

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD AUGUST 5, 2010
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(4:30 p.m. – 6:08 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 4:30 p.m.

1630

1. FOR INFORMATION: The Board heard comments from Tiffany Geri and Horace Crutchfield regarding the need for speed bumps on Nix Road, and the Board was advised by Commissioner Robertson that the speed limit on Nix Road will be reduced, and was advised by Interim County Administrator Newsom that speed count cables have been ordered to determine the speed counts.
2. FOR INFORMATION: The Board heard comments from L. Gary Sansing regarding Public Forum, as well as various national and local issues.
3. FOR INFORMATION: The Board heard the request from Sherri Myers that the Board adopt a "green janitorial" program, and was advised by Ms. Myers that the Department of Interior has adopted a model green clean janitorial supply program that requires all vendors' chemicals to be certified to meet certain standards and, further, that the utility poles used by AT&T are environmentally harmful, according to the guidelines published by the CDC (*Centers for Disease Control*).

4:50 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

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

1730

2. Invocation

Chairman Robinson advised that Reverend Casey Smith, Pastor, Worship Center Church of God, 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

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting the agenda as prepared and duly amended (*to include Addendum #1 to the County Attorney's Report [Items I-5 and I-6]; Commissioner Valentino's add-on item concerning Mahogany Mills Boat Ramp; Commissioner Robertson's add-on item concerning Rolling Hills C&DD Facility; Commissioner White's add-on item concerning the LDC Citizens Advisory Committee; and Commissioner Robinson's two add-on items, one concerning BP Tourism Funds and one concerning Tourist Funding Presentation*).

1733

5. Commissioners' Forum – None.

REGULAR BCC AGENDA – Continued

6. Proclamations

1733

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

- A. Adopting the Proclamation proclaiming August 17, 2010, to be “Poverty Solutions Day” and August 15-21, 2010, as “Poverty Solutions Week” in Escambia County;
- B. Adopting the Proclamation proclaiming August 16-20, 2010, to be “Florida Water Professionals Week” in Escambia County; and
- C. Ratifying the Proclamation, dated July 15, 2010, commending and congratulating Mr. Christian J. Hollinger on achieving the rank of Eagle Scout.

For Information: The Board viewed a PowerPoint Presentation entitled *Poverty Solutions Team Mission – To make Escambia County a community without poverty*, as presented by Tim Evans and Mark Dufva.

7. Written Communication – Mark A. Bednar

1746

The Board took no action concerning the July 8, 2010, communication from Mark A. Bednar, Esquire, concerning Johnson v. Monroe, et al., Case No.: 2007 CA 000959 (*a resolution was proposed during the Attorney-Client Session held earlier this date*).

Speaker(s):

Mark A. Bednar

REGULAR BCC AGENDA – Continued

1748

8. Proof of Publication

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 four Public Hearings on the agenda:

- (1) The 5:31 p.m. Public Hearing, advertised in the Pensacola News Journal on July 24, 2010, for consideration of adopting an Ordinance to either repeal or renew the EDATE originally granted to Wayne Dalton Corporation;
- (2) The 5:45 p.m. Public Hearing, advertised in the Pensacola News Journal on July 21, 2010, for consideration of adopting an Ordinance amending the Official Zoning Map; and
- (3) The 5:46 p.m. Public Hearing, advertised in the Pensacola News Journal on July 21, 2010, for consideration of adopting an Ordinance amending LDC Articles 3 and 6, "Small Wind Energy Systems and Wind Turbines" (*Public Hearing to be canceled*); and
- (4) The 5:47 p.m. Public Hearing, advertised in the Pensacola News Journal on July 9, 2010, for consideration of Vested Rights Determination VRD-2010-02; and

(Continued on Page 5)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

8. Continued...

B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule August 2, 2010 – August 6, 2010 – Legal No. 1478062*, as published in the Pensacola News Journal on July 31, 2010, as follows:

August 2	3:30 p.m.	Tourist Development Council Meeting
August 4	8:00 a.m.	Land Development Code Revision Subcommittee Meeting
August 4	8:30 a.m.	Application Committee for Competency Board
August 4	9:00 a.m.	Construction Industry Competency Board
August 4	1:00 p.m.	Development Review Committee
August 5	9:00 a.m.	Agenda Work Session
August 5	9:00 a.m.	Land Development Code Revision Subcommittee Meeting
August 5	1:30 p.m.	Citizens Environmental Committee
August 5	3:00 p.m.	Board of County Commissioners Attorney-Client Session
August 5	4:30 p.m.	Board of County Commissioners Public Forum
August 5	5:30 p.m.	Board of County Commissioners Public Hearings & Reports

NEXT WEEK'S NOTE:

August 9	8:30 a.m.	Planning Board
August 9	1:00 p.m.	FL-AL TPO – Technical Coordinating Committee
August 9	3:30 p.m.	FL-AL TPO – Citizens Advisory Committee
August 9	5:30 p.m.	Marine Advisory Committee

9. 5:31 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Item B and adopting an Ordinance (*Number 2010-24*) 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 (EDATEs), and amending the Ordinances to correctly identify the property owner and EDATE recipient as “WDC Florida Realty Company I, LLC, a wholly-owned subsidiary of Overhead Door Corporation.”

Speaker(s) – None.

1748

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

1-3. Approval of Various Consent Agenda Items

1748

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

1. Accepting, for filing with the Board's Minutes, the following three Reports prepared by the Clerk of the Circuit Court & Comptroller's Finance Department:
 - A. Payroll Expenditures for Pay Date July 23, 2010, in the amount of \$2,490,792.00; and
 - B. The following two Disbursement of Funds:
 - (1) July 15, 2010, to July 21, 2010, in the amount of \$3,054,923.79; and
 - (2) July 22, 2010, to July 28, 2010, in the amount of \$3,587,633.89; and
 - C. The Tourist Development Tax (TDT) Collections Data for Fiscal Year 2009-2010, which includes the June 2010 returns received in the month of July 2010; the ten months revenue collected reflects 75% of the Budget for the Fiscal Year.
2. Ratifying the Chairman's July 27, 2010, adoption and execution of Resolution R2010-144, *Declaration of State of Local Emergency*, effective for seven (7) days beginning at 2:00 p.m. July 30, 2010, through 1:59 p.m. August 6, 2010, pursuant to Section 252.38(3)(a)5, Florida Statutes.
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 22, 2010;
 - B. Approving the Minutes of the Attorney-Client Session held July 22, 2010;
 - C. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held July 22, 2010; and

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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
- 3. Continued...
- D. Accepting, for filing with the Board's Minutes, the Report of the Committee of the Whole Budget Workshops held July 13, 2010, and July 14, 2010, as follows:

Report of the July 13, 2010, C/W Budget Workshop

AGENDA NUMBER

1. Call To Order

Chairman Robinson called the Committee of the Whole (C/W) to order at 9:01 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 July 10, 2010, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule July 12, 2010 – July 16, 2010, Legal No. 1473805.*

3. County Administrator's Fiscal Year 2010-2011 Budget Overview

Interim County Administrator Newsom provided opening remarks.

4. Budget Development and Revenue Projections

The C/W was advised by Amy Lovoy, Bureau Chief, Management and Budget Services Bureau, that staff has presented a \$377 million, balanced Budget, which includes monies previously held for the Santa Rosa Island litigation cases; two expansion routes for Escambia County Area Transit, which amounts to a \$616,000 budget increase; and a 2% COLA (*Cost-of-Living Adjustment*) for employees who did not receive the last COLA, which amounts to approximately \$210,000.

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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
- 3. Continued...
- D. Continued...

Report of the July 13, 2010, C/W Budget Workshop – Continued

AGENDA NUMBER – Continued

- 5. Outside Agencies
 - A. General Fund (*Outside*) Agencies

The C/W discussed General Fund (*Outside*) Agencies, and the C/W:

- (1) Agreed, by consensus, to the following allocations for Outside Agencies funded through the General Fund:

- (a) Council on Aging – \$40,000
- (b) Escambia Community Clinics – \$431,880
- (c) Escambia County School Readiness Coalition – \$230,000
- (d) First Call for Help/United Way – \$35,000
- (e) Foundations for the Future – \$400,000
- (f) Human Relations Commission – \$88,700
- (g) Lakeview Center – \$31,038
- (h) NWFL Comprehensive Services for Children – \$70,000
- (i) PEDC (*Pensacola-Escambia Promotion and Development Commission*) – \$150,000
- (j) Pensacola's Promise/Chain Reaction – \$20,000
- (k) United Way – \$95,500
- (l) Veteran's Services – \$15,000
- (m) WFL Regional Planning Council – \$14,676
- (n) Wildlife Sanctuary – \$32,580

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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
- 3. Continued...
- D. Continued...

Report of the July 13, 2010, C/W Budget Workshop – Continued

AGENDA NUMBER – Continued

- 5. Continued...
 - A. Continued...
 - (2) Heard the request from Commissioner White that the Board request half (*of the of the funding*) for Escambia Community Clinics from the Escambia County Health Facilities Authority;
 - (3) Was advised by Commissioner Robertson that he does not support funding a separate Chamber of Commerce for any minority; therefore, he will not support funding the Gulf Coast African American Chamber of Commerce (GCAACC);
 - (4) Received information from Oliver Darden concerning the GCAACC's funding request for Fiscal Year 2010-2011; and
 - (5) Agreed, by consensus, to postpone discussion concerning funding for the Gulf Coast AACC for a future C/W Budget Workshop or Budget Public Hearing.

Recommendation: That the Board approve transferring funding for the Wildlife Sanctuary (*in the amount of \$32,580*) from the Tree Ordinance Fund to the General Fund.

Recommended 5-0

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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
- 3. Continued...
- D. Continued...

Report of the July 13, 2010, C/W Budget Workshop – Continued

AGENDA NUMBER – Continued

- 5. Continued...

- B. Three Cents Tourist Development Tax Agencies

The C/W discussed Outside Agencies to be funded through the Three Cents Tourist Development Tax and made no revisions to the following proposed allocations:

- (1) Pensacola Sports Association – \$204,201
- (2) Perdido Key Chamber of Commerce – \$153,151
- (3) Visitor's Information Center – \$1,310,294

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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
- 3. Continued...
- D. Continued...

Report of the July 13, 2010, C/W Budget Workshop – Continued

AGENDA NUMBER – Continued

- 5. Continued...

- C. Fourth Cent Tourist Development Tax Agencies

The C/W discussed Outside Agencies to be funded from the Fourth Cent Tourist Development Tax, and heard the request from Commissioner Robinson that discussion be postponed until the Board has had an opportunity to further evaluate the request/proposal from ACE (*Arts, Culture and Entertainment, Inc.*).

Speaker(s):

Charles Wood
Oliver Darden
George Hawthorne
Calvin Avant
Dorothy Kaufman
Richard Brosnaham
Angela Baroco

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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
- 3. Continued...
- D. Continued...

Report of the July 13, 2010, C/W Budget Workshop – Continued

AGENDA NUMBER – Continued

6. Constitutional Officers

A. Tax Collector

The C/W discussed the Tax Collector's proposed Budget for Fiscal Year 2010-2011 and the C/W:

(1) Was advised by the Honorable Janet Holley, Tax Collector, that:

- (a) The Tax Collector's fee for collecting the 2009 tax roll and local business tax receipts was \$4,734,386, which is a decrease of \$5,000 from Fiscal Year 2009-2010; further, the Tax Collector's Fiscal Year 2010-2011 Budget, in the amount of approximately \$6.3 million, will be finalized next week and submitted to the Department of Revenue; and
- (b) House Bill 5501, which was signed by the Governor and has become Law, requires all Tax Collectors to assume responsibility for all driver license services by the Year 2015; therefore, the Tax Collector's Office will be assuming the duties performed at the State-operated Driver License Bureau located on Stumpfield Road, which is expected to generate a 400% increase in the number of transactions processed per month, which will result in additional costs and personnel; and

(Continued on Page 13)

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
- 3. Continued...
- D. Continued...

Report of the July 13, 2010, C/W Budget Workshop – Continued

AGENDA NUMBER – Continued

- 6. Continued...

- A. Continued...

(2) Heard the request from Mrs. Holley that the Board consider purchasing the Marcus Pointe Tax Collector's Office located on "W" Street, as the current lease is up for renegotiation in 2012.

- B. Sheriff

The C/W reviewed and discussed the Sheriff's proposed Budget for Fiscal Year 2010-2011, in the amount of \$77,234,263, and was advised by the Honorable David Morgan, Sheriff, that the proposed Budget reflects a "cost of doing business" increase.

- C. Clerk of the Circuit Court

The C/W reviewed and discussed the Clerk of the Circuit Court and Comptroller's proposed Budget for Fiscal Year 2010-2011, in the amount of \$2,707,926, and was advised by Cynthia Rhodes, Administrator for Court Services, that the proposed Budget reflects a 1.61% reduction from Fiscal Year 2009-2010.

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-3. Approval of Various Consent Agenda Items – Continued
- 3. Continued...
- D. Continued...

Report of the July 13, 2010, C/W Budget Workshop – Continued

AGENDA NUMBER – Continued

- 6. Continued...

- D. Property Appraiser

The C/W discussed the Property Appraiser's proposed Budget for Fiscal Year 2010-2011, in the amount of \$5,449,676, and was advised by the Honorable Chris Jones, Property Appraiser, that the proposed Budget reflects a 2.5% reduction from Fiscal Year 2009-2010.

- E. Supervisor of Elections

The C/W reviewed and discussed the Supervisor of Election's proposed Budget for Fiscal Year 2010-2011, in the amount of \$1,705,580, and was advised by the Honorable David Stafford, Supervisor of Elections, that the proposed Budget reflects reduction just under 1.5% from Fiscal Year 2009-2010.

12:07 P.M. – MEETING RECESSED
1:02 P.M. – MEETING RECONVENED

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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
- 3. Continued...
- D. Continued...

Report of the July 13, 2010, C/W Budget Workshop – Continued

AGENDA NUMBER – Continued

7. Merit Protection Board

The C/W discussed the proposed Fiscal Year 2010-2011 Budget for the Merit System Protection Board and heard the request from Commissioner Robinson that staff request that Sheriff David Morgan consider consolidating services that can be performed by the Merit System Protection Board.

8. County Attorney

The C/W discussed the proposed Fiscal Year 2010-2011 Budget for the County Attorney's Office and did not suggest any revisions.

9. Board of County Commissioners

The C/W discussed the proposed Fiscal Year 2010-2011 Budget for the Board of County Commissioners and did not suggest any revisions.

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

Report of the July 13, 2010, C/W Budget Workshop – Continued

AGENDA NUMBER – Continued

10. County Administrator

The C/W discussed the proposed Fiscal Year 2010-2011 Budget for the County Administrator, and the C/W:

- (1) Discussed pay raises and/or promotions approved by Interim County Administrator Newsom, specifically, those given to certain employees in the Transportation & Traffic Division; Dusty Clements, Animal Services, Community & Environment Bureau; and Joy D. Blackmon, Interim Assistant County Administrator; and
- (2) Heard the request from Commissioner Young that the Board rescind the Board's action of January 7, 2010 (*appointing Joy D. Blackmon as the Interim Assistant County Administrator, with no salary budget changes*), and confirm 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.

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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
- 3. Continued...
- D. Continued...

Report of the July 13, 2010, C/W Budget Workshop – Continued

AGENDA NUMBER – Continued

- 10. Continued...

Recommendation: The C/W recommends that the Board approve 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.

Recommended 5-0

- 11. Public Works Bureau

The C/W discussed the proposed Fiscal Year 2010-2011 Budget for the Public Works Bureau and did not suggest any revisions.

- 12. Public Safety Bureau

The C/W discussed the proposed Fiscal Year 2010-2011 Budget for the Public Safety Bureau and did not suggest any revisions.

- 13. Development Services Bureau

The C/W discussed the proposed Fiscal Year 2010-2011 Budget for the Development Services Bureau and did not suggest any revisions.

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

Report of the July 13, 2010, C/W Budget Workshop – Continued

AGENDA NUMBER – Continued

14. Community & Environment Bureau

The C/W discussed the proposed Fiscal Year 2010-2011 Budget for the Community & Environment Bureau and heard the request from Commissioner Robertson, with consensus from the Board, that the proposed fuel budget for ECAT (*Escambia County Area Transit*) be reduced to the Fiscal Year 2009-2010 adopted level.

15. Management & Budget Services Bureau

The C/W discussed the proposed Fiscal Year 2010-2011 Budget for the Management & Budget Services Bureau and did not suggest any revisions.

16. Corrections Bureau

The C/W did not discuss the proposed Fiscal Year 2010-2011 Budget for the Corrections Bureau.

17. Judicial Services

The C/W discussed the proposed Fiscal Year 2010-2011 Budget for the State Attorney's Office, the Public Defender, the Medical Examiner, and Judicial Services, and did not suggest any revisions.

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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
3. Continued...
- D. Continued...

Report of the July 13, 2010, C/W Budget Workshop – Continued

AGENDA NUMBER – Continued

18. Adjourn

Chairman Robinson declared the C/W Budget Workshop adjourned at 3:06 p.m.

Report of the July 14, 2010, C/W Budget Workshop

AGENDA NUMBER – Continued

1. Call To Order

Chairman Robinson called the Committee of the Whole (C/W) to order at 9:03 a.m.

2. Was the Meeting Properly Advertised?

The C/W was advised by Lizabeth Carew, Recording Specialist, that the Meeting was advertised in the Pensacola News Journal on July 10, 2010, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule July 12, 2010 – July 16, 2010, Legal No. 1473805.*

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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
3. Continued...
- D. Continued...

Report of the July 14, 2010, C/W Budget Workshop – Continued

AGENDA NUMBER – Continued

3. Outside Agencies (Discussion Continued from the July 13, 2010, C/W Budget Workshop)

The C/W discussed Outside Agencies, Fourth Cent Tourist Development Tax Agencies, and the African American Chamber of Commerce, and the C/W:

- A. Heard the request from Lois Benson, representing Arts, Culture and Entertainment, Inc. (ACE), for \$1 million in 4th Cent Tourist Development Tax funds, to be allocated by ACE among certain Agencies; and

(Continued on Page 21)

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
- 3. Continued...
- D. Continued...

Report of the July 14, 2010, C/W Budget Workshop – Continued

AGENDA NUMBER – Continued

3. Continued...

B. Board Direction – The C/W recommends that the Board take the following action:

(1) Approve delaying, until the next Budget Hearing (*Workshop*), a final decision regarding Fiscal Year 2010-2011 allocation of 4th Cent Tourist Development Tax funds, to allow ACE an opportunity to discuss its proposal with representatives from the following seven Agencies that are expected to be under ACE's "umbrella":

- (a) African-American Heritage Society
- (b) Historic Preservation Board
- (c) Marine Resources
- (d) Naval Aviation Museum
- (e) Pensacola Museum of Art
- (f) Sertoma 4th of July
- (g) St. Michael's Cemetery

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

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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
- 3. Continued...
- D. Continued...

Report of the July 14, 2010, C/W Budget Workshop – Continued

AGENDA NUMBER – Continued

3. Continued...

B. Continued...

(2) Approve reducing the Fiscal Year 2010-2011 allocation for St. Michael's Cemetery from \$35,000 to \$25,000

Recommended 5-0

(3) Approve to not fund the Gulf Coast African-American Chamber of Commerce in the Fiscal Year 2010-2011 Budget

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

Speaker(s):

George Touart
Katherine Barnes

4. Adjourn

Chairman Robinson declared the C/W Budget Workshop adjourned at 10:00 a.m.

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

I. PUBLIC HEARINGS

1. Rezoning Case

1749

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning Rezoning Case Z-2010-10, heard by the Planning Board (PB) on July 12, 2010:

- A. Adopting the Planning Board’s recommendation and approving VAG-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-2010-10
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 Category:	AG, Agriculture
Commissioner District:	5
Requested by:	Mary J. Graf, Joanne A. Freeman, Frances A. Townes, and Connie A. Rigby, Owners
PB Recommendation:	Approval

Speaker(s):

Billy R. Ward

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

1751

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting an Ordinance (*Number 2010-25*) to amend the Official Zoning Map to include the Rezoning Case (*Z-2010-10*) heard by the Planning Board on July 12, 2010, and approved during the previous agenda item, and to provide for severability, inclusion in the Code, and an effective date.

Speaker(s) – None.

3. 5:46 p.m. Public Hearing

1751

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving to cancel the 5:46 p.m. Public Hearing, as it has been referred to the September Committee of the Whole Workshop.

Speaker(s) – None.

4. 5:47 p.m. Public Hearing

1751

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving to grant the vested rights, and adopting the staff findings and conclusions for purposes of the Certificate of Vested Rights, thus upholding the recommendation of the Vested Rights Committee (VRC) approving vested rights for the following Case:

Case Number: VRD-2010-02
Location: 2414 West Moreno Street
Parcel Number: 17-2S-30-1300-150-018
Zoning District: R-2
Vested Rights for: Placement of Mobile Home in R-2 Zoning
Applicant: Ashawni Hayes

Speaker(s) – None.

For Information: The Board heard Commissioner Young disclose that she had received a letter of opposition from one of the Applicant's neighbors.

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

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-9. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 9, as follows, as amended to correct the Property Records Number 4773 to read 47773 in Item 5:

1752

1. Taking the following action concerning appointments to the Workforce Escarosa, Inc., Board of Directors:
 - A. Confirming the appointment of Michael Ward, Senior Recruiter, West Corporation, as a private sector representative, for a three-year term, with the term of the appointment to be effective August 5, 2010, through August 4, 2013; and
 - B. Confirming the appointment of John Gormley, Vice President, SunTrust Bank, Inc., as a private sector representative, for a three-year term, with the term of the appointment to be effective August 5, 2010, through August 4, 2013.
2. Taking the following action concerning the *Agreement between Escambia County and Midway Fire District Training Academy for the Provision of Certain Student Clinical Training*:
 - A. Approving the Agreement to allow the provision of clinical learning experiences required for applied health occupations, under the auspices of Escambia County Emergency Medical Services, for selected students of Midway Fire District Training Academy; and
 - B. Authorizing the Chairman to sign the Agreement.
3. Approving four *Request for Disposition of Property* Forms for five items, which are described and listed on the forms, with reasons for disposition stated; the items are to be auctioned as surplus or will be disposed of properly.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-9. Approval of Various Consent Agenda Items – Continued

4. Authorizing the scheduling of a Public Hearing for September 2, 2010, at 5:31 p.m., to consider the Petition to Vacate a portion of the alleyway in Block 48, Hazelhurst Subdivision (approximately 92 feet x 20 feet = 1,840 square feet, or 0.04 acre), as petitioned by Frank C. Whitfield.
5. 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, as amended to correct the Property Records Number 4773 to read 47773.
6. Approving the two *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 form with the Agency and reason stated.
7. Taking the following action concerning the updated Florida-Alabama Transportation Planning Organization (TPO), State of Florida Department of Transportation, Intergovernmental Coordination and Review and Public Transportation Coordination Joint Participation Agreement (ICAR), prescribing the process for coordination of TPO planning activities between various transportation entities:
 - A. Approving the updated ICAR, as requested by Robert Baronti, TPO Staff, in a memorandum dated June 7, 2010; and
 - B. Authorizing the Chairman to sign the ICAR.
8. Confirming the appointment of Michael D. Weaver to the position of Interim Public Safety Bureau Chief, at an annual salary of \$88,313, effective July 15, 2010.
9. Adopting, and authorizing the Chairman to sign, the Resolution (*R2010-145*) authorizing the use of County office space in the Old County Courthouse by the Gulf Coast Citizen Diplomacy Council, Inc.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

10. Olive Road Acquisition

1753

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, authorizing the Chairman to send a letter to Florida Department of Transportation to begin the discussion for Escambia County to acquire Olive Road (State Road 290), between County Road 95A (*Old Palafox Highway*) and Scenic Highway (U. S. [*Highway*] 90).

For Information: The Board heard Commissioner Robertson disclose that he recently purchased property on Olive Road; however, he was not precluded from voting on this issue.

II. BUDGET/FINANCE CONSENT AGENDA

1-21. Approval of Various Consent Agenda Items

1753

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 21, as follows, with the exception of Items 11 and 15, which were held for separate votes, as amended to drop Item 21:

1. Authorizing foreclosure of the Code Enforcement Lien, in the amount of \$20,666.50, recorded in Official Records Book 6290, at Page 1864, of the Public Records of Escambia County, Florida, on real property located at 3106 West Blount Street, Account Number 06-3514-000, Reference Number 33-2S-30-1000-008-022; the current assessed value is \$8,978.00.
2. Authorizing foreclosure of the Code Enforcement Lien, in the amount of \$4,672.50, recorded in Official Records Book 6219, at Page 793, of the Public Records of Escambia County, Florida, on real property located at 4091 West Lloyd Street, Account Number 07-0699-100, Reference Number 34-2S-30-0580-010-058; the current assessed value is \$4,750.00.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-21. Approval of Various Consent Agenda Items – Continued

3. Authorizing foreclosure, based on the following Liens recorded in the Public Records of Escambia County, Florida, on real property located at 517 Lynch Street, Account Number 07-1148-000, Reference Number 34-2S-30-0920-000-020; the current assessed value is \$6,175.00:

- A. Code Enforcement Lien recorded in Official Records Book 5716, at Page 82, in the amount of \$12,170.14;
- B. Code Enforcement Lien recorded in Official Records Book 6200, at Page 1055, in the amount of \$1,182.50; and
- C. Nuisance Abatement Lien recorded in Official Records Book 6529, at Page 574, in the amount of \$415.82.00.

4. Taking the following action regarding surplus and sale of real property located at 1211 Border Street, due to the failure of the successful bidder to close on the property:

- A. Rescinding the Board's action of February 18, 2010, taking the following action concerning the surplus and sale of real property located at 1211 Border Street:
 - (1) Declaring surplus the Board's real property, Account Number 07-0661-000, Reference Number 34-2S-30-0460-012-046;
 - (2) Authorizing the sale of the property to the bidder with the highest offer received above the minimum bid of \$3,107, without further action of the Board; and
 - (3) Authorizing the Chairman to sign all documents related to the sale;
- B. Declaring the bidder in default, retain the bid deposit, and authorize the property to be re-advertised;
- C. Authorizing the sale of the property to the bidder with the highest offer received at or above the minimum bid of \$3,107, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and
- D. 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

1-21. Approval of Various Consent Agenda Items – Continued

5. Authorizing foreclosure, based on the following Liens recorded in the Public Records of Escambia County, Florida, on real property located at 811 Grandview Street, Account Number 06-4000-000, Reference Number 33-2S-30-3300-060-265; the current assessed value is \$6,531.00:
 - A. Code Enforcement Lien recorded in Official Records Book 6168, at Page 425, in the amount of \$17,129.50; and
 - B. Nuisance Abatement Lien recorded in Official Records Book 6436, at Page 1370, in the amount of \$212.07.
6. Taking the following action concerning the surplus and sale of real property located at 2600 West Blount Street:
 - A. Declaring surplus the Board's real property, Account Number 06-3209-000, Reference Number 31-2S-30-2000-190-001;
 - B. Authorizing the sale of the property to the bidder with the highest offer received at or above the minimum bid of \$29,795.64, 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.
7. Adopting the Resolution (*R2010-146*) approving Supplemental Budget Amendment Number 268, Civic Center Fund (409), in the amount of \$1,978,966, to recognize additional budgeted revenues from the Civic Center operation and to appropriate these funds for the remaining Fiscal year expenses incurred through the Civic Center operation.
8. Adopting the Resolution (*R2010-147*) approving Supplemental Budget Amendment Number 272, General Fund (001), in the amount of \$14,755, to recognize reimbursements from auto insurance payments and to appropriate these funds for the Sheriff's operational activities.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-21. Approval of Various Consent Agenda Items – Continued

9. Adopting the Resolution (*R2010-148*) approving Supplemental Budget Amendment Number 273, Local Option Sales Tax III Fund (352), in the amount of \$19,000, to recognize reimbursement from Pensacola Christian College and to appropriate these funds for the Rawson Lane property purchase.
10. Adopting the Resolution (*R2010-149*) approving Supplemental Budget Amendment Number 274, Law Enforcement Trust Fund (121), in the amount of \$235,000, to recognize revenue from law enforcement seizures and to appropriate these funds for use by the Sheriff.
11. See Page 34.
12. Taking the following action regarding the purchase of a parcel of real property located at 3300 Mobile Highway, for the Mobile Highway Community Redevelopment Project (Funding Source: Fund 352, Local Option Sales Tax III, Account 220102/56101, Project 08NE0058):
 - A. Authorizing the purchase of a parcel of real property (approximately 0.98 acre) from Joseph B. Trinh, for the appraised value of \$225,000, in accordance with the terms and conditions contained in the *Contract for Sale and Purchase*; and
 - B. Authorizing the County Attorney to prepare, and the Chairman or Vice Chairman to execute, any documents, subject to Legal review and sign-off, necessary to complete the purchase, 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

1-21. Approval of Various Consent Agenda Items – Continued

13. Approving to advertise, externally, the following two vacant positions for the Public Works Bureau (Funding Source: Fund 175, "Transportation Trust Fund," Account 211601):
 - A. Engineering Project Coordinator (U705F_PWINENEN), recently vacated due to the promotion of James Duncan; and
 - B. Engineering Project Coordinator (U705F_PWINENEN), recently vacated due to the resignation of Serena Chapla, P.E.
14. Taking the following action concerning Multi-Year Joint Participation Agreement (JPA) No. 41410118401, providing Fiscal Year 2011 Transit Block Grant funding to Escambia County Area Transit (ECAT):
 - A. Approving the Multi-Year JPA No. 41410118401 (*Multi-Year Joint Participation Agreement Notification of Funding #4*), providing for Florida Department of Transportation participation, in the amount of \$704,329, of Fiscal Year 2011 funding to ECAT;
 - B. Adopting the Resolution (*R2010-150*) authorizing the Application and acceptance of these funds; and
 - C. Authorizing the Chairman to execute the Resolution, Multi-Year JPA Notification of Funding #4, and all other required documents pertaining to this JPA, without further action of the Board.
15. See Page 35.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-21. Approval of Various Consent Agenda Items – Continued

16. Taking the following action concerning the Environmental Enforcement Lien against property located at 6405 Lake Charlene Drive:
 - A. Authorizing a release of the Environmental Enforcement Lien against 6405 Lake Charlene Drive, recorded in Official Records Book 6557, at Page 1640, of the Public Records; and
 - B. Authorizing the Chairman to execute the Release.

17. Taking the following action regarding the Public Library Construction Grant Application for the Old Molino Elementary School Project (Funding Source: Fund 351/352, Local Option Sales Tax II/III – at least \$500,000 in required matching funds [if Grant approved and funded]):
 - A. Approving the re-submission of the *Public Library Construction Grant Application* to the Florida Department of State, Division of Library and Information Services, for the Old Molino Elementary School Library Project;
 - B. Adopting the Resolution (*R2010-151*) as part of the Application packet; and
 - C. Authorizing the Chairman to sign the Resolution, *Certification of Application*, and all Grant-related documents relevant to this project, 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

1-21. Approval of Various Consent Agenda Items – Continued

18. Awarding a Pricing Agreement with multiple vendors for PD 09-10.055, Medical Supplies and Equipment, for a period of 24 months, with the option to exercise one additional 12-month period, up to a maximum of 36 months, under the conditions of the Solicitation, to the following offerors (Funding: Fund 408, Emergency Medical Services Fund, and Fund 143, Fire Protection Fund):
 - A. Alliance Medical, Inc.
 - B. Bound Tree Medical, LLC
 - C. Henry Schein EMS
 - D. Gulf South Medical Supply, Inc.
 - E. Interboro Packaging Corp.
 - F. Kentron Health Care, Inc.
 - G. Midwest Medical Supply Co, LLC
 - H. Moore Medical, LLC
 - I. QuadMed, Inc.
 - J. School Health Corporation
 - K. Sovereign Medical, LLC

19. Authorizing the County to piggyback off the Florida Sheriff's Association Contract #09-17-0908, Spec #57, in accordance with the Escambia County, Florida, Code of Ordinances, Chapter 46, Article II, Section 46-44, Applications; exemptions; and Section 46-64, Board approval, and awarding a Purchase Order to Hub City Ford Mercury, Inc., for three 2011 Ford F-750 XL trucks, Road Department Contract PD 09-10.072, with specified options, in the total amount of \$177,372, which includes \$208,272, for three trucks, less the trade-in value of \$30,900, for three 2004 Ford F-750 trucks, Property Numbers 52504, 52505, and 52546 (Funding: Fund 175, Transportation Trust Fund, Cost Center 210405).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-21. Approval of Various Consent Agenda Items – Continued

20. Taking the following action concerning the State of Florida, Division of Emergency Management Domestic Security Grant Modification #1, for Contract Number 08-DS-60-01-27-01-243 (Funding Source: Fund 110, Other Grants and Projects, Cost Center 330459):

A. Approving *Modification #1 to Grant Agreement* to reinstate the Contract and extend its ending date from April 30, 2010, to August 31, 2010; and

B. Authorizing the Chairman to sign the Modification #1.

21. Dropping the recommendation concerning ratification of Emergency Change Orders and Purchase Orders (*recommendation not provided*).

11. Purchase of Property

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action regarding the purchase of a parcel of real property (approximately 0.39 acre) from Patrick L. Ozment, Michael L. Ozment, and Penny C. Parker, located at 906 North 57th Avenue (Funding Source: Fund 352, Local Option Sales Tax III, Account 210802/56101/56301, Project 10PR0412), with the clear understanding that encroachments are to be taken care of (*removed*) before closing:

A. Authorizing the purchase of a parcel real property (approximately 0.39 acre) from Patrick L. Ozment, Michael L. Ozment, and Penny C. Parker, for the appraised value of \$18,000, in accordance with the terms and conditions contained in the *Contract for Sale and Purchase*; and

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

1753

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

15. Change Order

1755

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried 4-0, with Commissioner Robertson abstaining (*and filing Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*) approving, and authorizing the Interim County Administrator to execute, the following Change Order (Funding Source: Fund 401, Solid Waste Enterprise Fund, Cost Center 220605, Object Code 56301):

Bureau:	Community & Environment	
Division:	Solid Waste Management	
Type:	Addition	
Amount:	\$75,000	
Vendor:	QED Environmental Systems, Inc.	
Project Name:	Landfill Gas Collection and Control System Restoration and Expansion	
Purchase Order Number:	101477	
Change Order Number:	1	
Original Award Amount:		\$ 46,300
Cumulative Amount of Change Orders through Number 1:		<u>\$ 75,000</u>
New Contract Total:		\$121,300

CHAIRMAN ROBINSON RELINQUISHED THE CHAIR TO COMMISSIONER WHITE

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION

1. Health Facilities Authority Appointment

1756

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, and carried unanimously, approving to table, for an additional two weeks (*until the August 19, 2010, Regular Board Meeting*), the discussion concerning the recommendation that the Board take the following action concerning a reappointment to the 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 Drummond, Executive Director, Health Facilities Authority

OR

- C. Appoint David Wesley Sjoberg for a four-year term, effective August 22, 2010, through August 21, 2014, to replace Dr. Nell W. Potter.

Speaker(s):

Paula Drummond

For Information: The Board heard Commissioner Robinson disclose that he has done business with Baptist Hospital; however, because of the voluntary nature of his position, he is not precluded from voting, and heard Commissioner Robertson disclose that his company has performed, and continues to perform, work for Baptist Hospital; however, he is not precluded from voting on this issue.

VICE CHAIRMAN WHITE RELINQUISHED THE CHAIR TO COMMISSIONER ROBINSON

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1-6. Approval of Various For Action Items

1803

Motion made by Commissioner White, seconded by Commissioner Robertson, and carried unanimously approving the For Action Items 1 through 6, as follows, as amended to drop Item 1:

1. Dropping the recommendation that the Board authorize the Chairman to execute the Resolution which would continue the Declaration of State of Local Emergency for seven days beginning Friday, August 6, 2010, at 2:00 p.m., through 1:59 p.m., August 13, 2010.
2. Taking the following action concerning Witt Group Holdings, LLC, Joint Interest and Non-Disclosure Agreement:
 - A. Approving the *Joint Interest and Non-Disclosure Agreement* with Witt Group Holdings, LLC; and
 - B. Authorizing the Chairman to sign the *Joint Interest and Non-Disclosure Agreement*.
3. Authorizing the scheduling of a Public Hearing for August 19, 2010, at 5:35 p.m., to consider (*adopting an Ordinance*) repealing Chapter 78, Article III, of the Escambia County Code of Ordinances, relating to Setback Regulations; Chapter 78, Article V, of the Escambia County Code of Ordinances, relating to the Comprehensive Plan; and Chapter 78, Article VII, of the Escambia County Code of Ordinances, relating to the Rezoning Hearing Examiner; providing for inclusion in the Code; providing for an effective date.
4. Authorizing the scheduling of a Public Hearing for August 19, 2010, at 5:34 p.m., to consider (*adopting an Ordinance*) amending Chapter 78, Article IV, Section 78-95, of the Escambia County Code of Ordinances, relating to Artificial Waterways, to clarify the means to petition for waiver; amending Chapter 78, Article VIII, Sections 78-211 through 78-220, of the Escambia County Code of Ordinances, relating to Land Use and Environmental Dispute Resolution, to identify the presiding officer as a Special Magistrate; providing for severability; providing for inclusion in the Code; providing for an effective date.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

1-6. Approval of Various For Action Items – Continued

5. Authorizing the Chair to appoint Commissioner Marie K. Young as a replacement for Commissioner Kevin W. White on the 2010 Canvassing Board for the Fall Primary and General Elections.
6. Authorizing the County Attorney's Office to provide limited representation to Ernie Lee Magaha, Clerk of the Circuit Court, in condemnation cases filed in the Federal U. S. District Court in Pensacola, Florida, where the Clerk of Court is named as a party defendant due to a lien held by the Clerk against the condemnation property.

II. FOR INFORMATION

1-2. Approval of Two For Information Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving For Information Items 1 and 2, as follows:

1804

1. 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 a motion for rehearing was denied on July 20, 2010.
2. Accepting, for filing with the Board's Minutes, the Information Report concerning Grand Caribbean at Perdido Key Owners' Association, Inc. v. Sandy Key Owners Association, Inc., Case No. 2010 CA 001912, complaint (which has not yet been served) wherein Grand Caribbean seeks a court declaration that it has not violated the agreement and an injunction to prevent any attempt to remove the boardwalk structure.

ITEMS ADDED TO THE AGENDA – COMMISSIONER GENE M. VALENTINO

1804

1. Mahogany Mills Boat Ramp Project

Motion made by Commissioner Valentino, seconded by Commissioner Robertson, and carried unanimously, taking the following action concerning a Florida Boating Improvement Program (FBIP) Grant Application for the Mahogany Mills Boat Ramp Project (Funding: Fund 351, Local Option Sales Tax II, and Fund 352, Local Option Sales Tax III – \$27,000 available in required matching funds [if Grant approved and funded]):

- A. Authorizing the submittal of the FBIP Grant Application for the Mahogany Mills Boat Ramp Project;
- B. Adopting the authorizing Resolution (*R2010-153*), which includes designating the Project Manager, allowing him the authority to apply for and administer the Grant on behalf of the Applicant (Escambia County Board of County Commissioners); and
- C. Authorizing the Chairman or his designee to sign, subject to Legal approval, and submit the completed Grant Application and any documents required by this Grant Application and subsequent acceptance, without further action of the Board.

ITEMS ADDED TO THE AGENDA – COMMISSIONER WILSON B. ROBERTSON

1804

1. Scheduling of a Public Hearing

Motion made by Commissioner Robertson, seconded by Commissioner White, and carried 4-0, with Commissioner Valentino abstaining (*and filing Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), authorizing the scheduling of a Public Hearing for August 19, 2010, at 5:36 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.

ITEMS ADDED TO THE AGENDA – COMMISSIONER KEVIN W. WHITE

1. LDC Citizens Advisory Committee Appointment

1806

Motion made by Commissioner White, seconded by Commissioner Robertson, and carried unanimously appointing Jerry L. Sheppard, replacing Thomas Gilliam, Jr., as Commissioner Kevin W. White's appointee on the Land Development Code (LDC) Citizens Advisory Committee, with a term of office effective August 5, 2010, and running concurrent with Commissioner White's term of office (November 2012), or at his discretion.

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

1. Supplemental Budget Amendment

1806

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting the Resolution (*R2010-154*) approving Supplemental Budget Amendment Number 284, Tourism Promotion Fund (108), in the amount of \$1,349,749, to recognize proceeds from BP (*Exploration & Production, Inc.*), through the Florida Coastal Northwest Communications Council, and to appropriate these funds for tourism promotion according to the plan detailed in the background information.

2. Miscellaneous Appropriations Agreements for Outside Agencies

Motion made by Commissioner Robertson, seconded by Commissioner White, and carried unanimously, taking the following action concerning approval of the Fiscal Year 2009-2010 Miscellaneous Appropriations Agreements for Outside Agencies:

A. Approving, subject to Legal sign-off, the following three Miscellaneous Appropriations Agreements, with the terms listed in the (*PowerPoint*) Presentation (*entitled Tourism Funding*) attached (*to the recommendation*), to be paid from the funding (*in the amount of \$1,349,749*), provided by BP, Cost Center 360103:

- | | |
|--|-----------|
| (1) Pensacola Beach Chamber of Commerce | \$308,000 |
| (2) Perdido Key Area Chamber of Commerce | \$289,635 |
| (3) Pensacola Bay Area Chamber of Commerce | \$451,844 |

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

C. Authorizing the execution of the necessary Purchase Orders.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

ANNOUNCEMENTS – None.

ADJOURNMENT

1808

There being no further business to come before the Board, Chairman Robinson declared the Regular Meeting of the Board of County Commissioners adjourned at 6:08 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: August 19, 2010