

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD JULY 22, 2010
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(4:30 p.m. – 6:20 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
Mrs. Alison Rogers, County Attorney
Ms. Joy D. Blackmon, Interim Assistant County Administrator
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

1630

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

1. FOR INFORMATION: The Board heard comments from the following citizens regarding BP's use of dispersants, namely Corexit, in the Gulf of Mexico for the Deepwater Horizon Oil Spill cleanup:
 - A. Marilyn Dorsey, who advised that research indicates that the dispersants increase, by 12 to 50,000 times, the bio-accumulation of the carcinogenic components of oil, thus impacting the very species the dispersants were to supposedly protect;
 - B. Dr. Richard Snyder, who advised that, while they all have toxicity, surfactants are effective at dispersing oil so that bacteria can break down the oil in the water; however, BP and the EPA (*Environmental Protection Agency*) should be accountable for the manner in which the surfactants have been used; i.e., the high volume used, the lack of skimming capacity, etc.;
 - C. Amanda "Michelle" Nix, who advised that she is the Founder of Gulf Coast Oil Spill Volunteers, and none of the more than 14,000 volunteers have been utilized by BP (*British Petroleum*) for the cleanup; and
 - D. Nancy LaNasa, who suggested that "we" have a community bake sale (*to raise funds for the necessary laboratory testing and equipment*).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

PUBLIC FORUM WORK SESSION – Continued

2. FOR INFORMATION: The Board heard the request from Barbara Mayall that the agenda for the Mass Transit Advisory Committee be posted to the Escambia County Area Transit website, and that she be included in the agenda email distribution.
3. FOR INFORMATION: The Board was advised by Mark Brownson, Chairman, Fire Services Citizens' Advisory Committee (FSCAC), that the FSCAC, at its July 12, 2010, meeting, developed two recommendations; one to enforce the chain of command within the Fire Department and one to temporarily fill the "gapped" Deputy Fire Chief position from within the Fire Department, and heard Chairman Robinson's suggestion that this issue be addressed at the September 9, 2010, Committee of the Whole Workshop.
4. FOR INFORMATION: The Board heard comments from L. Gary Sansing regarding various local and national issues.
5. FOR INFORMATION: The Board heard comments from John Martin regarding the visibility of the new green and white paint on vehicles used by the Escambia County Sheriff's Office.

5:28 P.M. – PUBLIC FORUM ADJOURNED

5:35 P.M. – REGULAR BOARD MEETING CONVENED

REGULAR BCC AGENDA

1735

1. Call to Order

Chairman Robinson called the Regular Meeting of the Board of County Commissioners to order at 5:35 p.m.

2. Invocation

Chairman Robinson advised that Horace Jones would deliver the Invocation.

3. Pledge of Allegiance to the Flag

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

REGULAR BCC AGENDA – Continued

4. Adoption of the Agenda

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting the agenda, as prepared and duly amended (*to include Commissioner Robinson's three add-on items; one concerning a Resolution supporting a ban on the use of dispersants in the Gulf of Mexico, one opposing FDA enforcement policies and regulations for certain drugs, and one for discussion concerning the Sector Plan*).

5. Commissioners' Forum – District 4 – Commissioner Robinson advised that citizens have responded, economically, to the Deepwater Horizon Oil Spill, and have requested that local government accelerate existing projects and, further, advised that Escambia County is working with Santa Rosa County and the City of Pensacola to ensure that local citizens are employed (*for the cleanup*).

1737

6. Proclamations

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

1738

- A. Adopting the Proclamation proclaiming July 22, 2010, to be “Gulf Power-ECUA Sustainable Florida Day” in Escambia County;
- B. Adopting the Proclamation extending greetings and best wishes to all observing the “ADA-20 Years Strong” Celebration on Saturday, July 24, 2010;
- C. Adopting the Proclamation proclaiming August 3, 2010, to be “National Night Out” in Escambia County; and

(Continued on Page 4)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

6. Continued...

- D. Ratifying the Proclamation, dated July 7, 2010, recognizing and commending the Blue Angels for their dedication, leadership, and service to our community, country, and Armed Forces.

Speaker(s):

Tim Center
Dale Perkins
Logan Fink
Elvin McCorvey
Susan Storey
Martin Horwit
Sherri Myers
Dave Ellis

7. Proof of Publication

Motion made by Commissioner Valentino, seconded by Commissioner White, 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:

1753

A. The following two Public Hearings on the agenda:

- (1) The 5:32 p.m. Public Hearing, advertised in the Pensacola News Journal on July 12 and 13, 2010, 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; and
- (2) The 5:45 p.m. **second** Public Hearing, advertised in the Pensacola News Journal on July 7, 2010, for consideration of adopting an "Arcade Amusement Centers & Bingo Facilities" Ordinance; and

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

7. Continued...

B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule July 19, 2010 – July 23, 2010 – Legal No. 1475404*, as published in the Pensacola News Journal on July 17, 2010, as follows:

July 20	1:00 p.m.	Vested Rights Committee
July 20	1:30 p.m.	Environmental Enforcement Special Magistrate
July 20	4:00 p.m.	Health Facilities Authority
July 21	8:00 a.m.	Soil & Water Conservation Board
July 21	9:00 a.m.	Tourism Administration & Convention Committee
July 21	10:30 a.m.	Northwest Florida Regional TPO – Technical Working Group
July 21	1:00 p.m.	Development Review Committee
July 21	1:30 p.m.	NW Florida Regional Transportation Planning Organization
July 21	2:00 p.m.	County Administrator Application Review Committee
July 22	9:00 a.m.	Agenda Work Session
July 22	11:00 a.m.	BCC Information Technology Governance Council
July 22	3:00 p.m.	Board of County Commissioners Attorney-Client Session
July 22	3:00 p.m.	Land Development Code Advisory Committee
July 22	4:20 p.m.	Community Redevelopment Agency
July 22	4:30 p.m.	Board of County Commissioners Public Forum
July 22	5:30 p.m.	Board of County Commissioners Public Hearings & Reports
NEXT WEEK'S NOTE:		
July 27	1:30 p.m.	Environmental Enforcement Special Magistrate

8. 5:32 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving to table the 5:32 p.m. Public Hearing 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.

1753

Speaker(s) – None.

REGULAR BCC AGENDA – Continued

1755

9. Committee of the Whole Recommendations

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Item A, as follows, as recommended by the Committee of the Whole (C/W) at the July 13, 2010, C/W Budget Workshop:

- A. Approving to transfer funding for the Wildlife Sanctuary (*in the amount of \$32,580*) from the Tree Ordinance Fund to the General Fund.

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-1, with Commissioner Robinson voting "no," approving Item B, as follows, as recommended by the C/W at the July 13, 2010, C/W Budget Workshop:

- B. Approving (*relative to discussion concerning pay raises approved by Interim County Administrator Newsom*) that the Board's action of February 4, 2010, approving that Interim County Administrator Newsom shall get Board approval for employment actions and reorganizations as typically required of a County Administrator, supersedes the Board's original action of January 7, 2010, appointing Joy D. Blackmon as the Interim Assistant County Administrator, with no salary budget changes.

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Item C, as follows, as recommended by the C/W at the July 14, 2010, C/W Budget Workshop:

- C. Approving to delay, until the next Budget Hearing (*Workshop*), a final decision regarding the Fiscal Year 2010-2011 allocation of 4th Cent Tourist Development Tax funds, to allow ACE (*Arts, Culture and Entertainment, Inc.*) an opportunity to discuss its proposal with representatives from the following seven Agencies that are expected to be under ACE's "umbrella":
 - (1) African-American Heritage Society
 - (2) Historic Preservation Board
 - (3) Marine Resources
 - (4) Naval Aviation Museum
 - (5) Pensacola Museum of Art
 - (6) Sertoma 4th of July
 - (7) St. Michael's Cemetery

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

9. Continued...

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Item D, as follows, as recommended by the C/W at the July 14, 2010, C/W Budget Workshop:

D. Approving to reduce the Fiscal Year 2010-2011 allocation (*from 4th Cent Tourist Development Tax funds*) for St. Michael's Cemetery from \$35,000 to \$25,000.

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried, 4-1, with Commissioner Young voting "no," approving Item E, as follows, as recommended by the C/W at the July 14, 2010, C/W Budget Workshop:

E. Approving to not fund the Gulf Coast African-American Chamber of Commerce in the Fiscal Year 2010-2011 Budget.

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

I. CONSENT AGENDA

1-3. Approval of Various Consent Agenda Items

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

1756

1. Accepting, for filing with the Board's Minutes, the following six Reports prepared by the Clerk of the Circuit Court & Comptroller's Finance Department:

A. Payroll Expenditures for Pay Date July 9, 2010, in the amount of \$2,225,234.86;

B. The following two Disbursement of Funds:

(1) July 1, 2010, to July 7, 2010, in the amount of \$9,203,769.37; and

(2) July 8, 2010, to July 14, 2010, in the amount of \$4,855,115.63;

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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

1-3. Approval of Various Consent Agenda Items – Continued

1. Continued...

C. The following two Budget Comparison Reports for *(9 months, or 75% of)* Fiscal Year 2009-2010:

- (1) Summarized, by fund, Budget to Actual Comparison as of June 30, 2010; and
- (2) Actual Revenue and Expenditure Comparison to the prior Fiscal Year as of June 30, 2010; and

D. The Investment Report for the month ended June 30, 2010.

2. Taking the following action concerning write-off of Accounts Receivable:

- A. Adopting the Resolution *(R2010-131)* authorizing the write-off of \$914,069.48 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 ;and
- B. Adopting the Resolution *(R2010-132)* authorizing the write-off of \$50.00 in a returned check and account receivable in a fund of the County that has been determined to be an uncollectible bad debt.

3. 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 July 8, 2010;
- B. Approving the Minutes of the Special Board Meeting held July 13, 2010; and
- C. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held July 8, 2010.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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

I. PUBLIC HEARINGS

1. 5:45 p.m. Public Hearing

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried 3-2, with Commissioner Robertson and Commissioner Young voting "no," adopting an Ordinance (*Number 2010-23*) 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.

1757

Speaker(s):

Dan Head

II. CONSENT AGENDA

1. Scheduling of Public Hearings

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, authorizing the scheduling of the following Public Hearings, as amended to postpone the 5:46 p.m. Public Hearing, Item B:

A. 5:45 p.m. – Thursday, August 5, 2010 – To amend the Official Zoning Map to include the following Rezoning Case heard by the Planning Board on July 12, 2010:

Case Number:	Z-2010-10
Location:	1500 South Pine Barren Road
Property Reference Number:	20-4N-31-2401-000-001
Property Size:	20.28 (+/-) acres
From:	VAG-1, Villages Agriculture District (5 dwelling units per 100 acres on one-acre parcels)
To:	VAG-2, Villages Agriculture District (1 dwelling unit per 5 acres)
FLU:	AG, Agriculture
Commissioner District:	5
Requested by:	Mary J. Graf, Joanne A. Freeman, Frances A. Townes, and Connie A. Rigby, Owners

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

II. CONSENT AGENDA – Continued

1. Continued...

- B. 5:46 p.m. – Thursday, August 5, 2010 – To amend (*Land Development Code*) Articles 3 and 6, Small Wind Energy Systems & Wind Turbines; and
- C. 5:47 p.m. – Thursday, August 5, 2010 – To review a Vested Rights determination for 2414 West Moreno Street.

Speaker(s):

Jim Hunt

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

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

2-11. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 2 through 11 (*Item 1 was held for a separate vote*), as follows, as amended to drop Item 8 and refer Item 9 to the August 5, 2010, Regular Board Meeting:

1811

- 1. See Page 14.
- 2. Taking the following action concerning a Certificate of Need for Lifecycle Containers, LLC:
 - A. Approving a Certificate of Need Application permitting Lifecycle Containers, LLC, to operate in Escambia County; and
 - B. Authorizing the Chairman to sign the Certificate.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

2-11. Approval of Various Consent Agenda Items – Continued

3. Taking the following action concerning the Community Center License and Management Agreements for Davisville Heritage and Historical Preservation Association, Inc., and Oak Grove Community Center, Inc.:
 - A. Approving, and authorizing the Chairman to sign, the *Community Center License and Management Agreement* between the County and Davisville Heritage and Historical Preservation Association, Inc., for the Davisville Community Center, with a retroactive effective date of April 8, 2010; and
 - B. Approving, and authorizing the Chairman to sign, the *Community Center License and Management Agreement* between the County and Oak Grove Community Center, Inc., for the Oak Grove Community Center, with a retroactive effective date of April 2, 2010.
4. Taking the following action concerning a Resolution for the Urban and Community Forestry Grant from the Florida Department of Agriculture and Consumer Services, Division of Forestry:
 - A. Adopting the Resolution (*R2010-133*) which supports a Memorandum of Agreement between the County and the Florida Department of Agriculture and Consumer Services, Division of Forestry, enabling the County to be eligible for the Urban and Community Forestry Grant; and
 - B. Authorizing the Chairman to sign the Resolution.
5. Accepting, for filing with the Board's Minutes, the June 3, 2010, and the June 17, 2010, Community Redevelopment Agency (CRA) Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

2-11. Approval of Various Consent Agenda Items – Continued

6. Ratifying the (*July 22, 2010*) action of the Escambia County Community Redevelopment Agency authorizing the scheduling and advertising of a Public Hearing on Thursday, August 19, 2010, at 5:31 p.m., to consider adopting a Resolution to amend the Warrington Redevelopment Plan (Funding Sources: Fund 151, Warrington Tax Increment Financing [TIF] Trust Fund, Cost Center 220516; Community Development Block Grant funds; Local Option Sales Tax funds; non-County funding sources to be determined).
7. Taking the following action concerning the Collective Bargaining Agreement between the Escambia County Board of County Commissioners and the (*Florida*) Police Benevolent Association, Locals 1247 and 1248:
 - A. Adopting, and authorizing the Chairman to sign, the Resolution (*R2010-135*) ratifying the Collective Bargaining Agreement between the Escambia County Board of County Commissioners and the (*Florida*) Police Benevolent Association, Locals 1247 and 1248, for the contract years October 1, 2009, through September 30, 2012; and
 - B. Authorizing the Chairman to execute the Ratification Certificate for the Collective Bargaining Agreement on behalf of the Escambia County Board of County Commissioners.
8. Dropping the recommendation that the Board authorize the scheduling of a Public Hearing for August 19, 2010, at 5:33 p.m., to consider adopting an Ordinance authorizing the installation of traffic infraction detectors (red light cameras).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

2-11. Approval of Various Consent Agenda Items – Continued

9. Referring, to the August 5, 2010, Regular Board Meeting, the recommendation that the Board take the following action concerning a reappointment to the Escambia County Health Facilities Authority:
 - A. Waive the Board's Policy, Section I, Part B 1. (D), Appointment Policy and Procedures; and
 - B. Reappoint Dr. Nell W. Potter for an additional four-year term, effective August 22, 2010, through August 21, 2014, as requested by Ms. Paula G. Drummond, Executive Director, Escambia County Health Facilities Authority.
10. Scheduling a Public Hearing for August 19, 2010, at 5:32 p.m., to consider the Petition to Vacate a portion of Talbert Street (60 feet x approximately 512 feet = 30,720 square feet, or 0.71 acre), as petitioned by BRACE, LLC.
11. Authorizing the scheduling of a Public Hearing for August 5, 2010, at 5:31 p.m., to consider granting either of the following:
 - A. Repealing, for the 2010 tax year forward, Ordinance Number 2003-52 and Ordinance Number 2008-14, which granted Wayne Dalton Corporation certain County Economic Development Ad Valorem Tax Exemptions;

OR

- B. Renewing, for the 2010 tax year forward, Ordinance Number 2003-52 and Ordinance Number 2008-14, which granted Wayne Dalton Corporation certain County Economic Development Ad Valorem Tax Exemptions, and amending the Ordinances to correctly identify the property owner and EDATE (Economic Development Ad Valorem Tax Exemption) recipient as "WDC Florida Realty Company I, LLC, a wholly-owned subsidiary of Overhead Door Corporation."

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1. Bureau Name Change

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving to change the name of the Neighborhoods and Community Services Bureau to the Community & Environment Bureau to better depict the true operations of the Bureau, and retroactively accept the application of the new Bureau name to recommendations previously submitted.

1813

Speaker(s):

Jim Hunt

II. BUDGET/FINANCE CONSENT AGENDA

1-18. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 18, as follows, with the exception of Items 14 and 16, which were held for separate votes, as amended to refer Item 7 to the September 9, 2010, Committee of the Whole Workshop and drop Item 17:

1813

1. Adopting the Resolution (*R2010-136*) approving Supplemental Budget Amendment Number 258, Other Grants and Projects Fund (110), in the amount of \$34,708, to recognize Grant funds from the Florida Department of State and to appropriate these funds for the Escambia County Supervisor of Elections, to be used for the administration of federal elections.
2. Adopting the Resolution (*R2010-137*) approving Supplemental Budget Amendment Number 259, Other Grants and Projects Fund (110), in the amount of \$2,800, to recognize additional proceeds to be received from a State of Florida, Division of Emergency Management, Emergency Management Preparedness and Assistance Grant, and to appropriate these funds for improving the daily and emergency operations of the local Office of Emergency Management assisting in local disaster preparations and community outreach.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-18. Approval of Various Consent Agenda Items – Continued

3. Adopting the Resolution (*R2010-138*) approving Supplemental Budget Amendment Number 260, Transportation Trust Fund (175), in the amount of \$27,155, to recognize insurance proceeds received for damages to County property in three separate citizen accidents and to appropriate these funds back to the Transportation and Traffic Division.
4. Adopting the Resolution (*R2010-139*) approving Supplemental Budget Amendment Number 261, General Fund (001), in the amount of \$5,392, to recognize insurance proceeds received for damage to Parks Maintenance Truck #46897 and to appropriate these funds for purchasing a replacement vehicle.
5. Taking the following action concerning the certification of millage rates and the scheduling of Public Hearings for the Fiscal Year 2010-2011 Budget:
 - A. Certifying the millage rates for Fiscal Year 2010-2011, as follows; once the millage rates listed below have been certified, the millage rate cannot be increased without re-first class noticing the public; the millage rates must be certified by August 4, 2010; the millage rates are the same levels as those used for funding purposes in Fiscal Year 2009-2010:

County-wide Operating – 6.9755 mills
Law Enforcement MSTU (Municipal Services Taxing Unit) – .685 mill
 - B. Certifying the proposed millage rates at 5.62% below the aggregate rolled-back rate;
 - C. Reaffirming the Board's intent to maintain the allocation of revenues at the 50% increment in the Community Redevelopment Agency Tax Increment Financing Districts for Fiscal Year 2010-2011;

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-18. Approval of Various Consent Agenda Items – Continued

5. Continued...

D. Approving the scheduling of a Public Hearing on the Fiscal Year 2010-2011 Budget for September 9, 2010, at 5:01 p.m., to be held in the Chambers of the Board of County Commissioners of Escambia County, Florida, located on the first floor of the Escambia County Governmental Complex, 221 Palafox Place, Pensacola, Florida; and

E. Approving the scheduling of a Public Hearing to adopt the Fiscal Year 2010-2011 non-ad valorem Special Assessment Roll for 5:02 p.m., on September 9, 2010, to be held in the Chambers of the Board of County Commissioners of Escambia County, Florida, located on the first floor of the Escambia County Governmental Complex, 221 Palafox Place, Pensacola, Florida.

6. Ratifying the following July 22, 2010, action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements for the property located at 410 South 1st Street:

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County, a political subdivision of the State of Florida, acting in its capacity as Escambia County CRA, and Linda Y. Kennedy, owner of residential property located at 410 South 1st Street, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$937, 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.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-18. Approval of Various Consent Agenda Items – Continued

7. Approving to refer, to the September 9, 2010, Committee of the Whole Workshop, the recommendation that the Board take the following action concerning a Resolution for the Community & Environment Bureau, Animal Services Division (Animal Services) Fee Schedule:

A. Adopt the Resolution authorizing a new Animal Services Fee Schedule, with fees for immunizations, microchip implantation, and heartworm testing included, effective July 30, 2010; due to increasing operational costs, Animal Services is seeking to recoup various costs with a new Fee Schedule; and

B. Authorize the Chairman to sign the Resolution.

8. Ratifying the following July 22, 2010, action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements for the property located at 429 Baublits Court:

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County, a political subdivision of the State of Florida, acting in its capacity as Escambia County CRA, and Susan Smith, owner of residential property located at 429 Baublits Court, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$6,000, representing an in-kind match through the Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, for the following improvements:

Install new storm windows

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

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-18. Approval of Various Consent Agenda Items – Continued

9. Ratifying the following July 22, 2010, action of the Escambia County Community Redevelopment Agency (CRA) concerning the Sign Grant Funding Agreement for the property located at 1717 North Pace Boulevard:

A. Approving the Sign Grant Program Funding Agreement between Escambia County, a political subdivision of the State of Florida, acting in its capacity as Escambia County CRA, and TRC Pace, LLC, owner of commercial property located at 1717 North Pace Boulevard, Pensacola, Florida, in the Brownsville Redevelopment Area, in the amount of \$1,612, representing an in-kind match through the Brownsville Tax Increment Financing (TIF), Fund 151, Cost Center 220515, Object Code 58301, and/or Neighborhood Enterprise Foundation, Inc. (NEFI) 2008 Community Development Block Grant (CDBG), Fund 129, Cost Center 220563, Object Code 58301, for the following improvements:

Install an exterior wall sign and a free-standing sign

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

10. Taking the following action concerning the County's Group Medical Insurance (PD 08-09.042, Group Medical, Life, and Disability Insurance [Funding Source: Fund 501, Internal Service Fund, Cost Center 140609, Object Code 54501]):

A. Awarding a Contract to Blue Cross and Blue Shield of Florida, Inc., for one year, from October 1, 2010, to September 30, 2011, to provide health insurance coverage, in the form of plans Blue Option 1352, Blue Option 1552, Health Saving Accounts (HSA), and Blue Medicare and Group Medicare Supplement Plan "F" for retirees who are Medicare-eligible;

B. Approving the employee and retiree health insurance premiums; Attachment 1 shows premiums reflecting a \$20 discount for employees who do not smoke; Attachment 2 shows the health insurance premiums for the County's retirees; retirees will be responsible for paying their full premium, whether they are Medicare-eligible or not;

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-18. Approval of Various Consent Agenda Items – Continued

10. Continued...

C. Authorizing staff to deposit \$600 into the HSA account of each employee who elects the HSA coverage; this will assist the employee in paying the higher deductible (\$2,100 or \$4,200); the deposit will be reviewed each year at renewal time; the cost will include a \$3 monthly fee for each employee, along with a one-time start-up fee of \$22 for each new employee who enrolls; the cost is included in the total cost estimate; and

D. Authorizing the Interim County Administrator to sign the Employer Application.

11. Taking the following action concerning the County's Group Medical Insurance (PD 08-09.042, Group Medical, Life, and Disability Insurance) (Funding Source: Fund 501, Internal Service Fund, Cost Center 140609, Object Code 54501):

A. Approving to amend the Contract through the Employer Application with Blue Cross and Blue Shield of Florida that will allow retroactive terminations 60 days after separation and self-service billing in reconciling the monthly health insurance bill; these changes will be effective August 1, 2010;

B. Authorizing the Interim County Administrator to sign the Employer Application.

12. Taking the following action concerning the Voluntary Long Term Disability Insurance Contract with Madison National Life Insurance for the Voluntary Long Term Disability Insurance (PD 08-09.042, Group Medical, Life and Disability Insurance) (Funding Source: Fund 501, Internal Service Fund):

A. Approving Amendment #1 to the National Insurance Services Joinder Agreement for Long Term Disability Insurance, to amend Section 1 – Definitions, for basic monthly earnings for the number of hours for the category "All Other Firefighters" to state the actual earnings should be based on 90 hours in a two-week period; and

B. Authorizing the Interim County Administrator to sign Amendment #1.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-18. Approval of Various Consent Agenda Items – Continued

13. Taking the following action concerning a Railroad Reimbursement Agreement to improve the Alabama Gulf Coast Railway, LLC (AGCR) railroad crossing controls located on Pine Forest Road (Funding: Fund 175, Transportation Trust Fund, Account 110303/54601):
 - A. Adopting the Resolution (*R2010-140*) that authorizes the County to enter into the Agreement with the State of Florida Department of Transportation (FDOT) and AGCR;
 - B. Approving the Railroad Reimbursement Agreement between the State of Florida Department of Transportation, Alabama Gulf Coast Railway, LLC, and Escambia County, Florida, that specifies FDOT will fund the \$195,000 estimated cost to improve the railroad crossing controls on Pine Forest Road at the AGCR crossing, in the Walnut Hill area, and further specifies AGCR and the County will equally share the \$3,146 annual maintenance cost for the crossing controls; and
 - C. Authorizing the Chairman or Vice Chairman to execute the Resolution and the Agreement.
14. See Page 22.
15. Taking the following action concerning Federal Elections Activities Funds from the Department of State:
 - A. Certifying that the County will match State Grant Funds with \$5,206.24 from the Supervisor of Elections' Fiscal Year 2010-2011 Budget; and
 - B. Authorizing the Chairman to sign the *Certificate Regarding Matching Funds*.
16. See Page 22.
17. Dropping the recommendation concerning the proposed transfer of Olive Road from the Florida Department of Transportation to Escambia County (*recommendation not provided*).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-18. Approval of Various Consent Agenda Items – Continued

18. Ratifying the issuance of the following Change 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 BP Oil Spill; change to Purchase Order 101362 to James Lee Witt Associates, a Part of GlobalOptions, Inc., for consulting services and change to Purchase Order 101344 to Beck Disaster Recovery, Inc. (Funding: Fund 112, Disaster Recovery Fund, Cost Center 330481, Project OILSPL10):

Vendor:	James Lee Witt Associates, a Part of GlobalOptions, Inc.	
Project Name:	OILSPL10	
Contract:	N/A	
Purchase Order Number:	101362	
Change Order Number:	02	
Original Award Amount:		\$105,000
This Change Order Amount:		<u>\$140,760</u>
New Purchase Order Total:		<u>\$245,760</u>

Vendor:	Beck Disaster Recovery, Inc.	
Project Name:	OILSPL10	
Contract:	N/A	
Purchase Order Number:	101344	
Change Order Number:	03	
Original Award Amount:		\$175,000
This Change Order Amount:		<u>\$201,010</u>
New Purchase Order Total:		<u>\$376,010</u>

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

14. Interruptible Natural Gas Service Agreement

Motion made by Commissioner White, seconded by Commissioner Robertson, and carried 4-0, with Commissioner Valentino abstaining (*and filing Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*) taking the following action concerning the City of Pensacola (d/b/a Energy Services of Pensacola) *Third Amendment to Agreement for Interruptible Natural Gas Service* (Funding: Fund 001, General Fund, Cost Center 210604, Object Code 54301):

1814

- A. Approving the *Third Amendment to Agreement for Interruptible Natural Gas Service* authorizing a fixed charge of \$150 monthly; a fuel charge of \$5.24 per MMBTU (Million British Thermal Units); a usage charge of \$1.99 per MMBTU; and a time extension for a period of 12 months, from November 1, 2010, to October 31, 2011; and
- B. Authorizing the Chairman or Vice Chairman to execute all documents relating to the Amendment as required.

16. Star Lake Bridge Replacement

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, awarding an Indefinite Quantity, Indefinite Delivery Contract, PD 09-10.065, Star Lake Bridge Replacement, to Starfish, Inc. of Alabama, for Base Bid and Alternate Items 1 and 2, for a total amount of \$416,466.50 (Funding: Fund 352, LOST III, Cost Center 210107, Object Code 56301, Project No. 10EN0312).

1815

Speaker(s):

Alan McMillan

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1-4. Approval of Various For Action Items

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

1819

1. (*Adopting and*) authorizing the Chairman to execute the Resolution (*R2010-143*) which would continue the Declaration of State of Local Emergency for seven days beginning Friday, July 23, 2010, at 2:00 p.m.
2. Authorizing the Office of the County Attorney to postpone bringing an action in circuit court for enforcement of the Final Order of PERC awarding attorneys fees and costs to the County, in the sum of \$29,759.05, until the International Convention of the ATU from September 26th through October 1st, in Orlando, Florida.
3. Taking the following action concerning the scheduling of an Attorney-Client Session:
 - A. Scheduling a private meeting with the Board's attorneys to discuss pending litigation, in accordance with Section 286.011(8), Florida Statutes, for Thursday, August 5, 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 24, 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 Johnson v. Monroe, 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, August 5, 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 Stephen G. West, Assistant 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

1-4. Approval of Various For Action Items – Continued

4. Ratifying (*the Chairman's adoption of and signature on*) Resolution R2010-130, which corrects the dates of the Declaration of State of Local Emergency declared in Resolution R2010-124.

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

1. Resolution Supporting Ban on Use of Specific Dispersants

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting the Resolution (*R2010-141*) 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, and acknowledge that the Florida Association of Counties and the Florida League of Cities have been added to Section 4 (*of the Resolution*) to receive copies of the Resolution.

1753

Speaker(s):

Catherine Wright

2. Resolution Opposing FDA Enforcement of Policies and Regulations for Certain Drugs

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting the Resolution (*R2010-142*) opposing FDA (*Food and Drug Administration*) enforcement policies and regulations for certain drugs (*considered by the American Heart Association as basic core medications for emergency cardiovascular treatment*) previously exempted from regulatory approval under a grandfather clause.

1820

3. FOR INFORMATION: The Board was advised by T. Lloyd Kerr, Bureau Chief, Development Services Bureau, that the Department of Community Affairs (DCA) issued its Notice of Intent to find the County's EAR-Based (*Comprehensive Plan*) Amendments, and the Sector Plan that is included in the Amendments, not in compliance; however, he believes that the non-compliant issues can be resolved by County staff and DCA staff.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

ANNOUNCEMENTS – None.

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 6:20 p.m.

1820

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: August 5, 2010

