

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD MAY 20, 2010
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(4:29 p.m. – 6:16 p.m.)

Present: Commissioner Grover C. Robinson, IV, Chairman, District 4
Commissioner Kevin W. White, Vice Chairman, District 5 (Regular Meeting Only)
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 and 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 4:29 p.m.

1. FOR INFORMATION: The Board heard the request from Randy Russell that, due to personal financial hardship, the Board consider waiving the fee for a Vested Rights Hearing scheduled for May 27, 2010, and heard the request from Commissioner Robinson, with consensus from the Board, that staff obtain the necessary information/documentation from Mr. Russell so a determination can be made at the next Board Meeting. 1629
2. FOR INFORMATION: The Board heard comments from Zane Bentley regarding Crosslinked Polyacrylamide, a material which, in his opinion, could possibly be used in a bio remediation plan should the oil (*from the Deepwater Horizon Oil Spill*) reach Florida waters. 1638
3. FOR INFORMATION: The Board heard the request from Barbara Mayall that the Board postpone approving the proposed Escambia County Area Transit (ECAT) Route changes, which are being considered at the 5:32 p.m. Public Hearing, in order to allow for more public input regarding the "Pine Forest School/West Florida High School of Advanced Technology/George Stone Route." 1641

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

PUBLIC FORUM WORK SESSION – Continued

4. FOR INFORMATION: The Board heard comments from L. Gary Sansing concerning the Deepwater Horizon Oil Spill, rapid transportation, global warming, and pension plans offered by the City of Pensacola, and heard Mr. Sansing's request that the Board recognize students at Pensacola High School for their academic achievements.

1644

4:50 P.M. – PUBLIC FORUM ADJOURNED

5:31 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 5:31 p.m.

2. Invocation

Chairman Robinson advised that Reverend Dan Livingston, Hearts of Love Ministry, 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 unanimously, adopting the agenda as prepared and duly amended (*to include Addendum #1 to the County Attorney's Report [Item I-4]*).

REGULAR BCC AGENDA – Continued

5. Commissioners' Forum

1735

- A. District 3 – Commissioner Young advised that she attended a conference during the past week for the Community Action (*Program*) Committee;
- B. District 2 – Commissioner Valentino advised that his mother-in-law passed away four days ago, and expressed his appreciation for the condolences and support offered by the Board, staff, and administration;
- C. District 1 – Commissioner Robertson advised that the (*sewage sludge*) problem in the Pine Forest Road area has been fully resolved, and expressed his appreciation to staff for all they have done regarding the situation; and
- D. District 4 – Commissioner Robinson expressed his appreciation to all staff who have been working on the oil spill situation (*Deepwater Horizon Oil Spill*) and advised that the water quality will need to be monitored continuously.

6. Proclamations

1737

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

- A. Adopting the following two Proclamations:
 - (1) The Proclamation proclaiming the month of June as "National Safety Month" in Escambia County; and
 - (2) The Proclamation commending and congratulating the J.M. Tate High School Mock Trial Team for attaining the standards of excellence necessary to become the 2010 Florida Mock Trial State Champions; and

(Continued on Page 4)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

6. Continued...

B. Adopting the following two Proclamations:

- (1) The Proclamation commending and congratulating Joseph A. DeStefano, Engineering Technician, Neighborhoods and Community Services Bureau, on his retirement after 31 years of service; and
- (2) The Proclamation commending and congratulating Francis H. Thompson, Equipment Operator II, Public Works Bureau, on his retirement after nine years of service.

Presentation – Pin and certificate recognizing Linda L. Smithson, Senior Office Support Assistant, Solid Waste Management Division, Neighborhoods and Community Services Bureau, for her 30 years of dedicated service to Escambia County.

Speaker(s):

Amanda Brown
Collin Metcalf
Dylan Lunsford
Allison Bailey
Jacob Sander

7. Code Enforcement Lien – 13081 Rosirito Place

1753

Motion made by Commissioner Robertson, seconded by Commissioner White, and carried unanimously, approving to accept \$1,100 in hard costs, in exchange for a release of the Code Enforcement Lien against the property of Joe and Mary Ann Bommarito, located at 13081 Rosirito Place, relative to the May 5, 2010, communication from Mary Ann Bommarito and Joe Bommarito requesting that the Board release a Code Enforcement Lien against property located at 13081 Rosirito Place.

REGULAR BCC AGENDA – Continued

8. Proof of Publication

1754

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 following three Public Hearings on the agenda:

- (1) The 5:31 p.m. Public Hearing, advertised in The Escambia Sun-Press, Inc., on May 6, 2010, for consideration of Petition to Vacate an unnamed lane in Perdido Heights Subdivision, Block "A," as petitioned by Betty C. Fayard, as Trustee of the John D. Fayard Revocable Trust;
- (2) The 5:32 p.m. Public Hearing, advertised in the Pensacola News Journal on April 24 and 25, 2010, for consideration of proposed service route modifications for ECAT; and
- (3) The 5:33 p.m. Public Hearing, advertised in the Pensacola News Journal on May 8, 2010, for consideration of adopting a Lien Priority Ordinance; and

(Continued on Page 6)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

8. Continued...

B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule May 17, 2010 – May 21, 2010 – Legal No. 1464886*, as published in the Pensacola News Journal on May 15, 2010, as follows:

May 17	9:00 a.m.	Special County Investment Advisory Committee Meeting
May 18	1:30 p.m.	Environmental Enforcement Special Magistrate
May 18	4:00 p.m.	Health Facilities Authority
May 18	5:30 p.m.	Animal Services Advisory Committee
May 19	8:00 a.m.	Soil & Water Conservation Board
May 19	9:00 a.m.	Tourism Administration & Convention Committee
May 19	10:30 a.m.	Northwest Florida Regional TPO Technical Working Group
May 19	1:00 p.m.	Development Review Committee
May 19	1:30 p.m.	NW Florida Regional Transportation Planning Organization
May 20	9:00 a.m.	Agenda Work Session
May 20	9:00 a.m.	Board of Electrical Examiners
May 20	11:00 a.m.	BCC Information Technology Governance Council
May 20	11:00 a.m.	Workforce Escarosa Executive Committee
May 20	11:30 a.m.	Workforce Escarosa Board of Directors
May 20	4:20 p.m.	Community Redevelopment Agency
May 20	4:30 p.m.	Board of County Commissioners Public Forum
May 20	5:30 p.m.	Board of County Commissioners Public Hearings & Reports
May 21	9:00 a.m.	Land Development Code Advisory Committee
May 21	10:00 a.m.	Pensacola Escambia Promotion & Development Commission Strategy Committee

NEXT WEEK'S NOTE:

May 25	1:00 p.m.	Benefits Committee Meeting
May 25	1:30 p.m.	Environmental Enforcement Special Magistrate

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

9. 5:31 p.m. Public Hearing

1754

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action regarding the Petition to Vacate an unnamed lane in Perdido Heights Subdivision, Block "A" (16 feet x approximately 568.50 feet = 9,096 square feet, or 0.21 acre), as petitioned by Betty C. Fayard, as Trustee of the John D. Fayard Revocable Trust:

- A. Approving the Petition to Vacate;
- B. Accepting the Hold/Harmless Agreement;
- C. Adopting the Resolution (*R2010-86*) 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. 5:32 p.m. Public Hearing

1755

Motion made by Commissioner White, seconded by Commissioner Young, and carried 4-1, with Commissioner Robinson voting "no," taking the following action concerning the Escambia County Area Transit (ECAT) proposed service route modifications:

- A. Ratifying the scheduling and advertisement of a Public Hearing for 5:32 p.m. on May 20, 2010, for the purpose of receiving comments from the general public concerning the proposed ECAT service route modifications, proposed with the intent of enhancing safety, on-time performance, route connectivity, and operating efficiency; and
- B. Approving the recommended schedule and service modifications.

Speaker(s):

Barbara Mayall
Sherri F. Myers

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

11. 5:33 p.m. Public Hearing

1807

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting an Ordinance (*Number 2010-13*) amending Chapter 30 (*Article II, Section 30-37, and Chapter 42, Article V, Section 42-164*) of the Escambia County Code of Ordinances, which gives Code Enforcement liens the same priority as ad valorem tax liens and other liens based on unpaid taxes.

Speaker(s) – None.

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

I. CONSENT AGENDA

1-5. Approval of Various Consent Agenda Items

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

1808

1. Accepting, for filing with the Board's Minutes, the following seven Reports prepared by the Clerk of the Circuit Court & Comptroller's Finance Department:
 - A. Payroll Expenditures for Pay Date May 14, 2010, in the amount of \$2,151,324.72;
 - B. The following two Disbursement of Funds:
 - (1) April 29, 2010, to May 5, 2010, in the amount of \$17,153,275.72; and
 - (2) May 6, 2010, to May 12, 2010, in the amount of \$3,308,101.09;
 - C. The following two Budget Comparison Reports for (seven months, or 58% of) Fiscal Year 2009-2010:
 - (1) Summarized, by fund, Budget to Actual Comparison as of April 30, 2010; and
 - (2) Actual Revenue and Expenditure Comparison to the prior Fiscal Year as of April 30, 2010;

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
 1. Continued...
 - D. The Investment Report for the month ended April 30, 2010; and
 - E. The Tourist Development Tax Collections Data for Fiscal Year 2009-2010, which includes the March 2010 returns received in the month of April 2010; the seven months revenue collected reflects 41% of the Budget for the Fiscal Year.
 2. Adopting the Resolution (*R2010-87*) authorizing the write-off of \$789,120.87 in receivables that have been recorded in the Emergency Medical Services (EMS) Fund of the County and have been determined to be uncollectible bad debts.
 3. Ratifying the Chairman's May 10, 2010, adoption and execution of Resolution R2010-84, *Declaration of State of Local Emergency*, effective for seven (7) days beginning at 2:00 p.m. May 14, 2010, through 1:59 p.m. May 21, 2010, pursuant to Section 252.38(3)(a)5, Florida Statutes.
 4. Accepting, for filing with the Board's Minutes, the following documents received in the Clerk to the Board's Office:
 - A. Digital transcripts for the following two bond issues, as provided by McGuire Wood, LLP, through Lott & Associates, P.L., Bond Counsel:
 - (1) The \$8,000,000 Escambia County, Florida, Environmental Improvement Revenue Bonds (International Paper Company Project) 2009 Series A, as approved by the Board on January 22, 2009; and
 - (2) The \$10,000,000 Escambia County, Florida, Environmental Improvement Revenue Bonds (International Paper Company Project) 2009 Series "B," as approved by the Board on May 7, 2009;

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
 4. Continued...
 - B. Closing documents concerning the sale (to James A. Steadham) of the Board's real property located at 242 Madrid Road, as authorized by the Board on August 6, 2009;
 - C. The following three Lien Agreements:
 - (1) The Residential Rehab Grant Program Lien Agreement with James Berry, as approved by the Board on July 23, 2009;
 - (2) The Residential Rehab Grant Program Lien Agreement with Steven M. Adamson and Jacqueline G. Adamson, as approved by the Board on September 17, 2009; and
 - (3) The Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreement with Lakeview Center, Inc., as approved by the Board on December 10, 2009; and
 - D. A copy of the Escambia County Health Facilities Authority, Pensacola, Florida, Financial Statements, September 30, 2009 and 2008, as provided by Paula G. Drummond, Executive Director/Counsel.
 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 May 6, 2010; and
 - B. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held May 6, 2010.

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

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-7. Approval of Various Consent Agenda Items

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, as amended to approve two Requests for Disposition of Property in Item 4:

1808

1. Accepting, for filing with the Board's Minutes, the April 22, 2010, Community Redevelopment Agency (CRA) Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA.
2. Taking the following action concerning the District 4 appointee to the Escambia County Mass Transit Advisory Committee:
 - A. Confirming the appointment of Martin Horwit as the District 4 representative to the Escambia County Mass Transit Advisory Committee, replacing Richard G. Hahner, who resigned, with the term of the appointment to be effective May 20, 2010, and run concurrent with the term of Commissioner Grover C. Robinson, IV; and
 - B. Requesting the County Administrator's Office to provide a letter of appreciation to Richard G. Hahner for his service.
3. Approving two *Requests for Disposition of Property*, indicating that the computers listed are no longer of use to the Board of County Commissioners and are to be disposed of at Solid Waste Electronic Recycling.
4. Approving two *Requests for Disposition of Property, (for property)* which is described and listed on the Request, with the reason for the disposition stated; the items are to be auctioned as surplus or properly disposed of.
5. Approving the *Request for Disposition of Property, (for property which is)* to be properly disposed of, as described and listed on the Disposition form, with Bureau and reason stated.

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

6. See below.

7. Ratifying out-of-County travel for Commissioner Grover C. Robinson, IV, who attended meetings concerning the Deepwater Horizon Oil Spill in Washington, D.C., on May 11-14, 2010, with members of the Northwest Florida Defense Coalition/Deepwater Horizon Oil Spill.

6. Naming of a County Building

Motion made by Commissioner White, seconded by Commissioner Young, and carried 4-1, with Commissioner Valentino voting "no," approving to name the new County building, located at 3363 West Park Place, Pensacola, Florida 32505, which will house various County Bureaus, the "Escambia County Central Office Complex."

For Information: The Board heard the suggestion from Commissioner Valentino that the new County building be named the "Escambia Solution Services Center."

II. BUDGET/FINANCE CONSENT AGENDA

1-30. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Robertson, and carried unanimously, approving Consent Agenda Items 1 through 30, as follows, with the exception of Items 6 and 26, which were held for separate votes:

1813

1. Adopting the Resolution (*R2010-88*) approving Supplemental Budget Amendment Number 198, Other Grants and Projects Fund (110), in the amount of \$1,940, to recognize Grant funds from the International Paper Foundation and to appropriate these funds for the 2011 Arbor Day Event.
2. Adopting the Resolution (*R2010-89*) approving Supplemental Budget Amendment Number 203, Other Grants and Projects Fund (110), in the amount of \$48,466, to recognize grant funds from the Florida Fish and Wildlife Conservation Commission and to appropriate these funds for the monitoring of PCB (polychlorinated biphenyl) levels around the Oriskany Reef site in the Gulf of Mexico.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-30. Approval of Various Consent Agenda Items – Continued

3. Adopting the Resolution (*R2010-90*) approving Supplemental Budget Amendment Number 204, HOME (Home Investment Partnership Program) (Fund 147), in the amount of \$46,666, to recognize unbudgeted prior year HOME funds and HOME Program Income earned in Fund 147 and appropriate for use in furthering HOME eligible affordable housing activities, and appropriate these funds for the HOME Program.
4. Adopting the Resolution (*R2010-91*) approving Supplemental Budget Amendment Number 205, Local Option Sales Tax Fund (352), in the amount of \$100,313, to recognize reimbursement from Emerald Coast Utilities Authority and to appropriate these funds for one-half of the waterline relocation costs in the County Road 297A and Kingsfield Road Widening and Drainage Project.
5. Awarding an Indefinite Quantity, Indefinite Delivery Contract, PD 09-10.037, Barrineau Park Road Widening & Resurfacing, to Roads, Inc., of NWF, for a total amount of \$1,193,868.75 (Funding: Fund 351, Local Option Sales Tax [LOST] II, Cost Center 210105, Object Code 56301, Project Number 09EN0535, *[in the amount of]* \$749,865.00; Fund 352, LOST III, Cost Center 210107, Object Code 56301, Project Number 10EN0695, *[in the amount of]* \$444,003.75).
6. See Page 23.
7. Awarding a Lump Sum Contract, PD 09-10.046, Escambia County Road Department Wellness Center, to Mattair Construction Co., Inc., for a total amount of \$81,700 (Funding: Fund 501, Internal Services, Cost Center 140614, Object Code 56201).
8. Approving an Agreement between Escambia County Florida and Janet Lander, Attorney at Law, P.A., to provide services as Magistrate for Code Enforcement, PD 09-10.042 (Funding: Fund 103, Code Enforcement, Cost Center 290101, Object Code 53101).
9. Approving the renewal of PD 06-07.096, to First Florida Insurance Brokers, to provide property insurance, for an amount not to exceed \$2,036,145, for the period of June 1, 2010, through June 1, 2011 (Funding: Fund 501, Internal Service, Cost Center 140835, Object Code 54501).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-30. Approval of Various Consent Agenda Items – Continued

10. Awarding an Indefinite Quantity, Indefinite Delivery Contract, PD 09-10.038, Scott-Camelford Group Resurfacing, Base Bid plus Alternates 1 and 2, to APAC Mid-South, Inc., for a total amount of \$1,209,948.15 (Funding: Fund 351, Local Option Sales Tax [LOST] II, Cost Center 210105, Object Code 56301, Project Number 05EN0808, *[in the amount of]* \$368,554.19; Fund 352, LOST III, Cost Center 210107, Object Code 56301, Project Number 08EN0208, *[in the amount of]* \$841,393.96).
11. Amending the Board's action taken on April 22, 2010, concerning PD 09-10.023, Sheriff's Video Visitation and Training Facility, to award the Contract to Clemons Rutherford and Associates, in the amount of \$170,398 (*and to correct the Funding Source and Project Number*), due to a scrivener's error; the April 22, 2010, recommendation did not state the name of the firm to be awarded the Contract (Funding: Fund 352, Local Option Sales Tax III, Cost Center 540115, Object Code 56201, Project Number 10SH0663).
12. Taking the following action concerning a Task Order Award for architectural services for the Ensley Fire Station renovation (Funding: Fund 352, Local Option Sales Tax III, Cost Center 330228, Object Code 56201, Project Number 10FS0655, Ensley Fire Station Expansion):
 - A. Approving the following Selection/Negotiation Committee Ranking:
 - (1) TOWNES + Architects, P.A.
 - (2) Bay Design Architects Associates, LLC
 - (3) Strobel and Hunter, Inc.
 - B. Awarding a Task Order Contract to TOWNES + Architects, P.A., for architectural services for the renovation of the Ensley Fire Station, in the amount of \$55,500, to be governed by the terms and conditions of PD 02-03.079, Professional Services Contract.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-30. Approval of Various Consent Agenda Items – Continued

13. Taking the following action concerning the reduction of the minimum bid required for the sale of real property, located at 1103 West Bobe Street, due to the Property Appraiser's reassessed value:
 - A. Authorizing the sale of the Board's surplus real property, Account Number 06-2693-750, Reference Number 18-2S-30-6000-090-024, acquired by tax deed, to the bidder with the highest offer above the minimum bid of \$2,822, 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.

14. Taking the following action concerning the reduction of the minimum bid required for the sale of real property, located at 1300 Rainbow Avenue, due to the removal of the dilapidated structure and the Property Appraiser's reassessed value:
 - A. Authorizing the sale of the Board's surplus real property, Account Number 04-1883-280, Reference Number 44-1S-30-2000-003-037, acquired by governmental foreclosure, to the bidder with the highest offer above the minimum bid of \$12,635, 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

1-30. Approval of Various Consent Agenda Items – Continued

15. Ratifying the following May 20, 2010, action of the Escambia County Community Redevelopment Agency (CRA) concerning the Commercial Facade Grant Funding and Lien Agreements for the property located at 3885 North Palafox Street:

- A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding and Lien Agreements between Escambia County CRA and Goldstein Enterprises, LLC, owner of commercial property located at 3885 North Palafox Street, Pensacola, Florida, in the Palafox Redevelopment Area, each in the amount of \$4,890, representing an in-kind match through the Palafox Tax Increment Financing (TIF), Fund 151, Cost Center 220517, Object Code 58301, for the following improvements:

Sanitary sewer connection

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

16. Ratifying the following May 20, 2010, action of the Escambia County Community Redevelopment Agency (CRA) concerning the Commercial Facade Grant Funding and Lien Agreements for the property located at 1717 North Pace Boulevard:

- A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding and Lien Agreements between Escambia County CRA and TRC Pace, LLC, owner of commercial property located at 1717 North Pace Boulevard, Pensacola, Florida, in the Brownsville Redevelopment Area, each in the amount of \$10,000, 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 asphalt parking lot, parking blocks, and striping

- 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

1-30. Approval of Various Consent Agenda Items – Continued

17. Ratifying the following May 20, 2010, action of the Escambia County Community Redevelopment Agency (CRA) concerning the Commercial Facade Grant Funding and Lien Agreements for the property located at 3460 Barrancas Avenue:

- A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding and Lien Agreements between Escambia County CRA and Jim Veal, owner of commercial property located at 3460 Barrancas Avenue, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$10,000, 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 a new solar panel canopy with an aluminum frame

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

18. Ratifying the following May 20, 2010, action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements for the property located at 1202 Wisteria Avenue:

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Myrtle Barnes, owner of residential property located at 1202 Wisteria Avenue, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$1,701, 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

- 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

1-30. Approval of Various Consent Agenda Items – Continued

19. Ratifying the following May 20, 2010, action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements for the property located at 551 South 1st Street:

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Shannon L. O'Brien, owner of residential property located at 551 South 1st Street, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$750, representing an in-kind match through the Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, for the following improvements:

Sanitary sewer connection

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

20. Authorizing the issuance of Individual or Blanket Purchase Orders, per PD 07-08.134, General Paving, Drainage, and Resurfacing Pricing Agreement, not to exceed \$750,000 in total, 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, Community Redevelopment Agency (Funding: Community Redevelopment Agency, Fund 151, Cost Centers 220515, 220516, 220517, 220519, and 220520):

APAC-Southeast, Inc.
Henry Haire Building and Development, 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.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-30. Approval of Various Consent Agenda Items – Continued

21. Taking the following action concerning an Interlocal Agreement between the County and the City of Gulf Breeze, Florida, for Large Area Artificial Reef Sites (LAARS) (Funding: Fund 108, Tourist Promotion Fund, Revenue Account 369401 [new] – [\$1,000 minimum to \$75,000 maximum]):

A. Approving the Interlocal Agreement allowing the City of Gulf Breeze to contribute appropriate reef materials from the demolition of the Gulf Breeze Fishing Pier and monetary compensation towards management of the artificial reef construction, for the purpose of enhancing the County's existing LAARS; and

B. Authorizing the Chairman to execute the Interlocal Agreement and any documents related to acceptance, without further action of the Board.

22. Approving, and authorizing the Interim County Administrator to execute, the following Change Order for repair and maintenance of Emergency Medical Services (EMS) vehicles (Funding Source: Fund 408, Emergency Medical Services Fund, Cost Center 330302, EMS Operations, Account 54601):

Bureau:	Public Safety	
Division:	Emergency Medical Services	
Type:	Addition	
Amount:	\$25,000	
Vendor:	Ward International Trucks, LLC, (#230580)	
Project Name:	N/A	
Contract:	N/A	
Purchase Order Number:	100114	
Change Order Number:	3	
Original Award Amount:		\$25,000
Cumulative Amount of Change Orders through Number 3:		<u>\$45,000</u>
New Contract Total:		\$70,000

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-30. Approval of Various Consent Agenda Items – Continued

23. Approving, and authorizing the Interim County Administrator to execute, the following Change Order for repair and maintenance of fire-rescue vehicles (Funding Source: Fund 143, Fire Protection Fund, Cost Center 330206, Fire Dept. Pd., Account 54601):

Bureau:	Public Safety
Division:	Fire Services
Type:	Addition
Amount:	\$40,000
Vendor:	Ward International Trucks, LLC (#230580)
Project Name:	N/A
Contract:	N/A
Purchase Order Number:	101000
Change Order Number:	2
Original Award Amount:	\$36,000
Cumulative Amount of Change Orders through Number 2:	<u>\$52,000</u>
New Contract Total:	\$88,000

24. Taking the following action regarding Michigan Avenue/Saufley Field Road pedestrian sidewalks:
- A. Approving the Re-submittal Application for Transportation Enhancement Projects to the Florida-Alabama Transportation Planning Organization for pedestrian sidewalks on Michigan Avenue/Saufley Field Road (State Road 296/County Road 296), from Denver Avenue to N.A.S. Saufley Field, on Saufley Field Road, for a total of 1.87 miles; and
 - B. Adopting, and authorizing the Chairman to sign, a Resolution (*R2010-93*) in support of the *Re-submittal Application for Transportation Enhancement Projects Previously Submitted and Found to be Eligible*, for pedestrian sidewalks on Michigan Avenue/Saufley Field Road.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-30. Approval of Various Consent Agenda Items – Continued

25. Taking the following action concerning a Local Agency Program Agreement with the State of Florida Department of Transportation for funding (not to exceed \$621,999):
- A. Approving the State of Florida Department of Transportation Local Agency Program (LAP) Agreement between the State of Florida Department of Transportation and Escambia County for construction of sidewalks along Airway Drive, between Nine Mile Road and Johnson Avenue, as part of the Safe Routes to School Project in Escambia County;
 - B. Adopting a Resolution (*R2010-95*) authorizing the execution of the LAP Agreement; and
 - C. Authorizing the Chairman to sign the LAP Agreement and Resolution.
26. See Page 24.
27. Taking the following action regarding the purchase and sale of three parcels of real property (approximately 0.10 acre) located off Rawson Lane at Airport Boulevard and at Brent Lane (Funding Source: Fund 352, Local Option Sales Tax III, Account 210107/56101):
- A. Authorizing the purchase of three parcels of property from the Florida Department of Transportation (FDOT), totaling approximately 0.10 acre, for the total appraised value of \$19,000, in accordance with the offer letter from FDOT dated March 2, 2010;
 - B. Authorizing the County Attorney to prepare, and the Chairman or Vice Chairman to execute, subject to Legal review and sign-off, any documents necessary to complete the purchase, without further action of the Board;
 - C. Approving the sale of three parcels of property (approximately 0.10 acre) for the total appraised value of \$19,000, plus all costs incurred by the County, to Pensacola Christian College, Inc. (PCC), in accordance with the Letter of Agreement from Pensacola Christian College;

(Continued on Page 22)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-30. Approval of Various Consent Agenda Items – Continued

27. Continued...

D. Adopting, and authorizing the Chairman to sign, a Resolution (*R2010-92*) stating the application being made, the purpose for which the property is to be used, and the sale price of \$19,000, plus all closing costs; and

E. Authorizing the County Attorney to prepare, and the Chairman or Vice Chairman to execute, subject to Legal review and sign-off, any documents necessary to complete the sale, without further action of the Board.

28. Approving, and authorizing the Chairman to execute, the *License* and the *Agreement between Escambia County, Florida, and International Paper Company Relating to Effluent Water Pipeline Installation and County Road 97* (Funding Source: Fund 352, Local Option Sales Tax [LOST] III, Account 210107/56301, Project No. 08EN0115, and Fund 351, LOST II, Account 210105/56301, Project No. 05EN1515).

29. Taking the following action concerning a Task Order Award for PD 09-10.044, Design Consulting Engineering Services Jernigan and Cody Road Safety Upgrades & Sunnehanna Blvd. Re-Alignment (Funding: Fund 352, Local Option Sales Tax III, Cost Center 210107, Object Code 56301, Project # 08EN00451):

A. Approving the following Selection/Negotiation Committee Ranking:

(1) Bayside Consulting Group of Northwest Florida, LLC

(2) Hatch Mott MacDonald, Inc.

(3) American Consulting Engineers of Florida, LLC

B. Awarding a Task Order Award for PD 09-10.044, Design Consulting Engineering Services Jernigan and Cody Road Safety Upgrades & Sunnehanna Blvd. Re-Alignment, per the terms and conditions of PD 02-03.079, Professional Services as Governed by Florida Statute 287.055, to Bayside Consulting Group of Northwest Florida, LLC, for a Phase I lump sum amount of \$81,220, and allowances of \$17,570, and a Phase II allowance of \$130,000, for a total of \$228,790.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-30. Approval of Various Consent Agenda Items – Continued

30. Ratifying the issuance of the following Purchase Orders related to the response and recovery actions taken to provide defensive measures against the threats to the local area environment from the Deepwater Horizon B.P. Oil Spill (Funding: Fund 112, Disaster Recovery Fund, Cost Center 330481, Project Number OILSPL10):

Purchase Order 101343 to Beck Disaster Recovery, Inc., in the amount of \$130,000
Purchase Order 101344 to Beck Disaster Recovery, Inc., in the amount \$175,000
Purchase Order 101345 to Beck Disaster Recovery, Inc., in the amount of \$55,000
Purchase Order 101346 to Beck Disaster Recovery, Inc., in the amount of \$90,000
Purchase Order 101336 to PBS&J, in the amount of \$890,000
Purchase Order 101362 to James Lee Witt Associates, in the amount of \$1 05,000

6. Lump Sum Contract, PD 09-10.017

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robertson abstaining (*and filing Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), awarding a Lump Sum Contract, PD 09-10.017, Equestrian Center Repainting Project 2009, to Phoenix Coatings, Inc., for a total amount of \$241,500 (Funding: Fund 352, Local Option Sales Tax III, Cost Center 220802, Object Code 56201).

1814

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

26. Approval of a Change Order

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving, and authorizing the Interim County Administrator to execute, the following Change Order (Funding Source: Fund 143, Fire Protection Fund, Cost Center 330209, Object Code 56201):

1815

Bureau:	Public Works Bureau
Division:	Facilities Management
Type:	Addition
Amount:	\$60,509.59
Vendor:	Quina Grundhoefer Architects, PA
Project Name:	A&E Fees for Hurricane IVAN Repairs – Various Buildings
Contract:	PD 02-03.79
Purchase Order Number:	280321-1 (270771-3) (260614-2) (251008-1)
Change Order Number:	8
Original Award Amount:	\$ 40,000.00
Cumulative Amount of Change Orders through Number 8:	<u>\$434,153.28</u>
New Contract Total:	\$474,153.28

For Information: The Board heard Commissioner Robertson disclose that his company performed the painting on one of the projects that could be connected to the painting of the Fire Station on Pensacola Beach; however, according to the County Attorney, he is not precluded from voting on this issue.

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1-4. Approval of Various For Action Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving For Action Items 1 through 4, as follows:

1816

1. Taking the following action concerning the scheduling of an Attorney-Client session regarding J. Steven Ford, et al. v. Escambia County, Florida, Case No. 2005 CA 001967:
 - A. Scheduling a private meeting with the Board's attorneys to discuss pending litigation, in accordance with Section 286.011(8), Florida Statutes, for June 17, 2010, at 3:30 p.m.; and
 - B. Approving the Public Notice printed below to be published in the Pensacola News Journal on Saturday, June 5, 2010:

PUBLIC NOTICE

IT IS THE INTENTION of the Board of County Commissioners of Escambia County, Florida, to hold a private meeting with its attorney to discuss pending litigation in the case of J. Steven Ford, et al. v. Escambia County, FL, in accordance with Section 286.011 (8), Florida Statutes. Such attorney-client session will be held at 3:30 p.m., C.D.T. on Thursday, June 17, 2010, in the Board Meeting Room, First Floor, Escambia County Governmental Complex, 221 Palafox Place, prior to the meeting of the Board of County Commissioners. Commissioners Wilson Robertson, Gene Valentino, Marie Young, Grover Robinson, IV, and Kevin White, Interim County Administrator Larry M. Newsom, Attorney representing Escambia County Charles V. Peppler, Deputy County Attorney, Alison Rogers, County Attorney and a certified court reporter will attend the attorney-client session.

2. Authorizing the scheduling (*and advertising*) of a Public Hearing for June 3, 2010, at 5:31 p.m., to consider adoption of an Ordinance amending Chapter 18, Article II, Division 1, Section 18-34(3), of the Escambia County Code of Ordinances, to conform the permitted scope of work for marine contractors to the scope of work permitted by the State of Florida's license for marine contractors.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Continued

- I. FOR ACTION – Continued
- 1-4. Approval of Various For Action Items – Continued
 3. Authorizing the scheduling (*and advertising*) of a Public Hearing on June 3, 2010, at 5:32 p.m., to consider adoption of an Ordinance defining and prohibiting slot machines in the unincorporated areas of Escambia County.
 4. Adopting, and authorizing the Chairman to execute, the Resolution (*R2010-94*) continuing the Declaration of State of Local Emergency for seven days, beginning Friday, May 21, 2010, at 2:00 p.m. (*to run through 1:59 p.m. on Friday, May 28, 2010*).

ITEMS ADDED TO THE AGENDA – None.

ANNOUNCEMENTS

1. FOR INFORMATION: The Board heard comments from Commissioner Robertson concerning a recent event at Jubilee Christian Center, and was advised by Reverend Dan Livingston, Hearts of Love Ministry, that \$21,000, which exceeded the \$18,000 goal, was collected at the Christians United for Israel event, and the funds are to be used to build a 70-ton bomb shelter, which is now under construction in Israel, to accommodate approximately 40 people.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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 6:16 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: June 3, 2010