842

A. Declaring surplus the Board's real property, Account Number 13-4208-500, Reference Number 00-0S-00-9020-070-129, acquired by Chancery Order; a legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting offers by sealed bid;

B. Authorizing the sale of this property to the bidder with the highest offer received from sealed bids above the minimum bid of \$1,425, in accordance with Section 46-134 of the Escambia County Code of Ordinances, without further action of the Board; and

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

13. Taking the following action concerning the surplus and sale of real property located in the 1100 Block of North "B" Street:

1842

A. Declaring surplus the Board's real property, Account Number 15-0137-000, Reference Number 00-0S-00-9060-161-012, acquired by Chancery Order; a legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting offers by sealed bid;

B. Authorizing the sale of this property to the bidder with the highest offer received from sealed bids above the minimum bid of \$1,372, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and

C. Authorizing 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

1-36. Approval of Various Consent Agenda Items – Continued

14. Taking the following action concerning the surplus and sale of real property located in the 2400 Block of North Tarragona Street:

1842

A. Declaring surplus the Board's real property, Account Number 13-2275-000, Reference Number 00-0S-00-9010-020-139, acquired by Chancery Order; a legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting offers by sealed bid;

B. Authorizing the private sale of the property to the bidder with the highest offer received from sealed bids above the minimum bid of \$238, in accordance with Section 46-134 of the Escambia County Code of Ordinances, without further action of the Board; and

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

15. Taking the following action concerning the reduction of the minimum bid required for the sale of real property located at 252 Kenmore Road:

1842

A. Amending the Board's action of May 24, 2007, to correct the address from 256 to 252 Kenmore Road, due to the incorrect address being posted on the Property Appraiser's website;

B. Authorizing the sale of the Board's surplus real property, Account Number 03-1727-100, Reference Number 27-1S-30-3101-024-050, acquired by quitclaim (*deed*), to the bidder with the highest offer received from sealed bids above the minimum bid of \$9,000, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; a legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting sealed bids; and

C. Authorizing 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

1-36. Approval of Various Consent Agenda Items – Continued

16. Taking the following action concerning the reduction of the minimum bid required for the sale of real property located in the 2300 Block of North Baylen Street:

1842

A. Authorizing the sale of the Board's surplus real property, Account Number 13-2215-750, Reference Number 00-0S-00-9010-221-134, acquired by foreclosure, to the bidder with the highest offer received from sealed bids above the minimum bid of \$3,919, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and

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

17. Taking the following action concerning approval of the Amendment to the Fiscal Year 2008-2009 Miscellaneous Appropriations Agreement for Pensacola Bay Area Chamber of Commerce, Inc.:

1842

A. Approving the Amendment to the Fiscal Year 2008-2009 Miscellaneous Appropriations Agreement, amending Section 3, increasing the allocation by \$505,000, for a total allocation of \$1,710,212, to be paid from the 3rd Cent Tourist Development Tax Fund (108), Cost Center 360101;

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

C. Approving the necessary Change Order.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-36. Approval of Various Consent Agenda Items – Continued

18. Taking the following action concerning approval of the Amendment to the Fiscal Year 2008-2009 Miscellaneous Appropriations Agreement for Perdido Key Area Chamber of Commerce, Inc.:

1842

A. Approving the Amendment to the Fiscal Year 2008/2009 Miscellaneous Appropriations Agreement, amending Section 3, increasing the allocation by \$117,000, for a total allocation of \$230,000, to be paid from the 3rd Cent Tourist Development Tax Fund (108), Cost Center 360101;

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

C. Approving the necessary Change Order.

19. Taking the following action concerning approval of the Fiscal Year 2008-2009 Miscellaneous Appropriations Agreement for the Escambia County Healthy Start Coalition, Inc.:

1842

A. Approving the Miscellaneous Appropriations Agreement for \$20,000, to be paid from the General Fund (001), Cost Center 110201, Account 58201;

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

C. Authorizing the execution of the necessary Purchase Order.

20. Taking the following action concerning approval of the increase to the Professional Auditing Services Agreement between Escambia County and O'Sullivan Creel, LLP:

1842

A. Approving to increase the Professional Auditing Services Agreement between Escambia County and O'Sullivan Creel, LLP, by \$35,000, to cover the additional costs incurred as the result of new accounting standards set by SAS99, to be paid from the General Fund (001), Cost Center 140201, Account 53101; and

B. Approving the necessary Change Order.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-36. Approval of Various Consent Agenda Items – Continued

21. Taking the following action concerning approval of the Amendment to the Fiscal Year 2008-2009 Miscellaneous Appropriations Agreement for Pensacola Sports Association, Inc.:

1842

A. Approving the Amendment to the Fiscal Year 2008-2009 Miscellaneous Appropriations Agreement, amending Section 3, increasing the allocation by \$13,573, for a total allocation of \$236,423, to be paid from the 3rd Cent Tourist Development Tax Fund (108), Cost Center 360101;

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

C. Approving the necessary Change Order.

22. See Page 30.

23. Authorizing foreclosure of the Code Enforcement Lien recorded in Official Records Book 5622, at Page 1003, of the Public Records of Escambia County, Florida, on real property located at 431 Norris Avenue, Account Number 05-2443-000, Reference Number 09-2S-30-0900-060-009; the County's current Lien amount is \$9,322.50, and the current assessed value of the property is \$35,784.00.

1842

24. Adopting the Resolution (*R2009-27*) approving Supplemental Budget Amendment Number 113, Solid Waste Fund (401), and Transportation Trust Fund (175), in the amount of \$62,732, to transfer funds from Solid Waste to the Road Prison and to appropriate these funds into the correct Cost Centers so that the Funding Source matches the work location for a Corrections Officer.

1842

25. Awarding an Indefinite Quantity, Indefinite Delivery, Unit Price Contract, PD 08-09.004, "Edgewater Phase II, Chaseville," to Panhandle Grading & Paving, Inc., for the Base Bid Items, in the amount of \$188,109.00, plus all Alternate Bid Items A-1, A-2, A-3, and A-4, in the amount of \$77,777.10, for a total of \$265,886.10 (funding to be provided in Cost Center 220516, Object Code 56301).

1842

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-36. Approval of Various Consent Agenda Items – Continued

26. Terminating, for convenience and without cause, in accordance with the Agreements' Section 3, "Term," the following Agreements with Auto Shred Recycling, LLC: PD 98-99.86, PD 98-99.88, PD 98-99.89, and PD 98-99.90, by the Board giving 30 days written notice after approval of this Recommendation; these open-ended Contracts are dated and need revision. 1842

27. Approving a Purchase Order to The National Center for State Courts, in the amount of \$151,862, to perform a Criminal Justice System Assessment Study (Fund 115 [Article-V Fund], Cost Center 410507, and Object Code 53101). 1842

28. Approving the issuance of various Purchase Orders, for Fiscal Year 2008-2009, to Gordon Maner, in which the cumulative total exceeds \$50,000 from various Cost Centers. 1842

29. Taking the following action concerning the Purchase of Uniforms Agreement, PD 05-06.036 (Fund Source: Cost Center 330302, Fund 408 (Emergency Medical Services), and Cost Center 330302, Account Code 55201): 1842

A. Approving the Assignment of the Contract from The Fechheimer Brothers Company, d/b/a Harrison Uniform Company, 2960 Edison Avenue, Jacksonville, Florida 32254, to the Azar's Uniform Company, 5767 Carmichael Road, Montgomery, Alabama 36117, per the terms and conditions of the original Solicitation's Contract Agreement PD 05-06.036; and

B. Approving a Contract extension for an additional six months, as allowed per the terms and conditions of the original Solicitation's Contract Agreement PD 05-06.036, and grant six additional months to the new Awardee, Azar's Uniform Company.

30. Approving a Contract extension for an additional six months, as allowed per the terms and conditions of the original Solicitation's Contract Agreement, PD 05-06.035, to UniFirst Corporation, which will provide time to solicit for another acceptable Contract Awardee (funding is available from various Funds and various Cost Centers). 1842

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-36. Approval of Various Consent Agenda Items – Continued

31. Taking the following action concerning Coral Creek Subdivision Drainage and Pond Rehabilitation Project (Funding: Fund Code 352, Local Option Sales Tax III, Account Code 210107, Object Code 56301, Project Number 08EN0301):

1842

A. Approving the Selection/Negotiation Committee Ranking, as follows:

- (1) Baskerville-Donovan, Inc.
- (2) Fabre Engineering & Surveying
- (3) Sigma Consulting Group, Inc.

B. Awarding a Task Order, PD 08-09.007, "Coral Creek Subdivision Drainage and Pond Rehabilitation Project," per the terms and conditions of PD 02-03.079, Professional Services, as Governed by Florida Statute 287.055, to Baskerville-Donovan, Inc., for a lump sum amount of \$100,660.10 and allowances of \$100,000, for a total of \$200,660.10.

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

1842

A. Awarding a Task Order-based Continuing Contract to Biological Research Associates, LLC, Handex Consulting and Remediation – Southeast, LLC, and Quality Engineering Surveying and Inspections, LLC, per PD 02-03.79, Professional Services, as Governed by Florida Statute 287.055 (A&E Services), on a "Maximum Ceiling" basis fee schedule, as follows:

- ◆ Maximum Overhead – 168%
- ◆ Maximum Profit – 12%
- ◆ Maximum FCCM – 1.50%
- ◆ Maximum Multiplier – 301.66% (providing no single item above is exceeded)
- ◆ Existing Hourly Rates for each firm (based on an audited or auditable financial package)

B. Authorizing the Division(s), in conjunction with the Office of Purchasing, to negotiate Task Orders according to Florida Statute 287.055. "Consultants' Competitive Negotiation Act" (A&E Services), on a project-by-project basis.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-36. Approval of Various Consent Agenda Items – Continued

33. Adopting the Resolution (R2009-28) approving Supplemental Budget Amendment Number 122, Local Option Sales Tax III, Fund (352), in the amount of \$606,032, to recognize a reimbursement from Emerald Coast Utilities Authority and to appropriate these funds for the Ferry Pass Zone 2 Sewer Expansion Project.

1842

34. Taking the following action concerning the *Agreement Between Escambia County and Winterfest of Pensacola, Inc. Relating to the Management of Certain County Lots by Winterfest of Pensacola, Inc on February 21, 2009*:

1842

A. Approving the February 21, 2009, (Mardi Gras) Parking Agreement between Escambia County (County), and Winterfest of Pensacola, Inc. (Winterfest), with the following stipulations for the parking lots:

(1) Winterfest agrees to act as an agent for the County on February 21, 2009, to oversee and manage the northern, unpaved Civic Center parking lot across from the Crowne Plaza Hotel (located on the corner of Gregory and Alcaniz Streets), and the Judicial Parking Garage (located on Baylen Street, behind the Blanchard Judicial Center), in Pensacola, Florida;

(2) A parking fee of \$5 per vehicle will be collected on behalf of the County by Winterfest; and

(3) As compensation for the services provided by Winterfest on behalf of the County, the County agrees to pay Winterfest 66 2/3% of the amount collected by Winterfest and tendered to County, and 33 1/3% to the Boy Scout Troop 676; Winterfest accepts responsibility for assuring that County's portion of the amount is donated to the Boy Scout Troop 676; and

B. Authorizing the Chairman or Vice 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

1-36. Approval of Various Consent Agenda Items – Continued

35. Taking the following action concerning the Ex-Oriskany PCB (polychlorinated biphenyl) Artificial Reef Monitoring Project Grant Agreement with Florida Fish and Wildlife Conservation Commission (FWC), for PCB Artificial Reef Monitoring:

1842

A. Ratifying the Chairman's signature on, and submittal of, the Grant Agreement between Escambia County Board of County Commissioners and FWC for the Ex-Oriskany PCB Artificial Reef Monitoring Project Year 4 Grant, in the amount of \$40,000, effective from the date of execution to December 30, 2010; and

B. Authorizing the Chairman to execute any documents related to acceptance, execution, reporting, and Amendments to this Grant (Cost Center TBD [*To Be Determined*]; Object Code 53101; Fund 110, Other Grants and Projects).

36. Taking the following action concerning the Florida Department of Environmental Protection, Division of Recreation and Parks, Land and Water Conservation Fund (LWCF) 2008-2009 Grant Application for Beulah Regional Park (funding for the match is available in Fund 351, "Local Option Sales Tax II," Account 350213, Object Code 56301, Project #08PR0091):

1842

A. Approving submission of the Grant Application, in the amount of \$86,250, with a required match of \$86,250, for a total of \$172,500; and

B. Authorizing the County Administrator to sign Grant Application.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

22. Foreclosure of a Code Enforcement Lien – Dropped

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, dropping the recommendation that the Board authorize foreclosure of the Code Enforcement Lien recorded in Official Records Book 5794, at Page 1062, of the Public Records of Escambia County, Florida, on real property located at 1233 Betts Avenue, Account Number 12-0062-000, Reference Number 03-2N-31-2100-000-032; the County's current Lien amount is \$20,032.50, and the current assessed value of the property is \$37,109.00, and suspending the \$25 per day daily fines (*relative to the current Code Enforcement violation against the property*) for 60 days.

1843

Speaker(s):

Claude Ward
Sherrell Ward

III. FOR DISCUSSION

1. Single-Family Mortgage Revenue Bonds

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting the Resolution (*R2009-29*), which approves a three-year Plan of Finance for low-interest loans to first-time homebuyers, and authorizes the Escambia County Housing Finance Authority (the "Authority"), to issue Single-Family Mortgage Revenue Bonds from time-to-time, including temporary Bond Anticipation Notes in connection therewith, in an aggregate principal amount not to exceed \$300,000,000.

1854

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION – Continued

2. International Paper Company Environmental Improvement Revenue Bonds

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

1855

- A. Adopting the Resolution (*R2009-30*) amending and restating Resolution Number R2009-6, adopted by the Board on January 22, 2009, which authorized the issuance and sale of the Bonds upon the terms established therein (the Resolution authorized the sale of the Bonds at an interest rate not to exceed 8%; due to current market conditions, it is now necessary to increase the maximum interest rate at which the Bonds may be sold to 12%); and
- B. Authorizing the Chairman to sign the Resolution.

3. Lobbyist Services

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, awarding Contract PD 08-09.023 to Gentry & Associates, for an amount not to exceed \$60,000, for "Lobbyist Services for Escambia County, Florida" (Funding: Fund [001], Cost Center 110201/53101).

1856

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR INFORMATION

1. Termination of Interlocal Agreement

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, accepting, for filing with the Board's Minutes, the information concerning the *Notice of Termination of Interlocal Agreement* from Sheriff David Morgan, dated February 2, 2009; the Notice effectively ends the three-party arrangement to develop a Regional Public Safety Training Facility (*a/k/a Joint Training Range Project, "Joint Use Training Facility," "Escambia County Gun Firing Range and Public Safety and Fire Training Complex," and "Public Safety Law Enforcement Regional Training Complex"*); the County Attorney's Office will take the appropriate steps to ensure the County's funds are returned.

1901

For Information: Commissioner Robinson disclosed that he is President of Pensacola Junior College Foundation, a not-for-profit, public entity; however, because of the volunteer nature of his appointment, he is not prevented from voting on this item.

2. Robert K. Mandel, et al., vs. Harry R. McNesby, et al.

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried 4-0, with Commissioner White abstaining (*and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), accepting, for filing with the Board's Minutes, the information concerning Robert K. Mandel and Sharon F. Mandel vs. Harry R. McNesby, Charlie Walker, Sotirios Thagouras, and Steve Littlejohn, wherein the Court denied Plaintiff's Motion for Relief from Judgment and Leave to File An Amended Complaint.

1901

3. Rocky Branch Road Homeowners v. Board of County Commissioners of Escambia County

Motion made by Commissioner Valentino, seconded by Commissioner Robertson, and carried unanimously, accepting, for filing with the Board's Minutes, the information concerning Rocky Branch Road Homeowners v. Board of County Commissioners of Escambia County, wherein the attorney for plaintiffs voluntarily dismissed the lawsuit.

1902

ITEMS ADDED TO THE AGENDA – COMMISSIONER KEVIN W. WHITE

1. FDOT 2009 Stimulus Project Priorities

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning Stimulus Project Priorities for 2009 with the Florida Department of Transportation (FDOT):

1903

A. Adopting the Resolution (*R2009-31*) requesting FDOT to consider present financial partnerships to improve State facilities criteria for Stimulus Project Priorities for 2009; and

B. Authorizing each Commissioner to sign the Resolution.

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 7:04 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: March 5, 2009