

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD FEBRUARY 18, 2010
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(4:32 p.m. – 6:11 p.m.)

Present: Commissioner Grover C. Robinson, IV, Chairman, District 4
Commissioner Kevin W. White, Vice Chairman, District 5
Commissioner Wilson B. Robertson, District 1
Commissioner Gene M. Valentino, District 2
Commissioner Marie K. Young, District 3
Mr. Larry M. Newsom, Interim County Administrator
Mrs. Alison Rogers, County Attorney
Mrs. Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services
Mrs. Shirley L. Gafford, Program Coordinator, County Administrator's Office
Mrs. Doris Harris, Deputy Clerk to the Board

PUBLIC FORUM WORK SESSION

Chairman Robinson called the Public Forum Work Session to order at 4:32 p.m.

1632

1. FOR INFORMATION: The Board heard comments from John Bocchino regarding a Code Enforcement citation he received for building a landscape structure on County right-of-way.
2. FOR INFORMATION: The Board heard comments from L. Gary Sansing regarding various County/National issues.

1653

5:00 P.M. – PUBLIC FORUM ADJOURNED

5:33 P.M. – REGULAR BOARD MEETING CONVENED

REGULAR BCC AGENDA

1. Call to Order

1733

Chairman Robinson called the Regular Meeting of the Board of County Commissioners to order at 5:33 p.m.

2. Invocation

Commissioner White advised that Horace Jones 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 Robinson advised that Commissioner Robertson would lead the Pledge of Allegiance to the Flag.

4. Adoption of the Agenda

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting the agenda as prepared and duly amended (*to include Commissioner Valentino's add-on item concerning the "Celebrate Escambia County Waterways" Wet and Wild Festival*).

5. Commissioners' Forum

- A. District 2 – Commissioner Valentino requested that the Board discuss, at a future Committee of the Whole Workshop, the possibility of re-introducing the Citizens Academy, based on the high level of success in its formation;
- B. District 1 – Commissioner Robertson advised that the Board will discuss functional consolidation at the February 25, 2010, Leadership Workshop, and that the Local Legislative Delegation will receive public input on February 22, 2010, at 5:30 p.m., at the WSRE Building, Pensacola Junior College, regarding government consolidation;
- C. District 5 – Commissioner White commended David Wheeler, Public Works Bureau, and his staff for their assistance with the Molino School Project; and
- D. District 4 – Commissioner Robinson congratulated the citizens who participated in, and were recognized at, the recent PACE Awards Ceremony.

1734

REGULAR BCC AGENDA – Continued

6. Proclamations

1737

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning Proclamations, as amended to drop Item C(1), the Proclamation commending and congratulating Illauna Brazwell, Commissioner's Aide, District 1, on her retirement after 15 years of service:

- A. Adopting the Proclamation honoring and congratulating Mrs. Elmira Gandy Crapps for reaching the age of 103;
- B. Ratifying the following two Proclamations, dated February 11, 2010:
 - (1) The Proclamation proclaiming that Martina McBride is an “Honorary Citizen” of Escambia County; and
 - (2) The Proclamation proclaiming that Trace Adkins is an “Honorary Citizen” of Escambia County; and
- C. Adopting the Proclamation commending and congratulating Harold Jackson, Jr., Inspections Supervisor, Development Services Bureau, on his retirement after 17 years of service.

7. Proof of Publication

1738

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

- A. The 5:31 p.m. Public Hearing, advertised in the Pensacola News Journal on February 4, 2010, for consideration of the Petition to Vacate a portion of Park Road, Haven Park Subdivision, as petitioned by Henry E. Bateman and Judith A. Bateman; and

(Continued on Page 4)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

7. Continued...

B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule February 15, 2010 – February 19, 2010 – Legal No. 1449677*, as published in the Pensacola News Journal on February 13, 2010, as follows:

February 15		Holiday/President's Day – County Offices Closed
February 16	9:00 a.m.	Value Adjustment Board
February 16	1:30 p.m.	Environmental Enforcement Special Magistrate
February 16	3:30 p.m.	Joint City – County Meeting
February 16	4:00 p.m.	Health Facilities Authority
February 16	5:30 p.m.	Animal Services Advisory Committee
February 17	8:00 a.m.	Soil & Water Conservation Board
February 17	8:30 a.m.	Board of Adjustment
February 17	1:00 p.m.	Development Review Committee
February 18	9:00 a.m.	Agenda Work Session
February 18	9:00 a.m.	Board of Electrical Examiners
February 18	11:00 a.m.	BCC Information Technology Governance Council
February 18	4:30 p.m.	Board of County Commissioners Public Forum
February 18	5:30 p.m.	Board of County Commissioners Public Hearings & Reports
NEXT WEEK'S NOTE:		
February 23	9:30 a.m.	Environmental Enforcement Special Magistrate
February 23	2:00 p.m.	HUD 5-Year Plan Housing Needs and Escambia/ Pensacola SHIP LHAP Public Meeting

8. 5:31 p.m. Public Hearing

1738

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action regarding the Petition to Vacate a portion of Park Road, Haven Park Subdivision (40 feet x approximately 390 feet = [approximately] 15,600 square feet, or 0.36 acre), as petitioned by Henry E. Bateman and Judith A. Bateman:

- A. Approving the Petition to Vacate;
- B. Accepting the Hold/Harmless Agreement;
- C. Adopting the Resolution (R2010-21) to Vacate; and

(Continued on Page 5)

REGULAR BCC AGENDA – Continued

8. Continued...

- 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.

9. Committee of the Whole Recommendation(s)

1739

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Items A, B, C, E, and F, as follows, as recommended by the Committee of the Whole (C/W) at the February 11, 2010, C/W Workshop:

- A. Authorizing the write-off of approximately \$9 million in Emergency Medical Services bad debt (*\$4.2 million in pending [budgeted for Fiscal Year 2009-2010], plus an additional \$4.6 million in existing accounts receivable*), and refer the accounts to the collection agency (*Item 4*);
- B. Approving the scheduling and advertising of a Public Hearing for March 4, 2010, at 5:33 p.m., for consideration of adopting an Ordinance amending Chapter 74, Article II, Section 74-36, of the Escambia County Code of Ordinances, by adding Section 74-36 (18), prohibiting a person from deliberately disobeying the reasonable command of a Public Safety Official made while such person is using the beach or any structure thereon owned or operated by the Santa Rosa Island Authority (*Item 5*);
- C. Taking the following action concerning the draft Lease Agreement with Artel Gallery for lease of the area in the Old Escambia County Courthouse that was previously leased by The Arts Council of Northwest Florida, Inc. (*Item 7*):
 - (1) Approving that the termination clause will provide for 30 days' notice of termination for cause and 180 days' notice of termination for convenience; and
 - (2) Approving limiting the "non-sale of alcoholic beverages" to wine only;

(Continued on Page 6)

REGULAR BCC AGENDA – Continued

9. Continued...

- E. Approving the use of stringent rules and regulations, similar to those used by other agencies, for the administrative waiver, subject to Legal sign-off, of fees for hardship cases for the various services the Development Services Bureau provides; i.e., Rezoning(s), Variances, Conditional Uses, Development Orders, etc. (*Item 10*); and
- F. Adopting the Resolution (*R2010-22*) establishing a Policy prohibiting lobbying and related communications during the source selection process; providing sanctions for violation of said Policy; providing for an effective date (*Item 11*).

Motion made by Commissioner White, seconded by Commissioner Robertson, and carried unanimously, approving Item D, as follows, as recommended by the Committee of the Whole (C/W) at the February 11, 2010, C/W Workshop, as amended to note that the reference to "*one member from the architectural community*" is to be replaced with "*one member from the AIA (American Institute of Architects)*" and the verbiage "*three members from the engineering community*" is to be replaced with "*three members of the FES (Florida Engineering Society)*":

- D. Taking the following action concerning the Land Development Code Review and Revision Process (*Item 9*):

- (1) Approving the establishment of a 15-member working group (*board*), to consist of five members nominated by the Board of County Commissioners, one for each District, and ten members to be selected as follows:

- One member from the AIA (American Institute of Architects)
- One member from the HBA (*Home Builders Association*)
- One member from the AGC (*Associated General Contractors*)
- One member from the Pensacola Association of Realtors
- One member from the NAIOP (Commercial Development)
- One member from the environmental community
- One member from the League of Women Voters (*of the Pensacola Bay Area*)
- Three members of the FES (Florida Engineering Society)

- (2) Approving that the working group (*board*) will select the Chairman, the Chairman will establish subcommittees, and the subcommittees, as the 15-member working group (*board*), will make the final decisions after all the subcommittees report back to the working group (*board*).

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

1739

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

1. Accepting, for filing with the Board's Minutes, the following six Reports prepared by the Clerk of the Circuit Court & Comptroller's Finance Department:
 - A. Payroll Expenditures for Pay Date February 5, 2010, in the amount of \$2,162,294.63;
 - B. The following two Disbursement of Funds:
 - (1) January 28, 2010, to February 3, 2010, in the amount of \$10,175,688.58; and
 - (2) February 4, 2010, to February 10, 2010, in the amount of \$1,619,284.30;
 - C. The Investment Report for the month ended January 31, 2010;
 - D. The Tourist Development Tax Collections Data for Fiscal Year 2009-2010, which includes the December 2009 returns received in the month of January 2010; the fourth month revenue collected reflects 23.15% of the Budget for the Fiscal Year; and
 - E. Budget Comparison Reports for Fiscal Year 2009-2010, as follows:
 - (1) Summarized, by Fund, Budget to Actual Comparison as of January 31, 2010; and
 - (2) Actual Revenue and Expenditure Comparison to the prior Fiscal Year as of January 31, 2010.

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
 2. Approving *Records Disposition Document No. 426*, for disposition of Board of County Commissioners' Records, Item 32a, Minutes: Official Meetings (Transcripts: Microfilmed on Rolls 455 through 457), for the period July 7, 2009, through September 17, 2009, in accordance with State Retention Schedule GS1, since the permanent records have been scanned and/or microfilmed.
 3. Accepting, for filing with the Board's Minutes, the Escambia County Sheriff's Office Internal Audit Report, as prepared and audited by Smith, Dukes & Buckalew, L.L.P., Certified Public Accountants, along with the response from Sheriff David Morgan; as outlined in Sheriff Morgan's response, he will be implementing changes that address the various recommendations made in the Audit Report, as received in the Clerk to the Board's Office on February 4, 2010.
 4. Accepting, for filing with the Board's Minutes, the following documents provided to the Clerk to the Board's Office:
 - A. The original *Amendment to Interlocal Agreement Between Escambia County, Florida, and the Pensacola Downtown Improvement Board for the Creation of a Comprehensive Downtown Parking Strategy for Centralized and Efficient Management of Downtown Parking Facilities*, as approved by the Board on August 21, 2008, and received in the Clerk to the Board's Office on February 1, 2010; and
 - B. The following documents regarding the Escambia-Pensacola Human Relations Commission (HRC), as received in the Clerk to the Board's Office on February 2, 2010:
 - (1) *Financial Statements of Escambia-Pensacola Human Relations Commission September 30, 2009 and 2008*, as prepared and audited by Brown Thornton ♦ Pacenta & Company, P.A., Certified Public Accountants Business & Financial Consultants; and
 - (2) *Escambia-Pensacola Human Relations Commission 2008-2009 Annual Report Citizen Focused ♦ Results Oriented*, as prepared by HRC.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

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

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

A. Approving the Minutes of the Regular Board Meeting held February 4, 2010;

B. Approving the Minutes of the Executive Session held February 4, 2010; and

C. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held February 4, 2010, as follows:

1. FOR INFORMATION: The agenda package for the 5:30 p.m., February 4, 2010, Regular Board Meeting was reviewed as follows:

A. Shirley L. Gafford, Program Coordinator, County Administrator's Office, and County Attorney Rogers reviewed the agenda cover sheet;

B. Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services, reviewed the Clerk's Report;

C. T. Lloyd Kerr, Bureau Chief, Development Services Bureau, reviewed the Growth Management Report;

D. Shirley L. Gafford, Program Coordinator, County Administrator's Office; Wesley J. "Wes" Moreno, Deputy Bureau Chief, Public Works Bureau; Amy Lovoy, Bureau Chief, Management and Budget Services Bureau; and Sandra P. Jennings, Bureau Chief, Neighborhoods and Community Services Bureau; reviewed the County Administrator's Report; and

E. County Attorney Rogers reviewed the County Attorney's Report, with comments from Ron Sorrells, Human Resources Manager, regarding Item I-3.

(Continued on Page 10)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
5. Continued...
- C. Report of the February 4, 2010, Agenda Work Session – Continued
 2. FOR INFORMATION: The following non-agenda issues were discussed:
 - A. Proposals from Artel (Gallery) and Mr. Bear (*Arts, Culture & Entertainment, Inc.*) regarding tenancy of the First Floor of the Old County Courthouse and assumption of responsibility for the artwork and Information Center; and
 - B. Issues that have arisen concerning staff's ability to verify employment records related to EDATEs (*Economic Development Ad Valorem Tax Exemption*) with Navy Federal (*Credit Union*), with Commissioner Robertson advising that he would need to disclose, during any discussion regarding Navy Federal, that his company has done work from Phase 1 to Phases 2 and 3.

COUNTY ADMINISTRATOR'S REPORT – Larry M. Newsom, Interim County Administrator

- I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA
- 1-7. Approval of Various Consent Agenda Items

1739

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

1. Approving the *Special Event Permit Application* for a limited waiver of the noise restrictions, imposed by the Escambia County Noise Abatement Ordinance, in conjunction with the outdoor charity event for the Haiti Earthquake Relief Effort, sponsored by the Pensacola Studio, to be held Sunday, April 18, 2010, from 12:00 p.m. to 8:00 p.m., at 6229 North 9th Avenue (corner of 9th and Langley Avenues).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

- I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued
- 1-7. Approval of Various Consent Agenda Items – Continued
 2. Taking the following action concerning an Equestrian Center Volunteer Ombudsman position for the Neighborhoods and Community Services Bureau, Neighborhood Redevelopment Branch, Parks Programs Division:
 - A. Approving the position of an Equestrian Center Volunteer Ombudsman, created by the Board on January 21, 2010, to serve in an advisory capacity to the Parks Programs Division on issues related to the Equestrian Center;
 - B. Authorizing selection of the first Equestrian Center Volunteer Ombudsman by a majority vote of the Board from candidates selected by each Commissioner; and
 - C. Establishing a term of two years for the Volunteer Ombudsman position.
 3. Authorizing the scheduling (*and advertising*) of a Public Hearing for March 4, 2010, at 5:31 p.m., for consideration of the renewal of a Permit to Construct, Operate, Modify or Close a Construction and Demolition Debris or Land Clearing Disposal Management Facility for Longleaf C&D Disposal Facility, owned by Waste Management, Inc.
 4. Authorizing the scheduling (*and advertising*) of a Public Hearing for March 18, 2010, at 5:31 p.m., to consider the proposed vacation of a portion of Hayne Street, North Pensacola Unit Four Subdivision (approximately 17,189 square feet, or 0.39 acre), on the Board's own Motion.
 5. Appointing Ms. Frances Yeo to the West Florida Public Library Board of Trustees for a four-year term, effective February 18, 2010, through February 17, 2014, replacing Mr. Phillip White, who resigned.
 6. See Page 12.
 7. Confirming the appointment of Jennifer J. Rigby, replacing David W. Fitzpatrick, as Commissioner Kevin W. White's appointee to the Escambia County Board of Adjustment, effective February 18, 2010; this appointment will run concurrent with Commissioner White's term of office or at his discretion.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

6. Scheduling of a Public Hearing

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried 4-0, with Commissioner Robertson abstaining (*and filing Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), authorizing the scheduling (*and advertising*) of a Public Hearing for Thursday, March 4, 2010, at 5:32 p.m., to adopt an Ordinance establishing an Economic Development Ad Valorem Tax Exemption for Navy Federal Credit Union for Phase III of their overall campus expansion.

II. BUDGET/FINANCE CONSENT AGENDA

1-24. Approval of Various Consent Agenda Items

1741

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, approving Consent Agenda Items 1 through 24, as follows, as amended to drop Items 2 and 15 (*Item 25 was held for a separate vote*):

1. Taking the following action concerning the reduction of the minimum bid required for the sale of real property located at 2008 North "S" Street due to the Property Appraiser's reassessed value:
 - A. Authorizing the sale of the Board's surplus real property, Account Number 06-1410-000, Reference Number 17-2S-30-1300-002-044, acquired by governmental foreclosure, to the bidder with the highest offer above the minimum bid of \$3,681, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and
 - B. Authorizing the Chairman to sign all documents related to the sale.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-24. Approval of Various Consent Agenda Items – Continued

2. Dropping, to allow staff to address a 2007 bid/deposit issue that has not been resolved, the recommendation that the Board take the following action concerning the reduction of the minimum bid required for the sale of real property located at 7940 Hayworth Avenue due to the Property Appraiser's reassessed value:

A. Authorize the sale of the Board's surplus real property, Account Number 03-0127-500, Reference Number 22-1S-30-2401-040-005, acquired by governmental foreclosure, to the bidder with the highest offer above the minimum bid of \$5,130, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and

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

3. Taking the following action concerning the surplus and sale of real property located at 1211 Border Street:

A. Declaring surplus the Board's real property, Account Number 07-0661-000, Reference Number 34-2S-30-0460-012-046;

B. Authorizing the sale of the property to the bidder with the highest offer received above the minimum bid of \$3,107, without further action of the Board; and

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

4. Taking the following action concerning the surplus and sale of real property located at 1728 Blakely Avenue:

A. Declaring surplus the Board's real property, Account Number 10-0350-000, Reference Number 35-2S-31-1000-011-047;

B. Authorizing the sale of the property to the bidder with the highest offer received above the minimum bid of \$9,262, without further action of the Board; and

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

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-24. Approval of Various Consent Agenda Items – Continued

5. Taking the following action concerning the surplus and sale of real property located at 1732 Bainbridge Avenue:

A. Declaring surplus the Board's real property, Account Number 10-0299-000, Reference Number 35-2S-31-1000-011-040;

B. Authorizing the sale of the property to the bidder with the highest offer received above the minimum bid of \$12,350, without further action of the Board; and

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

6. Taking the following action concerning the surplus and sale of real property located at 3709 West Mallory Street:

A. Declaring surplus the Board's real property, Account Number 06-3714-000, Reference Number 33-2S-30-1300-100-017;

B. Authorizing the sale of the property to the bidder with the highest offer received above the minimum bid of \$6,270, without further action of the Board; and

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

7. Approving Budget Amendment Request Number 113, General Fund (001), in the amount of \$227,349, to recognize a transfer from Reserves to cover the (*former*) County Administrator's final payout.

8. Adopting the Resolution (*R2010-23*) approving Supplemental Budget Amendment Number 117, Other Grants and Projects Fund (110) and General Fund (001), to recognize a transfer of funds, in the amount of \$5,206, from the Supervisor of Elections Budget to the Federal Elections Activity Grant, and to appropriate these funds for elections activities in Escambia County.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-24. Approval of Various Consent Agenda Items – Continued

9. Adopting the Resolution (*R2010-24*) approving Supplemental Budget Amendment Number 118, Other Grants and Projects Fund (110), in the amount of \$10,894, to recognize interest proceeds from the Supervisor of Elections Grants and to appropriate these funds for elections activities in Escambia County.
10. Taking the following action concerning an additional premium required as a result of the Workers' Compensation audit (Funding Source: Fund 501 (Internal Service), Cost Center 140834, Object Code 54501):
 - A. Approving the payment to Florida Municipal Insurance Trust, in the amount of \$102,594, for the additional premium for audit period October 1, 2008, through September 30, 2009; and
 - B. Authorizing the issuance of a Purchase Order, in the amount of \$102,594.
11. Authorizing the County to piggyback off the General Services Administration Contract #GS-35F-0628S, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, and awarding a Purchase Order to KMS Business Products, Inc., in an amount not to exceed \$257,500, for the purchase of a telephone system for the Escambia County Central Office Complex (Funding: Fund 351, Local Option Sales Tax II, Cost Center 110261, Project Number 05AD0029, One Stop Building, Object Code 56201).
12. Amending the Board's action taken at the October 1, 2009, Board Meeting, concerning the Professional Services as Governed by Florida Statute 287.055, PD 02-03.79 (A&E Services), to correct the language from "Award Task Orders based on Continuing Contracts" to "Award Task Order-based Continuing Contracts," due to a scrivener's error.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-24. Approval of Various Consent Agenda Items – Continued

13. Taking the following action concerning PD 09-10.010, Consulting Engineering Services for Greenbrier Boulevard Extension (Funding: Fund 352, Local Option Sales Tax III, Account 210104, Object Code 56301, Project No. 09EN0315):

A. Approving the following Selection/Negotiation Committee Ranking:

- (1) Post, Buckley, Schuh & Jernigan, Inc.
- (2) Fabre Engineering & Surveying
- (3) jehle-halstead, inc.

B. Awarding a Task Order Contract for PD 09-10.010, Consulting Engineering Services for Greenbrier Boulevard Extension, per the terms and conditions of PD 02-03.079, Professional Services as Governed by Florida Statute 287.055, to Post, Buckley, Schuh & Jernigan, Inc., for a lump sum amount of \$279,639, Phase I Preliminary Engineering, and allowances of \$238,000 for a total of \$517,639.

14. Taking the following action concerning the renewal of a Lease Agreement between Escambia County, Florida, and Daniel W. Bailey (as Personal Representative of the Estate of Winston Claude Bailey), to operate and maintain a groundwater contamination remediation system located on Mr. Bailey's property, south of the Perdido Landfill, for the purpose of recovery and treatment of contaminated groundwater from the unlined sections of Perdido Landfill (funds available in Solid Waste Fund 401, Cost Center 220602):

A. Approving the Lease Agreement, at a cost of \$17,570, for a twelve-month period, beginning February 1, 2010, and ending January 31, 2011; and

B. Authorizing the Chairman to sign the Lease Agreement.

15. Dropping the recommendation that the Board adopt the Pensacola Bay Fishing Bridge Fee Schedule, effective March 1, 2010 (Funding: Fund 110, Marine Resources, Cost Center 220807).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-24. Approval of Various Consent Agenda Items – Continued

16. Authorizing the issuance of Individual or Blanket Purchase Orders, per PD 07-08.134, General Paving, Drainage and Resurfacing Pricing Agreement, in accordance with Chapter 46 of the Escambia County Code of Ordinances, to the following list of contractors, in Fiscal Year 2009-2010, to be issued for the Neighborhoods and Community Services Bureau, Solid Waste Management Division, not to exceed \$1,500,000 in total (Funding: Fund 401, Solid Waste, Cost Centers 220602, 220603, 220604, 220605, 220608, 220612, and 220613):

APAC-Southeast, Inc.
Gulf Atlantic Constructors, Inc.
Panhandle Grading & Paving, Inc.
Pensacola Concrete Construction Co.
Roads, Inc., of NWF
Starfish, Inc., of Alabama
Utility Service Co., Inc.

17. Taking the following action concerning the Modification to the Research Agreement between Escambia County and the University of Florida Board of Trustees to assess and address issues associated with elevated iron concentrations at the County-owned-and-operated Klondike Landfill (Fund 401, Solid Waste, Cost Center 220608):
- A. Approving the *Modification to the Research Agreement, Sponsorship Agreement ID: Escambia 001-2007* for \$140,000, for twelve months, with an option to renew annually;
 - B. Authorizing the Chairman to sign the Agreement; and
 - C. Approving the issuance of a Purchase Order, in the amount of \$140,000, to the University of Florida Board of Trustees.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-24. Approval of Various Consent Agenda Items – Continued

18. Taking the following action concerning acquisition, closure, and remediation of the abandoned Saufley C&DD (*Construction & Demolition Debris*) Landfill (Funding Source: Fund 401, Solid Waste; Cost Center 220613, Saufley Landfill):
- A. Authorizing the Chairman to accept and execute the *Quitclaim Deed* to the Saufley Landfill from Louisiana Investment Group, LLC, after the expiration of ten days from the date of the disclosure required by Section 286.23, Florida Statutes (i.e., March 1, 2010);
 - B. Authorizing payment of documentary stamps because the property is being acquired for governmental use, which is to properly close the Saufley C&DD Landfill and install an exposed 60-mil Thermoplastic PolyOlefin (TPO) cover with photovoltaic laminate (PVL) solar panels for the generation of electrical power, and the public benefits from the acquisition because closure of the Landfill removes a serious threat to the health and welfare of the citizens of Escambia County;
 - C. Authorizing the payment of incidental expenditures associated with the acquisition of the property; and
 - D. Approving, upon recording of the deed, the payment of, in the negotiated amounts, the following liens:
 - (1) Thompson Tractor Co., Inc. (Thompson) – \$107,254.16 (original principal amount of lien, \$214,508.33);
 - (2) Deep South Crane Rentals, Inc. (Deep South) – \$3,661.91 (original principal amount of liens, \$7,323.82); and
 - (3) Hertz Equipment Rental Corporation (Hertz) – \$643.62 (original principal amount of lien, \$522.38).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-24. Approval of Various Consent Agenda Items – Continued

19. Taking the following action concerning the 2009 Community Development Block Grant (CDBG) Fire Protection Improvements Project (Funding: Fund 129/2009 CDBG, Cost Center 220410):
 - A. Approving the *Interlocal Agreement* with Emerald Coast Utilities Authority, in the amount of \$175,000, providing for the Fire Protection Improvements Project (2009), including installation of fire hydrants and associated water main upgrades primarily within Census Tracts 28.01 and 29; and
 - B. Authorizing the Chairman or Vice Chairman to execute the Agreement and all related documents as required to implement the Project.

20. Taking the following action concerning approval of *Amendment #1 to the Agreement between Escambia County Board of County Commissioners and Mervyn Leroy Simmons for the Management of the Lake Stone Campground Facility* (Funding Source: General Fund 001, Cost Center 220804, Lake Stone):
 - A. Approving Amendment #1 to the Agreement between the Escambia County Board of County Commissioners and Mervyn Leroy Simmons, extending the term of the Agreement for (a) one year period ending on February 10, 2011, as provided in Paragraph 5 of the original Agreement; and
 - B. Authorizing the Interim County Administrator to sign the Amendment.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-24. Approval of Various Consent Agenda Items – Continued

21. Taking the following action concerning the Myrtle Grove Elderly Apartments Rental Development Agreement with AMR at Pensacola, Inc., as authorized on November 5, 2009 (Funding: Fund 120/HHRP, Cost Center 220426; Fund 147/HOME, Cost Center 220501):
 - A. Approving a *Rental Development Completion Agreement* with AMR at Pensacola, Inc., a local non-profit, formally committing \$367,500 in combined Hurricane Housing Recovery Program (HHRP) and HOME (*Investment Partnerships*) Program (HOME) funds to complete development of the Myrtle Grove Elderly Apartments, specifically requiring completion of a minimum of six duplexes (12 units of affordable housing) on property located at 1426 61st Avenue, Pensacola, Florida (Property Reference Number: 352S303100001003 / Property Account Number: 07268000), in accordance with the long-term occupancy requirements of the HHRP and HOME Programs; and
 - B. Authorizing the Chairman or Interim County Administrator, as appropriate, to execute the Agreement and all related documents as required to implement the authorized actions and fully-complete the project.
22. Authorizing a waiver of the frozen position list and allow the Public Safety Bureau to advertise (*for*) and hire budgeted Senior Office Support Assistant positions as they become vacated in the Emergency Medical Services (EMS) Billing Office (Funding Source: Fund 408, Emergency Medical Service, Cost Center 330304, EMS Training & Quality Assurance).
23. Taking the following action concerning the Motorola Service Agreement, Order #S0000101, for maintenance of the County's E-911 system equipment and software, in the amount of \$101,491.25, for the period March 1, through September 30, 2010 (Funding Source: Fund 145, E-911 Operations Fund, Cost Center 330404, E-911 Communications, Account Code 54601, Repair & Maintenance):
 - A. Approving, and authorizing the Interim County Administrator to sign, the *Service Agreement*; and
 - B. Authorizing issuance of a Purchase Order, in the amount of \$101,491.25, to Motorola for this purpose.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-24. Approval of Various Consent Agenda Items – Continued

24. Taking the following action regarding the purchase of a parcel of property owned by Charles E. Burnham and Mary Burnham, consisting of approximately 3.16 acres, located off Fenceline Road, for the Area "A" Density Reduction Project (Funding Source: Fund 110, Other Grants and Projects – Density Reduction PNS-NAS, Account 221006/56101):

- A. Authorizing the purchase of one parcel of property from Charles E. Burnham and Mary Burnham (*[Property Reference Number]* 03-3S-31-2004-004-001), for the appraised value of \$117,000, in accordance with the terms and conditions contained in the *Contract for Sale and Purchase*;
- B. Authorizing the payment of documentary stamps because the property is being purchased for governmental use to control development and promote the long-term viability of Pensacola Naval Air Station, and will enhance the public safety and general welfare of the citizens of Escambia County; and
- C. Authorizing the County Attorney to prepare, and the Chairman or Vice Chairman to execute, any documents necessary to complete the purchase, without further action from the Board.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

25. Acquisition of Property

1742

Motion made by Commissioner Robertson, seconded by Commissioner Valentino, and carried 3-2, with Commissioner White and Commissioner Robinson voting "no," taking the following action regarding the acquisition of two parcels of real property from Gregory and Linda English for a Boat Ramp Project on Perdido River at Mobile Highway (Funding Source: Fund 352, Local Option Sales Tax III, Account 220102/56101, Project 08NE0018, "Boat Ramps"):

- A. Authorizing staff to make an offer to Gregory and Linda English to purchase two parcels of property (Parcel 4 = 1.68 acres / Parcel 5 = 2.63 acres / [for a] total of 4.31 acres), for \$888,500, which is the average of (the) two appraisals; and
- B. Authorizing the County Attorney to prepare, and the Chairman or Vice Chairman to execute, any documents necessary to complete the acquisition of the properties.

Speaker(s):

Gregory English

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1-3. Approval of Various For Action Items

1809

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving For Action Items 1 through 3, as follows:

- 1. Approving termination of the Agreement for foreclosure services with Joyner & Jordan-Holmes, PLC (now known as Stiles, Taylor & Grace, P.A.), subject, in the discretion of the County Attorney, to satisfactory resolution of any outstanding foreclosure litigation.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

1-3. Approval of Various For Action Items – Continued

2. Taking the following action concerning approval of (*various*) Fiscal Year 2009-2010 Miscellaneous Appropriations Agreements:

A. Finding that said expenditures of County tax monies serve an essential public purpose as established by law; and

B. Approving the following Miscellaneous Appropriations Agreements to be paid from the 4th Cent Tourist Development Tax Fund 108, Cost Center 360105:

(1) Artel, Inc.	\$ 124
(2) Ballet Pensacola, Inc.	\$ 219
(3) The Choral Society of Pensacola, Inc.	\$ 154
(4) Jazz Society of Pensacola, Inc.	\$ 121
(5) Pensacola Children's Chorus Inc.	\$3,358
(6) Pensacola Little Theatre, Inc.	\$7,348
(7) Pensacola Museum of Art, Inc.	\$3,080
(8) Perdido Bay Tribe of Southeastern Lower Muscogee Creek Indians, Inc.	\$ 170
(9) Pensacola Opera, Inc.	\$6,434
(10) The Pensacola Symphony Orchestra Guild, Inc.	\$3,887
(11) Society for the Preservation and Encouragement of Barbershop Quartet Singing in America, Inc., Pensacola Chapter	\$ 105

C. Authorizing the Chairman to sign the Agreements and all other necessary documents; and

D. Authorizing the execution of the necessary Purchase Orders.

3. Taking the following action concerning the lease of County-owned space at the Old County Courthouse, located at 223 Palafox Place, Pensacola, Florida, to Artel, Inc.:

A. Adopting a Resolution (*R2010-25*) approving the lease of the First Floor of the Old County Courthouse, 223 Palafox Place, with Artel, Inc., under the terms and conditions contained in the *Lease Agreement*; and

B. Authorizing the Chairman to execute the *Lease Agreement*, Resolution, and all other documents necessary to complete this transaction.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

ITEMS ADDED TO THE AGENDA – COMMISSIONER GENE M. VALENTINO

1. Wet and Wild Festival

1810

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, taking the following action concerning the "Celebrate Escambia County Waterways" Wet and Wild Festival:

- A. Adopting a Resolution (*R2010-26*) expressing support for, and requesting, an annual two-day waiver of Park entrance fees for the first weekend of May for all entrants to Big Lagoon State Park and the portion of Gulf Islands National Seashore known as Rosamond Johnson Beach; and
- B. Authorizing the Chairman to sign the Resolution.

ANNOUNCEMENTS – None.

ADJOURNMENT

1811

There being no further business to come before the Board, Chairman Robinson declared the Regular Meeting of the Board of County Commissioners adjourned at 6:11 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: March 4, 2010