

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD JULY 23, 2009
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(4:34 p.m. – 6:32 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 Barbara Mayall commending Escambia County Area Transit. 1634

2. FOR INFORMATION: The Board: 1639
 - A. Heard comments from Bobby McCarley, who distributed copies of his prepared statement regarding various issues; and

 - B. Heard comments from Kenneth Gordon, General Manager, Escambia County Area Transit (ECAT), concerning funding sources for ECAT, and heard the request from Commissioner Valentino that discussion concerning funding for ECAT be referred to a Committee of the Whole Workshop.

3. FOR INFORMATION: The Board heard comments from Jane Birdwell, who advised that she was present to support the Florida Institute of Human and Machine Cognition's (IHMC) request for a letter of support from the Board for a match for a \$10 million grant for which IHMC is applying (*see Agenda Item 14.C.*) 1700

5:04 P.M. – PUBLIC FORUM ADJOURNED

5:30 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 5:30 p.m.

2. Invocation

Commissioner Valentino advised that Horace Jones would deliver the Invocation.

3. Pledge of Allegiance to the Flag

Chairman Young advised that Commissioner Robinson 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 Young's add-on item relative to waiving The Pensacola Civic Center rental fees for the "Back to School Educators' Conference" on August 13, 2009*).

1733

5. Commissioners' Forum

1742

A. District 1 – Commissioner Robertson expressed his appreciation to the Board, County Administrator McLaughlin, and Sandra P. Jennings, Bureau Chief, Neighborhoods and Community Services Bureau, and other staff who made cleanup of the Saufley Field Landfill possible, utilizing Local Option Sales Tax proceeds; and

B. District 4 – Commissioner Robinson requested that the Board consider a Resolution regarding offshore oil drilling, and advised that Bay County, Okaloosa County, Walton County, and the City of Pensacola have adopted Resolutions opposing offshore oil drilling within 125 miles of the shore, and heard the suggestion from Commissioner White that this issue be scheduled for discussion at the next Regular Board Meeting.

For Information: The Board heard comments from Cyndee Pennington, and viewed a video presentation, regarding the theatrical event *Walking With Dinosaurs – The Arena Spectacular*, which is scheduled for September 29, 2009, and September 30, 2009, at The Pensacola Civic Center.

REGULAR BCC AGENDA – Continued

6. Proclamations

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

1746

- A. Adopting the Proclamation honoring and congratulating Mrs. Hattie Maxwell for reaching the age of 104; and
- B. Taking the following action concerning the adoption/ratification of the following four Proclamations:
 - (1) Adopting the Proclamation proclaiming the week of July 27-August 2, 2009, as “Fats, Oils, and Grease Week” in Escambia County;
 - (2) Adopting the Proclamation proclaiming July 25, 2009, as “Americans with Disabilities Act Awareness Day” in Escambia County;
 - (3) Ratifying the Proclamation, dated July 8, 2009, recognizing and commending the “Blue Angels” for their dedication, leadership, and service to our community, country, and the Armed Forces; and
 - (4) Ratifying the Proclamation, dated July 9, 2009, proclaiming Tuesday, July 14, 2009, as “Zelica Grotto Day” in Escambia County.

Speaker(s):

Barbara J. Reid
Elvin McCorvey
Gabriel Brown
Kennie Lyons
Kenyore Edwards
Cathy Brewton
Sherri Myers

REGULAR BCC AGENDA – Continued

7. Written Communication

A. Request to Execute a Disclaimer of Interest

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, authorizing the execution of a *Disclaimer of Interest* and indicating that the Bank of Oklahoma will be responsible for any recording fees, relative to a communication, dated March 23, 2009, from Kenneth M. Keefe, Jr., McGuireWoods, LLP, requesting that the Board execute a *Disclaimer of Interest* to clarify issues raised by the typographical error in the legal description of two parcels cited in a foreclosure proceeding against Cordova Community Facilities Corporation, formerly known as Escambia Housing Corporation.

1801

B. Eco-Tourism Project

The Board received a two-page letter and three photographs of the Perdido River, as presented by Anne Bennett, and the Board took no action concerning the Perdido Watershed Eco-Tourism Project, relative to a communication, dated July 7, 2009, from Anne Bennett requesting to update the Board on the Perdido Watershed Eco-Tourism Project.

1802

Speaker(s):

Anne Bennett

REGULAR BCC AGENDA – Continued

8. Proofs of Publication

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, waiving the reading of the legal advertisement(s) and accepting, for filing with the Board's Minutes, the certified affidavit(s) establishing proof of publication for the Public Hearing(s) on the agenda, and the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule*, as follows:

1809

A. The following five Public Hearings on the agenda:

- (1) The 5:31 p.m. Public Hearing, advertised in the Pensacola News Journal on July 13, 2009, for consideration of adopting an Ordinance creating Kingsfield Courtyard Subdivision Street Lighting MSBU;
- (2) The 5:32 p.m. Public Hearing, advertised in the Pensacola News Journal on July 11, 2009, for consideration of adopting an Ordinance establishing an EDATE for Landworks Investments, LLC, for up to 46% of their expansion for 10 years;
- (3) The 5:33 p.m. Public Hearing, advertised in the Pensacola News Journal on July 11, 2009, for consideration of adopting an Ordinance authorizing the issuance of civil citations for certain violations of the Escambia County Code of Ordinances;
- (4) The 5:36 p.m. Public Hearing, advertised in the Pensacola News Journal on July 11, 2009, for consideration of the Escambia County Fiscal Year 2009 Section 5307 ARRA Grant Application; and
- (5) The 5:37 p.m. Public Hearing, advertised in the Pensacola News Journal on July 11, 2009, for consideration of the Fiscal Year 2009 Grant Application for FTA 5307 funding for planning and capital assistance for mass transit projects for ECAT; and

(Continued on Page 6)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

8. Continued...

B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule July 20, 2009 – July 24, 2009 – Legal No. 1413266*, as published in the Pensacola News Journal on July 18, 2009, as follows:

July 20	4:00 p.m.	West Florida Regional Planning Council
July 20	5:00 p.m.	District 2 Commissioner’s West-End Advisory Committee
July 21	9:00 a.m.	BCC Budget Committee of the Whole
July 21	9:00 a.m.	Tourism Administration & Convention Committee
July 21	4:00 p.m.	Health Facilities Authority
July 22	9:00 a.m.	BCC Budget Committee of the Whole
July 22	12:00 p.m.	Bay Area Resource Council – Technical Advisory Council
July 22	12:00 p.m.	Enterprise Zone Development Agency Board Meeting
July 22	1:00 p.m.	Development Review Committee
July 22	1:30 p.m.	Bay Area Resource Council
July 22	5:00 p.m.	Santa Rosa Island Authority Committee Meeting
July 22	5:15 p.m.	Santa Rosa Island Authority Budget Workshop
July 23	9:00 a.m.	Agenda Work Session
July 23	11:00 a.m.	BCC Information Technology Governance Council
July 23	3:30 p.m.	Board of County Commissioners Attorney-Client Session
July 23	4:20 p.m.	Community Redevelopment Agency
July 23	4:30 p.m.	Board of County Commissioners Public Forum
July 23	5:30 p.m.	Board of County Commissioners Public Hearings & Reports
NEXT WEEK’S NOTE:		
July 27	8:30 a.m.	Planning Board Workshop

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 White, seconded by Commissioner Robinson, and carried unanimously, dropping the recommendation that the Board adopt, and authorize the Chairman to sign, the Ordinance creating the Kingsfield Courtyard Subdivision Street Lighting Municipal Services Benefit Unit (MSBU), and all related documents, and make the following findings of fact:

1809

- 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.

10. 5:32 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting an Ordinance (*Number 2009-20*) establishing an Economic Development Ad Valorem Tax Exemption (EDATE) for Landworks Investments, LLC, for up to 46% of their expansion for 10 years.

1810

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

11. 5:33 p.m. Public Hearing

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, taking the following action:

1810

- A. Adopting an Ordinance (*Number 2009-21*) authorizing the issuance of civil citations for certain violations of the Escambia County Code of Ordinances; and
- B. Authorizing the Chairman to sign the Ordinance.

Speaker(s) – None.

12. 5:36 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning the Escambia County Fiscal Year 2009 Section 5307 ARRA (*American Recovery and Reinvestment Act of 2009*) Grant Application:

1811

- A. Ratifying the scheduling and advertising of a Public Hearing for 5:36 p.m. on Thursday, July 23, 2009, for the purpose of receiving comments from the general public concerning the Escambia County Fiscal Year 2009 Section 5307 ARRA Grant Application for \$4,031,579 in federal assistance for mass transit projects;
- B. Approving the Escambia County Fiscal Year 2009 Section 5307 ARRA Stimulus Grant Application for \$4,031,579 in federal assistance for mass transit projects; and
- C. Adopting the Resolution (*R2009-147*) authorizing the Chairman to sign and file all appropriate documents for application and receipt of federal funds from the Federal Transit Administration.

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

13. 5:37 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning the Fiscal Year 2009 Grant Application for Federal Transit Administration (FTA) 5307 funding for planning and capital assistance for mass transit projects for Escambia County Area Transit (ECAT):

1811

- A. Ratifying the scheduling and advertising of a Public Hearing for 5:37 p.m. on Thursday, July 23, 2009, for the purpose of receiving comments from the general public concerning the Escambia County Fiscal Year 2009 Section 5307 Grant Application for \$3,029,266 in federal assistance for mass transit projects;
- B. Approving the Escambia County Fiscal Year 2009 Section 5307 Grant Application for \$3,029,266 in federal assistance for mass transit projects;
- C. Adopting the Resolution (*R2009-148*) authorizing the Chairman to sign and file all appropriate documents for application, execution, and receipt of federal funds from the FTA; and
- D. Authorizing the ECAT General Manager to file the Grant Application and Grant Award Execution via the Federal Transportation Electronic Award and Management System (TEAM), using the authorized passwords for the Chairman and County Attorney, where necessary.

Speaker(s) – None.

REGULAR BCC AGENDA – Continued

14. Committee of the Whole Recommendation(s)

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, approving Item A, as follows, as recommended by the Committee of the Whole (C/W), at the July 16, 2009, C/W Workshop, as amended to add "County will provide staff assistance for informational purposes; however, the County will not take any stance and staff members will remain neutral":

1812

- A. Authorizing staff to cooperate in providing information to the Escambia County Consolidation Study Commission (ECCSC), as well as Special Advisory Committees and Subcommittees of the ECCSC, regarding revenue and expenditure categories for the County, and approve that, when necessary, staff will attend the meetings of the ECCSC and its Special Advisory Committees and Subcommittees to present information (*Item 3*).

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried 4-1, with Commissioner Young voting "no," approving Item B, as follows, as recommended by the Committee of the Whole (C/W), at the July 16, 2009, C/W Workshop:

- B. Adopting a Resolution (*R2009-145*) identifying the need to obtain a high quality mixed-income residential development of scale within the downtown area and/or close-in older neighborhoods (*Item 8*).

Speaker(s):

Delores Curry
Oliver Darden
Thaddeus L. Cohen
Reverend Eugene Franklin

(Continued on Page 11)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

14. Continued...

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, approving Item C, as follows, as recommended by the Committee of the Whole (C/W), at the July 16, 2009, C/W Workshop, as amended (*to delete "with the County's match to be funded from \$3 million allocated for economic development" and*) to reflect that the funding source will still need to be determined:

- C. Approving, subject to Legal sign-off, authoring a letter of support for a \$1.2 million match for a \$10 million National Institute of Standards and Technology Grant, for which the Florida Institute of Human and Machine Cognition (IHMC) is applying, to be utilized for a LEED (*Leadership in Energy and Environmental Design*) Gold Certified State-of-the-Art Robotics and Assistive Technologies Research Laboratory to be built on IHMC's property (*Item 19*).

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

I. CONSENT AGENDA

1-5. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 5, as follows:

1827

- 1. Accepting, for filing with the Board's Minutes, the following five Reports prepared by the Clerk of the Circuit Court & Comptroller's Finance Department:

1827

- A. Payroll Expenditures for Pay Date July 10, 2009, in the amount of \$2,128,749.59; and
- B. The following two Disbursement of Funds:
 - (1) July 2, 2009, to July 8, 2009, in the amount of \$1,860,284.48; and
 - (2) July 9, 2009, to July 15, 2009, in the amount of \$2,313,711.07;

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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
- 1-5. Approval of Various Consent Agenda Items – Continued
 1. Continued...
 - C. The Investment Report for the month ended June 30, 2009; and
 - D. The Tourist Development Tax Collections Data for Fiscal Year 2008-2009, which includes May 2009 returns received in the month of June 2009; the nine months revenue collected to date reflects 54.8% of the Budget for the Fiscal Year.
 2. Adopting the Resolution (*R2009-146*) authorizing the write-off of \$1,073.90 in returned checks and accounts receivable in various funds of the County that have been determined to be uncollectible bad debts. 1827
 3. Approving 19 forms, *Request for Disposition of Property*, indicating 63 items of 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; the carrying value of the assets being disposed of totals \$330,037.96. 1827
 4. Accepting, for filing with the Board's Minutes, the original *State of Florida Department of Transportation, Transportation Regional Incentive Program Agreement*, based on the Board's March 19, 2009, approval of the Agreement, which specifies that the Department of Transportation will pay up to \$650,000 toward the design update on U. S. 90A (Nine Mile Road), between SR 297 (Pine Forest Road) and U. S. Highway 29, as received in the Clerk to the Board's Office on July 8, 2009. 1827

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

1-5. Approval of Various Consent Agenda Items – Continued

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

1827

A. Approving the Minutes of the Regular Board Meeting held July 9, 2009; and

B. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held July 9, 2009, as follows:

1. FOR INFORMATION: The agenda package for the 5:30 p.m., July 9, 2009, Regular Board Meeting was reviewed as follows:

A. Shirley L. Gafford, Program Coordinator, County Administrator's Office, County Attorney Rogers, and Larry Goodwin, Engineering, 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; County Attorney Rogers; Shirley L. Gafford, Program Coordinator, County Administrator's Office; Keith Wilkins, Deputy Bureau Chief, Neighborhoods and Community Services Bureau; Sandra P. Jennings, Bureau Chief, Neighborhoods and Community Services Bureau; Marilyn Wesley, Community Services Director; Joy D. Blackmon, Bureau Chief, Public Works Bureau; and Larry Newsom, Transportation Director, reviewed the County Administrator's Report, with comments from Cyndee Pennington and Steven Wright, regarding Item I-5 and Item II-15, respectively;

E. County Attorney Rogers reviewed the County Attorney's Report; 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
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- B. Report of the July 9, 2009, Agenda Work Session – Continued
 - 1. Continued...
 - F. Commissioner White reviewed his add-on item, with comments from County Administrator McLaughlin; County Attorney Rogers; and David Wheeler, Deputy Bureau Chief, Public Works Bureau; and
 - 2. FOR INFORMATION: Commissioner Robinson requested that the Committee of the Whole Workshop agenda include discussion regarding out-of-County travel and economic development.
 - 3. FOR INFORMATION: Sandra Slay, Office of Environmental Enforcement, provided an update regarding the encroachment of trees into the airspace of Coastal Airport.

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

- I. CONSENT AGENDA
- 1. Scheduling of Public Hearings

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving the scheduling of the following two Public Hearings:

1827

- A. 5:45 p.m. – Thursday, August 6, 2009 – A Public Hearing to adopt an Ordinance to amend the Escambia County Land Development Code, amending Article 4, “Subdivisions and Site Plans”; and
- B. 5:46 p.m. – Thursday, August 6, 2009 – A Public Hearing to adopt an Ordinance to amend the Escambia County Land Development Code, amending Article 5, “Concurrency Management.”

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

1-6. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 6, as follows (Item 7 was held for a separate vote):

1828

1. Accepting, for filing with the Board's Minutes, the June 18, 2009, Community Redevelopment Agency (CRA) Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA. 1828
2. Accepting, for filing with the July 23, 2009, Board's Minutes, the Information Report concerning the Enterprise Zone Development Agency (EZDA) Second Quarter Report. 1828
3. Approving the scheduling (*and advertising*) of a Public Hearing on August 6, 2009, at 5:33 p.m., to consider the adoption of County Ordinances amending the Barrancas Redevelopment Trust Fund Ordinance Number 2008-24, Brownsville Neighborhood Redevelopment Trust Fund Ordinance Number 2008-25, Englewood Redevelopment Trust Fund Ordinance Number 2008-26, Palafox Redevelopment Trust Fund Ordinance Number 2008-27, and Warrington Redevelopment Trust Fund Ordinance Number 2008-28, allowing for a 50% allocation of revenue for community redevelopment projects in the Tax Increment Financing Districts. 1828
4. Taking the following action concerning 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: 1828
 - A. Rescinding the Board's action of April 16, 2009, as follows, due to the fact that the Petitioner failed to advertise the "Notice of Adoption" within the 30 days following its adoption, as required by Florida Statutes:
 - (1) Approving the Petition to Vacate;
 - (2) Accepting the Hold/Harmless Agreement;
 - (3) Adopting the Resolution (R2009-62) to Vacate; and
 - (4) 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; and

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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. Continued...

B. Authorizing the scheduling of a Public Hearing on August 20, 2009, at 5:31 p.m., for consideration of 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.

5. Taking the following action regarding the termination of the Interlocal Agreement between Escambia County and the City of Pensacola, which arranged for a road maintenance strategy, was established on August 7, 1975, and was revised on June 29, 1982:

1828

A. Authorizing termination of the Interlocal Agreement regarding maintenance of the roads listed in Attachment "A"; and

B. Authorizing the Escambia County Public Works Bureau Chief, Joy D. Blackmon, P.E., to send the letter of termination to Mr. Al Garza, P.E., Director of Public Works for the City of Pensacola.

6. Taking the following action regarding establishment of the Animal Services Advisory Committee:

1828

A. Adopting the Resolution (*R2009-152*) establishing the Animal Services Advisory Committee;

B. Confirming the appointment of the following individuals to the Animal Services Advisory Committee as appointees from each Commission District; the terms of the appointment shall be effective July 23, 2009, and will run concurrent with the term of the appointing Commissioner:

District One – Term: July 23, 2009-November 2012

Dr. Regina Case, DVM
Megan's Landing Veterinary Clinic
10081 West Highway 98
Pensacola, FL 32506

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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

6. Continued...

B. Continued...

District Two – Term: July 23, 2009-November 2010

Dr. William “Mike” Henderson, DVM
Warrington Veterinary Clinic
7197 West Highway 98
Pensacola, FL 32506

District Three – Term: July 23, 2009-November 2012

Mrs. Doris Parker
1072 Chavers Street
Pensacola, FL 32534

District Four – Term: July 23, 2009-November 2010

Mrs. Cynthia Kyser Farrar
109 North Palafox Street
Pensacola, FL 32502

District Five – Term: July 23, 2009-November 2012

Ms. Cara T. Overhalser
2514 West Kingsfield Road
Cantonment, FL 32533

C. Confirming the appointment of following individuals to the Animal Services Advisory Committee as appointees from the County Administrator; the term of the appointments shall be effective July 23, 2009, through July 22, 2012:

Ms. Christina Hernandez
P. O. Box 44
Cantonment, FL 32533

Mr. George Felt, Jr.
3690 Crabtree Church Road
Molino, FL 32577

D. Authorizing the Chairman to sign the Resolution.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

7. TDP 2009 Annual Update

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, accepting, for filing with the Board's Minutes, the 2009 annual update to the *Pensacola Urbanized Area/Escambia County Ten-Year Transit Development Plan (TDP)*, prepared by Escambia County Area Transit, for information only. 1828

For Information: The Board heard Commissioner Robinson disclose that part of the *TDP* involves an agreement with Pensacola Junior College (PJC), and he serves as an Officer on the PJC Foundation Board; however, because this is a non-paid position for a not-for-profit organization, he is not precluded from voting on this item.

II. BUDGET/FINANCE CONSENT AGENDA

1-32. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 32, as follows, as amended to drop Items 6, 8, and 31: 1829

1. Ratifying the following (*July 23, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 214 Northwest Gilliland Road: 1829

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Jamie L. Sherman, owner of residential property located at 214 Northwest Gilliland Road, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$4,492, 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 a new roof and new storm windows

B. 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

1-32. Approval of Various Consent Agenda Items – Continued

2. Ratifying the following (*July 23, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 303 Southeast Kalash Road:

1829

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Robert and Pamela Clyde, owners of residential property located at 303 Southeast Kalash Road, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$5,940, 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 windows

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

3. Ratifying the following (*July 23, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 1403 North “U” Street:

1829

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and James Berry, owner of residential property located at 1403 North “U” Street, Pensacola, Florida, in the Brownsville Redevelopment Area, each in the amount of \$1,640, representing an in-kind match through the Brownsville Tax Increment Financing (TIF), Fund 151, Cost Center 220515, Object Code 58301, for the following improvements:

Install a new roof

- B. 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

1-32. Approval of Various Consent Agenda Items – Continued

4. Taking the following action concerning approval of the 2009 Escambia Consortium Annual Action Plan (Funding: Fund 129/CDBG, Fund 147/HOME, and Fund 110/ESG; Cost Centers to be assigned):

1829

- A. Approving the 2009 Escambia Consortium Annual Action Plan for Housing and Community Development, including the Escambia County 2009 Annual Plan, detailing use of 2009 Community Development Block Grant (CDBG) funds, in the amount of \$2,101,113; 2009 HOME Investment Partnerships Act (HOME) funds, in the amount of \$1,795,021; and 2009 Emergency Shelter Grant (ESG) Program funds, in the amount of \$91,704; and
- B. Authorizing the County Administrator to execute the 2009 Annual Action Plan forms, certifications, and related documents, as required to submit the Plan to the U.S. Department of Housing and Urban Development, and authorizing the County Administrator or Chairman, as appropriate, to execute documents required to receive and implement the 2009 CDBG, 2009 HOME, and 2009 ESG Programs.

5. Taking the following action regarding the Community Development Block Grant-Recovery (CDBG-R) Grant for Sanitary Sewer Improvements awarded by the U.S. Department of Housing and Urban Development (Funding: Fund 129/CDBG, Cost Center to be assigned):

1829

- A. Approving the Interlocal Agreement with Emerald Coast Utilities Authority, in the amount of \$559,361, providing for the construction of public sanitary sewer system improvements in the Dorrie Miller/Aviation Field neighborhood, utilizing CDBG-R funds;
- B. Authorizing the Chairman or County Administrator, as appropriate, to execute the Interlocal Agreement and all related documents as required to implement the project; and
- C. Authorizing the Office of the Clerk of the Circuit Court to record the Interlocal Agreement in the Official Records of Escambia County.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

6. Dropping the recommendation that the Board take the following action concerning an Amendment to an existing Pedestrian Easement allowing construction of a boardwalk with dune crossover and an Agreement regarding the construction of a boardwalk at the terminus of Sandy Key Drive, to accommodate the settlement of a lawsuit between Sandy Key Owners Association, Inc., and Grand Caribbean at Perdido Key Owners' Association, Inc. (Funding: Grand Caribbean at Perdido Key Owners' Association, Inc., will pay for construction of the boardwalk):

1829

- A. Approve the *First Amendment to Pedestrian Easement* between Escambia County and the Sandy Key Owners Association, Inc., to allow for construction of a boardwalk within the public Easement;
- B. Approve the *Agreement Regarding Boardwalk Located at the Terminus of Sandy Key Drive* between Escambia County, the Sandy Key Owners Association, Inc., and Grand Caribbean at Perdido Key Owners' Association, Inc.; and
- C. Authorize the Chairman to sign the *First Amendment to Pedestrian Easement* and Agreement regarding the Boardwalk.

7. Taking the following action concerning Amendment No. 5 to the Perdido Key Dune Restoration and Beach Restoration Feasibility Study, Contract No. H5ES1, with the Florida Department of Environmental Protection (DEP), Bureau of Beaches and Coastal Systems (Funding: Fund 110, Other Grants and Projects, Cost Center 220327 – *in the amount of*) \$809,374 deduction, per action of the 2009 State Legislature):

1829

- A. Approving *Amendment No.: 5, DEP Agreement No.: H5ES1, Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems, Hurricane Recovery Plan, State of Florida Grant Agreement for Perdido Key Dune Restoration and Beach Restoration Feasibility Study*, providing for an extension to the Grant project completion date to July 31, 2011, and reverting \$809,374 back to the State, per action of the 2009 Legislature; and

(Continued on Page 22)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

7. Continued...

B. Authorizing the Chairman to sign the Amendment and any other documents related to the Grant Agreement.

8. Dropping the recommendation that the Board adopt the Parks Programs Division's proposal to increase recreation fees, resulting in an increase of approximately \$69,580 in revenue, effective October 1, 2009 (Funding: General Fund [001], Cost Centers 220801 [Adult Sports], 220803 [Recreation], and 220804 [Lake Stone]). 1829
9. Confirming the appointment of Franklin H. Edwards to the position of Public Safety Bureau Chief/Fire Chief, with an annual salary of \$100,000, effective August 18, 2009; this position receives the Senior Executive Service level of Management Optional Benefits and accrues Paid-Time Off; this position also receives the Special Risk level in the Florida Retirement System and includes all benefit elections offered to County employees (Funding Source: 50% from Fire Fund 143 and 50% from General Fund 001 [Cost Center: 330401, Object Code: 51201]). 1829
10. Adopting the Resolution (*R2009-149*) approving Supplemental Budget Amendment Number 285, CDBG Entitlement Fund (129), in the amount of \$559,361, to recognize funds from the U.S. Department of Housing and appropriate these funds for the Community Development Block Grant Recovery (CDBG-R), to support infrastructure improvements in targeted neighborhoods. 1829
11. Adopting the Resolution (*R2009-150*) approving Supplemental Budget Amendment Number 292, Fire Protection Fund (143), in the amount of \$110,496, to recognize funds from the U.S. Department of Homeland Security Staffing for the Adequate Fire and Emergency Response (SAFER) Grant and appropriate these funds for 12 additional Fire personnel at County Fire Services. 1829

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

12. Taking the following action concerning the certification of millage rates and the scheduling of Public Hearings for the Fiscal Year 2009-2010 Budget:

1829

A. Certifying the millage rates for Fiscal Year 2009-2010 as follows (once the millage rates listed below have been certified, the millage rate cannot be increased without re-first class notices to the public; the millage rates must be certified by August 4, 2009; the millage rates are the same levels as those used for funding purposes in Fiscal Year 2008-2009):

County-wide Operating – 6.9755 (*mills*)

Law Enforcement MSTU (Municipal Services Taxing Unit) – .685 (*mills*)

B. Certifying the proposed millage rates at 5.16% below the aggregate rolled back rate;

C. Reaffirming the Board's intent to reduce the allocation of revenues from 75% to 50% in the Community Redevelopment Agency Tax Increment Financing Districts for Fiscal Year 2009-2010;

D. Approving the scheduling (*and advertising*) of a Public Hearing on the Fiscal Year 2009-2010 Budget for September 3, 2009, at 5:01 p.m., to be held in the Chambers of the Board of County Commissioners of Escambia County, Florida, located on the first floor of the Escambia County Governmental Complex, 221 Palafox Place, Pensacola, Florida; and

E. Approving the scheduling (*and advertising*) of a Public Hearing to adopt the Fiscal Year 2009-2010 non-ad valorem Special Assessment Roll at 5:02 p.m., on September 3, 2009, to be held in the Chambers of the Board of County Commissioners of Escambia County, Florida, located on the first floor of the Escambia County Governmental Complex, 221 Palafox Place, Pensacola, Florida.

13. Adopting the Resolution (*R2009-151*) approving Supplemental Budget Amendment Number 296, Local Option Sales Tax III Fund (352) and General Fund (001), in the amount of \$40,683, to recognize indirect costs from the Federal Stimulus Grant and appropriate these funds into the General Fund.

1829

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

14. Approving, and authorizing the County Administrator to execute, the following Change Order (Funding Source: Fund 001, "General Fund," Account 250301/53101):

1829

Bureau:	Development Services	
Division:	Planning	
Type:	Addition	
Amount:	\$20,261.24	
Vendor:	Gilmore Services	
Purchase Order Number:	271946/280663/290517	
Change Order Number:	1	
Original Award Amount:		\$41,307.37
Cumulative Amount of Change Order through Number 1:		<u>\$20,261.24</u>
New Contract Total:		\$61,568.61

15. Taking the following action concerning PD 02-03.61, Group Dental Contractual Services and Claims (Funding Source: Fund 501, Internal Service Fund, Cost Center 140608, Object Codes 53101 and 53401):

1829

- A. Approving to extend the Delta Dental Insurance Company Contract for three years, from October 1, 2009, through September 30, 2012, to provide dental insurance contractual and claims service, with no increase in administrative service fees or benefits; the annual premium amount is not to exceed \$70,000 for administrative services and \$600,000 for claims;
- B. Approving to increase dental insurance premiums by \$5 for all low option coverage and \$10 for all high option coverage;
- C. Approving *Amendment #2 to the Dental Administration Services Contract between Delta Dental Insurance Company and Escambia County, Florida, for the Provision of Certain Services to Escambia County for the County's Employees' Dental Benefit Plan (PD 02-03.61)*, which adds a Diagnostic and Preventative Waiver to the County's coverage with no additional Administrative Services Contract fee or suggested funding rates; and
- D. Authorizing the County Administrator to sign the Amendment.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

16. Approving to extend the Contract with EBS Atlanta for two years, from October 1, 2009, through September 29, 2011, to provide Flexible Benefits Plan Administrative Services; the extension also provides for a fee increase, from \$3.35 per participant, per month, to \$3.85 per participant, per month (Funding Source: Fund 501, Internal Service Fund, Cost Center 140612, Object Code 53101).

1829

17. Taking the following action regarding the County's Group Medical Insurance (PD 08-09.042, Group Medical, Life, and Disability Insurance [Funding Source: Fund 501, Internal Service Fund, Cost Center 140609, Object Code 54501]):

1829

- A. Awarding a Contract to Blue Cross and Blue Shield of Florida, Inc., for one year, from October 1, 2009, to September 30, 2010, to provide health insurance coverage in the form of plans Blue Option 1352, Blue Option 1552, Health Saving Accounts (HSA), and Blue Medicare and Group Medicare Supplement Plan "F" for retirees who are Medicare-eligible;
- B. Awarding a Contract for \$10,000 additional life insurance to The Standard Life Insurance Company, for a total of \$50,000 of Group Term Life and Accidental Death and Dismemberment Insurance, and offset dental insurance premiums by \$12.98 for employees electing not to take the County's health insurance coverage, effective October 1, 2009; the Health Indemnity Program will be eliminated as of October 1, 2009;
- C. Approving the employee and retiree health insurance premiums; *Attachment 1* shows premiums reflecting a \$20 discount for employees who do not smoke; *Attachment 2* shows the health insurance premiums for the County's retirees; retirees will be responsible for paying their full premium, whether they are Medicare-eligible or not;

(Continued on Page 26)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

17. Continued...

D. Authorizing the County to deposit \$600 into the HSA accounts of each employee who elects the HSA coverage; this will assist the employee in paying the higher deductible (\$2,100 or \$4,200); the deposit will be reviewed each year at renewal time; the cost would include a \$3 monthly fee for each employee, along with a one-time start-up fee of \$22 for each new employee who enrolls; the cost is included in our total cost estimate; and

E. Authorizing the County Administrator to sign the Employer Application.

18. Taking the following action regarding the Group Long Term Disability Insurance Contract with Madison National Life Insurance Company for the County's Group Long Term Disability Insurance (PD 08-09.042, Group Medical, Life and Disability Insurance [Funding Source: Fund 501, Internal Service Fund]):

1829

A. Approving to change Group Long Term Disability Insurance from a County-paid program to a voluntary program;

B. Awarding a Contract to Madison National Life Insurance Company (Madison National Life Insurance Company is the carrier, and National Insurance Services administers the plan), effective October 1, 2009, for a period of 36 months; and

C. Authorizing the County Administrator to sign a revised Joinder Agreement for Voluntary Long Term Disability Insurance (Joinder Agreement for Voluntary Long Term Disability Insurance will be drafted upon approval of issuing a Contract to Madison National Life Insurance).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

19. Taking the following action regarding the County's Group Life and AD&D (Accidental Death and Dismemberment) Insurance (PD 08-09.042, Group Medical, Life, and Disability Insurance [Funding Source: Fund 501, Internal Service Fund, Cost Center 140610, Object Code 54501]):

1829

A. Awarding a Contract to Standard Life Insurance Company for Group Life and AD&D Insurance, PD 08-09.042, to provide the following:

(1) An annual premium amount not to exceed \$350,000 per Fiscal Year, for all eligible employees, effective October 1, 2009, for a period of 36 months; and

(2) A change in retiree life insurance from a County-paid program to an entirely voluntary program, effective October 1, 2009, for a period of 36 months; the price for retiree life insurance will be \$.30 per \$1,000 worth of coverage; the Standard Life Insurance Company will have the responsibility of collecting the premiums on an annual basis once the County notifies its retirees of the change; and

B. Authorizing the County Administrator to sign a Standard Life Insurance Application for Group Life Insurance (Standard Life Insurance Application for Group Life Insurance will be drafted upon approval of issuing a Contract to Standard Life Insurance).

20. Awarding an Indefinite Quantity, Indefinite Delivery, Unit Price Contract, PD 08-09.068, "Molino Road Resurfacing," to Roads, Inc., of NWF, for a total amount of \$858,713.05 (Fund 352, Local Option Sales Tax III, Cost Center 210107, Object Code 56301, Project Number 08EN0208).

1829

21. Awarding an Indefinite Quantity, Indefinite Delivery, Unit Price Contract, PD 08-09.067, "Saufley Field Road Resurfacing," to Roads, Inc., of NWF, for a total amount of \$433,836 (Fund 352, Local Option Sales Tax III, Cost Center 210107, Object Code 56301, Project Number 08EN0208).

1829

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

22. Awarding a one-year extension to Contract PD 05-06.092, effective October 1, 2009, to Southern Management, for "Custodial Services for Various County Buildings," under the current terms and conditions, with no price increase for Fiscal Year 2009-2010 (Funding: Facilities Management, Fund 001, General Fund, Cost Center 210603, and Object Code 53401; Building Inspections, Fund 406, Cost Centers 250101, 250107, 250108, 250109, 250111, 250114, 250115, 250116, and 250118, and Object Code 53401; Solid Waste, Fund 401, Cost Center 220603, and Object Code 534010). 1829
23. Awarding the Contract for "Roll-Off Container Service," PD 08-09.071, to Containers, Inc., Waste Pro of Florida, and Allied Waste Services of North America, for a period of 12 months, renewable for two additional 12-month periods, for a total of 36 months, in the approximate amount of \$60,000 (Funding: Fund 401, Solid Waste Fund, Cost Center 220604). 1829
24. Awarding Contracts for "Temporary Employment Services," PD 08-09.069, to the following firms: Medical Staffing Network, Inc.; Accustaff; MTI-Moten Tate, Inc.; Temporary Employee Services, Inc.; Kelly Services; and Keegan Temps, Inc., d/b/a Keegan, for a period of 12 months, renewable for two additional 12-month periods, for a total of 36 months (Funding: Fund 110, Other Grants and Projects, Cost Center 220203, Object Code 53401; Fund 101, Escambia County Restricted, Cost Center 210602, Object Code 53401; Fund 408, EMS [*Emergency Medical Services*] Fund, Object Code 330304, Cost Center 53401; Fund 001, General Fund, Cost Center 220204, Object Code 53401; and Fund 001, General Fund, Cost Centers 220101 and 220803, Object Code 53401). 1829

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

25. Approving to extend the pricing Agreement for PD 06-07.072, "Medical Supplies and Equipment," originally awarded June 21, 2007, for a period of 12 months and annual amounts over \$50,000, to the following vendors (Fund 408, Emergency Medical Services, Cost Center 330302, and Fund 143, Fire Services, Cost Center 330202):

1829

- A. Alliance Medical
- B. Bound Tree Medical, LLC
- C. Kentron Health Care, Inc.
- D. Laerdal Medical Corporation
- E. Physio-Control (a division of Medtronic)
- F. Moore Medical, LLC
- G. QuadMed, Inc.
- H. Henry Schein Matrix Medical
- I. Tri-Anim Health Services, Inc.

26. Taking the following action concerning the acquisition of property by donation for road rights-of-way and drainage improvement projects to facilitate the continued maintenance of existing road and drainage facilities and for proposed future projects on Walton Street, North Loop Road, and Ailanthus Court:

1829

- A. Authorizing staff to negotiate and resolve any matters related to, or associated with, the acquisition of property for road rights-of-way and easements located on, or adjacent to, the above properties, gather information, and conduct inspections, as needed, to allow the Board's acceptance of the real property;
- B. Authorizing the payment of documentary stamps because the property is being acquired for governmental use, which is for road rights-of-way and easements; the County benefits from these acquisitions because they facilitate the installation of the improvements and the maintenance of paving and drainage systems, which will enhance the quality of life for the citizens of Escambia County;
- C. Authorizing the payment of incidental expenditures associated with the acquisition of these properties; and

(Continued on Page 30)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

26. Continued...

D. Authorizing staff to prepare, and 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.

27. Approving, and authorizing the County Administrator to execute, the following Change Order, for the purpose of preparation of an Environmental Impact Study for the Project Development and Environmental Study for "State Road 292 (Perdido Key Drive) from the Alabama State Line to the Intersection of Innerarity Point Road/Gulf Beach Highway," as required by Federal and State guidelines (Funding Source: Fund 152, "Southwest Sector Plan," Account 110269/56301 – *[in the amount of]* \$449,032.06, Account 210507/56301 – *[in the amount of]* \$449,032.06, Project No. 08EN0662):

1829

Bureau:	Public Works	
Division:	Engineering	
Type:	Addition	
Amount:	\$898,064.12	
Vendor:	Post, Buckley, Schuh and Jernigan, Inc. (PBS&J)	
Project Name:	State Road 292 (Perdido Key Drive) from Alabama State Line to the Intersection of Innerarity Point Road/Gulf Beach Highway	
Contract:	PD 05-06.075	
Purchase Order Number:	280609	
Change Order Number:	3	
Original Award Amount (County Portion):		\$ 650,000.00
Original Award Amount (FDOT [Florida Department of Transportation]/Grant Portion):		\$ 650,000.00
Change Order for Efficient Transportation Decision Making Process FDOT Requirement:		\$ 106,554.00
Amount of this Change Order:		<u>\$ 898,064.12</u>
New Contract Total:		\$2,304,618.12

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-32. Approval of Various Consent Agenda Items – Continued

28. Taking the following action concerning the purchase of property for right-of-way on Muscogee Road and County Road (CR) 97 (Funding Source: Fund 351, Local Option Sales Tax II, Account 210105/56301/56101, Project 05EN1515):

1829

A. Authorizing staff to purchase a portion of the property owned by Regions Bank, as Trustee of the Juanita F. Spearman Revocable Trust (approximately 7,140 square feet, or 0.16 acre), on Muscogee Road and County Road 97, for the negotiated price of \$14,280;

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 required to complete the purchase.

29. Taking the following action concerning the sale of real property located on Cobb Lane:

1829

A. Declaring surplus the Board's real property, Account Number 03-0893-000, Tax Reference Number 25-1S-30-1101-000-001, located on Cobb Lane and acquired by tax deed; the property will be advertised on the Internet auction web site for a minimum of six days before bidding commences;

B. Authorizing the sale of the property to the bidder with the highest offer received above the minimum bid of \$4,940, 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

1-32. Approval of Various Consent Agenda Items – Continued

30. Taking the following action concerning the sale of real property, Account Number 14-4101-000, Tax Reference Number 00-0S-00-9050-024-052, located at 1008 West Lloyd Street:

1829

A. Rescinding the Board's action of April 10, 2007, as follows, due to the adjacent property owners' lack of interest to purchase:

(1) Declaring surplus the Board's real property located at 1008 West Lloyd Street (Tax Reference Number 00-0S-00-9050-024-052), offering this property to the adjacent property owners, and authorizing the sale of this property to the highest offer received above the minimum bid of \$6,300, without further action of the Board;

(2) Making a factual determination, in accordance with Section 46-131 of the Escambia County Code of Ordinances, that the real property is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the property, and the size, shape, location, and value of the property would make it of use to only one or more of the adjacent property owners; and

(3) Authorizing the Chairman to sign any and all documents necessary to close this sale;

B. Declaring surplus the Board's real property, Account Number 14-4101-000, Tax Reference Number 00-0S-00-9050-024-052, acquired by tax deed; the property will be advertised on the Internet auction web site for a minimum of six days before bidding commences;

C. Authorizing the sale of the property to the bidder with the highest offer received above the minimum bid of \$5,985, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and

D. 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

1-32. Approval of Various Consent Agenda Items – Continued

31. Dropping the recommendation that the Board take the following action concerning a Cooperative Agreement between Escambia County and the Escambia County School Board (Transportation Fund 175, Cost Center 290205, Object Code 55201):

1829

A. Approve the *Cooperative Agreement between the School Board of Escambia County, Florida, and the Escambia County, Florida Board of County Commissioners* that provides for vocational training of incarcerated adult students located in the Escambia County Road Prison, for a not-to-exceed amount of \$25,000; and

B. Authorize the Chairman to execute the Agreement.

32. Taking the following action concerning the Addendum to IKON Office Solutions, Inc., Master Agreement Number 1016359, for the lease of copiers for Escambia County Fire Rescue (Funding Source: Fund 143, Fire Protection, Cost Center 330206, Fire Department Paid):

1829

A. Approving the Addendum; and

B. Authorizing the Chairman to sign the Addendum.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1-5. Approval of Various For Action Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving For Action Items 1 through 5, as follows:

1830

1. Ratifying the filing of a lawsuit, Case No.: 2009 CA 2070, by the County Attorney's Office against The Health Center of Pensacola, Inc., to recover outstanding debts owed to Escambia County Emergency Medical Services.
2. Adopting the Resolution (*R2009-153*) amending Section 39 (*Assignment of Responsibilities: The Privacy and Information Security Officers and the Security Team*), and creating Section 60 (*Identity Theft Prevention Program*), of Escambia County's Privacy and Security Policies.
3. Approving a Workers' Compensation settlement (*with James E. Snider*), in the amount of \$42,500, that includes a washout settlement, in the amount of \$22,750, and an agreement to resolve pending attorney's fees and costs litigation, in the amount of \$19,750.
4. Approving a Workers' Compensation washout settlement with former Santa Rosa Island Authority employee Shelley Berman, in the amount of \$135,000, inclusive of attorney fees and costs; an excess carrier shall reimburse the County for 100% of the settlement value; in exchange for the settlement, Ms. Berman shall execute a general release of all claims with the County.
5. Adopting the forms of the *Two-Year Warranty Agreement for Streets and Drainage Improvements with Surety/Financial Security* and the *Two-Year Warranty Agreement for Streets and Drainage Improvements without Surety/Financial Security*, which are required by Section 4.03.03.C. of the Escambia County Land Development Code to be provided by developers as a condition of the County accepting the streets and drainage improvements.

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

ITEMS ADDED TO THE AGENDA – COMMISSIONER MARIE K. YOUNG

1. Waiver of Rental Fees

Motion made by Commissioner White, seconded by Commissioner Robinson, and carried unanimously, approving to waive The Pensacola Civic Center rental fees, in an amount not to exceed \$12,000, as requested by Ms. Celestine Lewis, Principal of Jacqueline Harris Preparatory Academy, for the "Back to School Educators' Conference," sponsored by the Escambia County School District and the Title 1 Schools of Escambia County; the Conference features keynote speaker Ron Clark and will be held on August 13, 2009, at The Pensacola Civic Center.

1830

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 6:32 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: August 6, 2009