

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD MARCH 19, 2009
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(4:38 p.m. – 7:59 p.m.)

Present: Commissioner Marie K. Young, Chairman, District 3
Commissioner Grover C. Robinson, IV, Vice Chairman, District 4
Commissioner Wilson B. Robertson, District 1
Commissioner Gene M. Valentino, District 2
Commissioner Kevin W. White, District 5
Mrs. Lisa N. Bernau, Chief Deputy Clerk, representing the
Honorable Ernie Lee Magaha, Clerk of the Circuit Court & Comptroller
(Regular Meeting Only)
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 4:38 p.m.

1. FOR INFORMATION: The Board was advised by Merrick VanLandingham that the Division of Marine Resources informed him that the Army Corps of Engineers had approved the County's near-shore artificial reef permit. 1638
2. FOR INFORMATION: The Board heard comments from Nephi Pratt Clanton concerning issues with Code Enforcement. 1644
3. FOR INFORMATION: The Board heard comments from L. Gary Sansing concerning items discussed during Public Forum and issues concerning the economy. 1649

4:55 P.M. – PUBLIC FORUM ADJOURNED

5:32 P.M. – REGULAR BOARD MEETING CONVENED

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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 Robinson advised that Reverend Byron Jarvis, Pastor, Gonzalez Baptist Church, would deliver the Invocation.

3. Pledge of Allegiance to the Flag

Chairman Young advised that the 4-H Leadership Club would lead the Pledge of Allegiance to the Flag.

4. Adoption of the Agenda

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting the agenda as prepared and duly amended (*to include Commissioner Robinson's two add-on items, one concerning approval of documents for Core Development and one concerning Escambia County's Public School Facilities Element of the Comprehensive Plan*).

1736

5. Commissioners' Forum

A. District 2 – Commissioner Valentino advised that the injured veterans of Iraq and Afghanistan, who will be arriving from all over the Country, will be honored in May by the Independence Day Group;

1736

B. District 1 – Commissioner Robertson advised that he would like to clarify that the Board did not "shoot down" the Sheriff's proposal for a substation on Fairfield Drive;

C. District 4 – Commissioner Robinson recognized Pearl Mueller, of Carpenter's Creek, who reached the age of 100 in January; and

1740

(Continued on Page 3)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

5. Continued...

D. District 3 – Commissioner Young:

1741

- (1) Advised that the Clean and Green Commission will be sponsoring the Great American Cleanup Day on Saturday, in various areas of the County;
- (2) Recognized the Wedgwood Improvement Association Board;
- (3) Recognized the 4-H Leadership Club; and
- (4) Advised that the Board would include another special acknowledgement during presentation of Proclamations.

6. Proclamations

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

1743

A. Adopting the following two Proclamations:

- (1) The Proclamation commending and congratulating Roy R. Foley, Fire Inspector, Public Safety Bureau, on his retirement after 15 years of service; and
- (2) The Proclamation commending and congratulating Robert Fountain, Equipment Operator II, Public Works Bureau, on his retirement after three years of service; and

B. Adopting the Proclamation honoring and congratulating Mrs. Violet M. Walton for reaching the age of 100; and

C. Adopting the following two Proclamations:

- (1) The Proclamation proclaiming March 25, 2009, as "National Medal of Honor Day" in Escambia County; and
- (2) The Proclamation proclaiming March 28, 2009, as "Florida 4-H Centennial Day" in Escambia County.

(Continued on Page 4)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

6. Continued...

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried unanimously, approving to adopt the Proclamation commending and congratulating Dierdre Ann McVoy for being selected as the Department of the Navy's 2008 Outstanding Employee with a Disability.

Speaker(s):

Violet Walton
Adam Estes
Bobby Gindl
Clara Ann Phillips
Jack Livingston
Dierdre Ann McVoy

7. Written Communication

A. Code Enforcement Lien – Angela B. Gibson

Motion made by Commissioner Valentino, seconded by Commissioner Robertson, and carried unanimously, approving to collect the hard costs, in the amount of \$1,100, and waive the fines, relative to a Communication, dated February 3, 2009, from Angela B. Gibson requesting that the Board consider forgiving a Code Enforcement Lien, Case No. CE-05-10-0782, against property located on Washington Street.

1806

B. Code Enforcement Lien – Paul Gaston Senay and Betty Jane Shrout

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving to take no action relative to a Communication, dated February 4, 2009, from Paul Gaston Senay and Betty Jane Shrout requesting that the Board consider forgiving a Code Enforcement Lien.

1810

Speaker(s):

Betty Jane Shrout

(Continued on Page 5)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

7. Continued...

C. Code Enforcement Lien – 317 Hicks Street

Motion made by Commissioner Robertson, seconded by Commissioner Robinson, and carried unanimously, approving to collect the hard costs and to waive the fines, in the amount of \$770, relative to a Communication, dated February 12, 2009, from Cassandra A. Steen requesting that the Board consider forgiving a Code Enforcement Lien, Case Number CE 03-02-0363, against property located at 317 Hicks Street.

1812

Speaker(s):

Cassandra A. Steen

8. Proof 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:

1819

A. The following four Public Hearings on the agenda:

- (1) The 5:31 p.m. Public Hearing, advertised in the Pensacola News Journal on March 6, 2009, for consideration of the Pinestead Road-Longleaf Drive Corridor Area Study, Neighborhood Improvement Plan;
- (2) The 5:32 p.m. Public Hearing, advertised in the Pensacola News Journal on March 7, 2009, for consideration of adopting a Resolution amending the Englewood Area Redevelopment Plan;
- (3) The 5:33 p.m. Public Hearing, advertised in the Pensacola News Journal on March 7, 2009, for consideration of the FDOT Grant Application for Fiscal Year 2009 Section 5311 Capital Stimulus funding; and

(Continued on Page 6)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

8. Continued...

A. Continued...

(4) The 5:45 p.m. Public Hearing, advertised in the Pensacola News Journal on March 6, 2009, for consideration of adopting an Ordinance approving CPA 2009-01A; and

B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule March 16, 2009 – March 20, 2009 – Legal No. 222288*, as published in the Pensacola News Journal on March 14, 2009, as follows:

1819

March 16 4:00 p.m. Health Facilities Authority
March 16 5:00 p.m. District 2 Commissioner's West-End Advisory Committee
March 17 9:00 a.m. Escambia County A/E Selection Process Feedback Session
March 17 1:30 p.m. Environmental Enforcement Special Magistrate
March 17 1:30 p.m. Joint City County-Board of County Commissioners Meeting
March 18 8:00 a.m. Soil & Water Conservation Board
March 18 8:30 a.m. Board of Adjustment
March 18 9:00 a.m. Tourism Administration and Convention Committee
March 18 12:00 p.m. Bay Area Resource Council – Technical Advisory Committee
March 18 1:00 p.m. Development Review Committee
March 18 1:30 p.m. Bay Area Resource Council
March 18 6:00 p.m. Santa Rosa Island Authority Core Improvement Public Workshop
March 18 2:30 p.m. Pensacola Escambia Promotion & Development Commission
March 18 6:00 p.m. Santa Rosa Island Authority Core Improvement
March 19 9:00 a.m. Agenda Work Session
March 19 9:00 a.m. Board of Electrical Examiners
March 19 11:00 a.m. BCC Information Technology Governance Council
March 19 3:30 p.m. Board of County Commissioners Attorney-Client Session
March 19 4:20 p.m. Community Redevelopment Agency
March 19 4:30 p.m. Board of County Commissioners Public Forum
March 19 5:30 p.m. Board of County Commissioners Public Hearings & Reports
NEXT WEEK'S NOTE:
March 23 8:30 a.m. Planning Board Meeting
March 23 4:30 p.m. Rezoning Hearing Examiner

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

9. 5:31 p.m. Public Hearing

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, adopting the Pinestead Road-Longleaf Drive Corridor Area Study, Neighborhood Improvement Plan.

1819

Speaker(s) – None.

10. 5:32 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning the Englewood Redevelopment Plan Update, as recommended by the Community Redevelopment Agency:

1821

- A. Adopting a Resolution (*R2009-39*) amending the Englewood Area Redevelopment Plan; amending the Plan document originally adopted by the Board on July 6, 2000; providing for severability; providing for an effective date; and
- B. Authorizing the Chairman to execute the Resolution.

Speaker(s) – None.

11. 5:33 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning the State of Florida Department of Transportation (FDOT) Grant Application for Fiscal Year 2009 Section 5311 Capital Stimulus funding (Federal Transit Administration non-urbanized area funding):

1822

- A. Ratifying the scheduling and advertising of a Public Hearing for 5:33 p.m., on Thursday, March 19, 2009, for the purpose of receiving comments from the general public concerning the Escambia County Fiscal Year 2009 Section 5311 Capital Stimulus Grant Application for \$300,000 in Federal assistance for mass transit projects;

(Continued on Page 8)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

11. Continued...

- B. Approving submission of the Escambia County Fiscal Year 2009 Section 5311 Capital Stimulus Grant Application for \$300,000 in Federal assistance for mass transit projects; and
- C. Adopting the Resolution (*R2009-40*) authorizing the Chairman to sign all appropriate documents and file the application for receipt of Federal funds from the Federal Transit Administration.

Speaker(s) – None.

12. Committee of the Whole (C/W) Recommendation(s)

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, approving to drop Item A of the recommendation from the March 12, 2009, C/W Workshop, as follows: 1822

- A. Approve the *Lease Agreement between Escambia County and Escambia River Muzzle Loaders, Inc., and ERML Sportsmens' Foundation, Inc.*, with Exhibit D, Use Restrictions, Section 2, to be amended to reflect that the firearms range will be closed on Thanksgiving (Item 6).

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, approving Item B of the recommendation from the March 12, 2009, C/W Workshop, as follows: 1822

- B. Approving the acquisition of property located in the 1200 block of Mahogany Mill Road, for the purchase price of \$1.2 million, which is the average of the County's two appraisals, plus \$5,000 in closing costs, as amended to reflect that this will be funded through Local Option Sales Tax and that it was approved and presented through the Marine Advisory Committee (Item 8).

(Continued on Page 9)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

12. Continued...

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried 4-1, with Commissioner White voting "no," approving Item C of the recommendation from the March 12, 2009, C/W Workshop, as follows:

1823

C. Approving to allocate \$12,500 from the 4th Cent Tourist Development Tax for funding for St. Michael's Cemetery (on November 6, 2008, the Board approved advancing \$12,500 from the General Fund, Reserves for Operating, earmarked for maintenance and repairs at St. Michael's Cemetery, in anticipation of the 450th [Anniversary] Celebration, with the caveat that the City of Pensacola will provide a \$12,500 match [Item 17]).

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:

1825

1. Accepting, for filing with the Board's Minutes, the following five Reports prepared by the Clerk and Comptroller's Finance Department:
 - A. Payroll Expenditures as of Payday March 6, 2009, in the amount of \$2,250,967.54; and
 - B. The following two Disbursement of Funds:
 - (1) February 26, 2009, to March 4, 2009, in the amount of \$29,774,543.57; and
 - (2) March 5, 2009, to March 11, 2009, in the amount of \$2,041,924.46;

(Continued on Page 10)

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

1. Continued...

C. The Investment Report for the month ended February 28, 2009; and

1825

D. The Tourist Development Tax (TDT) Collections Data for Fiscal Year 2008-2009, which includes the January 2009 returns received in the month of February 2009; the revenues collected to date represent five months, or 25%, of the Budget for the Fiscal Year.

2. Approving four (4) forms, *Requests for Disposition of Property*, indicating equipment to be sold as surplus and/or appropriately disposed of, and one (1) form, *Request for Reinstatement of Property*; the Requests were prepared by various County Bureaus and state the reasons for disposition/reinstatement.

1825

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

1825

A. The *Okaloosa Gas District Financial Statements – September 30, 2008 and 2007*, and *Public Facilities Report February 27, 2009*, as provided by Clarke C. Bell, Vice President of Accounting and Finance, and received in the Clerk to the Board's Office on March 9, 2009; and

B. The February 26, 2009, memorandum from Douglas E. Barr, Executive Director, Northwest Florida Water Management District (NFWWMD), advising that the NFWWMD's March 1, 2009, Consolidated Annual Report is available on the District's website, as received in the Clerk to the Board's Office on March 9, 2009.

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

1825

A. Approving the Minutes of the Public Forum Work Session and Regular Board Meeting held March 5, 2009; and

B. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held March 5, 2009, as follows:

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

A. Shirley L. Gafford, Program Coordinator, County Administrator's Office, County Attorney Rogers, and Steve Littlejohn, Office of Environmental Enforcement, 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. Shirley L. Gafford, Program Coordinator, County Administrator's Office, County Administrator McLaughlin, Amy Lovoy, Bureau Chief, Management and Budget Services Bureau, John Sims, Fire Services Manager, Michael Hardin, Bureau Chief, Public Safety Bureau, and Keith Wilkins, Deputy Bureau Chief, Neighborhoods and Community Services Bureau, reviewed the County Administrator's Report; and

E. County Attorney Rogers reviewed the County Attorney's Report, and P. Michael "Mike" Patterson, Emmanuel, Sheppard & Condon, Attorneys at Law, provided comments regarding Item I-1.

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 Valentino, seconded by Commissioner White, and carried 4-0, with Commissioner Robertson abstaining (*and filing form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), adopting (*an Ordinance [2009-7] approving*) large-scale Comprehensive Plan Amendment 2009-01A, an amendment to Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended, amending Chapter 7, "Future Land Use Element," providing for an amendment to the Year 2020 Future Land Use Map, as amended, changing the future land use category of two parcels, totaling 91.88 acres, along East Quintette Road, from Cottage Hill/Quintette Activity Area (AA-15) to Industrial (I).

1826

Speaker(s):

William Houdashelt
John A. Lamb
Michael Cranmer

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

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-7. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving Consent Agenda Items 1 through 7, as follows, with the exception of Items 2 and 6, which were held for separate votes:

1847

1. Taking no action to repeal Ordinances 2003-52 and 2008-14, which established Economic Development Ad Valorem Tax Exemptions for Wayne-Dalton Corporation.
2. See Page 14.
3. Accepting, for filing with the Board's Minutes, the February 19, 2009, Community Redevelopment Agency (CRA) Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA.

1847

1847

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-7. Approval of Various Consent Agenda Items – Continued

4. Authorizing the scheduling of a Public Hearing for April 16, 2009, at 5:31 p.m., to consider the Petition to Vacate a portion of a 20-foot wide alleyway (approximately 3,000 square feet, or 0.06 acre) located in Block 29, Englewood Heights Subdivision, as petitioned by Terry Hale. 1847

5. Taking the following action regarding the 2008-2010 Escambia/Pensacola State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan and related matters: 1847

A. Adopting a Resolution (*R2009-42*) approving *Amendment #01* to the Board-approved Escambia/Pensacola SHIP Program 2008-2010 Local Housing Assistance Plan to officially incorporate the Escambia County Affordable Housing Incentive Plan, as approved by the Board on December 11, 2008, into the subject Housing Assistance Plan, in accordance with Section 420.9076, Florida Statutes; and

B. Authorizing the Chairman or Vice Chairman to execute the Resolution and other documents, as may be required, to implement the Amendment.

6. See Page 14.

7. Taking the following action concerning the disposition of a surplus, outmoded voting system consisting of (123) Eagle III-P Ballot Tabulators, (2) IV-C Model 400 High Speed Tabulators, (2) Memory Pack Read/Programmers, and other miscellaneous components of the system: 1847

A. Approving to notify the Division of Elections of the intent to dispose of surplus voting equipment, pursuant to Section 101.294(2), Florida Statutes;

B. Requesting that, if an acceptable buyer can be located, the Division of Elections coordinate the sale of this voting equipment to said buyer;

C. Authorizing the Chairwoman to sign the correspondence to the Division of Elections; and

D. Authorizing the proper disposal of this surplus voting equipment, if the Division of Elections is unable to locate a buyer for the surplus voting equipment.

COUNTY ADMINISTRATOR'S REPORT – Continued

1. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued
2. EDATE for Navy Federal Credit Union

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried 4-0, with Commissioner Robertson abstaining (*and filing form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), taking the following action concerning an Economic Development Ad Valorem Tax Exemption (EDATE) for Navy Federal Credit Union Phase IV:

1848

- A. Adopting a Resolution (*R2009-41*) establishing the Board's intent to adopt an Ordinance for an EDATE for Navy Federal Credit Union Phase IV, for 100% of their expansion for up to 10 years; and
- B. Authorizing the Chairman to execute the Resolution.

6. Roadway Transfer Agreement

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning the transfer of a portion of Airport Boulevard from Escambia County to the Florida Department of Transportation (FDOT) and the transfer of a portion of Burgess Road and Lanier Drive from FDOT to Escambia County:

1848

- A. Approving the Escambia County/FDOT Roadway Transfer Agreement, authorizing the transfer to FDOT of a portion of Airport Boulevard, from Hancock Lane to SR 291 (Davis Highway), as shown on the road Right-of-Way Map recorded in Road Plat Book 2, at Pages 27E and 27F of the Public Records of Escambia County;
- B. Approving the FDOT/Escambia County Roadway Transfer Agreement accepting the transfer from FDOT of a portion of Burgess Road (SR 742), from Hilburn Road to (SR 291) Davis Highway, and from Sanders Street to Lanier Drive, as shown on FDOT Right-of-Way Map (Section 48508-2601, Sheet 3), and a portion of Lanier Drive from Burgess Road to Creighton Road, as shown on FDOT Right-of-Way Map (Section 48013-2507, Sheet 14);

(Continued on Page 15)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

6. Continued...

C. Authorizing the payment of incidental expenses associated with the recording of the maps; and

D. Authorizing the Chairman to sign all documents necessary to complete this transaction.

For Information: The Board heard Commissioner Robinson disclose that he owns property on Burgess Road; however, because the Board is only transferring ownership of right-of-way between FDOT and the County, there is nothing that inures to his loss or gain and he is not prevented from voting on this item.

II. BUDGET/FINANCE CONSENT AGENDA

1-10. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 10, as follows (Item 11 was held for a separate vote), as amended to correct the amount to (\$109,777) in Item 4:

1849

1. Adopting the Resolution (*R2009-43*) approving Supplemental Budget Amendment Number 147, Disaster Recovery (Fund 112), in the amount of \$168,810, to recognize Federal and State of Florida Funding and appropriate these funds for the M. C. Blanchard Soffit Mitigation PW (FEMA Project Worksheet) for repairs to the Judicial Building during Fiscal Year 2008-2009.

1849

2. Adopting the Resolution (*R2009-44*) approving Supplemental Budget Amendment Number 151, Law Enforcement Trust Fund (121), in the amount of \$40,000, to recognize revenue from law enforcement seizures and to appropriate these funds for use by the Sheriff's Office.

1849

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-10. Approval of Various Consent Agenda Items – Continued

3. Adopting the Resolution (*R2009-45*) approving Supplemental Budget Amendment Number 152, Housing and Urban Development (HUD), Home Investment Partnerships Act (HOME) Fund (147), in the amount of \$150,000, to recognize HOME Program income earned in Fiscal Year 2008-2009 and appropriate these funds for the HOME Program and HOME-eligible, affordable housing activities in Escambia County.

1849

4. Adopting the Resolution (*R2009-46*) approving Supplemental Budget Amendment Number 158, Transportation Trust Fund (175) and General Fund (001), in the amount of (\$109,777), to reduce the subsidy to the Transportation Trust Fund and to move these employees to the General Fund, and to appropriate these personnel funds into the correct Fund and Cost Center.

1849

5. Adopting the Resolution (*R2009-47*) approving Supplemental Budget Amendment Number 163, General Fund (001), in the amount of \$36,090, to recognize lease payments from the Department of Juvenile Justice and appropriate these funds for maintenance of the leased building.

1849

6. Adopting the Resolution (*R2009-48*) approving Supplemental Budget Amendment Number 164, Other Grants and Projects Fund (110), in the amount of \$7,500, to recognize proceeds from a Florida Division of Emergency Management Subgrant Agreement and to appropriate these funds for the Citizen Corps Program.

1849

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-10. Approval of Various Consent Agenda Items – Continued

7. Ratifying the following (*March 19, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Facade Grant Funding and Lien Agreements at 103 Beverly Parkway:

1849

- A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Uniformly Yours, Inc., owner of commercial property located at 103 Beverly Parkway, Pensacola, Florida, in the Palafox Redevelopment Area, in the amount of \$10,000, representing an in-kind match through the Palafox Tax Increment Financing (TIF), Fund 151, Cost Center 220517, Object Code 58301, for the following improvements:

Install stucco to existing building, exterior lighting, privacy fence, and parking lot improvements

- B. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreement for the property located at 103 Beverly Parkway, in the amount of \$10,000; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Uniformly Yours, Inc., and any other related documents necessary to implement this Grant award.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-10. Approval of Various Consent Agenda Items – Continued

8. Ratifying the following (*March 19, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Sign Grant Funding Agreement at 103 Beverly Parkway:

1849

- A. Approving the Sign Grant Program Funding Agreement between Escambia County CRA and Uniformly Yours, Inc., owner of commercial property located at 103 Beverly Parkway, Pensacola, Florida, in the Palafox Redevelopment Area, in the amount of \$2,000, representing an in-kind match through the Palafox Tax Increment Financing (TIF), Fund 151, Cost Center 220517, Object Code 58301, and/or Neighborhood Enterprise Foundation, Inc., 2007 Community Development Block Grant (CDBG), Fund 129, Cost Center 220555, Object Code 58301, for the following improvements:

Install new signage

- B. Authorizing the Chairman to sign the Funding Agreement between Escambia County CRA and Uniformly Yours, Inc., and any other related documents necessary to implement this Grant award.

9. Approving a Purchase Order to Cameron Cole, LLC, in the amount of \$105,066, funded through the 2008 Community Development Block Grant (CDBG), Fund 129, Cost Center 220563, Object Code 53101, for the environmental remediation phase of the former Escambia County Mosquito Control facility located at 603 West Romana Street (PD 06-07.038).

1849

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-10. Approval of Various Consent Agenda Items – Continued

10. Taking the following action concerning the Transportation Regional Incentive Program Agreement between the State of Florida Department of Transportation (FDOT) and Escambia County toward the design update on U. S. 90A (Nine Mile Road), between SR 297 (Pine Forest Road) and U. S. (Highway) 29 (Funding Source: Fund 352, [Local Option Sales Tax] LOST III, Account 210107/56301/Project 08EN0165, Fiscal Year 2008-2009):

1849

- A. Approving the Agreement, which specifies the FDOT will pay one-half the project cost, up to \$650,000, and the County will pay the remaining cost, estimated to be \$650,000;
- B. Adopting a Resolution (R2009-49) authorizing the Chairman to sign the Agreement; and
- C. Authorizing the Chairman to sign the Resolution.

11. Gulf Power Company Project

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action regarding the proposed issuance of not exceeding \$134,000,000, aggregate principal amount of Solid Waste Disposal Revenue Bonds (Gulf Power Company Project) First Series 2009 and Solid Waste Disposal Revenue Bonds (Gulf Power Company Project) Second Series 2009 (collectively, the "Bonds"):

1850

- A. Adopting the Resolution (R2009-50) authorizing the issuance and sale of the Bonds, pursuant to the terms and conditions of the Financing Documents, and approving forms of said Financing Documents; and
- B. Authorizing the Chairman to execute all documents and take any other necessary action in connection therewith.

Speaker(s):

Richard Lott

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION

1. Employee Severance Incentive Program

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried 4-1, with Commissioner Young voting "no," rejecting the Program, relative to the recommendation that the Board take the following action concerning a Employee Severance Incentive Program:

1852

- A. Adopt the Resolution authorizing a Separation (*Severance*) Incentive Program to allow qualified employees of the Board or other participating Constitutional Officers to separate from employment; and
- B. Extend this Program to any Elected Official (Clerk of the Circuit Court, Supervisor of Elections, Property Appraiser, Tax Collector, or Sheriff), who wishes to participate.

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1. Code Enforcement Lien

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried unanimously, approving Item A, and authorizing the release of the Code Enforcement Lien (*in the amount of \$1,413.71*), recorded in Official Records Book 5344, at Pages 936 and 989, from Frederick H. Gould's property at 7 Ellinor Court, upon payment of an amount to be determined by the Board.

1951

2. Attorney General's Opinion

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, authorizing the County Attorney to request an Attorney General's Opinion on whether the County is entitled to access driver insurance information from law enforcement officers at the scene of a motor vehicle accident, pursuant to the County's Motor Vehicle Accident (*Fire-Rescue*) Cost Recovery Fee Ordinance.

1952

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

3. Attorney-Client Session

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving to drop the recommendation that the Board take the following action concerning an Attorney-Client Session regarding Escambia County v. Allied Waste Services of North America, LLC (Case No.: 3:08cv88/LAC/EMT):

1953

- A. Schedule a private meeting with the Board's attorneys to discuss pending litigation, in accordance with Section 286.011(8), Florida Statutes, for April 2, 2009, at 3:30 p.m.; and
- B. Approve the public notice that will be published in the Pensacola News Journal on Sunday, March 22, 2009.

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

1. Beach Core Development Meeting

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, accepting, for discussion and informational purposes, the documents (*provided at the March 18, 2009, Beach Core Development Meeting* [Attachment 1 – "Comments regarding Core Development" and Attachment 2 – "Core Improvements Survey"]).

1954

2. Escambia County's Public School Facilities Element of the Comprehensive Plan

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried unanimously, taking the following action concerning Escambia County's Public School Facilities Element of the Comprehensive Plan:

1953

- A. Approving and authorizing the Chairman to sign the letter (*to the Honorable Greg Evers, Chairman, NW Florida Legislative Delegation*); and
- B. Authorizing transmittal of the letter to the Legislative Delegation.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

ANNOUNCEMENTS – None.

ADJOURNMENT

There being no further business to come before the Board, Chairman Young declared the Regular Meeting of the Board of County Commissioners adjourned at 7:59 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: April 2, 2009