

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE  
BOARD OF COUNTY COMMISSIONERS  
HELD JULY 8, 2010  
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX  
221 PALAFOX PLACE, PENSACOLA, FLORIDA  
(4:32 p.m. – 8:52 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 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 4:32 p.m.

1632

1. FOR INFORMATION: The Board heard comments from Sherri Myers and Barbara Mayall relative to Escambia County Area Transit bus stops that are not in compliance with Americans with Disabilities Act (ADA) guidelines, and, more specifically, a bus driver's refusal to accommodate a double-amputee whose stop was not ADA-compliant.
2. FOR INFORMATION: The Board heard comments from Donald Dennis, who advised that he was charged for assistance offloading a boat at the Perdido Landfill, even though he received no assistance.
3. FOR INFORMATION: The Board:
  - A. Witnessed Commissioner Young's presentation of certificates congratulating the Pensacola High School (PHS) Academic Team, which, for the 8th consecutive year, won the University of Florida Regional Academic Challenge Tournament, sponsored by the Florida Department of Education; and
  - B. Heard comments from Allan H. Robinson, Team Coach, David Fleischhauer, the Team's only graduating Senior, and L. Gary Sansing.

4:59 P.M. – PUBLIC FORUM ADJOURNED

5:30 P.M. – REGULAR BOARD MEETING CONVENED

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA

1. Call to Order

1730

Chairman Robinson called the Regular Meeting of the Board of County Commissioners to order at 5:30 p.m.

2. Invocation

Chairman Robinson advised that Reverend Alton Lister, Pastor, First Pentecostal Church, would deliver the Invocation.

3. Pledge of Allegiance to the Flag

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

4. Adoption of the Agenda

1732

Motion made by Commissioner White, seconded by Commissioner Robertson, and carried unanimously, adopting the agenda, as prepared and duly amended (*to include Addendum #1 to the County Attorney's Report [Item I-5] and Commissioner Robinson's three add-on items; one concerning Supplemental Budget Amendment Number 257, one concerning a Miscellaneous Appropriations Agreement for the Pensacola Bay Area Chamber of Commerce, and one concerning a Resolution supporting a ban on specific dispersants in the Gulf of Mexico*).

5. Commissioners' Forum

1733

- A. District 3 – Commissioner Young commended and congratulated the Escambia County Solid Waste Management Division on winning the *SWANA (Solid Waste Association of North America) 2010 Bronze Public Education Excellence Award*; and
- B. District 4 – Commissioner Robinson advised that, assuming no oil impact, boats will be allowed to enter the Sabine during Blue Angels Weekend.

REGULAR BCC AGENDA – Continued

1740

6. Proclamations/Years of Service

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

- A. Taking the following action concerning adoption/ratification of the following two Proclamations:
  - (1) Adopting the Proclamation proclaiming July 20, 2010, to be "Zelica Grotto Day" in Escambia County; and
  - (2) Ratifying the Proclamation, dated June 10, 2010, recognizing the 25th anniversary of the New Faith Missionary Baptist Church;
  
- B. Adopting the following three Proclamations:
  - (1) The Proclamation commending and congratulating Evelyn K. Cook, Mosquito Control Supervisor, Public Works Bureau, on her retirement after 37 years of service;
  - (2) The Proclamation commending and congratulating Robert E. Marion, Storekeeper/Warehouse Technician, Public Works Bureau, on his retirement after 14 years of service; and
  - (3) The Proclamation commending and congratulating Gary B. Siquefield, Emergency Medical Specialist, Public Safety Bureau, on his retirement after 21 years of service; and
  
- C. Recognizing, with pins and certificates, the below-named employees for their years of dedicated service to Escambia County:
  - (1) Robert L. Baggett, Jr., Public Works Bureau, Infrastructure Branch, Parks Division, 25 years; and
  - (2) Charles B. Ward, Public Works Bureau, Infrastructure Branch, Parks Division, 25 years.

REGULAR BCC AGENDA – Continued

7. Written Communication – West Florida Paint and Body Shop, Inc.

1748

Motion made by Commissioner White, seconded by Commissioner Robertson, and carried unanimously, approving to waive the DRC fees and the fees associated with the Petition to Vacate, and reimburse the sum of \$6,075 (*for the cost of the fence*) and obtain all appropriate releases before any funds are disbursed, relative to the June 8, 2010, communication from Thomas G. Hammond, Jr., PE, Hammond Engineering, Inc., requesting that the Board, due to the Planning Board's determination that West Florida Paint and Body Shop, Inc., was not required to install a privacy fence on its property used for vehicle staging, waive all fees due to the County for DRC (*Development Review Committee*) review and the Petition to Vacate, and reimburse the owner of West Florida Paint and Body Shop, Inc., for the cost of the privacy fence.

8. Proof of Publication

1750

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 seven Public Hearings on the agenda:

- (1) The 5:31 p.m. Public Hearing, advertised in the Pensacola News Journal on June 28, 2010, for consideration of adopting an Ordinance creating the Perdido Estates Subdivision Street Lighting MSBU;
- (2) The 5:32 p.m. Public Hearing, advertised in the Pensacola News Journal on June 28, 2010, for consideration of adopting an Ordinance creating the River Gardens, Third Addition, Subdivision Street Lighting MSBU;
- (3) The 5:33 p.m. Public Hearing, advertised in The Escambia Sun-Press, LLC, on June 24, 2010, for consideration of the Petition to Vacate a portion of Rawson Lane, as petitioned by Pensacola Christian College, Inc.;

(Continued on Page 5)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

8. Continued...

A. Continued...

- (4) The 5:34 p.m. Public Hearing, advertised in the Pensacola News Journal on June 19, 2010, for consideration of adopting an Ordinance amending Chapter 46, Finance, Article II, Division 5, Section 46-139 (2)(a), procedures for acquisition of real property;
- (5) The 5:35 p.m. Public Hearing, advertised in the Pensacola News Journal on June 27, 2010, for consideration of the FTA 5307 Grant Application by ECAT for funding of planning and capital assistance on mass transit projects for Fiscal Year 2010;
- (6) The 5:45 p.m. Public Hearing, advertised in the Pensacola News Journal on June 23, 2010, for consideration of adopting an Ordinance amending the Official Zoning Map; and
- (7) The 5:46 p.m. **first** Public Hearing, advertised in the Pensacola News Journal on June 23, 2010, to review an Ordinance to the LDC amending Articles 3 and 6, the Arcade Amusement Centers & Bingo Facilities Ordinance; and

B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule July 5, 2010 – July 9, 2010 – Legal No. 1472827*, as published in the Pensacola News Journal on July 3, 2010, as follows:

- July 5                      Holiday – Independence Day – County Offices Closed
- July 6    1:30 p.m.    Environmental Enforcement Special Magistrate
- July 7    8:30 a.m.    Application Committee for Competency Board
- July 7    9:00 a.m.    Construction Industry Competency Board
- July 7    9:00 a.m.    Land Development Code Revision Subcommittee Meeting
- July 7    1:00 p.m.    Development Review Committee
- July 8    9:00 a.m.    Land Development Code Revision Subcommittee Meeting
- July 8    9:00 a.m.    Agenda Work Session
- July 8    4:30 p.m.    Board of County Commissioners Public Forum
- July 8    5:30 p.m.    Board of County Commissioners Public Hearings & Reports

NEXT WEEK'S NOTE:

- July 12    8:30 a.m.    Planning Board
- July 12    5:30 p.m.    Marine Advisory Committee

REGULAR BCC AGENDA – Continued

1751

9. 5:31 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting, and authorizing the Chairman to sign, the Ordinance (*Number 2010-19*) creating the Perdido Estates Subdivision Street Lighting Municipal Services Benefit Unit (MSBU), and all related documents, and making the following findings of fact:

- A. Lots in the District are specially benefited since street lighting not only increases the market value of an individual lot in the District, but also increases safety in the District surrounding individual lots and the ability of lot owners to use their individual lots after dark;
- B. The benefit from improved street lighting varies according to the relative size of the affected lots; residential lots benefit from improved street lighting uniformly because of the small variation in size throughout the District;
- C. The non-ad valorem special assessments levied represent a fair and reasonable apportionment of the cost of the special benefit received by each lot and do not represent a fair share of the cost of general governmental service provided to residents in the unincorporated areas of Escambia County; and
- D. Lots which do not receive a special benefit have been and shall be excluded from the non-ad valorem special assessment for street lighting.

Speaker(s) – None.

REGULAR BCC AGENDA – Continued

10. 5:32 p.m. Public Hearing

1751

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting, and authorizing the Chairman to sign, the Ordinance (*Number 2010-20*) creating the River Gardens, Third Addition, Subdivision Street Lighting Municipal Services Benefit Unit (MSBU), and all related documents, and making the following findings of fact:

- A. Lots in the District are specially benefited since street lighting not only increases the market value of an individual lot in the District, but also increases safety in the District surrounding individual lots and the ability of lot owners to use their individual lots after dark;
- B. The benefit from improved street lighting varies according to the relative size of the affected lots; residential lots benefit from improved street lighting uniformly because of the small variation in size throughout the District;
- C. The non-ad valorem special assessments levied represent a fair and reasonable apportionment of the cost of the special benefit received by each lot and do not represent a fair share of the cost of general governmental service provided to residents in the unincorporated areas of Escambia County; and
- D. Lots which do not receive a special benefit have been and shall be excluded from the non-ad valorem special assessment for street lighting.

Speaker(s) – None.

REGULAR BCC AGENDA – Continued

11. 5:33 p.m. Public Hearing

1752

Motion made by Commissioner Robinson, seconded by Commissioner Young, and carried 4-1, with Commissioner Robertson voting "no," approving to direct staff to meet and work with PCC (*Pensacola Christian College*) representatives and the neighbors and attempt to resolve the concerns, and come back to the Board, relative to the recommendation that the Board take the following action regarding the Petition to Vacate a portion of Rawson Lane (approximately 3.94 acres), as petitioned by Pensacola Christian College, Inc.:

- A. Approve the Petition to Vacate;
- B. Accept the Hold/Harmless Agreement;
- C. Adopt the Resolution to Vacate; and
- D. Authorize the Chairman or Vice Chairman to accept the documents as of the day of delivery of the documents to the Chairman or Vice Chairman, and authorize the Chairman or Vice Chairman to execute them at that time.

Speaker(s):

- |                        |                       |
|------------------------|-----------------------|
| Elizabeth Braxton      | Neil Patel            |
| Thomas J. Gilliam, Jr. | John Evans            |
| Jin EunMi              | Brian K. Johnson      |
| Leonard Wogsland       | Gregory Moses         |
| Ann Jeraldine Braxton  | Gregory Lawrence      |
| Cynthia Southern       | Louise Massie         |
| Martha Nash            | Jeff Price            |
| Kenneth Scott Nash     | James Ridgley         |
| Fred Campbell          | Sam Menezes           |
| Diane Campbell         | Wiley C. "Buddy" Page |
| Nina DuBois            | Gloria Fuller         |
| Wiley J. West          | Terry Cantrell        |
| Brent Phillips         | Rebecca P. Knowles    |
| Rex Schroder           | Alan Knowles          |

(Continued on Page 9)



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

11. Continued...

Speaker(s) – Continued

David I. Sims	John C. Stone
Kenneth C. Horne	Nathaniel Wilson
Ronald Southern	Steve Barnhill
Terry Anderson	Kecia Woodbery
Andrei I. Kondrat'yev (Dr. K)	Harold Mobley
Peter Harrington	Dennis W. Martin
Jerry Houston	Bobbie Skinner
Lou Ann Houston	Trevin Houk

For Information: The Board:

- A. Heard Commissioner Robertson disclose that his company has done a substantial amount of work for Pensacola Christian College, Inc.; however, because there is no current business relationship, he is not precluded from voting on this issue; and
- B. Received a six-page set of drawings by Kenneth Horne & Associates, as provided by Thomas J. Gilliam, Jr., and a copy of a three-page article from the November 10, 1977, edition of The Pensacola Journal regarding a Louisville & Nashville (L&N) train derailment at Gull Point on Scenic Highway, as provided by Cynthia Southern.

MEETING RECESSED – 7:55 P.M.  
MEETING RECONVENED – 8:05 P.M.

12. 5:34 p.m. Public Hearing

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried 4-0, with Commissioner Young temporarily out of Board Chambers, adopting an Ordinance (*Number 2010-21*) amending Chapter 46, Finance, Article II, Division 5, Section 46-139 (2)(a), procedures for acquisition of real property (*providing that any appraisal or appraisal review required by this Ordinance shall be purchased by the County, at its sole expense, from an appraiser retained by the County*).

Speaker(s) – None.

2005

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

13. 5:35 p.m. Public Hearing

2037

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Young temporarily out of Board Chambers, taking the following action concerning the Federal Transit Administration (FTA) 5307 Grant Application by Escambia County Area Transit (ECAT) for funding of planning and capital assistance on mass transit projects for Fiscal Year 2010:

- A. Ratifying the scheduling and advertisement of a Public Hearing for 5:35 p.m. on July 8, 2010, for the purpose of receiving comments from the general public on the Grant Application for \$2,928,674 of Fiscal Year 2010 Federal assistance on mass transit projects;
- B. Approving the Grant Application; and
- C. Adopting the Resolution (*R2010-116*) authorizing the Chairman or County Administrator to execute all appropriate documents for the processing and receipt of Federal funds from the FTA regarding this Grant and the ECAT General Manager to electronically submit, via the Federal Transportation Electronic Award and Management System, the Grant Application and Grant award execution, using the authorized passwords for the Chairman and County Attorney, where necessary.

Speaker(s) – None.

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

2037

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 five Reports prepared by the Clerk of the Circuit Court & Comptroller's Finance Department:
  - A. Payroll Expenditures for Pay Date June 25, 2010, in the amount of \$2,172,327.54; and
  - B. The following three Disbursement of Funds:
    - (1) June 10, 2010, to June 16, 2010, in the amount of \$4,746,954.40;
    - (2) June 17, 2010, to June 23, 2010, in the amount of \$3,396,752.12; and
    - (3) June 24, 2010, to June 30, 2010, in the amount of \$2,103,476.91 and
  - C. The Tourist Development Tax (TDT) Collections Data for Fiscal 2010, which includes the May 2010 returns received in the month of June 2010, as prepared by the Finance Department of the Clerk and Comptroller's Office; the nine months revenue collected reflects 61% of the Budget for the Fiscal Year.
2. Adopting the Resolution (*R2010-117*) granting amnesty from payment of late penalty and a reduction in interest associated with delinquent Tourist Development Tax (TDT) returns due prior to July 20, 2010; this amnesty shall run from July 1, 2010, until close of business on September 30, 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
3. Taking the following action concerning documents relating to the Deepwater Horizon Oil Spill:
  - A. Accepting, for filing with the Board's Minutes, the *Emergency Administrative Order In Re: Emergency Prohibition on Interference with Oil Pollution Prevention and Remediation Devices in Escambia County*, as executed by Larry M. Newsom, Interim County Administrator, on June 4, 2010;
  - B. Ratifying the Chairman's June 24, 2010, adoption and execution of Resolution R2010-114, *Declaration of State of Local Emergency*, effective for seven (7) days beginning at 2:00 p.m. June 25, 2010, through 1:59 p.m. July 2, 2010, pursuant to Section 252.38(3)(a)5, Florida Statutes; and
  - C. Ratifying the Chairman's June 25, 2010, adoption and execution of Resolution R2010-115, *Declaration of State of Local Emergency*, effective for seven (7) days beginning at 2:00 p.m. July 2, 2010, through 1:59 p.m. July 9, 2010, pursuant to Section 252.38(3)(a)5, Florida Statutes.
4. Accepting, for filing with the Board's Minutes, the *Continuation Certificate* for Bond No. 1815976, in the amount of \$30,000, issued by The Hanover Insurance Company, as Surety, on behalf of Waste Pro of Florida, Inc., in favor of Escambia County Board of County Commissioners – Division of Solid Waste Management, continuing the Bond through August 10, 2011, as provided by Denee M. Rudd, Accounting Supervisor, and received in the Clerk to the Board's Office on June 22, 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
5. Taking the following action concerning Minutes and Reports prepared by the Clerk to the Board's Office:
  - A. Approving the Minutes of the Special Board Meeting held June 10, 2010;
  - B. Approving the Minutes of the Regular Board Meeting held June 17, 2010;
  - C. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held June 17, 2010; and
  - D. Accepting, for filing with the Board's Minutes, the Report of the Committee of the Whole Workshop held June 10, 2010, as follows:

AGENDA NUMBER

1. Call To Order

Chairman Robinson called the Committee of the Whole (C/W) to order at 10:00 a.m.

2. Was the Meeting Properly Advertised?

The C/W was advised by Doris Harris, Deputy Clerk to the Board, that the Meeting was advertised in the Pensacola News Journal on June 5, 2010, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule June 7, 2010 – June 11, 2010, Legal No. 1468461.*

(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...
- D. Report of the June 10, 2010, C/W Workshop – Continued

AGENDA NUMBER – Continued

3. Pensacola Beach Alcohol Prohibition Ordinance

- A. Discussion – The C/W heard the request from the Honorable David Morgan, Sheriff, that the Pensacola Beach Alcohol Prohibition Ordinance be withdrawn because, at this time, the Board has more important issues to address (*the State of Local Emergency due to the Deepwater Horizon oil rig accident and resulting oil spill into the Gulf of Mexico*); and
- B. Board Direction – None.

4. Status Update to the Neighborhood Plan on Perdido Key

- A. Discussion – The C/W was advised by T. Lloyd Kerr, Bureau Chief, Development Services Bureau, regarding the Status Update to the Neighborhood Plan on Perdido Key, that staff had presented the *Perdido Key Neighborhood Plan (PKNP) Status of Objectives* to the Planning Board and, further, that a community meeting will be scheduled for the end of July 2010; and
- B. Board Direction – None.

(Continued on Page 15)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

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

5. Continued...

D. Report of the June 10, 2010, C/W Workshop – Continued

AGENDA NUMBER – Continued

5. Proposed Purchase of Property Adjacent to Saufley Field Construction & Demolition Debris Site

- A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled *Proposed Purchase of Property Adjacent to Saufley Field Construction & Demolition Debris (C&DD) Site*, as presented by James "Jim" Howes, Recycling Operations Manager, Solid Waste Division, and was advised by Mr. Howes that the (*Johnson*) property, which consists of three parcels totaling approximately five acres, could be used for (*construction of*) a stormwater retention pond, and, further, that the (*excavated*) material from the pond site could be used for fill material for the C&DD site, which would result in a savings for the County; and
- B. Board Direction – The C/W recommends the Board take the following action concerning the proposed purchase of property adjacent to the Saufley Field C&DD site:
  - (1) Authorize staff to pursue the acquisition, by purchase, of property located adjacent to the Saufley Field C&DD site; and
  - (2) Authorize staff to negotiate and perform surveys, assessments, and (*obtain two*) appraisals.

**Recommended 5-0**

(Continued on Page 16)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- D. Report of the June 10, 2010, C/W Workshop – Continued

AGENDA NUMBER – Continued

- 6. Waiver of Fees Policy for Use of The (Pensacola) Civic Center and Discussion on Scheduling Policy (For Discussion No Backup)
  - A. Discussion – The C/W discussed Waiver of Fees Policy for Use of The (Pensacola) Civic Center and Discussion on Scheduling Policy; and
  - B. Board Direction – The C/W recommends the Board approve staff's recommendation to increase the ticket price by \$.25 *(as opposed to waiving the \$.60 surcharge, as requested by the Pensacola Ice Flyers [the Lease Agreement requires the \$.60 surcharge, in addition to the existing \$1.00 surcharge, to cover the cost of the upgrade to the dasher board system and ice plant])*.

**Recommended 3-2, with Commissioner Robertson and Commissioner Valentino voting "no"**

Speaker(s):

Todd Gordon

(Continued on Page 17)



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

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

5. Continued...

D. Report of the June 10, 2010, C/W Workshop – Continued

AGENDA NUMBER – Continued

7. Perdido Key Easements (For Discussion No Backup)

A. Discussion – The C/W discussed Perdido Key Easements, and the C/W:

- (1) Was advised by County Attorney Rogers that environmental staff had requested Legal assistance in obtaining easements on Perdido Key Gulf-front lots, for the purpose of performing beach re-nourishment and other projects that the County currently does not have the legal right to perform, and heard her request that the Board authorize staff to issue an RFP (*Request for Proposals*) for an outside title company or law firm to commence the process of obtaining permanent easements;
- (2) Was advised by Stephen G. West, Assistant County Attorney, that the County actually owns the dry sand area on Pensacola Beach; whereas, the dry sand on Perdido Key is largely private property because the property lines extend to the water's edge, which presents a problem for restoration or cleanup following a hurricane or a situation such as the oil spill (*the County is currently facing*); therefore, staff believes the County should acquire easements (*on Perdido Key*) to allow access for beach re-nourishment and other projects; and

(Continued on Page 18)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

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

5. Continued...

D. Report of the June 10, 2010, C/W Workshop – Continued

7. Continued...

A. Continued...

(3) Was advised by Commissioner Valentino that, based on input he has received from precinct leaders and at neighborhood coffee meetings, Perdido Key residents are willing to sign easements; however, the term and time of the easement are less important than the scope of the language, and, further, he will propose, at a future Committee of the Whole Workshop, *(the formation of)* a waterfront development authority to address these types of issues *(beach cleanup and/or re-nourishment)*; and

B. Board Direction – The C/W recommends the Board authorize staff to issue an RFP *(Request for Proposals)* for an outside title company or law firm to commence the process of obtaining permanent easements from the private owners of Perdido Key Gulf-front lots.

**Recommended 4-0, with Commissioner White absent**

(COMMISSIONER WHITE WAS ABSENT DURING DISCUSSION OF THIS ITEM)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
- 5. Continued...
- D. Report of the June 10, 2010, C/W Workshop – Continued

ITEMS ADDED TO THE AGENDA

1. EOC Briefing

A. Discussion – The C/W viewed and discussed a PowerPoint Presentation briefing, presented by John Dosh, Manager, Office of Emergency Management, Keith Wilkins, Deputy Chief, Neighborhoods and Community Services Bureau, and John R. Temperilli, James Lee Witt Associates, concerning the Deepwater Horizon Oil Spill in the Gulf of Mexico, heard comments from Commissioner Valentino concerning his participation in a helicopter flyover of the actual oil rig accident site, and was advised by Mr. Dosh that:

- (1) The main body of the oil sheen is located approximately 13 miles offshore
- (2) The forecast for the Thursday through Monday (*June 10 through June 14, 2010*) coastline impact has moved the impact slightly west of Escambia County
- (3) The EOC (*Emergency Operations Center*) is still activated to a Level 2 status, which is for key emergency support functions that are participating in this event
- (4) County staff will continue to be embedded with the recon teams and SCAT teams as they deploy to both of the barrier islands (*Pensacola Beach and Perdido Key*)
- (5) All impacts are being reported and the cleanup is being coordinated, with cleanup crews to be on both islands today
- (6) The health advisory that was issued for a portion of Perdido Key Beach is still in effect
- (7) The product was entering into Pensacola Pass last night, and was embedded in the sargasso weed

(Continued on Page 20)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-5. Approval of Various Consent Agenda Items – Continued
5. Continued...
- D. Report of the June 10, 2010, C/W Workshop – Continued

ITEMS ADDED TO THE AGENDA – Continued

1. Continued...
- B. Board Direction – None.

AGENDA NUMBER – Continued

8. Adjourn

Chairman Robinson declared the C/W Workshop adjourned at 11:10 a.m.

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

I. PUBLIC HEARINGS

1. Rezoning Case(s)

2037

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning Rezoning Case Z-2010-09, which was heard by the Planning Board (PB) on June 14, 2010:

- A. Adopting the PB's recommendation and approving C-2; and
- B. Authorizing the Chairman to sign the Order of the Escambia County Board of County Commissioners for the Rezoning Case that was reviewed, as follows:

Case Number:	Z-2010-09
Location:	301 Brent Lane
Property Reference Number:	48-1S-30-3100-000-002
Property Size:	2.44 (+/-) acres
From:	R-6, Neighborhood Commercial and Residential District (cumulative), High Density (25 dwelling units per acre)
To:	C-2, General Commercial and Light Manufacturing District (cumulative) (25 dwelling units per acre)
FLU Category:	MU-1 (Mixed-Use 1)
Commissioner District:	3
Requested by:	Wiley C. "Buddy" Page, Agent for Cantrell Foods, Inc., Owners
PB Recommendation:	Approval

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

2. 5:45 p.m. Public Hearing

2037

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting an Ordinance (*Number 2010-22*) to amend the Official Zoning Map to include the Rezoning Case (*R-2010-09*) heard by the Planning Board on June 14, 2010, and approved during the previous agenda item; providing for severability, inclusion in the Code, and an effective date.

Speaker(s) – None.

3. 5:46 p.m. **First** Public Hearing

2038

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving to review an Ordinance to (*amend*) the Land Development Code, amending Articles 3 and 6, Arcade Amusement Centers & Bingo Facilities, to define “arcade amusement center” and “bingo facility” and establish those zoning districts wherein arcade amusement centers and bingo facilities are conditional uses and permitted uses.

Speaker(s):

Anne Griffin

II. CONSENT AGENDA

1. Scheduling of a Public Hearing

2040

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, authorizing the scheduling of a Public Hearing (*the **second** of two*) for Thursday, July 22, 2010, at 5:45 p.m. – (*for consideration of adopting an Ordinance amending the*) LDC (*Land Development Code*) Ordinance – Articles 3 and 6, Arcade Amusement Centers & Bingo Facilities.

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

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-5. Approval of Various Consent Agenda Items

2040

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 5, as follows, as amended to change the Property Number (*on one Form*) from 502050 to 502090 in Item 1 and to drop Item 3:

1. Approving five *Request for Disposition of Property* Forms, for property which is to be auctioned as surplus or properly disposed of, all of which is described and listed on the Disposition Forms, with Bureau and reason stated.
2. Approving the *Request for Disposition of Property* Form, for property which is to be auctioned as surplus or properly disposed of, all of which is described and listed on the Form, with the Agency and reason stated.
3. Dropping the recommendation that the Board authorize the scheduling of a Public Hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on July 22, 2010, at 5:31 p.m., to consider adoption of an Ordinance creating the Thousand Oaks Subdivision Street Lighting MSBU.
4. Authorizing the scheduling of a Public Hearing for July 22, 2010, at 5:32 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 Rolling Hills C&D Debris Facility, owned by South Palafox Properties, LLC.
5. Taking the following action concerning *Requests for Disposition of Property* approved on June 3, 2010, County Administrator's Report Item I-7:
  - A. Amending the Board's action approving five *Request for Disposition of Property* Forms, to reflect that two Forms were duplicated and contained incorrect information; and
  - B. Approving the *Request for Disposition of Property*, for property which is described and listed on the Form, with reason for disposition stated; the items are to be auctioned as surplus or properly disposed of.

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA

1-39. Approval of Various Consent Agenda Items

2041

Motion made by Commissioner White, seconded by Commissioner Robertson, and carried unanimously, approving Consent Agenda Items 1 through 39, as follows, with the exception of Item 24 and Item 27, which were held for separate votes, as amended to drop Item 38:

1. Authorizing foreclosure of the Code Enforcement Lien, in the amount of \$15,742.50, recorded in Official Records Book 6278, at Page 1557, of the Public Records of Escambia County, Florida, on real property located at 1814 North 60th Avenue, Account Number 05-4315-050, Reference Number 14-2S-30-6000-002-011; the current assessed value is \$49,918.
2. Authorizing foreclosure, based on the following Liens recorded in the Public Records of Escambia County, Florida, on real property located at 3004 North Guillemard Street, Account Number 05-1037-000, Reference Number 04-2S-30-6001-035-017; the current assessed value is \$8,550.00:
  - A. Nuisance Abatement Lien, in the amount of \$6,084.09, recorded in Official Records Book 4195, at Page 1695;
  - B. Nuisance Abatement Lien, in the amount of \$1,581.05, recorded in Official Records Book 4817, at Page 282; and
  - C. Code Enforcement Lien, in the amount of \$44,768.00, recorded in Official Records Book 5334, at Page 1372.
3. Authorizing foreclosure of the Code Enforcement Lien, in the amount of \$4,032.50, recorded in Official Records Book 6045, at Page 1303, of the Public Records of Escambia County, Florida, on real property located at 7205 North Palafox Street, Account Number 02-3081-000, Reference Number 21-1S-30-1101-000-007; the current assessed value is \$75,568.00.



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-39. Approval of Various Consent Agenda Items – Continued

4. Authorizing foreclosure, based on the following Liens recorded in the Public Records of Escambia County, Florida, on real property located at 806 Colbert Avenue, Account Number 10-0721-400, Reference Number 35-2S-31-1000-009-096; the current assessed value is \$6,175.00:
  - A. Code Enforcement Lien, in the amount of \$8,359.50, recorded in Official Records Book 5800, at Page 1947;
  - B. Nuisance Abatement Lien, in the amount of \$407.51, recorded in Official Records Book 6401, at Page 1596;
  - C. Nuisance Abatement Lien, in the amount of \$152.07, recorded in Official Records Book 6459, at Page 1523; and
  - D. Nuisance Abatement Lien, in the amount of \$194.52, recorded in Official Records Book 6548, at Page 1762.
5. Authorizing foreclosure of the Code Enforcement Lien, in the amount of \$1,602.15, recorded in Official Records Book 6401, at Page 1588, of the Public Records of Escambia County, Florida, on real property located in the 8600 Block of Kingfisher Lane (8601 Kingfisher Lane), real property Account Number 09-0550-113, Reference Number 12-1S-31-3500-022-001; the current assessed value is \$19,000.00.
6. Adopting the Resolution (*R2010-118*) approving Supplemental Budget Amendment Number 233, FTA Capital Projects Fund (320), in the amount of \$1,373,000, to recognize proceeds from the Federal Transit Authority and to appropriate these funds for capital purchases at the Escambia County Area Transit System.
7. Adopting the Resolution (*R2010-119*) approving Supplemental Budget Amendment Number 237, Tourist Development Fund (108) and Civic Center Fund (409), in the amount of \$300,000, to recognize an increase in the Tourist Development Tax transfer to the Civic Center and to appropriate these funds to cover operational losses for the remainder of Fiscal Year 2009-2010.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-39. Approval of Various Consent Agenda Items – Continued

8. Adopting the Resolution (*R2010-120*) approving Supplemental Budget Amendment Number 238, Escambia County Restricted Fund (101), in the amount of \$18,971, to recognize proceeds from Fishing Bridge Fees and to appropriate these funds for the operation of the bridge.
9. Adopting the Resolution (*R-2010-121*) approving Supplemental Budget Amendment Number 243, Local Option Sales Tax III Fund (352) and General Fund (001), in the amount of \$0, to recognize reimbursements in the proper fund from auto insurance payments and to appropriate these funds for the Sheriff's operational activities.
10. Adopting the Resolution (*R2010-122*) approving Supplemental Budget Amendment Number 244, Mass Transit Fund (104) and General Fund (001), in the amount of \$144,125, to recognize an increase in the General Fund transfer to Escambia County Area Transit and to appropriate these funds for enhanced service routes, from the Naval Air Station to Cordova Mall and downtown Pensacola to Pensacola Beach; these routes constitute an additional General Fund transfer of approximately \$741,000 for Fiscal Year 2010-2011.
11. Approving to award an Indefinite Quantity, Indefinite Delivery Contract, PD 09-10.053, Highway 97 Phase IV-A Muscogee Road Widening and Resurfacing, to Roads, Inc., of NWF, for a total amount of \$991,000 (Funding: Fund 351, Local Option Sales Tax II, Cost Center 210105, Object Code 56301, Project No. 05EN1515).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-39. Approval of Various Consent Agenda Items – Continued

12. Approving multiple award Contracts for the Disaster Debris Collection, PD 09-10.050, to the following firms, subject to negotiations and final and best offers based on an event(s) (Funding: Fund 112, Disaster Recovery Fund, pending Federal assistance and reimbursement; the budgetary impact will vary with each event based on severity, damage inflicted, and State and Federal assistance limits):

Ashbritt, Inc.  
Crowder-Gulf  
Unified Recovery Group, LLC  
Starfish, Inc., of Alabama  
Tag Grinding Services, Inc;  
Storm Reconstruction Services, Inc.  
Asplundh Environmental Services, Inc.  
Byrd Brothers Emergency Services, LLC  
Panhandle Grading & Paving, Inc.  
DRC Emergency Services, LLC  
Roads, Inc., of NWF  
Southern Haulers, LLC  
T. F. R. Enterprises, Inc.  
JB Coxwell Contracting, Inc.  
D & J Enterprises, Inc.  
Phillips & Jordan, Inc.  
Ceres Environmental Services, Inc.  
Bergeron Emergency Services, Inc.

13. Approving to award a Purchase Order, in the amount of \$96,281, for the purchase of a Chain Belt Conveyor System for the Division of Solid Waste Management, Recycling Operations, PD 09-10.064, to Marathon Equipment Co., Inc. (Funding: Fund 401, Solid Waste Fund, Cost Center 220604, Object Code 56401).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-39. Approval of Various Consent Agenda Items – Continued

14. Taking the following action concerning the Addendum Agreement with BellSouth Telecommunications, Inc., d/b/a AT&T Florida, for Metro Ethernet Service (Funding Source: funds are available in the current Budget, General Fund (001), Cost Center 270103, Object Code 54101):
  - A. Approving the Addendum Agreement with AT&T Florida, to provide the fiber optic service for Escambia County facilities, for Metro Ethernet Service, for a period of 48 months, for a total of \$503,664; and
  - B. Authorizing the Chairman to sign the Addendum Agreement.
15. Authorizing the County to piggyback off of the General Services Administration Contract #GS30F-0010K, in accordance with Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Applications; exemption; and Section 46-64, Board approval, and awarding a Purchase Order, in the amount of \$58,551, to Gaithersburg Farmers Supply, d/b/a Gaithersburg Equipment Company, for a new Holland Track Loader, Model C190, PD 09-10.069 (Funding: Fund 352, Local Option Sales Tax III, Cost Center 210802, Object Code 56401, Project #08PR0068).
16. Approving to terminate, effective August 9, 2010, in accordance with the terms and conditions of the Contract for Waste Tire Removal and Disposal, PD 08-09.045, Paragraph 19, Termination, Subparagraph B, the Contract (*awarded June 4, 2009*) to Southern Tires, Inc. (Funding: Fund 401, Solid Waste Fund, Cost Center 220604, Object Code 53401).
17. Approving to award a Purchase Order Contract to Mayer Electric Supply, per the terms and conditions of PD 09-10.058, L.E.D. T12-T8 Fluorescent Replacement Tubes, for a total price of \$141,898.50 (Funding: Fund 001, General Fund, Cost Center 210606, Object Code 56201).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-39. Approval of Various Consent Agenda Items – Continued

18. Taking the following action concerning a Task Order for PD 09-10.059, Old Courthouse HVAC Renovation (Funding: Fund 001, General Fund, Cost Center 210606, Object Code 56201):
  - A. Approving the following Selection/Negotiation Committee Ranking:
    - (1) H. M. Yonge & Associates, Inc.
    - (2) Premier Engineering Group, LLC
    - (3) Schmidt Consulting Group, Inc.
  - B. Approving to award a Task Order for PD 09-10.059, Old Courthouse HVAC Renovation, per the terms and conditions of PD 02-03.079, Professional Services as Governed by Florida Statute 287.055, to H.M. Yonge & Associates, Inc., for a lump sum amount of \$74,900.
19. Approving the authorization to offer the use of the Take Care Debit Card to employees who enroll in Health Care Reimbursement through EBS/Atlanta; employees will have the opportunity to elect the Debit Card for an annual fee of \$21 a year, which the employee will be able to pay through pre-tax dollars (Funding Source: [Fund] 501, Internal Service Fund, Cost Center 140612, Object Code 53101).
20. Taking the following action concerning the renewal of the Humana Specialty Benefits Vision Care Contract:
  - A. Approving the upgrades of the Vision Care Contract with Humana Specialty Benefits for the period effective October 1, 2010, to September 30, 2012, which will increase the exam amount, frame allowance, and the contact lenses allowance; premiums will be based on four tiers, which is similar to the County's health and dental insurance plans; monthly premiums will be \$7.30 for single coverage, \$14.60 for employee and spouse, \$13.87 for employee and children, and \$21.87 for family coverage; and
  - B. Authorizing the Interim County Administrator to sign the renewal letter.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-39. Approval of Various Consent Agenda Items – Continued

21. Approving, and authorizing the Interim County Administrator to execute, the following Change Order (Funding Source: Fund 408, EMS [Emergency Medical Services], Cost Center 330302, EMS Operations, Account Code 55201, Operating Supplies):

Bureau:	Public Safety
Division:	Emergency Medical Services
Type:	Addition
Amount:	\$5,000
Vendor:	Henry Schein, Inc. (#131760)
Project Name:	N/A
Contract:	PD 06-07.072, Medical Supplies and Equipment
Purchase Order Number:	100309
Change Order Number:	01
Original Award Amount:	\$50,000
This Change Order Amount:	<u>\$ 5,000</u>
New Contract Total:	\$55,000

22. Taking the following action concerning Supplemental Joint Participation Agreement (JPA) Number (2 [*Financial Project No.*]) 42349118401, providing Fiscal Year 2011 funding for the Southwest Service Development Project (Funding: Fund 104, Mass Transit – no additional cost to the County):
- A. Approving the Supplemental JPA Number (2 [*Financial Project No.*]) 42349118401, providing for Florida Department of Transportation participation, in the amount of \$196,000, for Fiscal Year 2011 funding, to Escambia County Area Transit for the Service Development Project of Southwest Escambia County;
  - B. Adopting the Resolution (*R2010-123*) authorizing the application and acceptance of these funds; and
  - C. Authorizing the Chairman to execute the Resolution and all other required documents pertaining to this JPA, without further action of the Board.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-39. Approval of Various Consent Agenda Items – Continued

23. Taking the following action concerning approval of the 2010 Escambia Consortium Annual Action Plan (Funding: Fund 129/CDBG, Fund 147/HOME, and Fund 110/ESG – Cost Centers to be assigned):
- A. Approving the 2010 Escambia Consortium Annual Action Plan for Housing and Community Development, including the Escambia County 2010 Annual Plan detailing use of 2010 Community Development Block Grant (CDBG) funds, in the amount of \$2,260,914; 2010 HOME Investment Partnerships Act (HOME) funds, in the amount of \$1,783,779; and 2010 Emergency Shelter Grant (ESG) Program funds, in the amount of \$92,305; and
  - B. Authorizing the Interim County Administrator to execute the 2010 Annual Action Plan forms, certifications, and related documents, as required to submit the Plan to the U.S. Department of Housing and Urban Development (HUD), and authorizing the Interim County Administrator or Chairman, as appropriate, to execute documents required to receive and implement the 2010 CDBG, 2010 HOME, and 2010 ESG Programs.
24. See Page 37.
25. Taking the following action regarding the State of Florida Department of Community Affairs Community Development Block (CDBG) Disaster Recovery (2008 Storms) Grant funding for Sanitary Sewer Improvements within the Barrancas Community Redevelopment Area (Lakewood Area) (Funding: Fund 110/CDBG Disaster Recovery Grant, Cost Center 220436; and Fund 124/Affordable Housing, Cost Center 220406):
- A. Approving the Interlocal Agreement with Emerald Coast Utilities Authority, in the amount of \$3,200,000, providing for the construction of public sanitary sewer system improvements in the Barrancas Community Redevelopment Areas (specifically including major portions of the Lakewood Subdivision/neighborhood), utilizing CDBG Disaster Recovery funds; and
  - B. Authorizing the Chairman or Vice Chairman to execute the Agreement and all related documents as required to implement the project.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-39. Approval of Various Consent Agenda Items – Continued

26. Taking the following action concerning the Community Development Block Grant (CDBG) funded Neighborhood Renewal Initiative Agreement with BBYSA, Inc. (Funding: Fund 129/2006 CDBG, Cost Center 221403; and Fund 129/2009 CDBG, Cost Center 220410):
- A. Approving the Agreement and awarding a Neighborhood Renewal Initiative matching Grant, in the maximum amount of \$5,000, for the Pony League Batting Cages Project, sponsored by BBYSA, Inc., located in the Palafox Community Redevelopment Area (*in the Brent Baseball Park*); and
  - B. Authorizing the Chairman or Vice Chairman to execute the Agreement and all related documents as required to implement the project.
27. See Page 38.
28. Taking the following action regarding Amendment #1 to the Neighborhood Stabilization Program (NSP) Agreement with Community Organizations Active in Disaster, Inc. (a/k/a BRACE, LLC), hereinafter referred to as “BRACE” (Funding: Fund 129/NSP, Cost Center 220502):
- A. Approving Amendment #1 to the Non-Profit Development Agreement with BRACE, for Heritage Oaks Mobile Home Park, to increase NSP funding from \$900,000 to \$1,400,000, to adequately finance the costs for acquiring, transporting, and properly installing code-compliant, new or used replacement manufactured housing units within the existing, deteriorated mobile home park located at 1523 Gulf Beach Highway, in order to provide at least 50 income-restricted, workforce housing sites for long-term occupancy by eligible low-, moderate-, and middle-income families; and
  - B. Authorizing the Chairman or Vice Chairman to execute the Amendment and all related documents required to implement the Amendment.



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-39. Approval of Various Consent Agenda Items – Continued

29. Approving a Purchase Order, in the amount of \$70,000, to Vulcan Materials Company, for the purchase of aggregate material to be used for the resurfacing of three outdoor rings at the Escambia County Equestrian Center (Funding: Fund 352, *[Local Option Sales Tax]* LOST III, Cost Center 220802, Project 08PR0031, Object Code 56301).
30. Approving *Amendment #3 to the Buyer-Broker Exclusive Agreement* between Escambia County and Beck Property Company, Inc., to extend the Agreement for 180 days from the termination date of July 5, 2010; the Agreement provides real estate brokerage services to assist the Community and Environment Bureau/Community Redevelopment Agency, with property assemblage along Mobile Highway (Funding Source: Fund 352, *[Local Option Sales Tax]* LOST III, Cost Center 220102, Object Code 56101).
31. Approving, and authorizing the Interim County Administrator to issue, a Task Order on Contract PD 02-03.79, “Professional Services *(as Governed by Florida Statute 287.055)*,” for Construction, Engineering, Inspection and Project Management Services, to Metric Engineering, Inc., for the County Road 297A and Kingsfield Road Lane Widening Improvement Project, for a not-to-exceed amount of \$132,430.77 (Funding Source: Fund 352, *[Local Option Sales Tax]* LOST III, Account 210107/*[Object Code]* 56301, Project #08EN0105).
32. Approving, and authorizing the Interim County Administrator to issue, a Task Order on Contract PD 02-03.79, “Professional Services *(as Governed by Florida Statute 287.055)*,” for Construction, Engineering, Inspection and Project Management Services, to Jehle-Halstead, Inc., for the Rocky Branch Road Dirt Road Paving and Bridge Replacement Project, for a not-to-exceed amount of \$86,610 (Funding Source: Fund 352, *[Local Option Sales Tax]* LOST III, Account 210107/*[Object Code]* 56301, Project #08EN0775).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-39. Approval of Various Consent Agenda Items – Continued

33. Taking the following action concerning the acceptance of property, for road right-of-way on Airport Boulevard, from Racetrac Petroleum, Inc.:
- A. Authorizing staff to negotiate and resolve any matters related to, or associated with, the acceptance of property, by donation, for road right-of-way on Airport Boulevard, from Racetrac Petroleum, Inc., to gather information and conduct inspections, as needed, to allow the Board's acceptance of the real property;
  - B. Authorizing payment of documentary stamps because the property is being acquired for governmental use, which is for road right-of-way, and the County benefits from the acquisition of this property because it will facilitate the construction of a new commercial business, which will increase the County's tax roll;
  - C. Authorizing the payment of incidental expenditures associated with the recording of documents; and
  - D. Authorizing the Chairman or Vice Chairman to accept the Quit Claim Deed as of the day of delivery of the Quit Claim Deed to the Chairman or Vice Chairman, and authorizing the Chairman or Vice Chairman to acknowledge the Board's acceptance at that time, subject to Legal review and sign off.
34. Taking the following action concerning the surplus and sale of real property, Account Number 12-0813-000, located in the 1100 Block of McKinnonville Road:
- A. Approving to declare surplus the Board's real property, Account Number 12-0813-000, Reference Number 40-2N-31-1000-000-013;
  - B. Authorizing the sale of this property to the bidder with the highest offer, received from sealed bids, above the minimum bid of \$1,535, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and
  - C. Authorizing the Chairman to sign all documents related to the sale.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-39. Approval of Various Consent Agenda Items – Continued

35. Taking the following action concerning the Agreement, PD 08-09.008, between Escambia County and A.E. New, Jr., Inc., for the Construction of One Stop Permit Center (Escambia County Central Office Complex):

A. Approving *Amendment #1 (to the Agreement Between Escambia County and A.E. New, Jr., Inc. for the Construction of One Stop Permit Center [PD 08-09.008])*, establishing the percentage rate for retainage at five percent (5%), which shall not be released to the Contractor, A.E. New, Jr., Inc., until final payment is due upon final completion; and

B. Authorizing the Interim County Administrator to execute all documents necessary to complete this transaction.

36. Approving, and authorizing the Interim County Administrator to execute, the following Change Order:

Bureau:	Public Works Bureau	
Division:	Facilities Management	
Type:	Addition	
Amount:	\$241,076.20	
Vendor:	Haworth, Inc.	
Project Name:	Modular Office Systems ( <i>for Escambia County Central Office Complex</i> )	
Contract:	PD 08-09.092	
Purchase Order Number:	100992	
Change Order Number:	1	
Original Award Amount:		\$580,178.98
Cumulative Amount of Change Orders through Number 1:		<u>\$241,076.20</u>
New Contract Total:		\$821,255.18

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-39. Approval of Various Consent Agenda Items – Continued

37. Approving, and authorizing the Chairman to sign, the *Documentation of Negotiation (Amendment #002 to Contract Number: AH401, for Forensic Mental Health Specialist) and Florida Department of Children and Families and Escambia County Board of County Commissioners Contract AH401 Amendment #2*, effective July 1, 2010, which reduces the funding from \$95,280 to \$47,640, and the number of positions, for Forensic Case Management, from two positions to one position.
38. Approving to drop the recommendation concerning emergency Purchase Orders (*recommendation not provided*).
39. Taking the following action concerning a Cooperative Agreement between Escambia County and the Escambia County School Board (Funding: Fund 175, Transportation [*Trust Fund*], Cost Center 290205, Object Code 55201):
  - A. Approving the Cooperative Agreement between the School Board of Escambia County, Florida, and the Escambia County, Florida, Board of County Commissioners (*effective July 1, 2010, through June 30, 2011*), that provides for vocational training of incarcerated adult students, located in the Escambia County Road Prison, for a not-to-exceed amount of \$25,000; and
  - B. Authorizing the Chairman to execute the Agreement.

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

24. Waterfront Rescue Homeless Facility

2042

Motion made by Commissioner White, seconded by Commissioner Robertson, and carried unanimously, taking the following action regarding the State of Florida Department of Community Affairs Community Development Block Grant (CDBG) Disaster Recovery (2008 Storms) Grant, funding the Centralized Homeless Housing and Services Facility Replacement Project (Waterfront Rescue Mission Facility) (Funding: Fund 110/CDBG Disaster Recovery Grant, Cost Center 220436; and Fund 124/Affordable Housing, Cost Center 220406):

- A. Approving the *Centralized Homeless Housing/Services Replacement Facility Development Agreement* with Waterfront Rescue Mission, Inc. (Waterfront), in the amount of \$1,800,000, to support construction of a replacement Centralized Homeless Housing and Services Facility on Waterfront property, located at 350 West Herman Street, utilizing CDBG Disaster Recovery funds;
- B. Approving to acknowledge Waterfront's unconditional agreement to completely and permanently vacate the existing property and facilities located at 16 West Main Street and, further, prohibit its use by Waterfront, Waterfront affiliates, other agencies/organizations or individuals for emergency, transitional, or permanent housing, or for delivery of services, including food, outreach/counseling, or supportive services to the homeless or less fortunate; and
- C. Authorizing the Chairman or Vice Chairman to execute the Agreement and all related documents as required to implement the project.

For Information: The Board heard Commissioner Robertson disclose that he serves on the Waterfront Rescue Mission Board; however, because it is an unpaid position for a not-for-profit entity, he is not precluded from voting.

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

27. HUD NSP Agreements

2042

Motion made by Commissioner White, seconded by Commissioner Robertson, and carried unanimously, taking the following action regarding the HUD (*Housing and Urban Development*) Neighborhood Stabilization Program (NSP) Agreements with AMR at Pensacola, Inc. (AMR), and Community Enterprise Investments, Inc. (CEII) (Funding: Fund 129/NSP, Cost Center 220502):

- A. Approving Amendment #1 to the Non-Profit Agency Agreement with AMR, to extend the term of the existing NSP Agreement through June 30, 2011, to allow units committed and under construction to be completed and occupied in accordance with NSP requirements;
- B. Approving the Non-Profit Agency Agreement with CEII, committing a maximum of \$500,000 in approved NSP funds, to provide short-term financing for the purchase, rehabilitation, and resale of foreclosed homes, and direct home purchase assistance for eligible low-, moderate-, and middle-income homebuyers; and
- C. Authorizing the Chairman or Vice Chairman to execute the Amendment and the Agreement and all related documents required to implement the project.

For Information: The Board heard Commissioner Young disclose that she serves as an Officer on the CEII Board; however, because she is not a paid member, she is not precluded from voting on this issue.

III. FOR DISCUSSION

1. TDC Appointment

2043

Motion made by Commissioner White, seconded by Commissioner Young, and carried 4-1, with Commissioner Valentino voting "no," approving to appoint Thaisa F. Bivins to the Tourist Development Council (TDC), effective, July 8, 2010, through November 30, 2010, as a "Hotel/Motel Industry" appointee, to fill the unexpired term of Wanda Cross, who resigned.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving the County Attorney's Report, as follows:

I. FOR ACTION

1-5. Approval of Various For Action Items

2044

1. (*Adopting and*) authorizing the Chairman to execute the Resolution (R2010-124) which would continue the Declaration of State of Local Emergency (*concerning the Deepwater Horizon Oil Rig Accident in the Gulf of Mexico*) for seven days beginning Friday, July 9, 2010, at 2:00 p.m. (*through July 16, 2010, at 1:59 p.m.*).
2. Adopting a Resolution (R2010-125) approving the request of the Emerald Coast Utilities Authority (ECUA) to exercise its power of eminent domain to acquire the private property adjacent to its Bayou Marcus Wastewater Treatment Plant.
3. 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. Approving to schedule a private meeting with the Board's attorneys to discuss pending litigation, in accordance with Section 386.011 (8), Florida Statutes, for July 22, 2010, at 3:00 p.m.; and
  - B. Approving the Public Notice printed below to be published in the Pensacola News Journal on Saturday, July 10, 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 3:00 p.m., C.D.T. on Thursday, July 22, 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.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

1-5. Approval of Various For Action Items – Continued

4. Adopting a Resolution (*R2010-126*) authorizing the County Administrator to award emergency compensation to unclassified, non-exempt Escambia County employees who work in excess of 40 hours in a workweek during the declared state of local emergency related to the Deepwater Horizon oil catastrophe.
5. Adopting a Resolution (*R2010-128*) amending and expanding the scope of Resolution R2010-111 (*which extended, for an additional 60 days, and modified, Resolution R2010-83 [which authorizes the County to exercise its police powers to enter onto certain private properties in response to the crude oil discharge from the Deepwater Horizon Drilling Platform accident]*) to include other corporate and governmental entities cooperating with the County to address the threat posed by crude oil on certain private properties.

II. FOR INFORMATION

1. Acceptance of Information Report

Accepting, for filing with the Board's Minutes, the Information Report concerning Rapid Management Company v. Board of County Commissioners, Escambia County, Florida, Case No. 1D09-5521, wherein the Court affirmed the Circuit Court's ruling in favor of the County.



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

2006

1. Supplemental Budget Amendment

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Young temporarily out of Board Chambers, adopting the Resolution (R2010-127) approving Supplemental Budget Amendment Number 257, Tourist Promotion Fund (108), in the amount of \$700,000, to recognize proceeds from BP (*British Petroleum*), through the Division of Emergency Management, and (*approving*) to appropriate these funds to the Pensacola Bay Area Chamber of Commerce for tourism promotion, according to the media plan (*Pensacola Bay Area Convention & Visitors Bureau "Our Coast is Clear" Campaign – June – August 6, 2010, dated May 26, 2010*).

Speaker(s):

Alison R. Davenport  
Fred Garth  
Caron Sjoberg

For Information: The Board received four pages of information regarding the Perdido Key Chamber of Commerce "Keys to the Key" Marketing Campaign, as provided by Alison R. Davenport.

ITEMS ADDED TO THE AGENDA – COMMISSIONER ROBINSON – Continued

2. Miscellaneous Appropriations Agreement

2035

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving to set aside the entire \$700,000 and hold a Special Board Meeting on Tuesday, July 13, 2010, or Wednesday, July 14, 2010, to allow time for all parties involved to present a request to the Governor's Office to modify the plan to allow the Perdido Key Chamber of Commerce to utilize \$239,150 for its "*Keys to the Key*" Campaign, relative to the recommendation that the Board take the following action concerning approval of the Fiscal Year 2010-2011 Miscellaneous Appropriations Agreement between Escambia County and the Pensacola Bay Area Chamber of Commerce:

- A. Approve the Miscellaneous Appropriations Agreement, in the amount of \$700,000, to be paid from the Tourist Promotion Fund (108);
- B. Authorize the Chairman to sign the Agreement and all other necessary documents; and
- C. Authorize the execution of the necessary Purchase Order.

3. Resolution Regarding Dispersants

2044

Motion made by Commissioner White, seconded by Commissioner Robertson, and carried unanimously, approving to table, pending receipt of additional information regarding the dispersants, the recommendation that the Board adopt the Resolution supporting a ban on the use of specific dispersants and other chemicals as a means to remedy offshore accidental oil discharge such as the Deepwater Horizon incident in the Gulf of Mexico.

ANNOUNCEMENTS

2052

- 1. FOR INFORMATION: The Board was advised by Joy D. Blackmon, Interim Assistant County Administrator, that Governor Charlie Crist will visit the BP Claims Center at 3960 West Navy Boulevard tomorrow (*July 9, 2010*), at 10:00 a.m.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

ADJOURNMENT

2052

There being no further business to come before the Board, Chairman Robinson declared the Regular Meeting of the Board of County Commissioners adjourned at 8:52 p.m.

BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA

ATTEST:

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

Ernie Lee Magaha  
Clerk of the Circuit Court & Comptroller



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

Approved: July 22, 2010