

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE  
BOARD OF COUNTY COMMISSIONERS  
HELD NOVEMBER 19, 2009  
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX  
221 PALAFOX PLACE, PENSACOLA, FLORIDA  
(4:31 p.m. – 6:13 p.m.)

Present: Commissioner Grover C. Robinson, IV, Chairman, District 4  
Commissioner Kevin W. White, Vice Chairman, District 5  
Commissioner Gene M. Valentino, District 2  
Commissioner Marie K. Young, District 3  
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  
Ms. Elizabeth Carew, representing the Deputy Clerk to the Board

Absent: Commissioner Wilson B. Robertson, District 1

PUBLIC FORUM WORK SESSION

Chairman Robinson called the Public Forum Work Session to order at 4:31 p.m.

1. FOR INFORMATION: The Board presented a Proclamation commending, and expressing sincere appreciation to, L. Gary Sansing for his years of participation in local County Government. 1631
2. FOR INFORMATION: The Board heard an overview from Kenneth B. Bell of the *Escambia County Consolidation Study Commission Status Report*, which was also provided in hard copy. 1644

5:10 P.M. – PUBLIC FORUM ADJOURNED

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

REGULAR BCC AGENDA

1. Call to Order

Chairman Robinson called the Regular Meeting of the Board of County Commissioners to order at 5:32 p.m.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

2. Invocation

Vice Chairman White advised that Horace Jones would deliver the Invocation.

3. Pledge of Allegiance to the Flag

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

4. Adoption of the Agenda

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robertson absent, adopting the agenda as prepared and duly amended (*to include Commissioner White's add-on item concerning adoption of a Proclamation; Commissioner Robinson's three add-on items, one concerning a request for rental of the first floor gallery space of the Old County Courthouse, one concerning approval of a FDOT LAP Supplemental Agreement, and one concerning the County Administrator's Contract; and Addendum #1 to the County Attorney's Report [Item I-2]*).

1736

5. Commissioners' Forum

- A. District 2 – Commissioner Valentino made comments concerning his trip, as a representative of Escambia County, to San Diego, California, to tour the John C. Stennis Nuclear Aircraft Carrier, and announced that he will be hosting a mock BCC Meeting for a group of chartered/home-schooled students; and
- B. District 4 – Commissioner Robinson, in the spirit of the Thanksgiving Holiday, expressed gratitude toward the entire BCC staff for jobs well done.

1739

REGULAR BCC AGENDA – Continued

6. Proclamations/Special Recognition

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robertson absent, taking the following action concerning Proclamations/Special Recognition **(Regular Agenda Item Number 6 and Commissioner White's add-on Item Number 1 [see Page 33] was approved in the same motion)**:

1743

- A. Adopting the Proclamation honoring and congratulating Mrs. Myrtle JaQuay for reaching the age of 100;
- B. Adopting the following two Proclamations:
  - (1) The Proclamation proclaiming December 2009 as “Keep The Wreath Green Month” in Escambia County; and
  - (2) The Proclamation proclaiming December 1-6, 2009, as “Snowball Derby Week” in Escambia County; and
- C. Recognizing, with pins and certificates, the below-named employees for their dedication and years of service to the County:
  - (1) Danny Smillie, Jr., Field Supervisor, Roads Division, Infrastructure Branch of the Public Works Bureau, 25 years; and
  - (2) Leonard Padgett, Mosquito Control Technician, Mosquito Control Division of the Facilities Management Branch of the Public Works Bureau, 30 years.

Presentation(s)

- A. "Thank You Award" to the County from Celebrate Pensacola; and
- B. Certificate recognizing Captain Paul Redman for his dedicated service as appointee by Commissioner Kevin W. White to the Escambia County Marine Advisory Committee from August 7, 2008, through September 18, 2009.

REGULAR BCC AGENDA – Continued

7. Written Communication

A. Winterfest

The Board took no action concerning the email communication, dated September 15, 2009, from Denise Chenel Daughtry concerning Winterfest's holiday visit.

1756

Speaker(s):

Denise Chenel Daughtry

B. Code Enforcement Lien – 715 North 70th Avenue

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robertson absent, approving to release the property at 715 North 70th Avenue from the Code Enforcement Lien recorded against James and Sheila Bise, but not releasing the Lien from any other property it may legally encumber, relative to the communication, dated September 1, 2009, from Jose Panama requesting that the Board forgive a Code Enforcement Lien against property located at 715 North 70th Avenue.

1759

Speaker(s):

Bill Farrington

(Continued on Page 5)

REGULAR BCC AGENDA – Continued

7. Continued...

C. Request for Forgiveness of Liens

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robertson absent, taking the following action concerning the communication, dated November 13, 2009, from Betty H. Salter, President, Pensacola Habitat for Humanity, requesting that the Board forgive liens against the following three properties: (1) 7950 Perth Avenue; (2) 381 Barker Street (a/k/a 421 Barker Street); and (3) 2711 North "Z" Street:

1801

- (1) Approving to release the listed Habitat properties from the Code Enforcement Lien recorded against Ebony Brantley, as well as any other Code Enforcement Lien that may encumber the Habitat properties, and clarifying that the Nuisance Abatement Lien recorded against Henry O'Bannon, or any other Nuisance Abatement Lien, only encumbers that specific property and not any of these Habitat properties; and
- (2) Approving to release, to the extent possible, the Habitat properties from any judgment or civil lien recorded in favor of Escambia County, and clarifying that any judgment or lien not recorded in favor of Escambia County is beyond the authority of the BCC to release.

REGULAR BCC AGENDA – Continued

8. Proof of Publication

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

1802

A. The following four Public Hearings on the agenda:

- (1) The 5:31 p.m. Public Hearing, advertised in The Escambia Sun-Press, LLC, on October 29, 2009, for consideration of Petition to Vacate a portion of Pine Road, Treasure Hill Park Subdivision, as petitioned by Scott Fraley;
- (2) The **first** 5:33 p.m. Public Hearing, advertised in the Pensacola News Journal on November 7, 2009, for consideration of adopting an Ordinance establishing an Economic Development Ad Valorem Tax Exemption for Rodney Rich & Company, for 100% of their expansion, for ten years;
- (3) The **second** 5:33 p.m. Public Hearing, advertised in The Escambia Sun-Press, LLC, on November 5, 2009, for consideration of the vacation, on the Board's own motion, of an unnamed right-of-way located on the Brownsville Middle School property; and
- (4) The 5:34 p.m. Public Hearing, advertised in the Pensacola News Journal on November 7, 2009, for consideration of adopting an Emergency Adult Arcade Moratorium Extension Ordinance; and

(Continued on Page 7)

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 November 16, 2009 – November 20, 2009 – Legal No. 1434644*, as published in the Pensacola News Journal on November 14, 2009, as follows:

November 16	4:00 p.m.	West Florida Regional Planning Council
November 16	5:00 p.m.	District 2 Commissioner's West-End Advisory Committee
November 17	9:00 a.m.	Citizens Academy
November 17	9:30 a.m.	Environmental Enforcement Special Magistrate
November 17	4:00 p.m.	Health Facilities Authority
November 17	5:00 p.m.	Merit System Protection Board
November 17	5:30 p.m.	Animal Services Advisory Committee
November 17	5:30 p.m.	Bay Area Resource Council Environmental Presentation
November 17	6:30 p.m.	District Five Town Hall Meeting – Walnut Hill Ruritan
November 18	8:00 a.m.	Soil & Water Conservation Board
November 18	8:30 a.m.	Board of Adjustment
November 18	9:00 a.m.	Tourism Administration & Convention Committee
November 18	12:00 p.m.	Bay Area Resource Council – Technical Advisory Council
November 18	1:00 p.m.	Development Review Committee
November 18	1:30 p.m.	Bay Area Resource Council
November 18	5:00 p.m.	Santa Rosa Island Authority Committee Meeting
November 19	9:00 a.m.	Agenda Work Session
November 19	9:00 a.m.	Board of Electrical Examiners
November 19	11:00 a.m.	BCC Information Technology Governance Council
November 19	3:30 p.m.	Board of County Commissioners Attorney/Client Session
November 19	4:20 p.m.	Community Redevelopment Agency
November 19	4:30 p.m.	Board of County Commissioners Public Forum
November 19	5:30 p.m.	Board of County Commissioners Public Hearings & Reports
NEXT WEEK'S NOTE:		
November 23	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 Valentino, and carried 4-0, with Commissioner Robertson absent, taking the following action concerning 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:

1803

- A. Approving the Petition to Vacate;
- B. Accepting the Hold/Harmless Agreement;
- C. Adopting the Resolution (*R2009-223*) to Vacate; and
- D. Authorizing the Chairman or Vice Chairman to accept the documents as of the day of delivery of the documents to the Chairman or Vice Chairman, and authorizing the Chairman or Vice Chairman to execute them at that time.

Speaker(s) – None.

10. First 5:33 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robertson absent, adopting an Ordinance (*Number 2009-40*) establishing an Economic Development Ad Valorem Tax Exemption for Rodney Rich & Company, for 100% of their expansion, for ten years.

1803

Speaker(s) – None.



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

11. Second 5:33 p.m. Public Hearing

Motion made by Commissioner White, with no second, and carried 4-0, with Commissioner Robertson absent, taking the following action concerning the vacation, on the Board's own motion, of an unnamed right-of-way (66 feet x approximately 1,200 feet = 79,200 square feet, or 1.80 acres), located on the Brownsville Middle School property:

1803

- A. Approving the Vacation;
- B. Adopting the Resolution (*R2009-224*) to Vacate; and
- C. Authorizing the Chairman or Vice Chairman to accept the documents as of the day of delivery of the documents to the Chairman or Vice Chairman, and authorizing the Chairman or Vice Chairman to execute them at that time.

Speaker(s) – None.

12. 5:34 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robertson absent, taking the following action concerning the Emergency Adult Arcade Moratorium Extension Ordinance:

1804

- A. Waiving the notice requirements (4/5 vote required);
- B. Declaring that an emergency exists and that the immediate enactment of said Ordinance is necessary; and
- C. Adopting, and authorizing the execution of, the Emergency Ordinance (*Number 2009-41*).

Speaker(s) – None.

REGULAR BCC AGENDA – Continued

13. Committee of the Whole Recommendation(s)

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robertson absent, taking the following action, as recommended by the Committee of the Whole (C/W), at the November 12, 2009, C/W Workshop:

1804

- A. Approving that Escambia County will become a party in the lawsuit State of Florida, Office of the Attorney General, Department of Legal Affairs, v. Expedia, Inc., Orbitz, LLC, and Orbitz, Inc., filed in the Circuit Court for the Second Judicial Circuit in and for Leon County, Florida, on a contingency basis only (*Item 4 [Internet Hotel Bookings and Tourist Development Tax]*);
- B. Taking the following action, as recommended by the Tourist Development Council, concerning the Amendment to the Fiscal Year 2009-2010 Miscellaneous Appropriations Agreement for Pensacola Bay Area Chamber of Commerce, Inc.:
  - (1) Approving the Amendment to the Fiscal Year 2009-2010 Miscellaneous Appropriations Agreement, amending Section 3, increasing the allocation by \$5,000, for marketing and promotion costs for the Oriskany Reunion, for a total allocation of \$605,000, to be paid from the 4th Cent Tourist Development Tax Fund 108, Cost Center 360105;
  - (2) Authorizing the Chairman to sign the Amendment and all other necessary documents;
  - (3) Approving the necessary Change Order; and
  - (4) Authorizing the Clerk of the Court to make payments for marketing and promotion costs incurred in Fiscal Year 2008-2009 and Fiscal Year 2009-2010;
- C. Authorizing staff to proceed with submitting the Letter of Interest for the Mooring Field Pilot Program to the Florida Fish and Wildlife Conservation Commission (*Item 6*);

(Continued on Page 11)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

13. Continued...

- D. Approving to advertise for management of the new Pensacola Bay Fishing Bridge, as a County concession, with the qualified entity that offers the highest commission to be offered the management position (*Item 7*);
- E. Approving to direct staff to develop a Beach Renourishment Program, to consist of two parts; i.e., the capitalization program for the initial work and the ongoing maintenance and repair and identify multiple funding sources for each component (*relative to staff's request that the Board authorize staff to proceed to determine, through the [University of West Florida] Haas Center [for Business Research and Development], the economic costs/benefits of beach nourishment [Item 8]*);
- F. Authorizing staff to bring forward to the December 10, 2009, Regular Board Meeting, for adoption, the (*Perdido Key*) Habitat Conservation Plan (HCP) and associated Environmental Assessment (EA) in its form (*relative to staff's request that the Board authorize staff to bring the HCP/EA completed by PBS&J [Post, Buckley, Schuh & Jernigan] to the December 10, 2009, Meeting for ratification and forwarding to U. S. Fish and Wildlife for processing [Item 9]*);
- G. Authorizing staff to present to the Planning Board a request to consider an amendment to the Land Development Code to allow Assisted Living Facilities in the R-3, One-Family and Two-Family District, (cumulative) Medium Density (*Item 11*);
- H. Approving to proceed with the Escambia Treating Superfund Site Redevelopment MOU with the State of Florida (*Escambia Treating Memorandum of Understanding [MOU] for Redevelopment [Item 14]*);
- I. Approving a MOU (*Memorandum of Understanding*), as outlined in the PowerPoint Presentation entitled *Environmental Services MOU for City of Pensacola and Escambia County (Item 15)*; and
- J. Approving out-of-County travel for Commissioner Grover C. Robinson, IV, to attend a series of meetings with the principals from McCormack Baron Salazar, the National Mixed-Income Housing Development Group, in St. Louis, Missouri, on Monday, November 16, 2009, and Tuesday, November 17, 2009 (*Item 17*).

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 Robertson absent, approving Consent Agenda Items 1 through 5, as follows:

1805

1. Accepting, for filing with the Board's Minutes, the following four Reports prepared by the Clerk of the Circuit Court & Comptroller's Finance Department:
  - A. Payroll Expenditures for Pay Date November 13, 2009, in the amount of \$2,123,810.68;
  - B. Disbursement of Funds for October 29, 2009, to November 4, 2009, in the amount of \$8,365,096.15;
  - C. The Investment Report for the month ended October 31, 2009; and
  - D. The Tourist Development Tax Collections Data for Fiscal Year 2009-2010, which includes the September 2009 returns received in the month of October 2009; the first month revenue collected reflects 7% of the Budget for the Fiscal Year.
2. Approving *Records Disposition Document No. 420* for disposition of Board of County Commissioners' Records, Item 32a, Minutes: Official Meetings (Transcripts: Microfilmed on Rolls 452-454), for the period April 2, 2009, through June 18, 2009, since the permanent records have been scanned and/or microfilmed.
3. Accepting, for filing with the Board's Minutes, the Minutes of the Quarterly Meeting of the County Investment Advisory Committee (CIAC) held August 21, 2009, as prepared by the Clerk to the Board's Office.

1805

1805

1805

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

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

1805

A. The original *Mediation Settlement Agreement* regarding Ernest C. Wulzer and Rebecca L. Wulzer vs. Escambia County, Florida, a political subdivision of the State of Florida, City of Pensacola, Florida, and the State of Florida, and the Settlement Agreement regarding Ernest C. Wulzer and Rebecca L. Wulzer v. Escambia County, a political subdivision of the State of Florida, and the State of Florida, Department of Transportation, as approved by the Board on May 21, 2009;

B. Closing documents relating to the sale of two parcels of property, located at Brewer Drive and Interstate Circle and Brewer Drive and Lepley Road (*to Ralph Meacham*), as approved by the Board on May 7, 2009, and received in the Clerk to the Board's Office on October 30, 2009, and November 2, 2009, respectively;

C. Closing documents relating to *Trust for Public Land Sale to Escambia County (Perdido Key Beach Mouse Land Acquisition)*, as approved by the Board on September 18, 2008, and received in the Clerk to the Board's Office on November 4, 2009; and

D. The *Oath of Office* for Escambia County Health Facilities Authority Member, H. Christopher Brooks, Sr., who was reappointed to a new four-year term, effective August 22, 2009, through August 21, 2013, as received in the Clerk to the Board's Office on November 12, 2009.

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

1805

A. Approving the Minutes of the Regular Board Meeting held November 5, 2009;

B. Approving the Minutes of the Special Emergency Board Meeting held November 8, 2009; and

(Continued on Page 14)

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 November 5, 2009, as follows:

1. FOR INFORMATION: The agenda package for the 5:30 p.m., November 5, 2009, Regular Board Meeting was reviewed as follows:
  - A. The agenda cover sheet was reviewed by Shirley L. Gafford, Program Coordinator, County Attorney Rogers, and Amy Lovoy, Bureau Chief, Management and Budget Services Bureau;
  - 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, and Larry Newsom, Transportation Director, with comments from R. Todd Harris regarding the 5:46 p.m. Public Hearing;
  - D. The County Administrator's Report was reviewed by Shirley L. Gafford, Executive Assistant, County Administrator's Office; Amy Lovoy, Bureau Chief, Management and Budget Services Bureau; Sandra P. Jennings, Bureau Chief, Neighborhoods and Community Services Bureau; Randy Wilkerson, Executive Director, Neighborhood Enterprise Foundation, Inc.; and Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services, with comments from the Honorable David Stafford, Supervisor of Elections, regarding Items I-12 and I-13; and
  - E. The County Attorney's Report was reviewed by County Attorney Rogers.

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

1-20. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robertson absent, approving Consent Agenda Items 1 through 20, as follows:

1805

1. Authorizing the scheduling (*and advertising*) of a Public Hearing, Thursday, December 10, 2009, at 5:33 p.m., for consideration of adopting an Ordinance establishing an Economic Development Ad Valorem Tax Exemption (EDATE) for Genesis Property Holding, LLC, for 100% of their new business, for ten years.
2. Authorizing the scheduling (*and advertising*) of a Public Hearing, Thursday, December 10, 2009, at 5:34 p.m., for consideration of adopting an Ordinance establishing an Economic Development Ad Valorem Tax Exemption (EDATE) for Woodlands Medical Specialists, PA, for 100% of their new business, for ten years.
3. Rescinding the Affirmative Action Policy, Section 1, Part E.1., which was adopted by the Board on October 1, 1979; this Policy was replaced by the Workplace Diversity Plan, which was adopted by the Board on September 9, 2004.
4. Rescinding the Leave Policy for Classified and Unclassified Personnel, Section II, Part C.3, from the Board of County Commissioners' Policy Manual; the Policy was replaced by the September 17, 2009, Administrative Code, the September 17, 2009, Paid Time Off Policy, and by the October 1, 2009, Human Resources Policies and Procedures, Sections 5, 6, 7, and 10.
5. Rescinding the Flexible Benefits/Flexible Spending Accounts Policy, Section II, Part C.13, from the Board of County Commissioners' Policy Manual; this Policy was replaced by the August 17, 2008, County's Flexible Benefits Account Provider's Summary Plan Description.
6. Rescinding the Years of Service Award Policy, Section II, Part C.27, from the Board of County Commissioners' Policy Manual; due to the Budget reduction, reorganization, and the loss of five Human Resources positions, the Years of Service Program was delegated to the Bureaus.

1805

1805

1805

1805

1805

1805

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-20. Approval of Various Consent Agenda Items – Continued

7. Rescinding the Record Keeping Policy for Hours Worked and Leave, Section II, Part C.3 (a), from the Board of County Commissioners' Policy Manual; requirements for time-keeping records in this Policy are covered by the current Human Resources Policies and Procedures, Section 17, Salary Administration, and the County's current computerized time-keeping system (i.e., responsibility rests with the Bureaus). 1805
8. Rescinding the following Policies from the Board of County Commissioners' Policy Manual because these Policies were replaced by the October 1, 2009, Human Resources Policies and Procedures Manual: 1805
  - A. County Employees Serving On Jury Duty Policy, Section II, Part C.5; and
  - B. Step Pay Plan Policy, Section II, Part C.10.
9. Approving to not renew the Non-Exclusive Franchise Agreement for Hauling of Commercial Solid Waste with existing hauling contractors upon expiration of the term of the Agreement, December 31, 2010. 1805
10. Approving to amend Policy B-1, 2, Section II, *Procedures for Disposition of County Property*, as provided, to conform to current operational procedures, County organizational policies, and Florida Statute 274. 1805
11. Taking the following action concerning appointment/reappointments to the Escambia County Extension Council: 1805
  - A. Appointing the following individual to a two-year term, effective December 1, 2009, through November 30, 2011:

<u>ZONE</u>	<u>NAME AND ADDRESS</u>
7	Debbie Looney, 9491 Cove Avenue, Pensacola, Florida 32534

(Continued on Page 17)



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-20. Approval of Various Consent Agenda Items – Continued

11. Continued...

B. Reappointing the following five individuals to a two-year term, effective December 1, 2009, through November 30, 2011:

<u>ZONE</u>	<u>NAME AND ADDRESS</u>
1	Abbie Rolph, 7300 Jack Smith Road, Century, Florida 32535
3	Mick Breault, 2700 Highway 97, Molino, Florida 32577
5	Tina Tuttle, 6755 Highway 99, Molino, Florida 32577
9	Enrique Eligio, 2784 Cottonwood Lane, Pensacola, Florida 32514
11	Eleanor Godwin, 2510 North Yates Avenue, Pensacola, Florida 32503

C. Requesting the County Administrator's Office provide letters of appointment to incoming members and letters of appreciation to outgoing members.

12. Taking the following action concerning the *Interlocal Agreement Between the Escambia County Board of County Commissioners and the City of Pensacola Providing for the Delivery of Environmental Support Services*: 1805

A. Approving the Interlocal Agreement between the Escambia County Board of County Commissioners and the City of Pensacola to increase access to environmental services in order to promote, restore, and enhance the environment and quality of life for the citizens of Pensacola; and

B. Authorizing the Chairman to sign the Agreement.

13. Accepting, for filing with the Board's Minutes, the October 15, 2009, Community Redevelopment Agency (CRA) Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA. 1805

14. Approving the reappointment of Shirley K. Cronley to the Tourist Development Council, effective December 1, 2009, through November 30, 2013, as an "Interested in Tourism" appointee. 1805

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-20. Approval of Various Consent Agenda Items – Continued

15. Approving the Certificates of Public Convenience and Necessity for Atmore Ambulance, Inc., Baptist Hospital's LifeFlight, Escambia County Public Safety Bureau, Lifeguard Ambulance Service of Florida, LLC, and Sacred Heart Children's Hospital Neonatal and Pediatric Transport Van, effective January 1, 2010, through December 31, 2010. 1805

16. Taking the following action concerning the *Memorandum of Understanding between Escambia County and Naval Aviation Schools Command for the Provision of Certain Clinical Training*: 1805

A. Approving the Memorandum of Understanding to allow the provision of clinical learning experiences required for emergency medical technician certification, under the auspices of Escambia County Emergency Medical Services, for selected Naval Aviation Schools Command staff trainees; and

B. Authorizing the Chairman to sign the Memorandum of Understanding.

17. Taking the following action concerning the Anchor and Guy Easement request from Gulf Power Company for a Portion of Lots 11 and 12, Block 40, Beach Haven Subdivision: 1805

A. Approving to grant an *Anchor and Guy Easement* to Gulf Power Company for a portion of Lots 11 and 12, Block 40, Beach Haven Subdivision; and

B. Authorizing the Chairman or Vice Chairman to sign the necessary document granting Gulf Power Company an *Anchor and Guy Easement*.

18. Confirming Commissioner Grover C. Robinson, IV's appointment of Captain Dave Mucci to the Escambia Marine Advisory Committee, replacing Mr. Chris Wachtel, effective November 19, 2009; this appointment will run concurrent with Commissioner Robinson's term of office, or at his discretion. 1805

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-20. Approval of Various Consent Agenda Items – Continued

19. Confirming Commissioner Grover C. Robinson, IV's appointment of Ms. Chasidy Hobbs to the Citizens' Environmental Committee, effective November 19, 2009, replacing Dr. Mel Droubay; this appointment will run concurrent with Commissioner Robinson's term of office, or at his discretion. 1805

20. Confirming the appointment of Robert V. Goodloe, replacing Karen Sindel, as Commissioner Gene M. Valentino's appointment to the Escambia County Planning Board, effective November 19, 2009; this appointment will run concurrent with Commissioner Valentino's term of office, or at his discretion. 1805

II. BUDGET/FINANCE CONSENT AGENDA

1-32. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robertson absent, approving Consent Agenda Items 1 through 32, as follows: 1805

1. Taking the following action concerning approval of the Fiscal Year 2009-2010 Miscellaneous Appropriations Agreement between Escambia County and the African American Heritage Society, Inc.: 1805

A. Approving the Miscellaneous Appropriations Agreement, in the amount of \$25,000, 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.

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. Taking the following action concerning the Fiscal Year 2009-2010 Miscellaneous Appropriations Agreement between Escambia County and Gulf Coast African American Chamber of Commerce, Inc.:

1805

A. Approving the Miscellaneous Appropriations Agreement, in the amount of \$40,000, to be paid from the General Fund (001), Cost Center 110201, Account 58224;

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

C. Authorizing the execution of the necessary Purchase Order.

3. Adopting the Resolution (*R2009-225*) approving Supplemental Budget Amendment Number 35, Other Grants and Projects Fund (110), in the amount of \$20,000, to recognize proceeds from the Florida Department of Agriculture and Consumer Services, Division of Forestry, and to appropriate the funds for the use of tree planting projects and establishing a baseline tree canopy assessment to target future planting areas for optimum benefit to the County.

1805

4. Adopting the Resolution (*R2009-226*) approving Supplemental Budget Amendment Number 36, Other Grants and Projects Fund (110), in the amount of \$144,617, to recognize the remainder of the East 10 Mile Creek Project Grant and to appropriate these funds for ongoing restoration activities for Fiscal Year 2009-2010.

1805

5. Adopting the Resolution (*R2009-227*) approving Supplemental Budget Amendment Number 38, Escambia County Restricted Fund (101), in the amount of \$1,000, to recognize the proceeds of donations and other revenue associated with the Barn Bash held by Parks and Recreation and to appropriate these funds for future recreational activities.

1805

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. Adopting the Resolution (*R2009-228*) approving Supplemental Budget Amendment Number 39, General Fund (001) and Other Grants and Projects Fund (110), in the amount of \$549,150, to recognize funding from the American Recovery and Reinvestment Act and the Florida Department of Law Enforcement, and to appropriate these funds for expanded Drug-Court-related activities administered by the State Courts in Escambia County over a two-year period. 1805
7. Adopting the Resolution (*R2009-229*) approving Supplemental Budget Amendment Number 40, Solid Waste Fund (401), in the amount of \$350,000, to recognize litigation settlement proceeds received from Allied Waste Services and to appropriate these funds for the operation of a new Solid Waste transfer station. 1805
8. Adopting the Resolution (*R2009-230*) approving Supplemental Budget Amendment Number 41, Other Grants and Projects Fund (110), in the amount of \$11,237, to recognize proceeds to be received from a State of Florida, Division of Emergency Management, Purchase Order, and to appropriate these funds for updating the Hazardous Materials Facility Analysis data. 1805
9. Adopting the Resolution (*R2009-231*) approving Supplemental Budget Amendment Number 42, Other Grants and Projects Fund (110), in the amount of \$102,724, to recognize proceeds to be received from a State of Florida, Division of Emergency Management, Emergency Management Preparedness and Assistance Grant, and to appropriate these funds for improving the daily and emergency operations of the local Office of Emergency Management assisting in local disaster preparations and community outreach. 1805
10. Adopting the Resolution (*R2009-232*) approving Supplemental Budget Amendment Number 43, Disaster Recovery Fund (112), in the amount of \$122,735, to recognize Federal Emergency Management Agency proceeds and to appropriate these funds for the West Fork Boggy Creek Project. 1805

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

11. Approving the price increase for GlucaGen from Bedford Laboratories; this is a single-source item with no other manufacturers; the old price was \$69.50, and the new amended price will be \$77.28; this was a multiple-vendor-awarded Contract for Medical Supplies and Equipment and is currently on the last year extension of a 36-month Contract (Funding: Fund 408, Emergency Medical Services, Cost Center 330302, Object Code 55201, and Fund 143, Fire Protection Services, Cost Center 330206, Object Code 55201).

1805

12. Taking the following action concerning release of a Code Enforcement Lien against property located at 435 Lakeview Avenue:

1805

A. Accepting the offer from Watson Title Insurance Agency, Inc., of \$1,182.50, for release of the Code Enforcement Lien against property located at 435 Lakeview Avenue, recorded in Official Records Book 6414, at Page 1316, and Official Records Book 6414, at Page 1341, of the Public Records; and

B. Authorizing the Chairman to execute the Release of Lien.

13. Taking the following action regarding the Emergency Management Preparedness and Assistance Grant Program Grant, Contract Number 10-BG-25-01-27-01-XXX:

1805

A. Approving the State of Florida, Division of Emergency Management, *State and Federally-Funded Subgrant Agreement*, providing State funds, in the amount of \$102,724, to assist in improving the daily and emergency operations of our local Office of Emergency Management and to assist in local disaster preparations and community outreach; the funds will be identified in Fund 110, Other Grants and Projects, Cost Center 330405; and

B. Authorizing the Chairman to execute the Subgrant Agreement.

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. Taking the following action concerning the Hazardous Materials Analysis Purchase Order No. A12466:

1805

A. Accepting the State of Florida, Division of Emergency Management, Purchase Order that provides funding to update the Hazardous Materials Facility Analysis data; the Purchase Order provides State funding to the County, in the amount of \$11,237, for the period of September 24, 2009, through June 30, 2010, with no match requirement; funding will be identified in Fund 110, Other Grants and Projects, Cost Center 330323; and

B. Authorizing the Chairman to execute the Scope of Work Acceptance Form.

15. Approving, and authorizing the County Administrator to execute, the following Change Order (Funding Source: Fund 401, Solid Waste Fund, Account 54601, Cost Center 220610; approximately 88% of expended funds to be reimbursed by FEMA [*Federal Emergency Management Agency*] and the State of Florida):

1805

Bureau:	Neighborhoods/Community Services
Division:	Solid Waste Management
Type:	Addition
Amount:	\$67,782.60
Vendor:	Roads, Inc., of NWF
Project Name:	FEMA 1831-DR-FL
Contract:	PA ID NO. 033-99033-00
Purchase Order Number:	291648 (issued as re-budget at November 5, 2009, BCC)
Change Order Number:	1
Original Award Amount:	\$140,729.58
Cumulative Amount of Change Orders through Number 1:	<u>\$ 67,782.60</u>
New Contract Total:	\$208,512.18

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

16. Taking the following action concerning the Urban and Community Forestry Grant Memorandums of Agreement (MOA) between the Florida Department of Agriculture and Consumer Services (FDACS) and the Escambia County Board of County Commissioners (Funding Source: Fund 110, Other Grants and Projects, new Cost Center; matching funds will be provided through the County's Tree Restoration Fund 101, Cost Center 220310, and/or Tree Mitigation Fees Fund 101, Cost Center 220334):

1805

- A. Ratifying the submission of the Urban and Community Forestry Grant application (Proposal Form 2009, Exhibit "A", Attachments "D" and "E," to the Urban and Forestry Grant MOA) by Jimmie Jarratt, on behalf of Escambia County Neighborhoods and Community Services Bureau, Water Quality and Land Management Division;
- B. Approving the Urban and Community Forestry Grant MOA, FDACS Contract 015393, in the amount of \$20,000, to plant and establish trees, establish a baseline tree canopy assessment, target tree planting areas, and educate stakeholders on the value of the urban forest;
- C. Approving the Urban and Community Forestry Grant Maintenance Memorandum of Agreement; and
- D. Authorizing the Chairman to sign both Memorandums of Agreement, Amendments, and other Grant-related documents including no cost extensions.



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. Approving, and authorizing the County Administrator to execute, the following Change Order for the operation and maintenance of the remediation system at the former Escambia County Mosquito Control Facility located at 603 West Romana Street (Funding Source: 2009 Community Development Block Grant [CDBG], Fund 129, Cost Center 220410, Object Code 53101):

1805

Bureau: Neighborhoods/Community Services  
Division: Community Redevelopment Agency  
Type: Addition  
Amount: \$83,366.14  
Vendor: Cameron-Cole  
Project Name: 603 West Romana Street/former Escambia County Mosquito Control Facility  
Contract: PD 06-07.038  
Purchase Order Number: 291405  
Change Order Number: 2  
Original Award Amount: \$ 59,218.82  
Cumulative Amount of Change Orders through Number 2: \$ 89,165.04  
New Contract Total: \$148,383.86

18. Taking the following action concerning the License Agreement (Department of the Army License, Escambia Wood Treatment Plant Superfund Site) between Escambia County and the U.S. Army Corps of Engineers (ACOE) to conduct demolition, removal, and associated clean-up of structures from the Clarinda Triangle, a U.S. Environmental Protection Agency Superfund Site (Funding Source: Neighborhood Enterprise Foundation Neighborhood Stabilization Program, Fund 129, Cost Center 220502, Object Code 58301):

1805

- A. Approving the ACOE Site Access License Agreement (Department of the Army License, Escambia Wood Treatment Plant Superfund Site) for a period of 12 months, beginning November 20, 2009, and ending November 20, 2010; and
- B. Authorizing the Chairman to sign the License Agreement.

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. Ratifying the following (*November 19, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Commercial Facade Grant Funding and Lien Agreements (*for property located*) at 2203 North Pace Boulevard:

1805

- A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Renaissance Man, Inc., owner of commercial property located at 2203 North Pace Boulevard, Pensacola, Florida, in the Englewood Redevelopment Area, each in the amount of \$2,558.97, representing an in-kind match through the Englewood Tax Increment Financing (TIF), Fund 151, Cost Center 220520, Object Code 58301, for the following improvements:

Install a new fence and landscaping

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

20. Ratifying the following (*November 19, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Commercial Facade Grant Funding and Lien Agreements (*for property located*) at 3725 Mobile Highway:

1805

- A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Relax Inn Motel Corporation, owner of commercial property located at 3725 Mobile Highway, Pensacola, Florida, in the Brownsville Redevelopment Area, each in the amount of \$9,900, representing an in-kind match through the Brownsville Tax Increment Financing (TIF), Fund 151, Cost Center 220515, Object Code 58301, and/or Neighborhood Enterprise Foundation, Inc. (NEFI) 2006 Community Development Block Grant (CDBG), Fund 129, Cost Center 221403, Object Code 58301, for the following improvements:

Painting the exterior buildings

- 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

21. Ratifying the following (*November 19, 2009*) action of the Escambia County Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 202 Mandalay Drive:

1805

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Mikal E. Kissick, owner of residential property located at 202 Mandalay Drive, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$828, representing an in-kind match through the Barrancas Tax Increment Financing (TIF), Fund 151, Cost Center 220519, Object Code 58301, for the following improvements:

Sanitary sewer connections

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

22. Ratifying the following (*November 19, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 415 Gibbs Road:

1805

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Jean McPhee, owner of residential property located at 415 Gibbs Road, Pensacola, Florida, in the Warrington redevelopment Area, each in the amount of \$2,900, 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 shutters

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

23. Taking the following action regarding Amendment #1 to the Homelessness Prevention and Rapid Re-Housing Program (HPRP) Direct Service Delivery and Case Management Services Agreement with Catholic Charities of Northwest Florida, Inc. (Funding: Fund 120/HPRP, Cost Center 220506):

1805

A. Approving Amendment #1 to the Homelessness Prevention and Rapid Re-Housing Program (HPRP) Direct Service Delivery and Case Management Services Agreement with Catholic Charities of Northwest Florida, Inc., as originally approved on September 17, 2009, to increase the maximum HPRP operating (cash flow) advance from \$40,000 to \$100,000, to meet the demand for HPRP direct assistance payments and related operational costs; and

B. Authorizing the Chairman or Vice Chairman to execute the Amendment and all related documents required to implement the remaining project activities.

24. Ratifying the following (*November 19, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 500 North Wentworth Street:

1805

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and John Michael, owner of residential property located at 500 North Wentworth Street, Pensacola, Florida, in the Brownsville Redevelopment Area, each in the amount of \$4,837, 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 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

25. Ratifying the following (*November 19, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 505 Lakewood Road:

1805

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Paul R. Barfield and Doreen H. Barfield, owners of residential property located at 505 Lakewood Road, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$1,893, representing an in-kind match through the Barrancas Tax Increment Financing (TIF), Fund 151, Cost Center 220519, Object Code 58301, for the following improvements:

Install new storm windows and storm shutters

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

26. Ratifying the following (*November 19, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 605 Rue Max Street:

1805

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and James Rogers and Jennie Rogers, owners of residential property located at 605 Rue Max Street, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$2,888, representing an in-kind match through the Barrancas Tax Increment Financing (TIF), Fund 151, Cost Center 220519, Object Code 58301, for the following improvements:

Install replacement windows and storm shutters

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

27. Ratifying the following (*November 19, 2009*) action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements (*for property located*) at 12 Lincoln Road:

1805

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Emory Bailes and Deborah Bailes, owners of residential property located at 12 Lincoln Road, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$3,150, 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

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

28. Taking the following action concerning the *Communication Antenna Mounting Space Lease between Escambia River Electric Cooperative, Inc., and Escambia County* (Funding: Fund 001, General, Cost Center 330403, Account Code 54401, Rentals & Leases):

1805

A. Approving the \$1 per year Lease to allow Escambia County space on the EREC water tank, located at 5026 Arthur Brown Road, Walnut Hill, Florida, for three communication antennas, including the right to install, maintain, operate, repair, and remove antennas, together with sufficient space at the base of the water tank for a 10 foot x 16 foot radio equipment building; and

B. Authorizing the Chairman to sign the Lease.

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

29. Taking the following action concerning the *Second Amendment to Agreement for Interruptible Natural Gas Service* with the City of Pensacola (d/b/a Energy Services of Pensacola) (Funding: Fund 001, General Fund, Cost Center 210604, Object Code 54301):

1805

A. Approving the Amendment, which authorizes a fixed charge of \$150 monthly, a fuel charge of \$5.84 per MMBTU (Million British Thermal Units), a usage charge of \$1.99 per MMBTU, and a time extension for a period of 12 months, from November 1, 2009, to October 31, 2010; and

B. Authorizing the Chairman or Vice Chairman to execute all documents relating to the Amendment as required.

30. Taking the following action concerning acquisition of property, by donation, for use as road rights-of-way and drainage improvements on Kingsfield Road and County Highway 297A (Funding Source: Fund 352, Local Option Sales Tax III, Account 210107/56101 and 56301, Project #08EN0105):

1805

A. Authorizing staff to negotiate and resolve any matters related to, or associated with, the acquisition of property, by donation, for road rights-of-way and Easements located on or adjacent to Kingsfield Road and County Highway 297A, 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 drainage Easements; the County benefits from these acquisitions because they facilitate the installation of improvements and 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 32)

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. 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.

31. Taking the following action concerning the *Grant-In-Aid for Adult Post-Adjudicatory Expansion in Escambia County, Florida*:

1805

A. Approving the *Grant-In-Aid Agreement for Adult Post-Adjudicatory Drug Court Expansion in Escambia County, Florida*, between the Office of the State Courts Administrator and the Escambia County Board of County Commissioners, to expand post-adjudicatory adult drug court, and authorize the Chairman to sign all related documents; and

B. Approving funding for the program, not to exceed \$268,537.50, effective October 1, 2009, through September 30, 2010.

32. Taking the following action concerning reallocation of surplus funds from a portion of three Local Agency Program (LAP) Agreements, to be applied to the CR 99 (Beulah Road) LAP Agreement, as follows:

1805

A. Adopting three Resolutions (*R2009-233, R2009-234, and R2009-235*) authorizing execution of the Supplemental Joint Participation Agreements;

B. Approving the following FDOT (*Florida Department of Transportation*) LAP Supplemental Agreements which specify the reduction of the project costs (referenced in Attachment A), as follows:

- (1) CR 297 South (Dog Track Road), LAP #426676-1: \$106,830.62
- (2) Johnson Avenue, LAP # 426892-1: \$166,523.00
- (3) CR 498 (Copter Road), LAP # 426679-1: \$252,620.64

C. Authorizing the Chairman to sign the Resolutions and the Supplemental Agreements.



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1-2. Approval of Various For Action Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robertson absent, approving For Action Items 1 and 2, as follows:

1806

1. Taking the following action concerning an Agreement between Escambia County and Nabors, Giblin & Nickerson, P.A., for legal services concerning the Tourist Development Tax litigation:

1806

- A. Approving the *Agreement Between Escambia County and Nabors, Giblin & Nickerson, P.A. for Legal Services*, for representation in a lawsuit against internet hotel providers for unpaid tourist development taxes and other unpaid taxes; and

- B. Authorizing the Chairman to sign the Agreement.

2. Authorizing the scheduling (*and advertising*) of a Public Hearing for Thursday, December 10, 2009, at 5:47 p.m., for consideration of the Optional Sector Plan, directly prior to the 5:47 p.m. Public Hearing concerning the EAR-based Amendments.

1806

ITEMS ADDED TO THE AGENDA – COMMISSIONER KEVIN W. WHITE

1. Proclamation

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robertson absent, adopting the Proclamation proclaiming the week of November 20, 2009, through November 27, 2009, as "Farm-City Week" for Escambia County (***Regular Agenda Item Number 6 [see Page 3] and Commissioner White's add-on Item Number 1 was approved in the same motion.***)

1743

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

1. Request from The Arts Council of Northwest Florida

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robertson absent, approving the request of The Arts Council of Northwest Florida to rent the Old County Courthouse first floor gallery (*space*) to the Fred Levin Law Firm for four hours on December 3, 2009; it is for an event for the University of Florida School of Law, which will host approximately 150-175 attendees.

1806

2. Approval of FDOT LAP Supplemental Agreement

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robertson absent, taking the following action concerning allocation of surplus funds transferred from three Local Agency Program (LAP) Agreements to be applied to the CR 99 (Beulah Road) LAP Agreement, as follows:

1807

- A. Adopting the Resolution (*R2009-236*) authorizing execution of the Supplemental Joint Participation Agreement;
- B. Approving FDOT (*Florida Department of Transportation*) LAP Supplemental Agreement # 426893-2, which specifies the increase of \$525,974 in project costs, referenced in Attachment A, for the CR 99 (Beulah Road) Reconstruction Project; and
- C. Authorizing the Chairman or Vice Chairman to sign the Resolution and Agreement.

3. County Administrator's Contract

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 3-1, with Commissioner Young voting "no" and Commissioner Robertson absent, notifying the County Administrator that there will be a vote taken at the December 17, 2009, Committee of the Whole Workshop, on the renewal of his contract, which will be ratified at the next available Board Meeting, relative to the recommendation that the Board approve scheduling a discussion of the County Administrator's Contract as an agenda item on the January 15, 2010, Committee of the Whole Workshop.

1807

ANNOUNCEMENTS

1. FOR INFORMATION: Commissioner Robinson, on behalf of the Board:
  - A. Offered condolences to the family of Mrs. Doris Harris, whose sister passed away, and to the family of Joy D. Blackmon, whose father passed away; and
  - B. Recognized Commissioner Marie K. Young for her tenure as Chairman to the Board of County Commissioner from November 2008 to November 2009.

1732

ADJOURNMENT

There being no further business to come before the Board, Chairman Robinson declared the Regular Meeting of the Board of County Commissioners adjourned at 6:13 p.m.

BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA

ATTEST:

Ernie Lee Magaha  
Clerk of the Circuit Court & Comptroller

By: \_\_\_\_\_  
Grover C. Robinson, IV, Chairman



\_\_\_\_\_  
Deputy Clerk

Approved: December 10, 2009