

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE  
BOARD OF COUNTY COMMISSIONERS  
HELD OCTOBER 7, 2010  
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX  
221 PALAFOX PLACE, PENSACOLA, FLORIDA  
(4:34 p.m. – 6:32 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  
Mr. Larry M. Newsom, Interim 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

Chairman Robinson called the Public Forum Work Session to order at 4:34 p.m.

1. FOR INFORMATION: The Board heard comments from L. Gary Sansing regarding political parties, global warming, overpopulation, and various other world, national, and local issues.
2. FOR INFORMATION: The Board heard comments from Dr. Jocelyn Evans, Department of Government, University of West Florida (UWF), who expressed her appreciation to the Commissioners for their assistance in facilitating the UWF Political Science Students' visit today with local Elected Officials.
3. For Information: The Board was advised by Commissioner Robinson that he will ask staff to prepare a Resolution that outlines the Commissioners' expectations for beach cleanup relating to the Deepwater Horizon Oil Spill.

4:51 P.M. – PUBLIC FORUM ADJOURNED

5:31 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 5:31 p.m.

2. Invocation

Commissioner White called upon Horace Jones to deliver the Invocation.

3. Pledge of Allegiance to the Flag

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

4. Adoption of the Agenda

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, adopting the agenda as prepared and duly amended *(to include Commissioner White's add-on item concerning opposition to the new Septic Tank Legislation and Addendum #1 to the Clerk of the Circuit Court & Comptroller's Report [Item I-1C])*.

5. Commissioners' Forum

- A. District 2 – Commissioner Valentino advised that he and Commissioner Robertson attended the Gulf Power Company Symposium on Economic Development in Destin, Florida, on October 5 and October 6, 2010, and, relative to the Deepwater Horizon Oil Spill, there are positive signs of recovery; and
- B. District 1 – Commissioner Robertson extended "hats off" to today's Honor Flight World War I Veterans.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

6. Proclamations

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

- A. Adopting the Proclamation honoring and congratulating Mrs. Georgia Bell Lewis Harris for reaching the age of 100;
- B. Adopting the following two Proclamations:
  - (1) The Proclamation commending and congratulating Eddie M. Mason, Administrative Supervisor, Public Works Bureau, on her retirement after 15 years of service; and
  - (2) The Proclamation commending and congratulating Linda L. Smithson, Senior Office Support Assistant, Community & Environment Bureau, on her retirement after 30 years of service; and
- C. Taking the following action concerning the adoption/ratification of the following three Proclamations:
  - (1) Adopting the Proclamation proclaiming September 15, 2010, through October 15, 2010, as “Hispanic Heritage Month” in Escambia County;
  - (2) Ratifying the Proclamation, dated September 29, 2010, proclaiming October 3-9, 2010, as “4-H Week” in Escambia County; and
  - (3) Ratifying the Proclamation, dated September 27, 2010, proclaiming October 1, 2010, as “National Association of Letter Carriers’ Day” in Escambia County.

Speaker(s):

Georgia Bell Lewis Harris  
Grace R. McCaffery  
Linda Maletsidis

For Information: The Board heard comments from several Hispanic-American citizens.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

7. 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 two Public Hearings on the agenda:

- (1) The 5:31 p.m. Public Hearing, advertised in The Escambia Sun-Press, LLC, on September 23, 2010, for consideration of the Petition to Vacate a portion of Bates Drive; and
- (2) The 5:45 p.m. Public Hearing, advertised in the Pensacola News Journal on September 22, 2010, for consideration of adopting an Ordinance amending the Official Zoning Map; and

(Continued on Page 5)

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 October 4, 2010 – October 8, 2010 – Legal No. 1489569*, as published in the Pensacola News Journal on October 2, 2010, as follows:

October 5	1:30 p.m.	Environmental Enforcement Special Magistrate
October 5	3:00 p.m.	Workforce Escarosa Career Council Meeting
October 5	5:30 p.m.	Rawson Lane Community Meeting
October 6	8:30 a.m.	Application Committee for Competency Board
October 6	9:00 a.m.	Construction Industry Competency Board
October 6	9:00 a.m.	Tourism Administration & Convention Committee
October 6	9:30 a.m.	Benefits Committee Meeting
October 6	11:00 a.m.	Workforce Escarosa Business Competitiveness Council
October 6	1:00 p.m.	Development Review Committee
October 6	2:30 p.m.	Workforce Escarosa Youth Development Council
October 7	9:00 a.m.	Agenda Work Session
October 7	1:30 p.m.	Citizens Environmental Committee
October 7	2:00 p.m.	Oil Spill Response Presentation
October 7	3:30 p.m.	University of West Florida Political Science Student Forum
October 7	4:30 p.m.	Board of County Commissioners Public Forum
October 7	5:30 p.m.	Board of County Commissioners Public Hearings & Reports
NEXT WEEK'S NOTE:		
October 11	8:30 a.m.	Planning Board
October 11	5:30 p.m.	Marine Advisory Committee

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

8. 5:31 p.m. Public Hearing

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action regarding the Petition to Vacate a portion of Bates Drive (15 feet x approximately 825 feet = 12,375 square feet, or 0.28 acre), as petitioned by Shirlaura Bremer:

- A. Approving the Petition to Vacate;
- B. Accepting the Hold/Harmless Agreement;
- C. Adopt the Resolution (*R2010-180*) to Vacate; and
- D. Authorizing the Chairman or Vice Chairman to accept the documents as of the day of delivery of the documents to the Chairman or Vice Chairman, and authorizing the Chairman or Vice Chairman to execute them at that time.

Speaker(s) – None.

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

1-4. Approval of Various Consent Agenda Items

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

1. Accepting, for filing with the Board's Minutes, the following five Reports prepared by the Clerk of the Circuit Court & Comptroller's Finance Department:
  - A. The following two Payroll Expenditures:
    - (1) Pay Date September 17, 2010, in the amount of \$2,275,712.17; and
    - (2) Pay Date October 1, 2010, in the amount of \$2,289,502.71;
  - B. The following three Disbursement of Funds:
    - (1) September 9, 2010, to September 15, 2010, in the amount of \$5,741,956.27;
    - (2) September 16, 2010, to September 22, 2010, in the amount of \$3,522,789.88;  
and
    - (3) September 23, 2010, to September 29, 2010, in the amount of \$8,907,905.56;  
and
  - C. The Tourist Development Tax Collections Data for Fiscal Year 2009-2010, which includes the August 2010 returns received in the month of September 2010; the report represents 12 months of collection and completes the Fiscal Year; Fiscal Year collections are 97.8% of the budgeted revenue for Fiscal Year 2009-2010.
2. Accepting, for filing with the Board's Minutes, the Minutes of the Special Meeting of the County Investment Advisory Committee (CIAC) held March 26, 2010, the Quarterly Meeting of the CIAC held April 23, 2010, and the Special Meeting of the CIAC held May 17, 2010, as prepared by the Clerk to the Board's Office.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-4. Approval of Various Consent Agenda Items – Continued
  3. Accepting, for filing with the Board's Minutes, the following documents provided to the Clerk to the Board's Office:
    - A. A copy of the *Oath of Office* for Escambia County Health Facilities Authority Member Rodney L. Kendig, who was appointed to a four-year term, effective August 22, 2010, through August 21, 2014, as filed with the Florida Department of State, Division of Elections, by Paula G. Drummond, Executive Director, Escambia County Health Facilities Authority, and received in the Clerk to the Board's Office on September 14, 2010; and
    - B. A copy of the *Northwest Florida Water Management District Amended Proposed Budget Fiscal Year 2010-2011, effective October 1, 2010*, and a copy of *Resolution No. 747, Adoption of Fiscal Year 2010-2011 Budget*, as provided by N. Jean Whitten, Director, Division of Administration, Northwest Florida Water Management District, and received in the Clerk to the Board's Office on September 29, 2010.
  4. Taking the following action concerning Minutes and Reports prepared by the Clerk to the Board's Office:
    - A. Approving the Minutes of the Second Budget Public Hearing held September 23, 2010;
    - B. Approving the Minutes of the Special Board Meeting held September 17, 2010;
    - C. Approving the Minutes of the Regular Board Meeting held September 16, 2010;
    - D. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held September 16, 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

1-4. Approval of Various Consent Agenda Items – Continued

4. Continued...

E. Accepting, for filing with the Board's Minutes, the Report of the Committee of the Whole (C/W) Workshop held September 9, 2010, as follows:

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 September 4, 2010, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule September 6, 2010 –September 10, 2010, Legal No. 1484682*.

3. Proposed Purchase of Property for Sheriff's Office Third Precinct Substation

A. Discussion – The C/W discussed the proposed purchase of a one-acre parcel of property, located at the southwest corner of Warrington Elementary School, owned by the Escambia County School District, which would serve as a Third Precinct Substation for the Escambia County Sheriff's Office, and the C/W:

- (1) Upon inquiry from Commissioner Robertson, was advised by Captain Gary Montee, Escambia County Sheriff's Office, that he was advised by Assistant Superintendent of Schools that the School District does not donate property; 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
- 1-4. Approval of Various Consent Agenda Items – Continued
- 4. Continued...
- E. Report of the September 9, 2010, C/W Workshop – Continued

AGENDA NUMBER – Continued

3. Continued...

A. Continued...

(2) Heard the request from the Honorable David Morgan, Sheriff, that, if the School District's asking price for the parcel is exorbitant, the Board consider the purchase of a parcel, approximately three acres in size, located within proximity of the School Board's property, which is listed for private sale; and

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

(1) Approve that Commissioner Robinson and Interim County Administrator Newsom will meet with the Chairman of the District School Board, the Superintendent of Schools, and the Sheriff to discuss all options available, including a "ground lease" situation, to acquire a one-acre parcel of property located at the southwest corner of Warrington Elementary School; and

**Recommended 5-0**

(2) Approve, if an agreement is not reached with the District School Board, that staff can pursue the acquisition, by purchase, of a parcel of property suitable for a Sheriff's Substation Office in the Warrington Area, and obtain the two required appraisals for the property.

**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
- 1-4. Approval of Various Consent Agenda Items – Continued
- 4. Continued...
- E. Report of the September 9, 2010, C/W Workshop – Continued

AGENDA NUMBER – Continued

- 4. Proposed Purchase of Property Located at Marcus Pointe Boulevard and "W" Street for the Tax Collector's Office
  - A. Discussion – The C/W discussed Proposed Purchase of Property Located at Marcus Pointe Boulevard and "W" Street for the Tax Collector's Office, and the C/W:
    - (1) Was advised by the Honorable Janet Holley, Tax Collector, that she is withdrawing the request that the Board consider the purchase of property, located at 6451 North "W" Street, currently under lease to the Tax Collector, until the Molino School Project has been finalized;
    - (2) Heard the suggestion from Commissioner Robertson that this request be given consideration because "now is the time to buy"; and
    - (3) Heard the request from Commissioner Robinson that staff determine whether or not Local Option Sales Tax funds are available for this purchase; and
  - B. Board Direction – None.

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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
- 1-4. Approval of Various Consent Agenda Items – Continued
- 4. Continued...
- E. Report of the September 9, 2010, C/W Workshop – Continued

AGENDA NUMBER – Continued

5. Pensacola Beach Fee Simple

- A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Santa Rosa Island and Fee Simple Ownership*, presented by County Attorney Rogers; and
- B. Board Direction – The C/W recommends that the Board approve initiating the steps toward obtaining the ability to convey fee simple title (*to Santa Rosa Island, which was conveyed to Escambia County by a Federal Deed in January 1947*), with those steps to include coordinating with the Santa Rosa County Commission and drafting a proposed Federal Bill.

**Recommended 4-1, with Commissioner Young voting "no"**

Speaker(s):

Jim Cox

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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
- 1-4. Approval of Various Consent Agenda Items – Continued
- 4. Continued...
- E. Report of the September 9, 2010, C/W Workshop – Continued

AGENDA NUMBER – Continued

- 6. The Escambia County Road Prison Standard Operating Procedures, Use of Inmate Labor Policy, Chapter 8, Part 5, and Sale of Inmate Produced Items Policy, Chapter 8, Part 6
  - A. Discussion – The C/W heard the request from County Attorney Rogers for Board direction concerning the proposed Escambia County Road Prison Standard Operating Procedures, Use of Inmate Labor Policy, Chapter 8, Part 5, and Sale of Inmate Produced Items Policy, Chapter 8, Part 6, and the C/W:
    - (1) Was advised by Jeff Bohannon, Superintendent, Escambia County Road Prison, that he has concerns regarding deletion of "the Superintendent" within Chapter 8 (*Part 5, Section I.C.*) of the proposed Policy; and
    - (2) Was advised by Interim Assistant County Administrator Blackmon that, because there are several Bureaus that utilize inmate labor, the proposed Policy is intended to specifically address the chain of command, and it will not interfere with the operations of the Road Prison; 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
- 1-4. Approval of Various Consent Agenda Items – Continued
- 4. Continued...
- E. Report of the September 9, 2010, C/W Workshop – Continued

AGENDA NUMBER – Continued

6. Continued...

B. Board Direction – The C/W recommends that the Board adopt the Escambia County Road Prison Standard Operating Procedures, *Use of Inmate Labor* Policy, Chapter 8, Part 5, and *Sale of Inmate Produced Items* Policy, Chapter 8, Part 6, with the following two amendments to the *Use of Inmate Labor* Policy, Chapter 8, Part 5:

- (1) Policy: "...may only perform those tasks and work assigned to them by the County Administrator or his designee (including but not limited to the Road Prison Superintendent)..."; and
- (2) I. C: "No person other than the County Administrator or his designee (including but not limited to the Road Prison Superintendent)..."

**Recommended 5-0**

Speaker(s):

Honorable David Morgan, Sheriff

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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
- 1-4. Approval of Various Consent Agenda Items – Continued
- 4. Continued...
- E. Report of the September 9, 2010, C/W Workshop – Continued

AGENDA NUMBER – Continued

7. Resolution Establishing a New Animal Services Fee Schedule

A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Escambia County Animal Services, Fee Proposal*, presented by Frank "Dusty" Clements, Animal Services Manager, and the C/W:

(1) Heard Commissioner Robinson suggest the following Fees:

- (a) Rabies Shots – \$16
- (b) Microchip Implantation – \$50

(2) Was advised by Commissioner Robertson that he does not support offering Microchip Implantation because he considers it to be a "luxury" service that should be provided by a private veterinarian; and

(3) Was advised by Mr. Clements that the County benefits from providing Microchip Implantation because it reduces the County's cost of the vaccines; and

B. Board Direction – The C/W recommends that the Board address this issue at the next Board Meeting (*Thursday, September 16, 2010*).

**Recommended 5-0**

Speaker(s):

George Felt

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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
- 1-4. Approval of Various Consent Agenda Items – Continued
- 4. Continued...
- E. Report of the September 9, 2010, C/W Workshop – Continued

AGENDA NUMBER – Continued

- 8. Land Development Code Ordinance – Articles 3 and 6, "Small Wind Energy Systems and Wind Turbines"
  - A. Discussion – The C/W did not discuss this item; and
  - B. Board Direction – The C/W recommends that the Board approve referring to the Planning Board the discussion concerning the Land Development Code Ordinance, Articles 3 and 6, "Small Wind Energy Systems and Wind Turbines."

**Recommended 5-0**

- 9. Fire Services Citizens' Advisory Committee Presentation
  - A. Discussion – The C/W discussed the Fire Services Unification Plan, as presented by the Fire Services Citizens' Advisory Committee (FSCAC), and the C/W:
    - (1) Heard the request from Mark Brownson that the Board implement the following recommendations of the FSCAC:
      - (a) Do not extend the timeline for training classes;
      - (b) Withhold a portion of the stipend for individuals who sign up, but do not attend, training classes;
      - (c) Discipline District Chiefs who fail to provide data requested by the Fire Chief; and
      - (d) Enforce the Chain of Command;

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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
- 1-4. Approval of Various Consent Agenda Items – Continued
- 4. Continued...
- E. Report of the September 9, 2010, C/W Workshop – Continued

AGENDA NUMBER – Continued

9. Continued...

A. Continued...

(2) Heard the request from Commissioner Valentino that communication be specifically addressed in the Fire Services Unification Plan and that the Escambia County Government Access Channel 98 be accessible at all fire stations; and

(3) Heard the request from Commissioner Young that the recommendations and concerns of the FSCAC be addressed through the County Administrator; and

B. Board Direction – None.

10. Ordinance Authorizing the Installation of Traffic Infraction Detectors (Red Light Cameras)

A. Discussion – The C/W heard the request from Larry Aiken, Chief Deputy, Escambia County Sheriff's Office, that the Board authorize, for research purposes, County staff to draft an Ordinance authorizing the installation of traffic infraction detectors (red light cameras); 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
- 1-4. Approval of Various Consent Agenda Items – Continued
- 4. Continued...
- E. Report of the September 9, 2010, C/W Workshop – Continued

AGENDA NUMBER – Continued

10. Continued...

- B. Board Direction – The C/W recommends that the Board authorize staff to draft an Ordinance authorizing the installation of traffic infraction detectors (red light cameras), with staff to coordinate the drafting of the Ordinance with the Sheriff's Office and the Clerk of the Circuit Court and Comptroller's Office.

**Recommended 5-0**

- 11. Proposed Transfer of Olive Road from the Florida Department of Transportation to Escambia County
  - A. Discussion – The C/W discussed Proposed Transfer of Olive Road from the Florida Department of Transportation (FDOT) to Escambia County; and
  - B. Board Direction – The C/W recommends that the Board authorize the Chairman to send a letter to the FDOT supporting the transfer of Olive Road from the FDOT to Escambia County, and the transfer of Airport Boulevard to the FDOT.

**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
- 1-4. Approval of Various Consent Agenda Items – Continued
- 4. Continued...
- E. Report of the September 9, 2010, C/W Workshop – Continued

AGENDA NUMBER – Continued

- 12. Discussion Concerning Federal Lobbyist
  - A. Discussion – The C/W discussed hiring a Federal Lobbyist; and
  - B. Board Direction – The C/W recommends that the Board authorize staff to advertise a Request for Proposals for a Federal Lobbyist.

**Recommended 4-1, with Commissioner Young voting "no"**

ITEMS ADDED TO THE AGENDA

- 1. Florida Retirement System (FRS)
  - A. Discussion – The C/W heard the request from Commissioner Robinson that the Board consider adopting a Resolution to provide that newly hired employees only have the option of the FRS Investment Plan, and heard the request from Commissioner White that Commissioner Robinson present his recommendation as an add-on item at the next Board Meeting (*Thursday, September 16, 2010*); and
  - B. Board Direction – None.

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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
- 1-4. Approval of Various Consent Agenda Items – Continued
- 4. Continued...
- E. Report of the September 9, 2010, C/W Workshop – Continued

ITEMS ADDED TO THE AGENDA – Continued

- 2. Fraternity House on Hillview Road
  - A. Discussion – The C/W heard the request from Commissioner White for assistance concerning a fraternity house on Hillview Road; and
  - B. Board Direction – The C/W recommends that the Board direct the County Attorney and County Administration to evaluate whether single-family residential properties, specifically property located on Hillview Road, can be used as fraternity houses.

**Recommended 5-0**

AGENDA NUMBER – Continued

- 13. Adjourn

Chairman Robinson declared the C/W Workshop adjourned at 12:06 p.m.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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

I. PUBLIC HEARINGS

1. Rezoning Case

Motion made by Commissioner Valentino, seconded by Commissioner Robertson, and carried unanimously, taking the following action concerning Rezoning Case Z-2010-11 heard by the Planning Board on September 13, 2010:

- A. Overturning the Planning Board's (PB) recommendation, and approving C-1, based on the testimony provided by Mr. Page's professional assessment suggesting C-1 as being acceptable and the compatibility analysis from Mr. Page referencing "infill development"; 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-2010-11  
Location: 4923 Lillian Highway  
Property Reference Number: 34-2S-30-0200-002-011  
Property Size: 2.25 (+/-) acres  
From: R-2 Single-family District (cumulative), Low-medium Density (7 dwelling units per acre), and R-6 Neighborhood Commercial and Residential District (cumulative), High Density (25 dwelling units per acre)  
To: C-1 Retail Commercial District (cumulative) (25 dwelling units per acre)  
FLU Category: MU-2 (Mixed-Use 2)  
Commissioner District: 2  
Requested by: Wiley C. "Buddy" Page, Agent for Rhonda M. Riley and Alan D. Howard, Owners  
PB Recommendation: Denial of C-1, Approval of R-6

Speaker(s):

Wiley C. "Buddy" Page

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

Motion made by Commissioner White, seconded by Commissioner Robertson, and carried unanimously adopting an Ordinance (*Number 2010-29*) to amend the Official Zoning Map to include the Rezoning Case (*Z2010-11*) heard by the Planning Board on September 13, 2010, and approved during the previous agenda item; and to provide for severability, inclusion in the Code, and an effective date.

Speaker(s) – None.

II. ACTION ITEMS

1. Saverna Park Final Plat

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning recording of the Final Plat of Saverna Park (a 143-lot, single-family residential subdivision), located in the Cottage Hill Community on Well Line Road, lying west of U.S. Highway 29, owned and developed by Saverna Park, LLC; prior to recording, the County Engineer, County Surveyor, Development Services Bureau Chief, and the Clerk of the Circuit Court must sign the Final Plat, as set forth in Section 4.02.07.E of the Escambia County Land Development Code; also, prior to recording the County Surveyor must sign the Final Plat, as set forth in Chapter 177.081 (1), Florida Statutes:

A. Approving the Final Plat for recording;

B. Approving the street names "Jacobs Way," "Jesse Drive," "Hesed Court," and "Perdido Road";

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

II. ACTION ITEMS – Continued

1. Continued...

- C. Accepting all public easements and drainage improvements within public easements/public parcels, as depicted upon the Final Plat, for permanent County maintenance, subject to the transfer of the stormwater system to operation and maintenance phase through the Water Management District; the costs of maintenance for drainage improvements are to be funded through the establishment of a stormwater management Municipal Services Benefit Unit; and
- D. Authorizing the Chairman or Vice Chairman to execute a *Two-Year Warranty Agreement for Streets and Drainage Improvements Without Surety/Financial Security (Limited Liability Company)*.

2. Adoption of Resolution

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving an amendment (*Resolution R2010-181*) to Section 8, "Quorum and Voting," of Resolution R2010-81, which established the Escambia County Land Development Code Citizen Advisory Committee, amending the quorum requirement (*from ten members to "a majority of Advisory Committee members in filled positions"*), as requested by the Committee.

III. CONSENT AGENDA

1. Scheduling of Public Hearings – Dropped

Motion made by Commissioner Valentino, seconded by Commissioner White, and carried unanimously, approving to drop the recommendation that the Board authorize the scheduling of the following two Public Hearings:

- A. 5:45 p.m. – Thursday, October 21, 2010 – Compliance Agreement with the Florida Department of Community Affairs regarding the EAR Based Amendments to the Escambia County Comprehensive Plan; and
- B. 5:46 p.m. – Thursday, October 21, 2010 – Comprehensive Plan EAR Based Amendments Adoption Hearing (Remedial Action).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-11. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 11, as follows, with the exception of Items 7 and 8, which were held for separate votes:

1. Authorizing the scheduling of a Public Hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) for October 21, 2010, at 5:34 p.m., to consider adoption of an Ordinance creating the River Oaks Landing Subdivision Street Lighting MSBU.
2. Taking the following action concerning appointments to the Workforce Escarosa, Inc., Board of Directors:
  - A. Confirming the appointment of Rebecca "Becky" Camarillo, General Manager, TownePlace Suites by Marriott, as a private sector representative, for a three-year term, with the term of appointment to be effective October 7, 2010, through October 6, 2013;
  - B. Confirming the appointment of Jason Williams, Vice President and Commercial Loan Officer, Gulf Coast Community Bank, as a private sector representative, for a three-year term, with the term of appointment to be effective October 7, 2010, through October 6, 2013;
  - C. Confirming the reappointment of William Joseph "Jay" Overman, III, Founder President, Online Employment Media, Inc., as a private sector representative, for a three-year term per the end date of his previous appointment, with the term of appointment to be effective September 20, 2010, through September 19, 2013; and
  - D. Confirming the appointment of Dr. Jason Hurst, Dean of Instructional Affairs, Pensacola State College, as an education sector representative, for a three-year term, with the term of appointment to be effective October 7, 2010, through October 6, 2013.
3. Approving the five *Request for Disposition of Property Forms*, for property which is described and listed on the Requests, with reasons for disposition stated; the items are to be auctioned as surplus or properly disposed of for the Corrections Bureau.



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-11. Approval of Various Consent Agenda Items – Continued

4. Approving the “Special Event Permit Application” for a limited waiver of the noise restrictions, imposed by the Escambia County Noise Abatement Ordinance, in conjunction with the DeLuna Festival outdoor event sponsored by the Five Flags Tourism Group, to be held Friday, Saturday, and Sunday, October 15, 16, and 17, 2010, from 11:00 a.m. through 11:59 p.m., daily, at Casino Beach.
5. Approving the “Special Event Permit Application” for a limited waiver of the noise restrictions, imposed by the Escambia County Noise Abatement Ordinance, in conjunction with the event sponsored by Lock & Key Productions, to begin 12:00 a.m., Monday, October 18, 2010, and to continue through 11:59 p.m., Monday, October 25, 2010, at 1201 Rainbow Avenue.
6. Approving the “Special Event Permit Application” for a limited waiver of the noise restrictions, imposed by the Escambia County Noise Abatement Ordinance, to extend the time for the New Year’s Eve fireworks display sponsored by the Portofino Island Resort, which will be launched from the pier at the Portofino Island Resort from 11:59 p.m., December 31, 2010, to 12:12 a.m., January 1, 2011.
7. See Page 26.
8. See Page 27.
9. Adopting a Resolution (*R2010-182*) authorizing the re-conveyance of the Deed to the Florida Department of Transportation to confirm re-vesting the Title to the property located at 6708 Plantation Road, Pensacola, Florida:
  - A. Authorizing the Chairman or Vice Chairman to execute all documents relating to the re-conveyance of the Deed as required; and
  - B. Authorizing staff to record the Deed at the County's expense.
10. Accepting, for filing with the Board’s Minutes, the Florida Division of Forestry Annual Report to the Escambia County Board of Commissioners for Fiscal Year 2009-2010, submitted by Adam Parden, Forest Area Supervisor, Division of Forestry.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-11. Approval of Various Consent Agenda Items – Continued

11. Taking the following action concerning the Early Retiree Reinsurance Program:

A. Approving the *Agreement to Provide Administrative Services for the Early Retiree Reinsurance Program* with Blue Cross and Blue Shield of Florida, Inc., that will allow them to assist the County in administering the Early Retiree Reinsurance Program, effective June 1, 2010; and

B. Authorizing the Interim County Administrator to sign the Agreement.

7. Escambia County 4-H Foundation

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning a Memorandum of Understanding (MOU) between Escambia County Board of Commissioners and the Escambia County 4-H Foundation, Inc.:

A. Approving an MOU that will provide for the Escambia County 4-H Foundation, Inc., to fund a part-time maintenance worker (4-H Camp caretaker) position at the Langley Bell 4-H Center, as a Grant-funded position for Fiscal Year 2010-2011; and

B. Authorizing the Chairman to sign the MOU.

For Information: The Board heard Commissioner Robertson disclose that he is a member of the Langley Bell 4-H Foundation; however, he is not precluded from voting on this issue.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

- I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued
8. Certificates of Public Convenience and Necessity

Motion made by Commissioner Valentino, seconded by Commissioner Robertson, and carried 4-0, with Commissioner Robinson abstaining (*and filing Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), taking the following action concerning Certificates of Public Convenience and Necessity:

- A. Approving the Certificates of Public Convenience and Necessity for Atmore Ambulance, Inc., Baptist Hospital's LifeFlight, Escambia County Public Safety Bureau, Lifeguard Ambulance Service of Florida, LLC, and Sacred Heart Children's Hospital NeoNatal and Pediatric Transport Van, effective January 1, 2011, through December 31, 2011; and
- B. Authorizing the Chairman to execute the Certificates of Public Convenience and Necessity.

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA

1-26. Approval of Various Consent Agenda Items

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 26, as follows, with the exception of Item 6, which was held for a separate vote, as amended to correct the date on the cover sheet recommendation for Item 9 to read September 30, 2011, and to change the Fiscal Year from 2009-2010 to 2010-2011 in Item 26:

1. Taking the following action concerning the Contract between the Escambia County Board of County Commissioners and the State of Florida, Department of Health, Escambia County Health Department:
  - A. Adopting, as allowed by Florida Statutes, Chapter 154, the Resolution (*R2010-183*) entitled, *A Resolution Authorizing a Contract Between the Escambia County Board of County Commissioners and the State of Florida, Department of Health, for the Operation of the Escambia County Health Department for FY 2010-2011; Providing for an Effective Date*, for the Contract year of October 1, 2010, through September 30, 2011;
  - B. Adopting the Resolution (*R2010-184*) authorizing a revised Fee Schedule for certain medical services provided pursuant to the Contract for the Operation of the Escambia County Health Department; and
  - C. Authorizing the Chairman to sign the Resolutions and the Contract.
2. Authorizing payment to the City of Pensacola, in the amount of \$15,210, for a previous year's expense related to the Interlocal Agreement for Secondary Road Maintenance; if approved, the County will pay this invoice from the Transportation Trust Fund (175), Cost Center 210402.
3. Adopting the Resolution (*R2010-185*) approving Supplemental Budget Amendment Number 002, Other Grants and Projects Fund (110), in the amount of \$400,000, to recognize Grant funds from the United States Environmental Protection Agency and to appropriate these funds for the Brownfield Assessment and Cleanup.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-26. Approval of Various Consent Agenda Items – Continued

4. Adopting the Resolution (*R2010-186*) approving Supplemental Budget Amendment Number 3, Other Grants and Projects Fund (110), in the amount of \$77,043, to recognize 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 maintaining and enhancing County Emergency Management Plans and Programs.
5. Approving Budget Amendment Request Number 335, Corrections Bureau, Transportation Trust Fund (175), Public Safety Bureau, Fire Protection Fund (143), Community & Environment Bureau, Escambia Restricted Fund (101), Local Option Sales Tax Projects Fund (352), Public Works Bureau, Internal Service Fund (501), in the amount of \$713,000, to cover additional personnel costs at the Road Prison, Fire Department, Animal License Fees, Equestrian Center, and fuel distribution.
6. See Page 39.
7. Taking the following action regarding the Senior Office Support Assistant position being vacated by Linda Smithson, Community & Environment Bureau, Solid Waste Management Division (Funding Source: Fund 401, Solid Waste, Cost Center 220601):
  - A. Authorizing a waiver of the Frozen Position List and allow the Community & Environment Bureau to fill the budgeted Senior Office Support Assistant position being vacated by Linda Smithson, Community & Environment Bureau, Solid Waste Management Division; and
  - B. Approving the reinstatement of former employee Jane Eisenzimmer (formerly with Animal Services), to fill the position.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-26. Approval of Various Consent Agenda Items – Continued

8. Taking the following action concerning the Seventh Amendment to Veterans and Dependent Counseling and Assistance Services Agreement between the County and Disabled American Veterans Department of Florida (Funding Source: Fund 001, General Fund, Cost Center 220202, Public Social Services – *[in the amount of]* \$15,000):

A. Approving the *Seventh Amendment to Veterans and Dependent Counseling and Assistance Services Agreement Between Escambia County Board of County Commissioners and Disabled American Veterans Department of Florida Incorporated (D.A.V.)*, extending Contract provisions for the period of October 1, 2010, through September 30, 2011, in the amount of \$15,000; and

B. Authorizing the Chairman to sign the Agreement, without further action of the Board.

9. Taking the following action concerning the Supplemental Nutrition Assistance Program (SNAP) (formerly known as Food Stamp Employment & Training [FSET]) Grant Contract between Workforce Escarosa, Inc., and the County (Funding Source: Fund 110, Other Grants and Projects – *[in the amount of]* \$143,000; no local match required):

A. Approving the SNAP Grant Contract, SNAP #2010-2011-01, between Workforce Escarosa, Inc., and the County, for the period of October 1, 2010, through September 30, 2011, in the amount of \$143,000; and

B. Authorizing the Chairman to sign the Contract, 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

1-26. Approval of Various Consent Agenda Items – Continued

10. Approving, for the Fiscal Year 2010-2011, the issuance of blanket and/or individual Purchase Orders, in excess of \$50,000, based upon previously awarded Contracts, contractual Agreements, or annual requirements, as follows, for the Community & Environment Bureau:

A. Animal Services Division:

<u>CONTRACTOR</u>	<u>AMOUNT</u>	<u>CONTRACT NUMBER</u>
Temporary Personnel Solutions Vendor Number: 200939 Fund: 001 Cost Center: 220204 (Animal Services Administration) Cost Center: 220215 (Animal License Fees)	\$68,000	PD 09-10.008

B. Civic Center:

<u>CONTRACTOR</u>	<u>AMOUNT</u>	<u>CONTRACT NUMBER</u>
(1) SMG Vendor Number: 190107 Management Fee Fund: 409 Cost Center: 221301 (Civic Center Administration)	\$172,931	Agreement approved by Board 12/9/2004 and amended 5/1/2007
(2) SMG Vendor Number: 190107 Incentive Fee Fund 409 Cost Center: 221301 (Civic Center Administration)	\$170,529	Agreement approved by Board 12/9/2004 and amended 5/1/2007

(Continued on Page 32)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-26. Approval of Various Consent Agenda Items – Continued

10. Continued...

C. Mass Transit:

<u>CONTRACTOR</u>	<u>AMOUNT</u>	<u>CONTRACT NUMBER</u>
(1) Pensacola Bay Transportation Vender Number: 161378 Fund: 104 Cost Center: 220205 (Mass Transit Operations) Cost Center: 220209 (Non-Urbanized Transportation)	\$121,000	Agreement approved by Board 9/16/2010
(2) Veolia Transportation Services, Inc. Vendor Number: 220272 Fund: 104 Cost Center: 220205 (Mass Transit Operations) Cost Center: 220208 (County Fleet Maintenance)	\$450,685	Agreement approved by Board 12/11/2008

11. Ratifying the Interim County Administrator's signature on the U.S. Environmental Protection Agency's (EPA) Cooperative Agreement, BF-95460710-0, and on the EPA Application for Federal Assistance, SF-424, Brownfields Assessment Grant Program (Funding Source: Fund 110, Cost Centers to be determined, Object Code to be determined).



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-26. Approval of Various Consent Agenda Items – Continued

12. Authorizing the County to piggyback off of the State of Alabama Two Way Radios Contract (#4010274) and the Houston-Galveston Area Council Interlocal Contract, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44 and Section 46-64, and taking the following action concerning the *Communications System Agreement* between Motorola, Inc., and Escambia County, Florida, in the amount of \$12,500,000 (Funding Source: Fund 351, Cost Center 330314; Fund 352, Cost Centers 330435, 540115, and 330228; Fund 001, Cost Center 330403):
  - A. Approving, and authorizing the Chairman to sign, the Agreement, effective upon the last date of execution; and
  - B. Approving issuance of a Purchase Order to Motorola, Inc., for the purpose of payment, in accordance with the Agreement.
13. Taking the following action concerning *Amendment Number Two (2) to Antenna Site License Agreement* with Southern Communications Services, Inc., d/b/a SouthernLINC Wireless, as it pertains to the North Antenna Site (the annual payment to the County for the first five years is \$1,825.05; license fees increase for each five-year term by 15% of the previous term rate; lease payments will be deposited in Fund 001 [General Fund] / Revenue Account 362030 [Southern, North Site]):
  - A. Approving the Amendment extending the term of the License for an additional five-year term, beginning July 25, 2010, and providing three consecutive automatic renewal terms of five years per term and the associated fees and payment schedule; and
  - B. Authorizing the Chairman to sign the document.
14. Awarding an Indefinite Quantity, Indefinite Delivery Contract, PD 09-10.074, Airway Drive Sidewalk & Drainage Project, to Roads, Inc., of NWF, for a total amount of \$1,761,761 (Funding: Fund 352, Local Option Sales Tax III, Cost Center 210107, Object Code 56301, Project Number 09EN0033, *[in the amount of]* \$1,139,762; and Fund 110, Other Grants and Projects, Cost Center 210514, Object Code 56301, *[in the amount of]* \$621,999).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-26. Approval of Various Consent Agenda Items – Continued

15. Awarding an Indefinite Quantity, Indefinite Delivery Contract, PD 09-10.078, Coral Creek Subdivision North Area Drainage Improvements, to Heaton Brothers Construction Co., Inc., for a total amount of \$733,454.25 (Funding: Fund 352, Local Option Sales Tax III, Cost Center 210107, Object Code 56301, Project Number 08EN0301).
16. Ratifying the issuance of the following Change Order 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 (Funding: Fund 112, Disaster Recovery Fund, Cost Center 330481, Project OILSPL10; the cost of consulting services is part of the claim to be recovered from BP):

Change Order #3 to Purchase Order 101344 to Beck Disaster Recovery, Inc., for additional services for field inspection and oversight for response and recovery for Deepwater Horizon BP Oil Spill:

Vendor:	Beck Disaster Recovery, Inc.
Project Name:	OILSPL10
Contract:	N/A
Purchase Order Number:	101344
Change Order Number:	03
Original Award Amount:	\$175,000.00
Total Prior Change Order Amount:	\$201,010.00
This Change Order Amount:	<u>\$256,498.43</u>
New Purchase Order Total:	\$632,508.43

17. Ratifying the termination of Agreement PD 08-09.003, Design Build CRA Sidewalk Project #2 (Winthrop Avenue, Cairo Street and Old Corry Field Road), with Hernandez & Swift Associates, Inc., effective September 30, 2010, after completion of the design phase (Funding: Fund 151, Community Redevelopment, Brownsville, Cost Center 220516, Object Code 56301).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-26. Approval of Various Consent Agenda Items – Continued

18. Awarding a Contract for the Baylen Street Medical Clinic Renovation, PD 09-10.084, to Vision Construction Ent., Inc., in the amount of \$187,784 (Funding: Fund 501, Internal Revenue Service, Cost Center 140609, Object Code 56201, *[in the amount of]* \$97,784; and Fund 129, CDBG HUD Entitlement Fund, Cost Center 220563, Object Code 56301, *[in the amount of]* \$90,000).
19. Approving Contract Amendment #1 for PD 08-09.002, Design-Build CRA Sidewalk Project #1, Phase 1: Lakewood Street and West Blount Street, Phase 2: Montpelier Drive, with Panhandle Grading and Paving, Inc., and Sigma Consulting Group, Inc., to provide for the construction cost of the Design-Build Contract, in the amount of \$473,820.35 (Funding: Fund 151, Community Redevelopment, Warrington, Cost Center 220516, Object Code 56301).
20. Taking the following action concerning Task Order Award for PD 09-10.076, Design Services for 10 Mile Roadway and Drainage Improvements from North Palafox Street to Chemstrand Road (Funding: Fund 352, Local Option Sales Tax III, Cost Center 210107, Object Code 56301, Project 10EN0745):
  - A. Approving the following Selection/Negotiation Committee Ranking:
    - (1) Kenneth Horne & Associates, Inc.
    - (2) Post, Buckley, Schuh & Jernigan, Inc., d/b/a PBS&J
    - (3) HDR Engineering, Inc.
    - (4) Rebol-Battle & Associates, Inc.
  - B. Awarding a Task Order for PD 09-10.076, Design Services for 10 Mile Roadway and Drainage Improvements from North Palafox Street to Chemstrand Road, per the terms and conditions of PD 02-03.079, Professional Services as Governed by Florida Statute 287.055, to Kenneth Horne & Associates, Inc., for a lump sum amount of \$143,265 and allowances of \$56,000.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-26. Approval of Various Consent Agenda Items – Continued

21. Approving the reallocation of funds, totaling \$300,000, from the Fiscal Year 2009-2010 Capital Improvement Program, from Gulf Beach Highway Transportation Funds (District 2) to the Coral Creek Subdivision North Area Drainage Improvements Drainage Funds (District 2) (Funding Source: Fund 352, Local Option Sales Tax III, Account 210107).
22. Taking the following action concerning the authorization for staff to acquire property, by donation, for rights-of-way and easements in the Pou Station Road Area (Funding Source: Fund 181, Master Drainage Basin, Account 210726/56101 or 56301):
  - A. Authorizing staff to negotiate and resolve any matters related to, or associated with, the acquisition of property, by donation, for rights-of-way and easements related to drainage improvements for the Pou Station Road area, to gather information and conduct inspections as needed, and to allow the Board's acceptance of the real property;
  - B. Authorizing payment of documentary stamps because the property is being acquired for governmental use, which is for drainage improvements, and the County benefits from the acquisition of these properties because the resulting projects will improve the quality of life for the citizens of Escambia County by providing a safer and more efficient roadway and drainage system;
  - C. Authorizing the payment of incidental expenditures associated with the acquisition of these properties, which includes, but is not limited to, title searches, legal document preparation fees, and recording of documents; and
  - D. Authorizing the Chairman or Vice Chairman to accept the Deeds or Easements as of the day of delivery of the Deeds or Easements to the Chairman or Vice Chairman, and authorizing the Chairman or Vice Chairman to acknowledge the Board's acceptance at that time, subject to Legal review and sign-off.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-26. Approval of Various Consent Agenda Items – Continued

23. Taking the following action regarding the acquisition of a parcel of real property, located at 680 North Navy Boulevard, from WOS Properties, LLC (Funding Source: Fund 110, Other Grants and Projects, Cost Center 221007 [FCT Jones Swamp Wetland]; and Fund 352, Local Option Sales Tax III, Cost Center 220102 [NESD Capital Projects] / Project [Southwest Greenway] to be assigned in Fiscal Year 2011):
- A. Authorizing staff to make an offer to WOS Properties, LLC, to purchase a parcel of property (approximately 0.34 acre), for the appraised amount of \$45,000, subject to the owner retaining a perpetual sign Easement for an existing outdoor overhead billboard sign; and
  - B. Authorizing the County Attorney to prepare, and the Chairman or Vice Chairman to execute, any documents necessary to complete the acquisition of this property.
24. Approving the reallocation of funds, totaling \$160,000, from the Fiscal Year 2009-2010 Capital Improvement Program, from Muscogee Road Phase 3 (District 5 – *[in the amount of]* \$80,000), and from Maplewoods Drainage Project (District 3 – *[in the amount of]* \$80,000), to the Airway Drive Sidewalk and Drainage Improvement Project (District 3 and District 5) (Funding Source: Fund 352, Local Option Sales Tax III, Account 210107).
25. Taking the following action concerning the Environmental Enforcement Lien against property located at 1517 Hernandez Street:
- A. Authorizing a release of the Environmental Enforcement Lien, in the amount of \$968.50 (\$950.00 Abatement Cost/\$18.50 Administrative Costs), against property located at 1517 Hernandez Street, recorded in Official Records Book 6436, Pages 1388-1389, of the Public Records; and
  - B. Authorizing the Chairman to execute the Release.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-26. Approval of Various Consent Agenda Items – Continued

26. Approving the following amounts for Fiscal Year 2010-2011 to issue Purchase Orders and/or Blanket Purchase Orders from previously awarded or approved annual requirement Contracts or Contractual Agreements (Funding Source: 501, Internal Service Fund):

<u>Contractor</u>	<u>Not-to-Exceed Amount</u>	<u>Contract</u>
A. Delta Dental Insurance Company Vendor Number: 040643 Dental Insurance Cost Center: 140803 Claims – \$600,000/Admin – \$70,000	\$670,000	PD 02-03.61
B. Blue Cross Blue Shield of Florida Vendor Number: 023808 Health Insurance Cost Center: 140804	\$14,523,917	PD 08-09.042
C. Standard Life Insurance Company Vendor Number: 194910 Life Insurance Cost Center: 140805	\$370,000	PD 08-09.042

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

6. Change Order – Landfill Gas Collection

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried 4-0, with Commissioner Robertson abstaining (*and filing Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), ratifying the issuance of Change Order Number 3 and authorizing the Interim County Administrator to execute the Change Order, as follows (Funding Source: Fund 401, Solid Waste Enterprise Fund, Cost Center 220605, Object Code 56301):

Bureau:	Community & Environment
Division:	Solid Waste Management
Type:	Addition
Amount:	\$218,866.58
Vendor:	American Environmental Group, LTD, LLC
Project Name:	Landfill Gas Collection and Control System Phase 1 Expansion
Contract:	PD 09-10.036
Purchase Order Number:	101224
Change Order Number:	3
Original Award Amount:	\$1,113,914.00
Cumulative Amount of Change Orders Number 3:	<u>\$ 272,358.96</u>
New Contract Total:	\$1,386,272.96

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1. County Administrator Employment Agreement

Motion made by Commissioner White, seconded by Commissioner Young, and carried 4-1, with Commissioner Robertson voting "no," approving to accept the terms of the Contract (*Employment Agreement between Escambia County and Charles R. "Randy" Oliver for the position of County Administrator*), with the change to make the (*Paid Time Off*) leave accrual starting as any other employee, on the first day, and not (*as if*) "beginning his eleventh (11th) year" (*Section 4. Compensation of Oliver, Page 5 of the draft Employment Agreement*).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Continued

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, approving the remainder of the County Attorney's Report, For Action Items 2 through 6 and For Information Item 1, as follows, as amended to change the Public Hearing date and time for Item I-5 to November 4, 2010, at 5:34 p.m.:

I. FOR ACTION

2-6. Approval of Various For Action Items

2. Taking the following action concerning Rapid Management Company v. Board of County Commissioners, Case No. 2008 CA 000572:
  - A. Approving the withdrawal of the motion to tax costs and the motion for attorney and paralegal fees; and
  - B. Authorizing the County Attorney's Office to file a notice withdrawing these motions from consideration by the Court.
3. Taking the following action concerning Johnson v. Monroe and Escambia County, Case No. 2007 CA 000959, regarding property located at 223 Rosalyn Way:
  - A. Approving the settlement of the lawsuit Johnson v. Monroe and Escambia County, Case No. 2007 CA 000959, between the County and the Plaintiffs, Robert and Myrtle Johnson, in accordance with the *Settlement Agreement* provided; and
  - B. Authorizing the Chairman to execute the *Settlement Agreement*, a Partial Release of Lien, and any other documents necessary to fulfill the terms of the *Settlement Agreement*.
4. Adopting a Resolution (*R2010-187*) declaring that double red flag conditions will occur on a specific portion of Santa Rosa Island during the De Luna Fest series of concerts and restricting access to the Gulf of Mexico from 7:00 a.m. on Friday, October 15, 2010, until 5:00 a.m. on Monday, October 18, 2010.
5. Authorizing the scheduling of a Public Hearing for November 4, 2010, at 5:34 p.m., to consider adopting an Ordinance authorizing the installation of traffic infraction detectors ("red light cameras") and enforcement of certain traffic violations using traffic infraction detectors in the unincorporated area of Escambia County.



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Continued

- I. FOR ACTION – Continued  
and
- II. FOR INFORMATION

6. Approving payment (*regarding settlement of a Workers' Compensation Claim*) to the Claimant, Francis Patton, in the amount of \$190,000, inclusive of the funding of a Medicare Set Aside annuity and all outstanding attorneys' fees and costs; an excess insurance carrier shall reimburse the County for 100.0% of this settlement amount.

II. FOR INFORMATION

1. Accepting (*for filing with the Board's Minutes*) the information concerning PFL Development, LLC v. Escambia County Community Land Trust, Inc., et al., wherein the Court granted the Plaintiff's Motion for Summary Final Judgment, specifically preserving the priority of the County's Land Use Restriction Agreement (as it pertained to the Maison Deville Apartments property) over the primary mortgage holder.

ITEMS ADDED TO THE AGENDA – COMMISSIONER KEVIN W. WHITE

1. Resolution Opposing Septic Tank Legislation

Motion made by Commissioner White, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning a Resolution in opposition to the new septic tank legislation:

- A. Adopting the Resolution (*R2010-188*) (*urging the Florida Legislature to repeal those Sections of Chapter 2010-205, Laws of Florida, that impose new inspection and replacement requirements for on-site sewage treatment systems [septic tank systems]*); and
- B. Authorizing the Clerk's Office to send the Resolution to the County's local Legislative Delegation.

Speaker(s):

Representative Greg Evers

ANNOUNCEMENTS – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

ADJOURNMENT

There being no further business to come before the Board, Chairman Robinson declared the Regular Meeting of the Board of County Commissioners adjourned at 6:32 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: October 21, 2010