

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD OCTOBER 15, 2009
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(4:30 p.m. – 7:05 p.m.)

Present: Commissioner Marie K. Young, Chairman, District 3
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. Doris Harris, Deputy Clerk to the Board
Mrs. Judy H. Witterstaeter, Administrative Assistant, County Administrator's Office

Absent: Commissioner Grover C. Robinson, IV, Vice Chairman, District 4

PUBLIC FORUM WORK SESSION

Chairman Young called the Public Forum Work Session to order at 4:30 p.m.

1. FOR INFORMATION: The Board heard comments from L. Gary Sansing regarding various personal, County, and National issues.

1630

4:40 P.M. – PUBLIC FORUM ADJOURNED

5:31 P.M. – REGULAR BOARD MEETING CONVENED

REGULAR BCC AGENDA

1. Call to Order

Chairman Young called the Regular Meeting of the Board of County Commissioners to order at 5:31 p.m.

2. Invocation

Chairman Young advised that Reverend Cecil A. Smith, Sr., Pastor, Pace Temple Christian Methodist Episcopal Church, Inc., would deliver the Invocation.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

3. Pledge of Allegiance to the Flag

Chairman Young advised that Commissioner White 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 4-0, with Commissioner Robinson absent, adopting the agenda as prepared.

1734

5. Commissioners' Forum

A. District 2 – Commissioner Valentino advised that the Filipino-American Community will conduct a fundraising campaign to assist the recent flood victims in the Philippines, and will accept non-perishable items, goods, or cash donations at the Fil-Am Community Center, located at 234 West Oakfield Road, on Saturday, October 17, 2009; and

1734

B. District 3 – Commissioner Young advised that the Commissioners received a card from the family of the Honorable Ernie Lee Magaha, Clerk of the Circuit Court & Comptroller, whose wife recently passed away, expressing the family's gratitude for the Commissioners' expression of sympathy.

6. Proclamations/Special Recognition

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robinson absent, taking the following action concerning Proclamations/ Special Recognition:

1736

A. Adopting the following five Proclamations:

- (1) The Proclamation commending and expressing appreciation to Captain Rick Patterson, Corrections Bureau, Road Prison Division, for a selfless, heroic act;
- (2) The Proclamation commending and expressing appreciation to Doyle Sledge, Equipment Operator II, Public Works Bureau, Infrastructure Branch, Roads Division, for a selfless, heroic act;

(Continued on Page 3)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

6. Continued...

A. Continued...

- (3) The Proclamation commending and expressing appreciation to Mike Willet, Building Inspector, Development Services Bureau, Building Inspections Division, for a selfless, heroic act;
- (4) The Proclamation expressing congratulations and appreciation to the Oriskany Reunion Association and those who served on the Essex-Class Aircraft Carrier USS Oriskany (CV/CVA-34) on the occasion of their 2009 Reunion; and
- (5) The Proclamation congratulating and expressing appreciation to the Pensacola Jewish Federation and the award recipients recognized at the Federation's 2010 fund-raising kick-off event; and

1734

- B. Recognizing, with a pin and certificate, John Michael "Mike" Kirkland, Engineering Specialist, Engineering Branch of the Infrastructure Division of the Public Works Bureau, for his dedication and 25 years of service to Escambia County.

Speaker(s):

Eilene Beard

7. Written Communication

A. Code Enforcement Lien – Lori Sawyer

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried 4-0, with Commissioner Robinson absent, approving to waive all fines related to this \$4,750 infraction, and "stay" (*collect*) the amount of \$1,100, which is fixed (*hard*) costs, relative to the communication, dated May 4, 2009, from Braden K. Ball, Jr., Shell, Fleming, Davis & Menge, representing Lori Sawyer, requesting that the Board release a Code Enforcement Lien against property located at 803 Escambia Avenue.

1749

(Continued on Page 4)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

7. Continued...

B. Code Enforcement Lien – Clifford B. Fields, Jr.

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robinson absent, approving to waive all costs, since the County cannot collect the Lien, in order to clear up the title so that Mr. Fields has no issue selling the property, relative to the communication, dated July 2, 2009, from T. A. Borowski, Jr., Borowski & Duncan, P.A., representing Clifford B. Fields, Jr., requesting that the Board release a Code Enforcement Lien (*against property located at 2617 West Avery Street*).

1753

Speaker(s):

Braden K. Ball, Jr.
Clifford B. Fields, Jr.

8. Proof of Publication

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robinson absent, 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:

1754

A. The following three Public Hearings on the agenda (*the 5:31 p.m. Public Hearing was rescheduled*):

- (1) The 5:32 p.m. Public Hearing, advertised in the Pensacola News Journal on October 3, 2009, for consideration of adopting an Ordinance establishing a Land Purchase Incentive Program for the purchase of certain County-owned industrial property by qualifying businesses;
- (2) The 5:33 p.m. Public Hearing, advertised in the Pensacola News Journal on October 3, 2009, for consideration of adopting an Ordinance amending the Basic Life Support Emergency Medical Services Ordinance; and

(Continued on Page 5)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

8. Continued...

A. Continued...

(3) The 5:34 p.m. Public Hearing, advertised in The Escambia Sun-Press, LLC, on October 1, 2009, for consideration of the Petition to Close Redwing Drive (66' R/W) to vehicular traffic at its northern terminus at Bush Street, as petitioned by Leonard Ciampini and William Renfro; and

B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule October 12, 2009 – October 16, 2009 – Legal No. 1428466*, as published in the Pensacola News Journal on October 10, 2009, as follows:

October 12	8:30 a.m.	Planning Board
October 12	5:30 p.m.	Marine Advisory Committee
October 13	9:00 a.m.	Citizens Academy
October 13	10:30 a.m.	Workforce Escarosa Finance Committee
October 13	1:30 p.m.	Environmental Enforcement Special Magistrate
October 13	2:00 p.m.	Local Mitigation Strategy Board Workshop
October 13	5:00 p.m.	Housing Finance Authority
October 13	5:00 p.m.	Merit System Protection Board
October 13	5:30 p.m.	Animal Services Advisory Committee
October 14	1:00 p.m.	Development Review Committee
October 14	5:00 p.m.	Santa Rosa Island Authority Committee Meeting
October 14	5:05 p.m.	Santa Rosa Island Authority Regular Meeting
October 15	9:00 a.m.	Agenda Work Session
October 15	9:00 a.m.	Board of Electrical Examiners
October 15	11:00 a.m.	BCC Information Technology Governance Council
October 15	3:00 p.m.	Board of County Commissioners Attorney/Client Session
October 15	4:20 p.m.	Community Redevelopment Agency
October 15	4:30 p.m.	Board of County Commissioners Public Forum
October 15	5:30 p.m.	Board of County Commissioners Public Hearings & Reports
NEXT WEEK'S NOTE:		
October 19	12:00 p.m.	Enterprise Zone Workshop
October 19	4:00 p.m.	West Florida Regional Planning Council
October 19	5:00 p.m.	District 2 Commissioner's West-End Advisory Committee
October 21	8:00 a.m.	Soil & Water Conservation Board

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 White, and carried 4-0, with Commissioner Robinson absent, approving to reschedule a Public Hearing from October 15, 2009, at 5:31 p.m., to December 10, 2009, at 5:32 p.m., to consider the Petition to Vacate a 10-foot-wide alleyway in Block 1, Osceola Country Club Estates Subdivision (280 feet x 10 feet = 2,800 square feet, or 0.06 acre), as petitioned by 1115 Properties, LLC.

1755

Speaker(s) – None.

10. 5:32 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robinson absent, adopting an Ordinance (*Number 2009-36*) establishing a Land Purchase Incentive Program for the purchase of certain County-owned industrial property by qualifying businesses.

1755

Speaker(s) – None.

11. 5:33 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robinson absent, taking the following action concerning the Basic Life Support Emergency Medical Services Ordinance:

1756

- A. Adopting, with the *Errata Sheet*, an Ordinance (*Number 2009-37*) amending Chapter 38, Article III, Division 4, of the Escambia County Code of Ordinances, the Basic Life Support Emergency Medical Services Ordinance, to allow the provision of basic life support or non-emergency transport services by certain licensed Emergency Medical Service providers; and
- B. Authorizing the Chairman to sign the Ordinance.

Speaker(s) – None.

REGULAR BCC AGENDA – Continued

12. 5:34 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robinson absent, directing staff to send a mail-out to, and solicit responses from, each resident within the 500-foot radius of the intersection of Redwing Drive, Bush Street, and Waring Road, then determine whether or not to proceed with another Public Hearing, relative to the recommendation that the Board take the following action regarding the proposed closure of Redwing Drive (66' R/W) to vehicular traffic at its northern terminus at Bush Street, as petitioned by Leonard Ciampini and William Renfroe:

1757

- A. Approve the Petition to Close;
- B. Accept the Hold/Harmless Agreement;
- C. Adopt the Resolution to Vacate; and
- D. Authorize 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 authorize the Chairman or Vice Chairman to execute them at that time.

Speaker(s):

1804

- | | |
|--------------------------|-------------------|
| Ronald Forte | Donna Wisdom |
| William "Bill" Renfroe | Arlinda House |
| Warren Thompson | John W. Cobb |
| Leonard "Lenny" Ciampini | Rick Howell |
| Robert Barnett | Yvonne Howell |
| David C. Crisp | Nick Howell |
| Rodney B. Maxwell | Linda Enterkin |
| Sheila Maxwell | Veronica Gonzalez |
| Rebecca Cagle | Seth Hamilton |
| Adam Cagle | Kyle Smith |
| Kevin Wisdom | |

REGULAR BCC AGENDA – Continued

13. Committee of the Whole Recommendation(s)

Motion made by Commissioner Valentino, seconded by Commissioner Robertson, and carried 4-0, with Commissioner Robinson absent, approving Items A, B, C, D, E, and G, as follows, as recommended by the Committee of the Whole (C/W), at the October 8, 2009, C/W Workshop:

1859

- A. Adopting the revised Policy entitled "*Vehicle Policy*," amending Section II, Part B.23, of the Board of County Commissioners' Policy Manual (C/W Item 10);
- B. Accepting the transfer of ownership of property on Rawson Lane, between Airport Boulevard and Brent Lane, from the State of Florida Department of Transportation to Escambia County (*to facilitate the vacation of Rawson Lane once Pensacola Christian College, Inc. [PCC], has filed a Petition to Vacate, so that Rawson Lane can be incorporated into the PCC Campus [C/W Item 11]*);
- C. Taking the following action concerning an *Agreement for Reimbursement* between Geci & Associates Engineers, Inc., and Escambia County, for the inability of Geci & Associates Engineers, Inc., to complete the Contract for the Garcon Swamp and Southwest Side Drainage Basin Studies (C/W Item 12):
 - (1) Approving the *Agreement for Reimbursement* between Geci & Associates, Inc., and Escambia County; and
 - (2) Authorizing the Chairman to sign the Agreement (*wherein Geci & Associates Engineers, Inc., will reimburse the County \$109,473.70 for incomplete survey work relating to PD 02-03.79*);
- D. Approving to retain the longevity pay in the incentive plan for volunteers (*Section IV, Policies and Procedures Relating to the Volunteer Fire Departments and Municipal Services Benefit Unit for Fire Protection Services, Policy Number A.3., Standard Operating Guidelines for the Administration of the Volunteer Firefighter Stipend Program*), retroactive to January 1, 2009 (C/W Item 13);
- E. Authorizing staff to proceed with the *Request for Proposals for Employee Health Clinic* (C/W Item 15); and

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

13. Continued...

- G. Directing staff to proceed with the appraisal and real estate acquisition due diligence process *(for the property needed for expansion of the parking lot at the Felix Miga Senior Citizen Center, which is an eligible expenditure of Community Development Block Grant funds [C/W Item 18])*.

Motion made by Commissioner Valentino, seconded by Commissioner Robertson, and carried 3-0, with Commissioner Robinson absent and Commissioner White abstaining *(and filing Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers)*, approving Item F, as follows, as recommended by the Committee of the Whole (C/W), at the October 8, 2009, C/W Workshop:

- F. Authorizing staff to pursue the acquisition, by purchase, of the Bellamy property, located at 8210 Scenic Highway *(between Escambia River and Bayou Texar)*, and to negotiate the terms and perform surveys, assessments, and appraisals *(C/W Item 16)*.

1800

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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

I. CONSENT AGENDA

1-5. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robinson absent, approving Consent Agenda Items 1 through 5, as follows:

1901

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:
 - A. Payroll Expenditures for Pay Date October 2, 2009, in the amount of \$2,182,077.26;
 - B. The following two Disbursement of Funds:
 - (1) September 24, 2009, to September 30, 2009, in the amount of \$8,013,038.35; and
 - (2) October 1, 2009, to October 7, 2009, in the amount of \$13,884,785.93;
 - C. The Investment Report for the month ended September 30, 2009; and
 - D. The Tourist Development Tax Collections Data for Fiscal Year 2008-2009, which includes the August 2009 returns received in the month of September 2009; the 12 months revenue collected to date reflects 96% of the Budget for the Fiscal Year.
2. Approving six (6) forms, *Request for Disposition of Property*, indicating 12 items of equipment to be sold as surplus and/or appropriately disposed of, retroactive to September 30, 2009; the Requests were prepared by various County Bureaus and state the reasons for disposition.

1901

1901

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

3. Accepting, for filing with the Board's Minutes, the following two Internal Audit Reports, as prepared by the Clerk of the Circuit Court & Comptroller's Finance Department:

1901

A. The Volunteer Fire Stipend Program Internal Audit Report, and the response from Fire Chief Frank Edwards; as outlined in Mr. Edwards' response, he will be implementing changes that address the various recommendations made in the Audit Report; and

B. The Road Prison Commissary Fund Internal Audit Report, and the response from Mr. Gordon Pike, Bureau Chief, Corrections Bureau; as outlined in Mr. Pike's response, he will be implementing changes that address the various recommendations made in the Audit Report.

4. Accepting, for filing with the Board's Minutes, the *Northwest Florida Water Management District Proposed Budget Fiscal Year 2009-2010, effective October 1, 2009*, and a copy of *Resolution No. 733, Adoption of Fiscal Year 2009-2010 Budget*, as provided by N. Jean Whitten, Director, Division of Administration, Northwest Florida Water Management District, and received in the Clerk to the Board's Office on September 30, 2009.

1901

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

1901

A. Approving the Minutes of the Regular Board Meeting held October 1, 2009;

B. Approving the Minutes of the Attorney-Client Session held October 8, 2009;

(Continued on Page 12)

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...
- C. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held October 1, 2009, as follows:
 1. FOR INFORMATION: The agenda package for the 5:30 p.m., October 1, 2009, Regular Board Meeting was reviewed as follows:
 - A. The agenda cover sheet was reviewed by Shirley L. Gafford, County Administrator's Office, County Attorney Rogers, and Sandra Slay, Office of Environmental Enforcement;
 - B. The Clerk's Report was reviewed by Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services;
 - C. The Growth Management Report was reviewed by T. Lloyd Kerr, Development Services Bureau;
 - D. The County Administrator's Report was reviewed by Shirley L. Gafford, County Administrator's Office; County Administrator McLaughlin; County Attorney Rogers; Sandra P. Jennings, Marilyn Wesley, and Keith Wilkins, Neighborhoods and Community Services Bureau; Amy Lovoy and David Musselwhite, Management and Budget Services Bureau; and Wesley J. "Wes" Moreno, Public Works Bureau, with comments from Patricia L. Sheldon, Clerk's Administrator of Financial Services, regarding Items I-7 through I-12;
 - E. The County Attorney's Report was reviewed by County Attorney Rogers and Sandra P. Jennings, Public Works Bureau; and
 - F. The add-on items were reviewed by Commissioner White, Commissioner Robertson, Commissioner Young, Larry Newsom, Development Services Bureau, and Joy D. Blackmon and Wesley J. "Wes" Moreno, Public Works Bureau; and

(Continued on Page 13)

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...
- D. Accepting, for filing with the Board's Minutes, the Report of the Committee of the Whole Workshop held September 10, 2009, as follows:

AGENDA NUMBER

1. Call To Order

Chairman Young called the Committee of the Whole (C/W) to order at 9:06 a.m.

2. Was the Meeting Properly Advertised?

The C/W was advised by Doris Harris, Deputy Clerk to the Board, that the Meeting was advertised in the Pensacola News Journal on September 5, 2009, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule September 7, 2009 –September 11, 2009, Legal No. 1422235*.

3. Escambia County Sheriff's Office Purchase of Property Located at 4504 Twin Oaks Drive

A. Discussion – The C/W was advised by Commissioner Young that this item has been dropped from the agenda; and

B. Board Direction – None.

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- D. Report of the September 10, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

4. 5th Cent Tourist Development Tax Ordinance

- A. Discussion – The C/W discussed the 5th Cent Tourist Development Tax (TDT) Ordinance, and the C/W:

- (1) Was advised by County Attorney Rogers that a draft of the Ordinance establishing a 5th Cent TDT, along with an *Errata Sheet* amending the commencement date of the Tax, has been distributed for the Board's review; and
- (2) Was advised by Commissioner Robinson that the changes referenced on the *Errata Sheet* are based on conversations with Pensacola Regional Airport officials and representatives of the City of Pensacola; and

- B. Board Direction – None.

5. Olive Road Transportation and Traffic Improvements (West and East Corridor)

- A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Escambia County – Olive Road Corridor (From Palafox Street to Scenic Highway) Engineer and Planning Project and Management Report*, presented by Phil Shad, PBS&J (*Post, Buckley, Schuh & Jernigan*), and Jim Hagon, DRMP, Inc. (*Dyer, Riddle, Mills & Precourt*); and

- B. Board Direction – None.

(Continued on Page 15)

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...
- D. Report of the September 10, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

- 6. Project Development and Environmental (PD&E) Study Being Conducted for the I-10 Interchange at SR 95 (US 29)
 - A. Discussion – The C/W discussed the Project Development and Environmental (PD&E) Study being conducted for the I-10 Interchange at SR 95 (US 29), and was advised by Ralph Bove, DRMP, Inc. (*Dyer, Riddle, Mills & Precourt*), that a reevaluation of the PD&E Study has been initiated by the Florida Department of Transportation to document changes in the original design concept and any changes in the impact status and commitments in the original PD&E Study, which was completed in the year 2000; and
 - B. Board Direction – None.
- 7. Health Facilities Authority Financial Report
 - A. Discussion – The C/W discussed Health Facilities Authority (Authority) Financial Report, and was advised by County Administrator McLaughlin that a letter is being drafted to the Authority to request an additional \$47,000 to fund Escambia Community Clinics and Lakeview Center, Inc.; and
 - B. Board Direction – None.

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- D. Report of the September 10, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

8. Boat Ramp Update

A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Boat Ramp Property Update*, presented by Robert Turpin, Chief, Marine Resources Division, and the C/W:

- (1) Agreed to move forward with the acquisition process for property located at 8210 Scenic Highway (Bellamy Property);
- (2) Agreed to not proceed with the acquisition of three parcels located on Seratine Drive;
- (3) Agreed to move forward with the acquisition process for four parcels (*Numbers 1, 3, 4, and 5, as referenced in the PowerPoint Presentation*), located on Perdido River at Highway 90;
- (4) Agreed to move forward with the acquisition process for property located at 601 Dog Track Road (Williams Property); and
- (5) Authorized issuing a Press Release notifying waterfront property owners and/or the real estate industry of the County's interest in the acquisition of waterfront property for the purpose of a boat ramp and requesting submission of proposals to the County through the Marine Advisory Committee; and

B. Board Direction – None.

(Continued on Page 17)

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...
- D. Report of the September 10, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

9. Leonard Street Office Building Reuse Proposal

- A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Leonard Street Office Building – Facility Reuse Plan*, presented by Randy Wilkerson, Executive Director, Neighborhood Enterprise Foundation, Inc., with consensus from all Commissioners to support the proposal to allow the Waterfront Rescue Mission to occupy the Leonard Street Office Building; and
- B. Board Direction – None.

Speaker(s):

Greg Allan

10. Beach Renourishment Effort

- A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Barrier Island Beach Maintenance Funding –Hurricane Gustav*, presented by Timothy Day, Neighborhood and Community Services Bureau, and the C/W:
 - (1) Was advised by Mr. Day that FEMA (*Federal Emergency Management Agency*) has estimated damages on Perdido Key and Pensacola Beach, as a result of Hurricane Gustav, as follows:
 - (a) Perdido Key – Approximately \$1.6 million, which will require a \$203,900 local match from Escambia County; 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...
- D. Report of the September 10, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

10. Continued...

A. Continued...

(1) Continued...

(b) Pensacola Beach – Approximately \$10 million, which will require a \$1.2 million local match from Escambia County;

(2) Was further advised by Mr. Day that approximately half of the local match for Pensacola Beach has been identified through the Santa Rosa Island Authority and staff has requested a 50% matching grant from FDEP (*Florida Department of Environmental Protection, Bureau of*) Beaches and Coastal Systems, to aid in funding the local match; and

(3) Upon inquiry from Commissioner Valentino, was advised by Mr. Day that the *Beach Renourishment Effort* on Pensacola Beach and Perdido Key can be delayed for another year; and

B. Board Direction – The C/W recommends that the Board direct staff to proceed with researching more data and securing a funding source for the shortfall the Board is unable to cover this year for the *Beach Renourishment Effort*.

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

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- D. Report of the September 10, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

11. Code Enforcement for Properties in Foreclosure

A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Foreclosed Properties*, presented by Sandra Slay, Office of Environmental Enforcement, and the C/W:

- (1) Was advised by Ms. Slay that the cost for the County to clean properties that are in the foreclosure process, which have been abandoned, is typically less than \$500; however, in some cases, the properties are cleaned in excess of three times before they become reoccupied and maintained once again;
- (2) Was advised by Ryan Ross, Assistant County Attorney, that some Counties in Florida have created Ordinances establishing a mortgage registration process, which requires a bank/lender seeking foreclosure to register the notice of foreclosure with the County's Code Enforcement Office, identify a local contact/office, and pay a filing fee between \$100 and \$150, which would assist the County with the costs of cleaning foreclosed properties; and
- (3) Was advised by Commissioner Robinson that he would support such an Ordinance and suggests receiving input from the financial community and the City of Pensacola regarding this issue; 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...
- D. Report of the September 10, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

11. Continued...

- B. Board Direction – The C/W was advised Commissioner Young that the consensus is to move forward with drafting an Ordinance.

(COMMISSIONER ROBERTSON AND COMMISSIONER WHITE WERE ABSENT DURING DISCUSSION OF THIS ITEM)

12. Land Purchase Incentive Program Ordinance

- A. Discussion – The C/W was advised by County Attorney Rogers that a draft of the Land Purchase Incentive Program Ordinance, which has been tailored to complement the County's existing Economic Development Incentive Ordinance, has been distributed for the Board's review, and, with Board direction, a Public Hearing will be scheduled to consider adopting the Ordinance; and
- B. Board Direction – The C/W was advised by Commissioner Young that the consensus is to move forward (*with the scheduling of a Public Hearing*).

(COMMISSIONER ROBERTSON AND COMMISSIONER WHITE WERE ABSENT DURING DISCUSSION OF THIS ITEM)

(Continued on Page 21)

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...
- D. Report of the September 10, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

13. Animal Shelter Volunteer Program

- A. Discussion – The C/W heard the request from Marilyn Wesley, Deputy Bureau Chief, Neighborhood and Community Services Bureau, for Board direction regarding the Animal Shelter Volunteer Program; and
- B. Board Direction – The C/W was advised by Commissioner Young that there is consensus to move forward with the Program.

(COMMISSIONER ROBERTSON AND COMMISSIONER WHITE WERE ABSENT DURING DISCUSSION OF THIS ITEM)

14. Waiver of Fees Policy for Events at The Pensacola Civic Center

- A. Discussion – The C/W discussed Waiver of Fees Policy for Events at The Pensacola Civic Center, and heard the request from Commissioner Robinson that the Board consider adopting a Policy that would not allow the waiver of labor fees associated with the rental of The Pensacola Civic Center; and
- B. Board Direction – The C/W recommends that the Board adopt a policy that the Board will not waive labor fees or any other hard costs incurred by the County for use of The Pensacola Civic Center, but will consider waiving rental fees/soft costs.

Recommended 4-0, with Commissioner Robertson absent

(Continued on Page 22)

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...
- D. Report of the September 10, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

15. Proposed Property Acquisition in Brookhollow Subdivision

- A. Discussion – The C/W heard the request from Wesley "Wes" Moreno, Deputy Bureau Chief, Public Works Bureau, that the Board authorize staff to proceed with pursuing the acquisition, by purchase, of lots in Brookhollow Subdivision and negotiate and perform surveys, assessments, and appraisals, to facilitate design of corrective measures to eliminate drainage issues in the Subdivision; and
- B. Board Direction – The C/W recommends that the Board direct staff to proceed.

Recommended 4-0, with Commissioner Robinson absent

16. Land Development Code Permitting Process Inconsistencies

- A. Discussion – The C/W was advised by Commissioner Valentino that he has no comments at this time regarding Land Development Code Permitting Process Inconsistencies (*between Pensacola Beach and Perdido Key*); and
- B. Board Direction – None.

(Continued on Page 23)

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...
- D. Report of the September 10, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

17. Wedgewood and Molino Eviction Process

A. Discussion – The C/W discussed Wedgewood and Molino Eviction Process, and the C/W:

(1) Was advised by County Administrator McLaughlin that:

(a) There is no written (*License*) Agreement with the caretaker at the Wedgewood School property because he has not been successful at obtaining general liability insurance; and

(b) The caretaker at the Molino School property has not signed a (*License*) Agreement because of concerns regarding certain language concerning notice of eviction;

(2) Was advised by David Wheeler, Deputy Bureau Chief, Public Works Bureau, that the County pays the utility expenses for both caretakers' dwellings; and

(3) Heard the suggestion from Commissioner Robinson that the utilities be disconnected, if an Agreement is not signed; and

(Continued on Page 24)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- D. Report of the September 10, 2009, C/W Workshop – Continued

AGENDA NUMBER – Continued

17. Continued...

- B. Board Direction – The C/W recommends that the Board approve amending the Agreement to reflect 14 days' notice, subject to Board approval, for eviction of the caretakers at Wedgewood School and Molino School property (*on July 9, 2009, the Board approved retaining caretakers on-site, for security purposes, and directed the County Attorney to negotiate Agreements*).

Recommended 4-0, with Commissioner Robinson absent

- 18. Planning Board Attendance – Wayne Briski
 - A. Discussion – The C/W was advised by Commissioner White that, in accordance with the Escambia County Land Development Code, the Planning Board Chairman has forwarded a letter to Chairman Young concerning absenteeism of Planning Board Member Wayne Briski, who has missed four Meetings within a twelve-month period; and
 - B. Board Direction – The C/W recommends that the Board approve that Wayne R. Briske, Commissioner White's appointee, was absent from four Planning Board Meetings for reasons beyond Mr. Briske's control.

Recommended 4-0, with Commissioner Robinson absent

19. Adjourn

Chairman Young declared the C/W Meeting adjourned at 12:07 p.m.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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 Valentino, and carried 4-0, with Commissioner Robinson absent, authorizing the scheduling of the following three Public Hearings: 1901

- A. 5:46 p.m. – Thursday, November 5, 2009, Transmittal Hearing – Comprehensive Plan Amendment – Evaluation & Appraisal Report (EAR) Based Amendments;
- B. 5:47 p.m. – Thursday, November 5, 2009, Adoption Public Hearing – Comprehensive Amendment, Capital Improvement Program; and
- C. 5:48 p.m. – Thursday, November 5, 2009, Public Hearing – Land Development Code (LDC) Ordinance, amending Articles 3 and 6, “Mobile Vending Units.”

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

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-9. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robinson absent, approving Consent Agenda Items 1 through 9, as follows: 1901

- 1. Supporting the annual “Day of Caring,” sponsored by the United Way of Escambia County, as a public purpose, thereby authorizing a maximum of eight hours of administrative leave, with pay, on October 23, 2009, for employees who voluntarily participate in this event, and extending Workers' Compensation coverage to County employees involved in this event. 1901
- 2. Authorizing the scheduling of a Public Hearing on December 10, 2009, at 5:31 p.m., to consider the adoption of a Resolution establishing the Board's intent to use the Uniform Method of Collection for Non-Ad Valorem Special Assessments, as provided in Florida Statute 197.3632. 1901

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

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

3. Taking the following action concerning appointments to the Escambia County Contractor Competency Board:

1901

A. Waiving Board Policy B.1, "Appointment Policy and Procedures"; and

B. Reappointing the following three members, for a three-year term, effective October 1, 2009, through September 30, 2012:

- (1) David L. Schwartz, Jerry Lee Chemical Company (Swimming Pool Contractor);
- (2) Victor C. Wallace, Wallace Sprinkler & Supply, Inc. (Irrigation/Sprinkler Contractor); and
- (3) James F. Lee (Lay Person).

4. Taking the following action regarding the Muscogee Creek Indian Museum and Cultural Center Avigation Easement (Funding: no budgetary impact):

1901

A. Adopting the dedication of an Avigation Easement in and over Escambia County property, to be used for the Muscogee Creek Indian Museum and Cultural Center; and

B. Authorizing the Chairman to sign all documents related to the *Avigation Easement*.

5. Rescinding the Board's action of May 7, 2009, approving the *Interlocal Agreement between the Escambia County Board of County Commissioners and the City of Pensacola relating to the Transfer of the Oversight and Responsibility of Bus Benches and Bus Shelter Facilities Located in the City of Pensacola for Riders of the Escambia County Area Transit (ECAT) to Escambia County*.

1901

6. Accepting, for filing with the Board's Minutes, the September 17, 2009, Community Redevelopment Agency (CRA) Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA.

1901

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

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

7. Taking the following action concerning a Certificate of Need for Advanced Disposal Services Gulf Coast, LLC: 1901

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

B. Authorizing the Chairman to sign the Certificate.

8. Taking the following action concerning a *Non-Exclusive Long Term Franchise Agreement for the Collection of Commercial Solid Waste* with Advanced Disposal Services Gulf Coast, LLC: 1901

A. Approving an Agreement permitting Advanced Disposal Services Gulf Coast, LLC, to haul commercial solid waste in Escambia County; and

B. Authorizing the Chairman to sign the Agreement.

9. Authorizing the scheduling (*and advertising*) of a Public Hearing for November 19, 2009, at 5:31 p.m., to consider the Petition to Vacate a portion of Pine Road (108 feet x 50 feet = 5,400 square feet, or 0.12 acre), in Treasure Hill Park Subdivision, as petitioned by Scott Fraley. 1901

II. BUDGET/FINANCE CONSENT AGENDA

1-41. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robinson absent, approving Consent Agenda Items 1 through 41, as follows, with the exception of Items 3 and 24, which were held for separate votes:

1. Approving the *Letter of Agreement* with the State of Florida (*through its Agency for Health Care Administration*), to allow local government dollars, in the amount of \$258,889, to be used to “buy back” Medicaid reimbursement reductions on behalf of Baptist and Sacred Heart Hospitals. 1901

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-41. Approval of Various Consent Agenda Items – Continued

2. Adopting the Resolution (*R2009-207*) approving Supplemental Budget Amendment Number 4, General Fund (*001*), in the amount of \$260,000, to recognize contributions from Sacred Heart and Baptist Hospitals, and to appropriate these funds accordingly.

1901

3. See Page 44.

4. Taking the following action concerning an Interfund loan to finance a portion of an apparatus purchase for Fire/Rescue:

1901

A. Approving an Interfund Loan between the Self-Insurance Fund (501) and the Local Option Sales Tax III Fund (352), in the amount of \$2,300,000, to finance a portion of an apparatus purchase for Fire/Rescue; these funds will be repaid over a five-year period at the prevailing interest rate of the County's investment portfolio; and

B. Adopting the Resolution (*R2009-205*) approving Supplemental Budget Amendment Number 9, in the amount of \$3,298,658, to recognize estimated FEMA (*Federal Emergency Management Agency*) proceeds and an Interfund Loan, and to appropriate these funds for the purchase of fire apparatus.

5. Authorizing the County to piggyback off of the Florida Sheriff's Association Contract 08-08-0909, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, and awarding a Purchase Order to Sunbelt Fire Inc., in the amount of \$4,611,943, for the purchase of five Rescue Pumpers, two HP 100-foot Aerial Quints, one Tanker, and one HP 95-foot Platform on Cyclone II (Funding: Fund 352, Local Option Sales Tax III, Cost Center 330228, Fire Services Capital Projects, Object Code 56401, Machinery and Equipment).

1901

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-41. Approval of Various Consent Agenda Items – Continued

6. Taking the following action concerning approval of the Fiscal Year 2009-2010 Miscellaneous Appropriations Agreement for The Arts Council of Northwest Florida, Inc.:

1901

A. Approving the Miscellaneous Appropriations Agreement for \$150,000, to be paid from the 4th Cent Tourist Development Tax Fund (108), Cost Center 360105;

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

C. Authorizing the execution of the necessary Purchase Order.

7. Taking the following action concerning approval of the Fiscal Year 2009-2010 Miscellaneous Appropriations Agreement for Pensacola- Escambia Human Relations Commission:

1901

A. Approving the Miscellaneous Appropriations Agreement for \$88,700, to be paid from the General Fund (001), Cost Center 110201;

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

C. Authorizing the execution of the necessary Purchase Order.

8. Adopting the Resolution (*R2009-209*) approving Supplemental Budget Amendment Number 5, Escambia Restricted Fund (101), in the amount of \$3,000, to recognize funds received from various Parks and Recreation events and to appropriate these funds for future recreational activities.

1901

9. Approving Budget Amendment Request Number 6, General Fund (001), in the amount of \$138, to cover an increase in the Property Appraiser's Budget due to a salary change.

1901

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-41. Approval of Various Consent Agenda Items – Continued

10. Approving, for Fiscal Year 2009-2010, the issuance of individual Purchase Orders in excess of \$50,000, based upon previously awarded annual requirements, as follows:

1901

<u>Contractor</u>	<u>Amount</u>
A. City of Pensacola Vendor Number: 033300 Northwest Florida Regional Library Fund: 001 Cost Center: 110201 Account Code: 58102	\$3,508,430.00
B. Northwest Florida Legal Services, Inc. Vendor Number: 141832 Legal Aid Fund: 115 Cost Center: 410802 Account Code: 58201	\$124,688.00
C. O'Sullivan, Creel, LLP Vendor Number: 150323 Audit Services Fund: 001 Cost Center: 140201/410701 Account Code: 53101	\$157,430.50

11. Adopting the Resolution (*R2009-210*) approving Supplemental Budget Amendment Number 7, Other Grants and Projects Fund (110), in the amount of \$143,650, to recognize proceeds from a Florida Department of Law Enforcement Subgrant, Grant Number 2010-ARRC-ESCA-2-W7-003, Escambia County Drug Court Program, and to appropriate the funds for Drug Court activities.

1901

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-41. Approval of Various Consent Agenda Items – Continued

12. Adopting the Resolution (*R2009-211*) approving Supplemental Budget Amendment Number 8, Other Grants and Projects Fund (110), in the amount of \$4,588,429, to recognize Grant revenues from the Department of Justice and the Florida Department of Law Enforcement and to appropriate these funds for the Sheriff’s Law Enforcement activities in Escambia County. 1901

13. Approving, for Fiscal Year 2009-2010, the following amounts to issue Purchase Orders and/or Blanket Purchase Orders in excess of \$50,000 from previously-awarded or approved annual requirement Contracts, or Contractual Agreements, as follows (Funding Source: Fund 501, Internal Service Fund): 1901

	<u>Not-to-Exceed Amount</u>	<u>Contract</u>
A. Delta Dental Insurance Company Vendor Number: 040643 Dental Insurance Cost Center: 140803 Claims – \$600,000/Admin – \$70,000	\$ 670,000	PD 02-03.61
B. Blue Cross Blue Shield of Florida Vendor Number: 023808 Health Insurance Cost Center: 140804	\$13,203,561	PD 08-09.042
C. Standard Life Insurance Company Life Insurance Cost Center: 140805	\$ 470,000	PD 08-09.042

14. Approving and authorizing a blanket Purchase Order, in an amount not to exceed \$90,000, to Staffco Management Group, Inc., CMI, d/b/a American Staffing Resources, for the purpose of temporary employment services at the Escambia County Animal Shelter for Fiscal Year 2009-2010, with funding available through the General Fund (001), Cost Center 220204, Animal Services Administration. 1901

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-41. Approval of Various Consent Agenda Items – Continued

15. Taking the following action concerning Supplemental JPA (Joint Participation Agreement) Project Number 41410118401, providing Fiscal Year 2009-2010 Block Grant funding for Escambia County Area Transit (Funding: no additional cost to the County):

1901

A. Ratifying the Chairman's signature on the *Multi-Year Joint Participation Agreement Notification of Funding #3*, in accordance with the terms of the Joint Participation Agreement between the Florida Department of Transportation and Escambia County, Transit Block Grant, identified by Project Number 4141011 84 01, Contract #AOJ68, providing for Block Grant transit operating assistance, in the amount of \$726,561; and

B. Ratifying the Chairman's signature on the authorizing Resolution, R2009-206.

16. Taking the following action regarding implementation of the \$1,795,021 2009 HUD HOME (Housing and Urban Development, Home Investment Partnerships Act) Program Grant (#M-09-DC-12-0225) (Funding: Fund 147/2009 HOME Grant, Cost Center to be assigned by OMB [*Office of Management and Budget*], and Fund 120/2009 SHIP Program, Cost Center 220428):

1901

A. Approving the HOME Program Interlocal Agreement with the City of Pensacola providing for the utilization of \$408,798 in 2009 HOME funds and \$50,000 in State Housing Initiatives Partnership (SHIP) Program matching funds, to support approved Substantial Housing Rehabilitation/ Reconstruction Assistance and related project management activities within the City of Pensacola, with an effective date of October 15, 2009;

B. Approving the HOME Program Interlocal Agreement with Santa Rosa County, providing for the utilization of \$299,623 in 2009 HOME funds, to support approved Substantial Housing Rehabilitation/Reconstruction assistance and related project management activities within Santa Rosa County, with an effective date of October 15, 2009;

(Continued on Page 33)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-41. Approval of Various Consent Agenda Items – Continued

16. Continued...

C. Authorizing the Chairman or Vice Chairman to execute the Interlocal Agreements and all documents required to implement HOME project activities; and

D. Authorizing the Office of the Clerk of the Circuit Court to record the Interlocal Agreements in the Official Records of Escambia County.

17. Approving, and authorizing the County Administrator to execute, the following Change Order (Funding Source: Fund 129, 2008 Community Development Block Grant, ADA Improvements to County Facilities, Cost Center 220563, Account 56201, in the amount of \$2,165.00; Fund 352, Local Option Sales Tax III, Natural Resources/Community Redevelopment Program Area, Cost Center 220102, in the amount of \$20,346.85):

1901

Bureau:	Neighborhoods/Community Services
Division:	Neighborhood Redevelopment
Type:	Addition
Amount:	\$22,511.85
Vendor:	Greenhut Construction Company, Inc.
Project Name:	Restoration of the Old County Courthouse
Contract:	PD 06-07.045
Purchase Order Number:	280478
Change Order Number:	11
Original Award Amount:	\$ 59,577.00
Cumulative Amount of Change Orders through Number 11:	<u>\$1,417,161.08</u>
New Contract Total:	<u>\$1,476,738.08</u>

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-41. Approval of Various Consent Agenda Items – Continued

18. Taking the following action regarding the Board-approved Recreation fees Increases and changes for Fiscal Year 2009-2010, Neighborhoods and Community Services Bureau, Parks Programs Division, resulting in an increase of approximately \$74,580 in revenue, effective October 1, 2009 (Funding: General Fund 001/ Cost Centers 220801 [Adult Sports], 220803 [Recreation], and 220804 [Lake Stone]):

1901

A. Adopting the Resolution (*R2009-208*) revising the schedule of recreation fees for use of Escambia County Parks and Recreation Facilities;

B. Approving to amend the following Board Policies pertaining to fees for use of Escambia County Parks and Recreation Facilities, effective October 1, 2009:

(1) "Use and Fees for County Parks," Section 1; D.3;

(2) "Lake Stone Campground Rules and Regulations," Section 1; D.3.C; and

C. Authorizing the Chairman to sign the Resolution.

19. Taking the following action concerning the Memorandum of Understanding (MOU) with Pensacola-Escambia Clean Community Commission, Inc., to provide access to the eCivis Grant Locator Program [Funding Source: Fund 401, Solid Waste Environmental Quality, Cost Center 220602, Object Code 55201]:

1901

A. Approving the Memorandum of Understanding between Escambia County and Pensacola-Escambia Clean Community Commission, Inc.; and

B. Authorizing the Chairman to sign the MOU.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-41. Approval of Various Consent Agenda Items – Continued

20. Ratifying the following (*October 15, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 302 Bryant Road:

1901

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Michael E. Dancer, owner of residential property located at 302 Bryant Road, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$3,711, 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.

21. Ratifying the following (*October 15, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 416 South 1st Street:

1901

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Wanda D. Brown, owner of residential property located at 416 South 1st Street, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$5,685, 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 central heating and air conditioning system

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

1-41. Approval of Various Consent Agenda Items – Continued

22. Ratifying the following (*October 15, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Sign Grant Funding Agreement (*for property located*) at 3701 North Pace Boulevard:

1901

A. Approving the Sign Grant Program Funding Agreement between Escambia County CRA and Climate Control Contractors, Inc., owner of commercial property located at 3701 North Pace Boulevard, Pensacola, Florida, in the Palafox Redevelopment Area, in the amount of \$1,437, 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, Fund 129, Cost Center 220555, Object Code 58301, for the following improvements:

Upgrades to the existing signage

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

23. Taking the following action concerning the *Revocable License Agreement* between the District Board of Trustees of Pensacola Junior College (PJC) and Escambia County for installation and maintenance of a public bus stop shelter adjacent to Underwood Avenue, in connection with Escambia County Area Transit's public transportation service (Funding: Fund 320, Cost Center 220210 – Fiscal Year 2009 FTA [*Federal Transit Administration*] Grant Funds):

1901

A. Acknowledging, for the Official Record, approval of the *Revocable License Agreement* between the District Board of Trustees of PJC and Escambia County, detailing the terms of the Agreement, location and use of the property, property condition and maintenance, insurance, termination, notices, compliance with laws, and miscellaneous items further clarifying the extent of the Agreement; and

B. Ratifying the Chairman's signature on the executed Agreement.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-41. Approval of Various Consent Agenda Items – Continued

24. See Page 44.

25. Taking the following action concerning a Task Order Contract, PD 08-09.081, Construction, Engineering and Inspection for County Road (CR) 453 “W” Street Milling, Resurfacing and Roadway Improvements, from Fairfield Drive to State Road (SR) 95 (US 29) (Funding: Fund 352, Local Option Sales Tax III, Cost Center 210108, Object Code 56301, Project Number 09EN0483-Financial Projects Number: 426680-1-Federal Aid Project Number: ARRA-530-B):

1901

A. Approving the following Selection/Negotiation Committee Ranking:

- (1) Hatch Mott McDonald, LLC
- (2) Mehta Associates, Inc.
- (3) Metric Engineering, Inc.

B. Awarding Task Order Contract, PD 08-09.081, Construction, Engineering and Inspection for CR 453 “W” Street Milling, Resurfacing and Roadway Improvements, from Fairfield Drive to SR 95 (US 29), to Hatch Mott McDonald, LLC, in the amount of \$229,519.14, to be governed by the terms and conditions of PD 02-03.079, Professional Services Contract.

26. Authorizing a 5% price adjustment to Contract PD 07-08.040, Solid Waste Container, with an effective date of October 15, 2009, as requested by the County Administrator Designee, David Wheeler (*and Titan Waste*) (Funding: Fund 001, General Fund, Cost Center 210602, Object Code 54301).

1901

27. Approving the one-year extension of the Licensee Advertising Agreement to Provide Exterior Advertising for Fixed Route Buses Operated By Escambia Area Transit, PD 05-06.018, with Transit Advertising Limited, Inc., effective January 1, 2010, through December 31, 2010 (Funding: Fund 104, Mass Transit Fund, Object Code 344902, Advertising Revenue).

1901

28. Awarding Contract PD 08-09.102, M. C. Blanchard Soffit Mitigation Project, to Cajun Contractors, Inc., in the amount of \$128,592 (Funding: Fund 112, Disaster Recovery Fund, Object Code 56201, Cost Center 330465).

1901

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-41. Approval of Various Consent Agenda Items – Continued

29. Taking the following action concerning a Task Order award for PD 08-09.088, Landfill Gas Collection & Control System Modernization and Expansion Design (Funding: Fund 401, Solid Waste Fund, Account 56301, Cost Center 220605):

1901

A. Approving the following Selection/Negotiation Committee Ranking:

- (1) Geosyntec Consultants
- (2) Jones Edmunds & Associates, Inc.
- (3) HDR Engineering, Inc.

B. Awarding a Task Order, PD 08-09.088, Landfill Gas Collection & Control System Modernization and Expansion Design, per the terms and conditions of PD 02-03.079, Professional Services, as Governed by Florida Statute 287.055, to Geosyntec Consultants, for a lump sum amount of \$130,098.

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

1901

A. Awarding Task-Order-based Continuing Contracts to Bay Design Associates Architects, per PD 02-03.79, Professional Services as Governed by Florida Statute 287.055 (A&E Services), on a "Maximum Ceiling" basis fee schedule, as follows:

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

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

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-41. Approval of Various Consent Agenda Items – Continued

31. Authorizing the County to piggyback off the Agreement between the City of Margate and Cutler Repaving, Inc., for Hot in Place Asphalt Project Bid No. 2009-010, for an amount not to exceed \$480,400.22, for repaving portions of Quintette Road, Longleaf Drive, Community Drive, Johnson Avenue, Tate Road, North Tate School Road, Tate School Road, and Ten Mile Road, in accordance with the Escambia County Code of Ordinances, Chapter 46-44, Applications; exemptions, and Section 46-64, Board approval to award a Contract to Cutler Repaving, Inc. (Funding: Fund 352, Local Option Sales Tax III Fund, Cost Center 210107, Object Code 56301, Project Number 08EN0208, Resurfacing).

1901

32. Approving issuance of a Purchase Order to Roads, Inc., of NWF, in the amount of \$464,550, on Contract PD 06-07.082, "Various Road Materials Pricing Agreement 2007," to provide hot mix asphalt to Escambia County; Escambia County Road Division will deliver hot mix asphalt to site for contractor for the following resurfacing projects: East Quintette Road, from North Highway 95A to the Escambia County Line; Community Drive, from Longleaf Drive to Bellview Avenue; Longleaf Drive, from Pine Forest Road to Kemp Road; East Johnson Avenue, from Airway Drive to Davis Highway; Tate Road, from North Tate School Road to West Roberts Road; North Tate School Road, from South Highway 29 to Tate Road; Tate School Road, from South Highway 29 to Tate Road; and Ten Mile Road, from Chemstrand Road to North Palafox Street (Funding Source: Fund 352, "Local Option Sales Tax III," Account 210107/56301, Project No. 08EN0208, "Resurfacing").

1901

33. Awarding Contract PD 08-09.059, CR 95A Old Palafox Milling, Resurfacing and Roadway Improvements, from Memory Lane to Duke Avenue, to Panhandle Grading and Paving, Inc., in the amount of \$1,037,710 (Funding: Fund 352, Local Option Sales Tax III [Federal Stimulus Grant Reimbursement], Cost Center 210108, Object Code 56301, Project Number 09EN0433-Financial Projects Number: 426678-1-Federal Aid Project Number: ARRA-530-B).

1901

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-41. Approval of Various Consent Agenda Items – Continued

34. Taking the following action concerning Task Order Contract PD 08-09.079, Construction, Engineering and Inspection for County Road (CR) 95A Old Palafox, from Nine Mile Road to East Roberts Road (Funding: Fund 352, Local Option Sales Tax III [Federal Stimulus Grant Reimbursement], Cost Center 210108, Object Code 56301, Project Number 09EN0505-Financial Projects Number: 426677-1, Federal Aid Project Number: ARRA-530-B):

1901

A. Approving the following Selection/Negotiation Committee Ranking:

- (1) Volkert Construction Services, Inc.
- (2) Mehta and Associates, Inc.
- (3) jehle-halstead, inc.

B. Awarding Task Order Contract PD 08-09.079, Construction, Engineering and Inspection for CR 95A Old Palafox Milling, Resurfacing and Roadway Improvements, from Nine Mile Road to East Roberts Road, to Volkert Construction Services, Inc., in the amount of \$78,015.43, to be governed by the terms and conditions of PD 02-03.079, Professional Services Contract.

35. Taking the following action concerning Task Order Contract PD 08-09.080, Construction, Engineering and Inspection for County Road (CR) 95A Old Palafox, from Memory Lane to Duke Avenue (Funding: Fund 352, Local Option Sales Tax III [Federal Stimulus Grant Reimbursement], Cost Center 210108, Object Code 56301, Project Number 09EN0433-Financial Projects Number: 426678-1-Federal Aid Project Number: ARRA-530-B):

1901

A. Approving the following Selection/Negotiation Committee Ranking:

- (1) Metric Engineering, Inc.
- (2) Mehta and Associates, Inc.
- (3) Hatch Mott McDonald, LLC

B. Awarding Task Order Contract PD 08-09.080, Construction Engineering and Inspection for CR 95A Old Palafox Street Milling, Resurfacing and Roadway Improvements, from Memory Lane to Duke Avenue, to Metric Engineering, Inc., in the amount of \$172,719.12, to be governed by the terms and conditions of PD 02-03.079, Professional Services Contract.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-41. Approval of Various Consent Agenda Items – Continued

36. Taking the following action concerning Task Order Contract PD 08-09.082, Construction, Engineering and Inspection for County Road (CR) 498 Copter Road, from Ellyson Park Entrance to Nine Mile Road (Funding: Fund 352, Local Option Sales Tax III [Federal Stimulus Grant Reimbursement], Cost Center 210108, Object Code 56301, Project Number 09EN0514-Financial Projects Number: 426677-1, Federal Aid Project Number: ARRA-530-B):

1901

A. Approving the following Selection/Negotiation Committee Ranking:

- (1) Dyer, Riddle, Mills & Precourt, Inc.
- (2) Hatch Mott McDonald, LLC
- (3) jehle-halstead, inc.

B. Awarding Task Order Contract PD 08-09.082, Construction, Engineering and Inspection (CEI) for CR 498 Copter Road Milling, Resurfacing and Roadway Improvement, from Ellyson Park Entrance to Nine Mile Road, to Dyer, Riddle, Mills & Precourt, Inc., in the amount of \$45,363.36, to be governed by the terms and conditions of PD 02-03.079, Professional Services Contract.

37. Taking the following action concerning Task Order Contract PD 08-09.083, Construction, Engineering and Inspection for County Road (CR) 297 Dog Track Road, from Gulf Beach Highway to Blue Angel Parkway (Funding: Fund 352, Local Option Sales Tax III [Federal Stimulus Grant Reimbursement], Cost Center 210108, Object Code 56301, Project Number 09EN0492-Financial Projects Number: 426676-1, Federal Aid Project Number: ARRA-530-B):

1901

A. Approving the following Selection/Negotiation Committee Ranking:

- (1) Mehta and Associates, Inc.
- (2) Volkert Construction Services, Inc.
- (3) Dyer, Riddle, Mills & Precourt, Inc.

(Continued on Page 42)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-41. Approval of Various Consent Agenda Items – Continued

37. Continued...

B. Awarding Task Order Contract PD 08-09.083, Construction, Engineering and Inspection for CR 297 Dog Track Road Milling, Resurfacing and Roadway Improvements, from Gulf Beach Highway to Blue Angel Parkway, to Mehta and Associates, Inc., in the amount of \$33,010.38, to be governed by the terms and conditions of PD 02-03.079, Professional Services Contract.

38. Taking the following action concerning Task Order Contract PD 08-09.085, Construction, Engineering and Inspection for County Road (CR) 297A Dog Track Road, from Blue Angel Parkway to Highway 98 (Funding: Fund 352, Local Option Sales Tax III [Federal Stimulus Grant Reimbursement], Cost Center 210108, Object Code 56301, Project Number 09EN0461-Financial Projects Number: 426891-1, Federal Aid Project Number: ARRA-530-B):

1901

A. Approving the following Selection/Negotiation Committee Ranking:

- (1) Mehta and Associates, Inc.
- (2) Volkert Construction Services, Inc.
- (3) Dyer, Riddle, Mills & Precourt, Inc.

B. Awarding Task Order Contract PD 08-09.085, Construction, Engineering and Inspection for CR 297A Dog Track Road Milling, Resurfacing and Roadway Improvements, from Blue Angel Parkway to Hwy 98, to Mehta and Associates, Inc., in the amount of \$79,261.65, to be governed by the terms and conditions of PD 02-03.079, Professional Services Contract.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-41. Approval of Various Consent Agenda Items – Continued

39. Taking the following action concerning Task Order Contract PD 08-09.086, Construction, Engineering and Inspection for Milling, Resurfacing and Roadway Improvements for Johnson Avenue, from Gateswood Drive to Olive Road (Funding: Fund 352, Local Option Sales Tax III [Federal Stimulus Grant Reimbursement], Cost Center 210108, Object Code 56301, Project Number 09EN0454-Financial Projects Number: 426892-1, Federal Aid Project Number: ARRA-530-B):

1901

A. Approving the following Selection/Negotiation Committee Ranking:

- (1) jehle-halstead, inc.
- (2) Volkert Construction Services, Inc.
- (3) Hatch Mott McDonald, LLC

- B. Awarding Task Order Contract PD 08-09.086, Construction, Engineering and Inspection for Johnson Avenue Milling, Resurfacing and Roadway Improvements, from Gateswood Drive to Olive Road, to jehle-halstead, inc., in the amount of \$37,190, to be governed by the terms and conditions of PD 02-03.079, Professional Services Contract.

40. Taking the following action concerning Task Order Contract PD 08-09.087, Construction, Engineering and Inspection for Broad Street Sidewalk Improvements (Funding: Fund 352, Local Option Sales Tax III [Federal Stimulus Grant Reimbursement], Cost Center 210108, Object Code 56301, Project Number 09EN0443, Financial Projects Number: 426894-1, Federal Aid Project Number: ARRA-530-B):

1901

A. Approving the following Selection/Negotiation Committee Ranking:

- (1) Volkert Construction Services, Inc.
- (2) Mehta Associates, Inc.
- (3) jehle-halstead, inc.

- B. Awarding Task Order Contract PD 08-09.087, Construction, Engineering and Inspection for Broad Street Sidewalk Improvements, to Volkert Construction Services, Inc., in the amount of \$13,051.21, to be governed by the terms and conditions of PD 02-03.079, Professional Services Contract.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-41. Approval of Various Consent Agenda Items – Continued

41. Taking the following action concerning the Schedule of Rates and Fees for the Escambia County Solid Waste Transfer Station (Funding: Fund 401/Solid Waste):

1901

A. Adopting the Resolution (*R2009-212*) authorizing the Solid Waste Management Division to set a Transfer Fee of \$47 per ton, with the exception of fees previously set by existing contracts, effective November 1, 2009; and

B. Authorizing the Chairman to sign the Resolution and all required documents.

3. Approval of an Agreement

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robinson absent, approving the Agreement with the Baptist and Sacred Heart Hospitals for each to provide funding to the County to offset the County's Medicaid obligations; Sacred Heart will contribute a total of \$184,000, and Baptist will contribute \$76,000.

1903

24. Approval of a Purchase Order

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 3-0, with Commissioner Robinson absent and Commissioner Robertson abstaining (*and filing Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), approving Purchase Order Number 100001 to Navy Federal Credit Union Greater Pensacola Operations, for the amount of \$1,000,000, for Economic Development Incentives, as set out in the Economic Development Incentive Fund Program Agreement between Escambia County Board of Commissioners and Navy Federal Credit Union approved on September 3, 2009 (Funding: Fund 102, Economic Development, Cost Center 360704, Object Code 58201).

1903

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1-4. Approval of Various Action Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robinson absent, approving For Action Items 1 through 4, as follows:

1. Approving and (*authorizing the Chairman to*) execute *Amendment #1 – Agreement for Lobbyist Services* to Gentry & Associates for, an amount not to exceed \$60,000, plus expenses of up to \$2,500 for travel and extraordinary costs. 1904
2. Authorizing the County Attorney to give written notice to terminate the Agreement, PD 07-08.136, between Escambia County and Attorney James M. Messer, in accordance with Article 6.1, Term and Termination of the Rezoning Hearing Examiner Agreement. 1904
3. Taking the following action concerning Escambia County v. The Health Center of Pensacola, Inc., Case No.: 2009 CA 2070: 1904
 - A. Approving a settlement in which The Health Center of Pensacola, Inc., will pay to Escambia County, Florida, the sum of \$15,325 in full settlement of all claims for transport services asserted by Escambia County against The Health Center of Pensacola, Inc., pending as of June 26, 2009; and
 - B. Authorizing Public Safety Bureau Chief, Frank Edwards, to execute a General Release of all claims pending through the date of June 26, 2009, that Escambia County has or could have asserted against The Health Center of Pensacola, Inc., for transport services.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

1-4. Approval of Various Action Items

4. Taking the following action concerning a Workers' Compensation washout settlement for David Kauble:
- A. Approving a washout Workers' Compensation settlement, in the amount of \$10,000, inclusive of attorney fees and costs, for former Correctional Officer David Kauble, in return for a general release of liability;
 - B. Accepting, retroactively, \$3,500 in settlement of a Workers' Compensation lien on a settlement obtained by Mr. Kauble in a civil lawsuit related to his compensable injury; and
 - C. Approving a side stipulation with Mr. Kauble's attorney, in the amount of \$2,000, to settle outstanding attorney's fees and costs associated with a 2006 petition for benefits.

1904

ITEMS ADDED TO THE AGENDA – None.

ANNOUNCEMENTS

1. FOR INFORMATION: The Board:
- A. Was advised by Commissioner Valentino that he will participate in a dive on Monday to place a plaque on the USS Oriskany, at 120 feet underwater; and
 - B. Heard Commissioner White and Commissioner Young express Happy Birthday wishes to Amy Lovoy, Bureau Chief, Management and Budget Services Bureau, whose birthday was yesterday (*October 14, 2009*).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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 7:05 p.m.

1905

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

ATTEST:

Ernie Lee Magaha
Clerk of the Circuit Court & Comptroller

By: _____
Marie Young, Chairman



Deputy Clerk

Approved: November 5, 2009