


MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE  
BOARD OF COUNTY COMMISSIONERS   
HELD AUGUST 8, 2013  
BOARD CHAMBERS, FIRST FLOOR, ERNIE LEE MAGAHA GOVERNMENT BUILDING  
221 PALAFOX PLACE, PENSACOLA, FLORIDA  
(4:32 p.m. – 8:10 p.m.)

Present: Commissioner Gene M. Valentino, Chairman, District 2  
Commissioner Lumon J. May, Vice Chairman, District 3  
Commissioner Steven L. Barry, District 5  
Commissioner Wilson B. Robertson, District 1  
Commissioner Grover C. Robinson IV, District 4  
Honorable Pam Childers, Clerk of the Circuit Court and Comptroller  
(Regular Meeting only)  
George Touart, Interim County Administrator  
Alison Rogers, County Attorney  
Susan Woolf, General Counsel to the Clerk (Regular Meeting only)  
Doris Harris, Deputy Clerk to the Board  
Judy H. Witterstaeter, Program Coordinator, County Administrator's Office

PUBLIC FORUM WORK SESSION

Chairman Valentino called the Public Forum Work Session to order at 4:32 p.m.

1. FOR INFORMATION: The Board heard comments from James C. Nims, Jr., concerning the Commissioners' salary increases, the donation of the Barrineau property (*County Administrator's Report Item II-10*), the County Administrator position, and the Jail, and heard Commissioner Robertson advise that the Board had voted to not accept a salary increase long before it was approved by the State.
2. FOR INFORMATION: The Board heard comments from Commissioner Robinson concerning the Pensacola Bay Center and his request that all available options be evaluated before the Board makes a decision to spend \$10 million to upgrade the facility.

4:41 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 Valentino called the Regular Meeting of the Board of County Commissioners to order at 5:30 p.m.

2. Invocation

Commissioner Robinson introduced Reverend Ashley Wilkinson Meyer, Associate Pastor, Cokesbury Methodist Church, to deliver the Invocation.

3. Pledge of Allegiance to the Flag

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

4. Adoption of the Agenda

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried 4-0, with Commissioner May temporarily out of Board Chambers, adopting the agenda, as prepared and duly amended.

5. Commissioners' Forum

- A. District 1 – Commissioner Robertson commented concerning his recent eight-day hospital stay for foot surgery, and a fractured rib and punctured lung, and expressed his appreciation to everyone for their thoughts and prayers; and
- B. District 2 – Commissioner Valentino advised that six local Yacht Clubs will host the second annual Wounded American Veterans Event (W.A.V.E.), on Saturday, August 10, 2013, to honor disabled veterans.

REGULAR BCC AGENDA – Continued

6. Proclamations

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, taking the following action concerning the adoption/ratification of the following four Proclamations ***(Regular Agenda Item 6 and Commissioner Robinson's add-on Item 1 [see Page 70] were approved in the same motion):***

- A. Adopting the Proclamation commending and congratulating Kenneth E. Mudge on his selection as the "Employee of the Month" for August 2013;
- B. Adopting the Proclamation commemorating the Wounded American Veterans Event (W.A.V.E.) 2013 "A Day on the Bay" in Escambia County and urging the citizens of Escambia County to join with members of the Pensacola Yacht Club, the Navy Yacht Club, the Pensacola Beach Yacht Club, the Point Yacht Club, the Ft. Walton Yacht Club, and the Eglin Yacht Club to support this effort to express this community's patriotism and to salute with pride and gratitude the brave men and women who have sacrificed so much for our country;
- C. Ratifying the Proclamation dated July 31, 2013, joining the congregation of Friendship Missionary Baptist Church in celebration of its 80th anniversary, congratulating Friendship Missionary Baptist Church on the occasion of the first service at the new church location, and wishing Reverend LuTimothy May, Sr., and the congregation continued growth, grace, and favor as they continue to serve in our community; and
- D. Ratifying the Proclamation dated August 1, 2013, extending gratitude to Mr. Ralf Larry "Moose" Morris for all of his many kindnesses and dedication to his friends and his community, and congratulating him for being inducted into the University of Florida Hall of Fame as a "Distinguished Letter" winner.

Speaker(s):

Kathy Champagne

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

7. Written Communication – Rowland Court

Motion made by Commissioner Robertson, seconded by Commissioner Barry, and carried unanimously, approving to collect the hard costs, in the amount of \$4,097, relative to the email communication from Greg Rideout, Acura Title Company, requesting the Board approve a partial release of a Code Enforcement Lien (*recorded in Official Records Book 6587, Pages 154-158 and Pages 265-269, against Daniel A. Neumann, for property located at 4000 1/2 Kelly Avenue*) attached to property located at 6 Rowland Court (*formerly owned by Mr. Neumann and purchased, via Tax Certificate, by Capital One, N.A., on May 29, 2013*).

8. Proof of Publication

Motion made by Commissioner Robinson, seconded by Commissioner May, 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 11 Public Hearings on the agenda:

- (1) The 5:31 p.m. Public Hearing, advertised in the Pensacola News Journal on July 31, 2013, for consideration of adopting an Ordinance amending the LDC Articles 2 and 6, Barrancas Overlay District;
- (2) The 5:32 p.m. Public Hearing, advertised in The Escambia Sun-Press, LLC, on July 25, 2013, for consideration of the Edward Byrne Memorial JAG Program FY 2013 Local Solicitation;
- (3) The 5:33 p.m. Public Hearing, advertised in the Pensacola News Journal on July 27, 2013, for consideration of adopting an Ordinance repealing the Ordinance designating the Sheriff as Chief Correctional Officer;
- (4) The 5:34 p.m. Public Hearing, advertised in the Pensacola News Journal on July 27, 2013, for consideration of adopting an Ordinance amending the Ordinance establishing public parks on Pensacola Beach and Perdido Key specifically designated for dogs;

(Continued on Page 5)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

8. Continued...

A. Continued...

- (5) The 5:35 p.m. Public Hearing, advertised in the Pensacola News Journal on July 27, 2013, for consideration of adopting an Ordinance amending Volume 1, Chapter 10, Article I, Sections 10-3, 10-7, 10-11, 10-19, 10-23, and 10-24, of the Escambia County Code of Ordinances, relating to Animal Control;
- (6) The 5:45 p.m. Public Hearing, advertised in the Pensacola News Journal on June 14, 2013, for consideration of adopting an Ordinance amending the Official Zoning Map;
- (7) The 5:46 p.m. Public Hearing, advertised in the Pensacola News Journal on June 17, 2013, for consideration of transmittal of CPA-2013-02 to DEO;
- (8) The 5:48 p.m. **first** Public Hearing, advertised in the Pensacola News Journal on June 17, 2013, to review an Ordinance amending LDC Article 6, Zoning Districts;
- (9) The 5:49 p.m. Public Hearing, advertised in the Pensacola News Journal on June 17, 2013, for consideration of transmittal to DEO an Ordinance amending Chapter 7, "Future Land Use Element";
- (10) The 5:50 p.m. Public Hearing, advertised in the Pensacola News Journal on June 14, 2013, for consideration of adopting an Ordinance amending LDC Article 7, Marina Siting; and
- (11) The 5:51 p.m. **first** Public Hearing, advertised in the Pensacola News Journal on June 17, 2013, to review an Ordinance amending LDC Article 6.03.01., to allow chickens as permitted accessory uses for single family residential dwellings; and

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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 5-August 9, 2013, Legal No. 1604990* as published in the Pensacola News Journal on August 3, 2013, as follows:

August 5	8:30 a.m.	Planning Board
August 5	4:00 p.m.	RESTORE Act Advisory Committee
August 6	1:30 p.m.	Environmental Enforcement Special Magistrate
August 7	8:30 a.m.	Contractor Competency Board Exam Committee
August 7	9:00 a.m.	Contractor Competency Board Regular Meeting & Public Hrg
August 7	1:00 p.m.	Development Review Committee
August 8	8:30 a.m.	Incident Review Board
August 8	9:00 a.m.	Board of County Commissioners Agenda Work Session
August 8	4:30 p.m.	Board of County Commissioners Public Forum
August 8	5:30 p.m.	Board of County Commissioners Public Hearings & Reports

NEXT WEEK'S NOTE:

August 13	1:30 p.m.	Environmental Enforcement Special Magistrate
August 13	5:00 p.m.	Merit System Protection Board
August 14	1:00 p.m.	Development Review Committee
August 14	6:00 p.m.	Perdido Key Master Plan Community Meeting
August 15	9:00 a.m.	Board of County Commissioners Committee of the Whole
August 15	9:00 a.m.	Board of Electrical Examiners

9. 5:31 p.m. Public Hearing

Motion made by Commissioner Barry, seconded by Commissioner May, and carried unanimously, adopting an Ordinance (*Number 2013-32*) to amend the Escambia County Land Development Code, amending Article 2, "Administration," Section 2.14.02, to revise the language for clarity purposes; and amending Article 6, "Zoning Districts," Section 6.07.02, to amend certain R-3 and R-4 zoning district building design standards within the Barrancas Overlay District.

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

10. 5:32 p.m. Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, taking the following action concerning the "Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2013 Local Solicitation":

- A. Ratifying the scheduling of the August 8, 2013, 5:32 p.m. Public Hearing, for the purpose of soliciting public comment on the proposed use of the "Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2013 Local Solicitation" funds received from the United States Department of Justice;
- B. Ratifying the electronic submission of the Application for the "Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY 2013 Local Solicitation" funds; total estimated amount of funds for Escambia County, Florida, is \$134,963;
- C. Authorizing the Sheriff of Escambia County, Florida, to act as the Implementing Agency and Designee for the Chairman of the Board of County Commissioners for the Grant Program, to include the following:
  - (1) Review and approve the online Grant Application;
  - (2) Make the necessary Assurances and Certifications as to the expenditure of funds under the Program; and
  - (3) Sign or validate online any other program requirements as may be required by the funding authority; and
- D. Authorizing the Chairman to sign or validate online any other program requirements, as may be required by the funding authority, relating to the Chief Executive of the County.

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

11. 5:33 p.m. Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner May, and carried unanimously, taking the following action concerning the Escambia County Correctional System:

- A. Adopting an Ordinance (*Number 2013-33*) repealing Volume 1, Article I, Chapter 62, Section 62-1, of the Escambia County Code of Ordinances, designating the Sheriff as Chief Correctional Officer; providing for inclusion in the Code; providing for an effective date; and
- B. Authorizing termination of the Memorandum of Understanding between Escambia County Board of County Commissioners and Sheriff of Escambia County transferring responsibility for the Escambia County Correctional System, to include the Escambia County Jail and Jail Annex, from the County to the Sheriff, effective 12:01 a.m., on October 1, 2013.

Speaker(s) – None.

12. 5:34 p.m. Public Hearing

Motion made by Commissioner Barry, seconded by Commissioner May, and carried unanimously, adopting an Ordinance (*Number 2013-34*) amending Volume 1, Chapter 10, Article I, Sections 10-25 and 10-26, of the Escambia County Code of Ordinances, establishing public parks on Pensacola Beach and Perdido Key specifically designated for dogs.

Speaker(s) – None.

13. 5:35 p.m. Public Hearing

Motion made by Commissioner Barry, seconded by Commissioner Robinson, and carried unanimously, adopting an Ordinance (*Number 2013-35*) amending Volume 1, Chapter 10, Article I, Sections 10-3, 10-7, 10-11, 10-19, 10-23, and 10-24, of the Escambia County Code of Ordinances, relating to Animal Control.

Speaker(s) – None.



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Honorable Pam Childers, Clerk  
of the Circuit Court & Comptroller

I. CONSENT AGENDA

1. Acceptance of Ordinance Number 2013-24

Motion made by Commissioner Barry, seconded by Commissioner Robinson, and carried 4-0, with Commissioner Valentino abstaining (*and filing Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), accepting, for filing with the Board's Minutes, the July 23, 2013, *Acceptance of Gas Distribution Franchise Ordinance No. 2013-24 by City of Pensacola*, as received in the Clerk to the Board's Office on July 23, 2013.

2. Minutes and Reports

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, and carried unanimously, 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 25, 2013;
- B. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held July 25, 2013;
- C. Accepting, for filing with the Board's Minutes, the Report of the Committee of the Whole (C/W) Workshop held July 18, 2013, as follows:

AGENDA NUMBER

1. Call To Order

Chairman Valentino called the Committee of the Whole (C/W) to order at 9:08 a.m.

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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
2. Continued...
- C. Report of the July 18, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

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 13, 2013, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule July 15- July 19, 2013, Legal No. 1603410.*

3. Legislative Update

A. Board Discussion – The C/W received a Legislative update from Richard Gentry, State Lobbyist, who advised that:

- (1) During the last Legislative Session, a Bill was passed allowing public-private partnerships between local governments and certain public entities for public service works, such as road projects, without having to go through the open-bid process;
- (2) The Transportation Bill, which included a proposal to establish a Regional Transportation Financing Authority, died because of a provision in the Bill regarding financing for the *(Miami)* Dolphins' Stadium; and
- (3) Gaming, Medicaid, and Court reform are among the topics for the next Legislative Session; 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
2. Continued...
- C. Report of the July 18, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

4. Bill Williams, SCG Governmental Affairs, LLC, RESTORE Lobbyist Contract
  - A. Board Discussion – The C/W received an update from Bill Williams, RESTORE Lobbyist, who advised that he will be meeting with each Commissioner to receive input on goals and objectives for RESTORE projects, and that he is actively pursuing relationships with various economic, environmental, and academic entities/stakeholders that would be available to participate in the process once projects are ready to move forward; and
  - B. Board Direction – None.
5. 4-H Option
  - A. Board Discussion – The C/W discussed 4-H Option, and the C/W:
    - (1) Was advised by Dr. Nick Place, Dean, University of Florida's Institute of Food and Agricultural Sciences, that:
      - (a) A Task Force commissioned to identify a location for 4-H animal science and outdoor education has identified nine options, and his decision is to accept the following three options:
        - 1) Partner with the County to utilize the Escambia County Equestrian Center to host various animal science shows, clinics, demonstrations, etc.;

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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
- 2. Continued...
- C. Report of the July 18, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

- 5. Continued...
  - A. Continued...
    - (1) Continued...
      - (a) Continued...
        - 2) Accept the Cottage Hill property (*30-acre Cottage Hill State Forest property in Cantonment*) from the Florida Department of Agriculture and Consumer Sciences and create a 4-H youth development center to work on ways to advance environmental sciences, outdoor education, forestry, etc; and
        - 3) Engage in partnerships between youth and adults for leasing options of livestock; and
      - (b) He recommends that the funds (*set aside from the sale of the Langley Bell 4-H Center to Navy Federal Credit Union, for the purchase price \$3.6 million*) be invested in the Escambia County 4-H Foundation, which would determine how to utilize those funds moving forward;
    - (2) Was advised by Commissioner Robinson that, in addition to the Local Option Sales Tax (LOST) funds set aside for Escambia County 4-H, the Board committed an additional \$250,000 in LOST funds for livestock infrastructure;

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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
2. Continued...
- C. Report of the July 18, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

5. Continued...

A. Continued...

- (3) Was advised by Commissioner Barry that, in his opinion, the three options are not fair and equitable, with respect to the Resolution adopted by the Board, which expresses support for an additional site that is comparable in size and capability (*to the Langley Bell 4-H Center*);
- (4) In response to Commissioner Barry, was advised by Dr. Place that the Resolution adopted by the Board does not involve the University of Florida (*Board of Trustees, on behalf of*) IFAS (*Institute of Food and Agricultural Services Extension Service*), nor the 4-H Foundation, who are the other two signatory parties on the Memorandum of Understanding (MOU) (*ratified by the Board on May 3, 2012*); furthermore, he is confident that the three options would address 4-H's needs for animal science and environmental/outdoor education;
- (5) Was advised by County Attorney Rogers that the University of Florida is requesting that the Board, by signature from the Chairman, acknowledge that Dr. Place has met his role with regards to the MOU;
- (6) Upon inquiry from Commissioner Robinson, was advised by Dr. Place that the Cottage Hill property is 31.25 acres, and 4-H would like to utilize approximately 10-20 acres at the Equestrian Center; 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
2. Continued...
- C. Report of the July 18, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

5. Continued...
  - A. Continued...
    - (7) Heard a motion from Commissioner Robinson to approve all three options, in aggregate, which failed 3-2, with Commissioners Robertson, Commissioner May, and Commissioner Barry voting "no"; and
  - B. Board Direction – None.
6. County Administrator Candidates and Selection Process
  - A. Board Discussion – The C/W discussed County Administrator Candidates and Selection Process, and the C/W:
    - (1) Heard Commissioner Robertson suggest that, because of the recent onset of several critical issues, Interim County Administrator Touart be given a contract for one year, as opposed to expending \$50,000 to interview the remaining top four candidates;
    - (2) Heard comments from David Pavlock, Commissioner Robertson's appointee to the County Administrator Selection Committee, who expressed his disappointment in the selection of applicants;

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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
2. Continued...
- C. Report of the July 18, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

6. Continued...

A. Continued...

- (3) Heard comments from Joseph E. Ward, Sr., Commissioner Valentino's appointee to the County Administrator Selection Committee, who expressed his disappointment in the selection of applicants and recommended that George Touart be given a two-year contract in order to give adequate time to provide in-house training to an individual who would fill the County Administrator position once Mr. Touart's contract is up;
- (4) Heard comments from Bob Price, Jr., Commissioner Barry's appointee to the County Administrator Selection Committee, who advised that, in his opinion, there are qualified applicants within the top five ranked by the Selection Committee;
- (5) Was advised by Commissioner May that he would like input from community stakeholders, the economic development team, and the community's faith and educational bases; furthermore, he feels that it is inappropriate for staff, members of the Selection Committee, or those seated behind the dais to make public comments regarding the "lack of the talent in the applicant pool";
- (6) Heard a motion from Commissioner Barry to remove Interim County Administrator Touart from the active candidate search and require Board approval for the hiring, termination, promotion, or demotion of senior staff level personnel (*Commissioner Barry withdrew his motion after a substitute motion was offered by Commissioner Robinson*);

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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
2. Continued...
- C. Report of the July 18, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

6. Continued...
  - A. Continued...

- (7) Heard comments from Interim County Administrator Touart, who expressed his desire to be the County Administrator for one year, beginning October 1, 2013, or when the Board chooses; commented on his qualifications as they relate to the County Administrator position; and advised that significant accomplishments have been made during his tenure as the Interim County Administrator;
- (8) Was advised by Commissioner Valentino and Commissioner Robertson that they will not support a motion in which Mr. Touart is denied the right to apply for the County Administrator position;
- (9) Heard the request from Commissioner Valentino that the current applicants be notified of the Board's decision to extend the search and that the Selection Committee remain active; and
- (10) Heard the request from Commissioner Robinson for a list of consultants by the first meeting in August; and

(Continued on Page 17)



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
2. Continued...
- C. Report of the July 18, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

6. Continued...

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

- (1) Approve immediately opening the process to hire someone to evaluate the (*recruitment*) process to ensure that there is inclusiveness in the search;
- (2) Approve a target date of December 1, 2013, but no later than February 28, 2014, "to make a landing" for a new County Administrator; and
- (3) Approve that the Interim County Administrator is not "applicable" to be a part of this search.

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

7. Animal Transparency Act and Animal Control Penalty Fee Revision

A. Board Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled *Animal Transparency Act and Animal Control Penalty Fee Revisions*, presented by Marilyn Wesley, Director, Community Affairs Department; and

(Continued on Page 18)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
2. Continued...
- C. Report of the July 18, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

7. Continued...

- B. Board Direction – The C/W recommends that the Board authorize the scheduling of a Public Hearing to consider adopting a Resolution authorizing the revision of fees for certain civil infraction penalties imposed pursuant to Chapter 10 of the Escambia County Code of Ordinances relating to animals, and to consider adopting an Ordinance to amend the Animal Control Ordinance.

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

8. Dog Park Ordinance for Pensacola Beach and Perdido Key Beach
  - A. Board Discussion – The C/W discussed Dog Park Ordinance for Pensacola Beach and Perdido Key Beach, and the C/W:
    - (1) Was advised by W. A. "Buck" Lee, Santa Rosa Island Authority, that both dog parks on Pensacola Beach have been successful;
    - (2) Was advised by Michael Rhodes, Director, Parks & Recreation Department, that, with regard to the parks on Perdido Key, staff recommends that, after Labor Day weekend, the hours of the River Road access location be extended from sunup to sundown and the Gulf access location be closed; 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
2. Continued...
- C. Report of the July 18, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

8. Continued...
  - A. Continued...
    - (3) Heard the request from Commissioner Robinson that the existing Ordinance be extended for another six months and that the afternoon hours for the Pensacola Beach parks be extended; and
  - B. Board Direction – None.
9. Pensacola Bay Center Financing Options
  - A. Board Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled *Pensacola Bay Center, Capital Improvements Financing Strategies*, presented by Amy Lovoy, Director, Management and Budget Services Department, and the C/W:
    - (1) Heard the request from Ms. Lovoy for Board direction concerning the following options to finance capital improvements to the Pensacola Bay Center:
      - (a) Local Option Sales Tax (LOST):
        - \$3,500,000 from LOST Reserves
        - Phases II and III to be built into the project plan for the next LOST extension
        - In addition, allocate \$1,000,000 per year to keep pace with depreciation on the facility in the next round of LOST

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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
2. Continued...
- C. Report of the July 18, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

9. Continued...
  - A. Continued...
    - (1) Continued...
      - (b) 5th Cent Tourist Tax – Levy a 5th Cent Tourist Development Tax, which would raise \$1,700,000 annually;
      - (c) Tourist Development Tax (TDT) Loan – Extend the TDT debt service schedule for 20 years, which would raise approximately \$10,100,000 in loan proceeds; and
      - (d) Downtown Improvement Board – Raise the millage rate in the Downtown Improvement Board area; each mill would generate approximately \$2,200,000 in proceeds (for a 20-year note);
    - (2) Discussed the pros and cons of demolishing the facility and constructing a new, smaller center that would be large enough to facilitate graduations and indoor sports events;

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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

2. Continued...

C. Report of the July 18, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

9. Continued...

A. Continued...

(3) Heard the request from Commissioner Robertson that staff:

(a) Contact the City of Pensacola and the Florida Department of Transportation to discuss continued ownership of the property if the Bay Center were to be demolished;

(b) Send out (*advertise*) an RFP (*Request For Proposals*) to have the facility demolished; and

(c) Obtain quotes from general contractors for the construction of a 5,000-seat capacity, modern facility; and

B. Board Direction – None.

Speaker(s):

Sandy Aaron

(COMMISSIONER VALENTINO WAS ABSENT DURING DISCUSSION OF THIS ITEM)

(Continued on Page 22)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
2. Continued...
- C. Report of the July 18, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

10. First Transit and Union Escambia County Area Transit Employees

- A. Board Discussion – The C/W discussed First Transit and Union Escambia County Area Transit (ECAT) Employees, and the C/W:
  - (1) Was advised by Commissioner Robinson that he believes discussions concerning this issue should start next Fiscal Year (2013-2014);
  - (2) Heard Commissioner Robertson voice his concerns regarding Union representation of ECAT employees and whether or not that would continue with a transition to the County; and
  - (3) Heard the request from Commissioner May for an in-depth analysis of the cost if the County were to transition ECAT and First Transit employees to the County; and
- B. Board Direction – The C/W recommends that the Board approve beginning the discussion in Fiscal Year 2013-2014, at the October 2013 Committee of the Whole Workshop, relative to converting all First Transit and Union Escambia County Area Transit Employees to County Employees.

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

Speaker(s):

Matt Wood

(Continued on Page 23)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
2. Continued...
- C. Report of the July 18, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

11. Perdido Key Eminent Domain

- A. Board Discussion – The C/W was advised by County Attorney Rogers that because of pending funding and legal issues, this item will be discussed at the August C/W Workshop; and
- B. Board Direction – None.

12. Potential Sites for a Community Center in the Brownsville Area

- A. Board Discussion – The C/W discussed Potential Sites for a Community Center in the Brownsville Area, and was advised by Keith Wilkins, Director, Community & Environment Department, that a facility owned by Brownsville Assembly of God Church has been identified as a viable site for a Brownsville Community Center; and
- B. Board Direction – The C/W recommends that the Board approve proceeding with the purchase of, and renovations to, the property owned by Brownsville Assembly of God Church, relative to Potential Sites for a Community Center in the Brownsville Area.

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

(Continued on Page 24)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
2. Continued...
- C. Report of the July 18, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

13. Additional Strategies for Code Enforcement-Nuisance Abatement Lien Collection Policy
  - A. Board Discussion – The C/W tabled discussion concerning additional strategies for Code Enforcement-Nuisance Abatement Lien Collection Policy; and
  - B. Board Direction – None.
14. Access Easement Across the County's Mobile Highway Pit Property
  - A. Board Discussion – The C/W discussed Access Easement Across the County's Mobile Highway Pit Property, and the C/W:
    - (1) Was advised by Interim County Administrator Touart that the County has been approached by a realtor, representing the owner of property located adjacent to the County's Mobile Highway pit property, requesting an access easement on the north side of the pit, regarding which he recommends approval;
    - (2) Was advised by Commissioner Robinson that he would support granting the easement as long as the County has access to the road and the "applicant" bears the costs of installation, maintenance, and recording;
    - (3) Heard Commissioner Barry express his concerns regarding the precedent this action would set for similar requests;

(Continued on Page 25)



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 2. Continued...
- C. Report of the July 18, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

14. Continued...

A. Continued...

(4) Heard a motion from Commissioner Robertson to grant the necessary easement to allow for permitted homes and roadway, provided that the property owner pay all expenses, and install a fence to protect the public from the borrow pit (*the Board did not vote on this motion; Commissioner Valentino withdrew his second and recessed the Workshop*); and

(5) Heard the request from Interim County Administrator Touart that this issued be tabled for discussion at a later date; and

B. Board Direction – None.

Speaker(s):

Marty Donovan

15. Additional Storage Space for the Board of County Commissioners' and the Supervisor of Elections' Offices

A. Board Discussion – The C/W tabled discussion concerning additional storage space for the Board of County Commissioners' and the Supervisor of Elections' Offices; and

B. Board Direction – None.

(Continued on Page 26)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
2. Continued...
- C. Report of the July 18, 2013, C/W Workshop – Continued

ANNOUNCEMENTS

1. For Information: Jena Melancon, Gulf Coast Citizen Diplomacy Council, recognized high school students from Escambia County, Santa Rosa County, and Iraqi students visiting Escambia County as guests of the U.S. Embassy in Bagdad.
2. For Information: Interim County Administrator Touart advised that the Solid Waste RFP (*Request for Proposals for a waste-to-energy or dirty MRF to be located at the Perdido Landfill*) will be advertised at the beginning of September.
3. For Information: Interim County Administrator Touart provided to the Board a written update regarding the Jail transition.

AGENDA NUMBER – Continued

16. Adjourn

Vice Chairman May declared the C/W Workshop adjourned at 5:16 p.m.

(Continued on Page 27)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

2. Continued...

D. Accepting, for filing with the Board's Minutes, the Report of the Budget Committee of the Whole (C/W) Workshop held July 9 and July 10, 2013, as follows:

AGENDA NUMBER

1. Call to Order

Chairman Valentino called the Budget Committee of the Whole (C/W) Workshop to order on July 9, 2013, at 9:15 a.m., and advised that Commissioner May would deliver the Invocation and Commissioner Robinson would lead the Pledge of Allegiance to the Flag.

Chairman Valentino recessed the Budget C/W Workshop on July 9, 2013, at 3:01 p.m., and reconvened the C/W Budget Workshop on July 10, 2013, at 9:06 a.m., and advised that Commissioner Robertson would deliver the Invocation and Commissioner Barry would lead the Pledge of Allegiance to the Flag.

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 6, 2013, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule July 8- July 12, 2013, Legal No. 1602816.*

(Continued on Page 28)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

2. Continued...

D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

3. Budget Update

A. Board Discussion – The C/W (on July 9, 2013) viewed and discussed a PowerPoint Presentation entitled *Escambia County, FL Proposed Annual Budget FY 2013/2014*, and heard an update concerning the proposed Fiscal Year 2013-2014 Budget from Amy Lovoy, Director, Management and Budget Services Department, and the C/W:

(1) Was advised by Ms. Lovoy that the Proposed Budget is a balanced Budget, which has been compared to the Fiscal Year 2006-2007 Budget, which is considered the "high water mark," and was further advised by Ms. Lovoy that:

(a) Since the Fiscal Year 2006-2007 Budget, the General Fund has decreased approximately \$36.7 million, or 18%, and the total Budget has decreased approximately 22%, or \$99 million; however, the 2006-2007 Budget includes FEMA (*Federal Emergency Management Agency*) funds;

(b) Total BCC (*Board of County Commissioners*) Personnel during the same time frame has been reduced by 13%, or 140 positions, and personnel has been reduced by 31% for other Elected Officials, primarily in the Clerk of the Circuit Court's Office;

(c) Millage rates are proposed at 6.6165 mills Countywide, which represents a point-for-point rollback for the Library MSTU (*Municipal Services Taxing Unit*); .6850 mill for the Sheriff's MSTU, and .3590 mill for the Library MSTU;

(Continued on Page 29)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

1. CONSENT AGENDA – Continued

2. Continued...

D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

3. Continued...

A. Continued...

(1) Continued...

(d) Contingency reserves remain at \$12.7 million and reserves for the Santa Rosa Island litigation increased from \$5.8 million to \$6.3 million, which is a combination of funds already collected and collections projected for the coming year;

(e) The \$550,000 increase in Reserves for Operating, to which Commissioner Barry referred, represents the amount for employee raises that was "pulled" from the Proposed Budget; and

(f) She would suggest that the Board expedite the return of Internal Service Funds, totaling approximately \$2.5 million, from certain Constitutional Officers to the County;

(2) Was advised by Commissioner Barry that capital projects could be funded from Enterprise Funds, if there was a more positive cash flow in those Funds, as opposed to using Local Option Sales Tax proceeds;

(3) Was advised by Commissioner Robinson that he supports finding the funds for employee raises in the County's recurring revenues; however, he will not support using Reserves for raises;

(Continued on Page 30)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

- I. CONSENT AGENDA – Continued
2. Continued...
- D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

3. Continued...

A. Continued...

(4) Heard the request from Commissioner Valentino that the fund balances for all Constitutional Officers be provided to the Commissioners prior to 9:00 a.m. tomorrow (*July 10, 2013*); and

B. Board Direction – The C/W recommends that the Board take the Internal Service Funds from the Constitutional Officers, and use the funds to offset any costs associated with the Jail.

**Recommended 5-0**

Speaker(s):

Cyndee Pennington  
Suann Nowlan  
Henrique Dias

(Continued on Page 31)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
2. Continued...
- D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

4. Constitutional Officers

A. Board Discussion – The C/W (on July 10, 2013) heard an overview concerning the Proposed Fiscal Year 2013-2014 Budgets for Constitutional Officers, as follows:

- (1) The Honorable David Stafford addressed the proposed Budget for the Supervisor of Elections (*Page 21 of the Proposed Budget FY 2013/2014*), and advised that the proposed Budget represents a 1% decrease; however, if a 3% COLA is approved, the Budget will increase to approximately the Fiscal Year 2012-2013 level;
- (2) The Honorable Janet Holley addressed the proposed Budget for the Tax Collector (*Page 8 of the Proposed Budget FY 2013/2014*), and advised that the proposed Budget represents a 1.4% increase; however, the Tax Collector's Budget is approved by the Florida Department of Revenue;
- (3) The Honorable Pam Childers addressed the proposed Budget for the Clerk of the Circuit Court and Comptroller (*Page 17 of the Proposed Budget FY 2013/2014*), and advised that the increase in the Clerk's Budget is due in part to a required upgrade to the Pentamation System, and, further, the fiscal impact of the Jail Transition is not yet known;

(Continued on Page 32)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

- I. CONSENT AGENDA – Continued
2. Continued...
- D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

4. Continued...
  - A. Continued...

(4) The Honorable David Morgan, Sheriff, and Henrique Dias, Chief Financial Officer, addressed the proposed Budget for the Sheriff's Office (*Page 10 of the Proposed Budget FY 2013/2014*), and:

(a) Commissioner Robinson advised that the amounts listed on the *Balance on Sheriff's Office Internal Service fund for Compensated absences as of today July 10, 2013*, are to pay employees who are being transferred to the Board and are no longer the responsibility of the Sheriff; therefore, the funds should be returned to the Board;

(b) Mr. Dias, in response to Commissioner Robinson's comments, advised that this is the policy the Sheriff's Office has used for the past 15 years to pay its employees, and, further, when employees have transferred from the Board to the Sheriff, only sick leave and annual leave, and not compensatory or holiday leave, have been paid; therefore, a policy revision will be necessary if the Board wishes to change this procedure;

(c) Ms. Lovoy advised that this policy change would be paramount because the County should not pay leave balances that it is not legally required to pay;

(Continued on Page 33)



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

2. Continued...

D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

4. Continued...

A. Continued...

(4) Continued...

(d) Sheriff Morgan advised that the normal annual and holiday leave time are not being paid, only the overages; therefore, these figures indicate that, prior to the October 1, 2013, transition, the Sheriff's Office will have to pay out employees in DROP (*Deferred Retirement Option Program*), and employees who are retiring, for a total \$1.9 million, and 440 employees who will transition from the Jail to the Board will not be paid their maximum annual and sick leave, but overages for FLSA (*Fair Labor Standards Act*) leave, which will result in a deficit of \$213,000; and

(e) County Attorney Rogers advised that, while there is no question the Sheriff is obligated to pay employees who, prior to October 1, 2013, sever their employment, retire, or complete DROP, the County's Collective Bargaining Attorney has very clearly indicated that the current employer is responsible for paying only FLSA leave; and

(Continued on Page 34)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
2. Continued...
- D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

4. Continued...
  - A. Continued...

(5) The Honorable Chris Jones reviewed the proposed Budget (*Page 19 of the Proposed Budget FY 2013/2014*) for the Property Appraiser, and advised that the proposed Budget represents a 1/2% increase, across-the-board property values increased after the January 1 assessment date, and he is hopefully optimistic that values will increase between 3% and 5% next year; and

- B. Board Direction – None.

Speaker(s):

Alan Miller  
Gerald E. Champagne

(Continued on Page 35)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

2. Continued...

D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

5. Status of Jail (Update)

A. Board Discussion – The C/W (*on July 9, 2013*) viewed and discussed a PowerPoint Presentation entitled *Jail Transition*, presented by Amy Lovoy, Director, Management and Budget Services Department, and the C/W:

(1) Received a 13-page document which includes a letter from the Sheriff in response to the April 5, 2013, letter from Joseph Abruzzo, Chair, Joint Legislative Auditing Committee; *Independent Auditor's Report on Internal Control Over Financial Reporting and Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards* and *Management Letter* from Warren Averett O'Sullivan Creel; and the *Sheriff's response to Management Letter*;

(2) Was advised by Interim County Administrator Touart that:

(a) New developments arise daily relative to the Jail Transition; e.g., the County inherited an additional 24 employees as of yesterday (*July 8, 2013*); however, the employees and the funds will be transferred to the County; and

(b) County staff has received little or no assistance from the Sheriff's Office relative to the transition;

(Continued on Page 36)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

2. Continued...

D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

5. Continued...

A. Continued...

(3) Was advised by Ms. Lovoy that:

(a) The County Attorney's Office has received copies of, and is reviewing, all contracts related to the Detention System and has identified approximately 33 contracts, broken down into the following broad categories:

1) IT (*Information Technology*) services;

2) Food and Inmate Commissary services;

3) Health care, including pharmaceutical, counseling, and drug testing; and

4) Other miscellaneous contracts;

(b) The County Attorney's Office is reviewing the contracts to determine: (1) if the contracts can be assigned to the County; (2) if the County wants the contracts assigned to the County; and (3) if any procurement issues would result from assignment of the contracts;

(Continued on Page 37)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

1. CONSENT AGENDA – Continued

2. Continued...

D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

5. Continued...

A. Continued...

(3) Continued...

(c) Human Resources is in the process of reviewing all collective bargaining agreements that affect any employees of the Detention System to determine the type, scope, and number of employees who will transition to the County;

(d) Information Technology has identified 22 major systems and applications that must transition, and:

- 1) Is working with the County Attorney to review the contracts and is beginning work on a detailed plan for each item;
- 2) Has taken a tour of the facilities and begun a validation of the requirements;
- 3) Is coordinating with the Clerk, State Attorney, Public Defender, Court Administration, and Regional Conflict Council to arrange the transition;
- 4) Has received the IT-related fixed asset listing for the Detention System;

(Continued on Page 38)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

2. Continued...

D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

5. Continued...

A. Continued...

(3) Continued...

(d) Continued...

5) Has sent several members of the IT staff to the FDLE/CJIS training and conference; and

6) Has indicated the need for support staff, as soon as possible, in order to manage the transition of these 22 major systems;

(e) Risk Management:

1) Has determined that the following four distinctive insurance policies are associated with the Detention System:

- a) Medical Malpractice
- b) Inmate Excess Medical
- c) Workers' Compensation
- d) General Liability

2) Has determined that all employees transitioning to the Board will be included on the Board's Workers' Compensation insurance and is in the process of obtaining quotes on the costs;

(Continued on Page 39)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

1. CONSENT AGENDA – Continued

2. Continued...

D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

5. Continued...

A. Continued...

(3) Continued...

(e) Continued...

3) Will attempt to transition the Sheriff's Medical Malpractice and Excess Medical policies to the Board;

4) Is seeking quotes for the General Liability policy; and

5) Detention employees will be added to the County's Accidental Death policy;

(f) The Budget Office:

1) Is currently reviewing all expenditures associated with both the Law Enforcement and Detention budgets to determine total costs;

2) Is in the process of reviewing every expense incurred by the Detention and Law Enforcement budgets for any substantial unusual expenses; and

(Continued on Page 40)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

2. Continued...

D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

5. Continued...

A. Continued...

(3) Continued...

(f) Continued...

3) Has identified every Cost Center for both the Law Enforcement/ Detention and Court Security budgets to determine the administrative budgets that will need to be "split out" between Law Enforcement and Detention, and the most difficult issue to determine will be the non-direct and administrative-type position costs; and

(g) Administration:

1) Has contacted the Department of Justice (DOJ), which appears to be amenable to working with the County to address staffing requirements;

2) Has been advised that DOJ is amenable to a five-year plan to address problems;

3) Is considering a reduction in population at the Main Jail and the Central Booking and Detention Facility by maximizing other resources, such as the Road Prison and the Work Release Facility; and

(Continued on Page 41)



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
2. Continued...
- D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

5. Continued...
  - A. Continued...
    - (3) Continued...
      - (g) Continued...
        - 4) Will pursue working with the Judicial System, through the Public Safety Coordinating Council and other methods, to encourage alternatives to incarceration; and
    - (4) Was advised by County Attorney Rogers that:
      - (a) Gerald Champagne and legal staff at the Sheriff's Office have been very cooperative, and Mr. Champagne has ensured that the County Attorney's Office received copies of the contracts;
      - (b) David Deutsch, Senior Trial Attorney, Department of Justice, is in the process of crafting a draft settlement agreement, not to force the County into anything, but as a "jumping off point" for discussions and negotiations, and Mr. Deutsch has indicated that, should the County concentrate its efforts on any particular subject matter, mental health would be a great place to start; and

(Continued on Page 42)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

1. CONSENT AGENDA – Continued
2. Continued...
- D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

5. Continued...
  - A. Continued...
    - (4) Continued...

(c) It has been confirmed with the Union Attorney that Fair Labor Standards Act (FLSA) leave balances are an obligation of the terminating employer; however, the Board has the ability to decide, prior to transitioning the employees, how to address any other leave balances; and

B. Board Direction – None.

Speaker(s):

Honorable David Morgan  
Henrique Dias

(Continued on Page 43)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

2. Continued...

D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

6. Status of Library (Update)

A. Board Discussion – The C/W (on July 9, 2013) viewed and discussed a PowerPoint Presentation entitled *Library Transition*, which was also provided in hard copy, presented by Amy Lovoy, Director, Management and Budget Services Department, and discussed the Proposed Fiscal Year 2013-2014 Library Budget and Status of Library (Update), and the C/W:

(1) Was advised by Ms. Lovoy that:

(a) The latest draft of the Interlocal Agreement is on the agenda for the Board's consideration at its July 11, 2013, Regular Board Meeting, although, the Interlocal Agreement has not yet been executed by the City of Pensacola;

(b) The Countywide millage rate is proposed at 6.6165 mills, which represents a dollar-for-dollar rollback of the .3590 mill Library MSTU (*Municipal Services Taxing Unit*), which will result in the County's loss of approximately \$1,400,000 in growth revenues, in the form of both property taxes and State shared sales tax monies, and no net effect on taxpayers in either the unincorporated or incorporated areas of the County; and

(c) The proposed Library Budget includes a three percent (3%) employee raise, because the Board will set a tax rate by the end of this month based on these figures; however, if no raise is given, the funds will transfer to a different line item within the Library Budget;

(Continued on Page 44)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
2. Continued...
- D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

6. Continued...

A. Continued...

- (2) Was advised by Interim County Administrator Touart that former City Manager Bill Reynolds had agreed to the terms and conditions of the Interlocal Agreement submitted by the respective Attorneys, and had planned to present the Agreement to the Pensacola City Council at a Committee of the Whole Meeting; however, Mr. Reynolds did not confirm a specific date;
- (3) Was advised by County Attorney Rogers that a Municipal Services Benefit Unit (MSBU) is a special assessment that can only be used for items that specifically benefit the real property that receives the special assessment, the easiest common example of which is the Fire Protection MSBU; and
- (4) Was advised by Commissioner Barry that the result of the decrease in ad valorem revenues (*as the result of decreasing the millage rate equal to the MSTU millage rate*) is a net decrease in General Fund revenues, thus a net decrease in the services the County can provide from the General Fund; and

B. Board Direction – None.

Speaker(s):

Darlene Howell  
Rod Kendig

(Continued on Page 45)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
2. Continued...
- D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

7. Outside Agencies

A. Board Discussion – The C/W (on July 9, 2013) discussed Outside Agencies, and the C/W:

(1) Discussed General Fund allocations for Outside Agencies, and:

(a) Was advised by Commissioner May that, in his opinion, allocations to Outside Agencies should be based on performance measures; and

(b) Was advised by Commissioner Robinson that, because of his relationship with Baptist Hospital, he is unable to speak directly to the votes with Escambia Community Clinics or Lakeview Center; however, he would support the same allocations as for Fiscal Year 2013-2014, with a consensus to "hold the line" (at the Fiscal Year 2012-2013 funding levels; see Page 39 of the Proposed Budget FY 2013/2014);

(Continued on Page 46)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

2. Continued...

D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

7. Continued...

A. Continued...

(2) Discussed Economic Development Fund allocations, and:

- (a) Was advised by Interim County Administrator Touart that \$400,000 for Foundations for the Future and \$150,000 for PEDC (*Pensacola-Escambia Promotion and Development Commission*), set aside in Fiscal Year 2012-2013 for the Chamber, as well as \$75,000 for Pensacola Bay Chamber Prospect Development, have been transferred to the Economic Development Fund for Fiscal Year 2013-2014; however, he does not recommend that the Board approve the \$673,500 funding request from the Gulf Coast African-American Chamber of Commerce;
- (b) Heard the request from Commissioner May that the Board allocate \$40,000 to the Gulf Coast African-American Chamber of Commerce, providing that the Chamber meets the same criteria of any other Outside Agency, and Commissioner Barry's suggestion that this issue be addressed at a later date; and
- (c) Received a one-page document entitled *Economic Development Fund Reconciliation FY 2013*, as provided by Amy Lovoy, Director, Management and Budget Services Department, and was advised by Ms. Lovoy that the remaining available funds total approximately \$3.1 million; however, this represents one-time monies; and

(Continued on Page 47)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

2. Continued...

D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

7. Continued...

A. Continued...

(3) Discussed the Tourist Development Tax (TDT), and:

(a) Was advised by Ms. Lovoy that:

- 1) During the current year, the Board "wrapped all four pennies together" and, basically, allocated to Visit Pensacola any remaining Fourth Cent proceeds that are not allocated to Outside Agencies; and
- 2) The net of all four cents in TDT proceeds is \$7.6 million, from which the entire first cent, in the amount of \$1,784,551, is proposed for allocation to the Pensacola Bay Center;

(b) Was advised by Commissioner Robinson that he would support allocating from the Third Cent TDT "everything outside the Pensacola Bay Center" for tourism marketing, and holding the Fourth Cent allocations to the Fiscal Year 2012-2013 levels, but moving the \$40,000 for the Frank Brown Songwriters' Festival into Arts, Culture & Entertainment, for a total allocation of \$306,099, and allocating the remaining (*Fourth Cent*) funds for tourism marketing efforts; and

(Continued on Page 48)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
2. Continued...
- D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

7. Continued...

A. Continued...

(3) Continued...

(c) Was advised by Ms. Lovoy that, after the following allocations, if \$1.4 million is allocated to the Pensacola Bay Center, the remaining balance for Visit Pensacola is \$4,348,023, or approximately \$200,000 less than the funding request;

B. Board Direction – None.

Speaker(s):

Admiral Leroy  
Ray Palmer  
Steve Hayes  
David Bear  
Ron Ellington  
Shirley Cronley

(Continued on Page 49)



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

- I. CONSENT AGENDA – Continued
2. Continued...
- D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

8. County Departments

A. Board Discussion – The C/W *(on July 10, 2013)*:

(1) Heard a review of the Proposed Budgets for the following County Departments from Amy Lovoy, Director, Management and Budget Services Department:

(a) MSPB *(Merit System Protection Board (Page 23 of the Proposed Budget FY 2013/2014))*;

(b) Medical Examiner *(Page 206 of the Proposed Budget FY 2013/2014)*;

(c) Board of County Commissioners *(Page 26 of the Proposed Budget FY 2013/2014)*;

(d) County Administration *(Page 46 of the Proposed Budget FY 2013/2014)*;

(e) County Attorney *(Page 45 of the Proposed Budget FY 2013/2014)*;

(f) Economic Development *(Page 47 of the Proposed Budget FY 2013/2014)*;

(g) Public Information Office *(Page 51 of the Proposed Budget FY 2013/2014)*;

(Continued on Page 50)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
2. Continued...
- D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

8. Continued...
  - A. Continued...
    - (1) Continued...
      - (h) Office of Management and Budget (*Page 52 of the Proposed Budget FY 2013/2014*);
      - (i) Solid Waste Management (*Page 67 of the Proposed Budget FY 2013/2014*); and
      - (j) Judicial Services (*Page 196 of the Proposed Budget FY 2013/2014*);
    - (2) Heard a review of the Proposed Budget for Information Technology from David Musselwhite, Director (*Page 88 of the Proposed Budget FY 2013/2014*);
    - (3) Heard a review of the Proposed Budget for Human Resources from Thomas "Tom" Turner, Director (*Page 84 of the Proposed Budget FY 2013/2014*);
    - (4) Heard a review of the Proposed Budget for Public Works from Joy D. Blackmon, P.E., Director, and Wesley J. "Wes" Moreno, Director, Infrastructure Branch (*Page 108 of the Proposed Budget FY 2013/2014*);

(Continued on Page 51)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

2. Continued...

D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

8. Continued...

A. Continued...

(5) Heard a review of the Proposed Budget for Development Services from T. Lloyd Kerr, Director (*Page 126 of the Proposed Budget FY 2013/2014*);

(6) Heard a review of the Proposed Budget for Community & Environment from Keith Wilkins, Director (*Page 136 of the Proposed Budget FY 2013/2014*);

(7) Heard a review of the Proposed Budget for Corrections from Gordon C. Pike, Director (*Page 162 of the Proposed Budget FY 2013/2014*);

(8) Heard a review of the Proposed Budget for Community Affairs from Marilyn Wesley, Director (*Page 175 of the Proposed Budget FY 2013/2014*);

(9) Heard a review of the Proposed Budget for Facilities Management from David Wheeler, Deputy Department Director (*Page 180 of the Proposed Budget FY 2013/2014*); and

(Continued on Page 52)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

2. Continued...

D. Report of the July 9 and July 10, 2013 C/W Workshop – Continued

AGENDA NUMBER – Continued

8. Continued...

A. Continued...

(10) Heard a review of the Proposed Budget for the Parks and Recreation Department from Michael Rhodes, Director (*Page 189 of the Proposed Budget FY 2013/2014*); and

B. Board Direction – None.

9 Adjourn

Chairman Valentino declared the Budget C/W Workshop adjourned at 5:53 p.m. on July 10, 2013.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – T. Lloyd Kerr, Director,  
Development Services Department

I. PUBLIC HEARINGS

1. Rezoning Cases

Motion made by Commissioner Barry, seconded by Commissioner Robertson, and carried unanimously, taking the following action concerning Rezoning Case Z-2013-13 heard by the Planning Board (PB) on July 1, 2013:

- A. Adopting the PB recommendation and denying C-1, and directing staff to assist the Reynolds with documenting the history that would qualify the property to be grandfathered as an RV park, for up to four units; 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:

- (1) Case Number: Z-2013-13
- Address: 12511 Lillian Highway
- Property Reference Number: 02-2S-32-6000-005-002
- Property Size: 3.26 (+/-) acres
- From: R-4, Multiple-Family District (cumulative),  
Medium-High Density (18 dwelling units per acre)
- To: C-1, Retail Commercial District (cumulative)  
(25 dwelling units per acre)
- FLU Category: MU-S, Mixed Use-Suburban
- Commissioner District: 1
- Requested by: Bobby and Sally Reynolds, Owners
- PB Recommendation: Denial

Speaker(s):

Bobby Reynolds  
Dorothy Oshana  
Kara George Oshana  
Betty Catchot  
Barbara Lenn  
Les Senft

(Continued on Page 54)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Rezoning Cases – Continued

Motion made by Commissioner Robertson, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning Rezoning Case Z-2013-14 heard by the Planning Board (PB) on July 1, 2013:

- A. Adopting the PB recommendation and approving AG; 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:

(2) Case Number:	Z-2013-14
Address:	7585 Mobile Highway
Property Reference Number:	16-1S-31-3304-000-003
Property Size:	3.92 (+/-) acres
From:	R-2, Single-Family District (cumulative), Low-Medium Density (7 dwelling units per acre)
To:	AG, Agricultural District, Low Density (1.5 acre per dwelling unit)
FLU Category:	MU-S, Mixed Use-Suburban
Commissioner District:	1
Requested by:	Albert J. and Marie B. Jones, Owners
PB Recommendation:	Approval

Speaker(s) – None.

(Continued on Page 55)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Rezoning Cases – Continued

Motion made by Commissioner Robertson, seconded by Commissioner Barry, 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 Rezoning Case Z-2013-15 heard by the Planning Board (PB) on July 1, 2013:

- A. Adopting the PB recommendation and approving R-1; 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:

- (3) Case Number: Z-2013-15
- Address: 6365 Helms Road
- Property Reference Numbers: 21-1S-31-2101-001-001; 20-1S-31-1101-000-000
- Property Size: 99.97 (+/-) acres
- From: AG, Agricultural District, Low Density (1.5 acres per dwelling unit)
- To: R-1, Single-Family District, Low Density (4 dwelling units per acre)
- FLU Category: MU-S, Mixed Use-Suburban
- Commissioner District: 1
- Requested by: Brian Brown, Agent for Figure 8 (Florida), LLC, Owner
- PB Recommendation: Approval

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

1. PUBLIC HEARINGS – Continued

2. 5:45 p.m. Public Hearing

Motion made by Commissioner Robertson, seconded by Commissioner Barry, and carried unanimously, adopting an Ordinance (*Number 2013-36*) to amend the Official Zoning Map to include the Rezoning Cases (*Z-2013-14 and Z-2013-15*) heard by the Planning Board on July 1, 2013, 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

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, approving, for transmittal to the Department of Economic Opportunity (DEO), an Ordinance to (*amend*) the Comprehensive Plan Article, amending Chapter 7, "Future Land Use," Policy FLU 1.1.12, "Family Conveyance Exception" (*providing that family members shall be defined by the Land Development Code*); at the July 1, 2013, Planning Board Meeting, the Planning Board recommended approving transmittal to DEO.

Speaker(s) – None.

4. 5:48 p.m. First Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, approving to review an Ordinance to (*amend*) the Escambia County Land Development Code, Article 6, Section 6.05.10.B., to allow as a permitted use in the R-3PK zoning district, restaurants, including the sale of beer, wine, and liquor for on-premises consumption, as part of a condominium development offering resort-style amenities; this Hearing serves as the **first** of two required Public Hearings before the Board of County Commissioners, as set forth in Section 2.08.04 (b) and Florida Statutes 125.66(4)(b); at the July 1, 2013, Planning Board Meeting, the Planning Board recommended approval of this Ordinance.

Speaker(s) – None.



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

5. 5:49 p.m. Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner Barry, 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, for transmittal to the Department of Economic Opportunity (DEO), an Ordinance (*amending the Escambia County Comprehensive Plan: 2030*) amending Chapter 7, "The Future Land Use Element," to adopt the Navy Federal Credit Union Urban Service Area; creating a new FLU 6 with associated objective and policies; amending the 2030 Future Land Use Map, adopting a boundary for the Navy Federal Credit Union Urban Service Area; at the July 1, 2013, Planning Board Meeting, the Planning Board recommended approving transmittal to DEO.

Speaker(s) – None.

6. 5:50 p.m. Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, and carried unanimously, adopting an Ordinance (*Number 2013-37*) to (*amend*) the Escambia County Land Development Code, Article 7, Marina Siting (*establishing a process to obtain permits for construction of docks and piers on right-of-way that has been dedicated to the public, but not yet opened, maintained, or otherwise accepted by the County; providing for factors to allow the Board of County Commissioners to approve certain dock permits*); at the July 1, 2013, Planning Board Meeting, the Planning Board recommended approval of the Ordinance to the BCC.

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

7. 5:51 p.m. First Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner May, and carried unanimously, approving to review an Ordinance to (*amend*) the Escambia County Land Development Code (LDC), (*Part III*) Article 6, Section 6.03.01., to allow chickens as permitted accessory uses for single-family residential dwellings; this Hearing serves as the **first** of two required Public Hearings before the Board of County Commissioners, as set forth in (*Part III, Article 2*) Section 2.08.04 (b) (*of the LDC*) and Florida Statute 125.66(4)(b); at the July 1, 2013, Planning Board Meeting, the Planning Board recommended approval; however, a grammatical change has been made to Page 2, Line 20-21, to reflect the following:

"Notwithstanding any prohibition of farm animals or minimum lot area established for farm animals, the raising of chickens is allowed in all zoning districts except Pensacola Beach and Perdido Key where single-family residential dwellings are permitted primary uses, except those zoning districts specifically designated for Pensacola Beach and Perdido Key,..."

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

II. CONSENT AGENDA

1. Scheduling of Public Hearings

Motion made by Commissioner Barry, seconded by Commissioner Robinson, and carried 4-0, with Commissioner Robertson abstaining (*and filing Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), authorizing the scheduling of the following three Public Hearings, as amended to remove Item B(2), (*Rezoning Case Z-2013-16*):

A. Thursday, August 20, 2013:

- (1) 5:45 p.m. – A Public Hearing – LDC Article 6 – Allowing Chickens as Accessory Uses to Single Family Dwellings (second of two Public Hearings); and
- (2) 5:46 p.m. – A Public Hearing – LDC Article 6 – Allowing Alcohol Sales in R-3PK Zoning (second of two Public Hearings); and

B. Thursday, September 5, 2013 – 5:45 p.m. – A Public Hearing to (*consider adoption of an Ordinance to*) amend the Official Zoning Map to include the following Rezoning Cases heard by the Planning Board on August 5, 2013:

Case Number: Z-2013-07  
Address: 2755 Fenwick Road  
Property Reference Number: 42-1S-30-3001-001-003  
Property Size: 2.14 (+/-) acres  
From: R-5, Urban Residential/Limited Office District (cumulative), High Density (20 dwelling units per acre)  
To: C-2, General Commercial and Light Manufacturing District (cumulative) (25 dwelling units per acre)  
FLU Category: MU-U, Mixed Use-Urban  
Commissioner District: 1  
Requested by: Wiley C. "Buddy" Page, Agent for Robertson and Brazwell, LLC, Owner

COUNTY ADMINISTRATOR'S REPORT – George Touart, Interim County Administrator

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-4. Approval of Various Consent Agenda Items

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, and carried unanimously, approving Consent Agenda Items 1 through 4, as follows (*Item 5 was held for a separate vote*):

1. Approving to extend the 2013 Ad Valorem Property Tax Roll prior to completion of the Value Adjustment Board Hearings, to afford the taxpayers of Escambia County the opportunity to pay their property taxes during each of the four discount periods, as allowed by Florida Statute 197.323.
2. Adopting, and authorizing the Chairman to sign, the Joint Resolution (*R2013-84*) of the Escambia County and Santa Rosa County Boards of Commissioners, supporting the request for a waiver of the 50% training expenditure requirement by Workforce Escarosa, Inc., to be forwarded to Workforce Florida, Inc., thusly allowing for a 40% training services funds expenditure for WIA (Workforce Investment Act) Adult and Dislocated Workers under the recently-amended Florida Workforce Innovation Act.
3. Confirming the reappointment of William J. "Jay" Overman III, Owner, Online Employment Media, Inc., to the Workforce Escarosa, Inc., Board of Directors, as a private sector representative, for a third three-year term, per the end date of his previous appointment, with the term of appointment to be effective September 20, 2013, through September 19, 2016, with special dispensation requested for this additional term of service.
4. Approving the *Request for Disposition of Property* Form for the Community Corrections Division, Corrections Department, for property which is described and listed on the Disposition Form, with reason for disposition stated; the listed item has been found to be of no further usefulness to the County; thus, it is requested that it be auctioned as surplus or properly disposed of.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

5. Collective Bargaining Agreement

Motion made by Commissioner Robinson, seconded by Commissioner May, and carried unanimously, taking the following action concerning the first *Collective Bargaining Agreement between the Escambia County Board of County Commissioners and the International Association of Firefighters Local 4131*:

- A. Approving the *Collective Bargaining Agreement between the Escambia County Board of County Commissioners and the International Association of Firefighters Local 4131*, with an expiration date of September 30, 2015; and
- B. Authorizing the Chairman, Interim County Administrator, and Human Resources Department Director to execute the Agreement.

Speaker(s):

Brian Chetwynde

II. BUDGET/FINANCE CONSENT AGENDA

1-13. Approval of Various Consent Agenda Items

Motion made by Commissioner Robertson, seconded by Commissioner Robinson, and carried unanimously, approving Consent Agenda Items 1 through 13, as follows, with the exception of Items 6 and 12, which were held for separate votes:

- 1. Adopting the Resolution (*R2013-85*) approving Supplemental Budget Amendment #203, FTA Capital Projects Fund (320), in the amount of \$2,939,734, to recognize proceeds from the Federal Transit Administration, and to appropriate these funds to be used for various Mass Transit Capital Projects associated with the Escambia County Area Transit System.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-13. Approval of Various Consent Agenda Items – Continued

2. Adopting the Resolution (*R2013-86*) approving Supplemental Budget Amendment #206, General Fund (001), in the amount of \$128,191, to recognize the Sheriff's Department off-duty officer, insurance, and miscellaneous reimbursements/fees, and to appropriate these funds for Law Enforcement activities in Escambia County.
3. Adopting the Resolution (*R2013-87*) approving Supplemental Budget Amendment #213, Other Grants and Projects Fund (110), in the amount of \$107,457, to recognize proceeds from a State of Florida Department of Transportation (FDOT) Local Agency Program Agreement (LAP), and to appropriate these funds for construction of the Bellview Elementary School Sidewalk Project.
4. Awarding a Contract for the Bellview Sidewalk Project, PD 12-13.034, to Roads, Inc., of NWF, in the amount of \$437,865.79 (Funding: Fund 110, Other Grants and Projects, Cost Center 210515, Object Code 56301 – \$316,577.00; Fund 352, Local Option Sales Tax III, Cost Center 210107, Object Code 56301, Project #10EN0641 – \$121,288.79).
5. Awarding a Contract to Metric Engineering, Inc., per the terms and conditions of PD 12-13.047, Local Agency Program Agreement Project C.E.I. (Construction Engineering Inspections) for County Road (CR) 97 (Jacks Branch Road) Safety Improvements Project, in the amount of \$368,065.46 (Funding: Fund 352, Local Option Sales Tax III, Cost Center 210113, Object Code 56301, Project Number 13EN2325).
6. See Page 66.
7. Taking the following action concerning an Application for a Certificate of Need for a Solid Waste Management Activity for Circle J Roll-Offs South, Inc. (Funding: Fund 401, Solid Waste Fund, Account No. 343402):
  - A. Approving the Application for a Certificate of Need, permitting Circle J Roll-Offs South, Inc., to operate in Escambia County; and
  - B. Authorizing the Chairman to sign the Certificate.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-13. Approval of Various Consent Agenda Items – Continued

8. Taking the following action concerning the Amendment of Contract Number AH102 by Big Bend Community Based Care, which provides funding for the establishment of a Forensic Mental Health Specialist position within the Community Corrections Division, in the Pre-Trial Release Program, to provide services to the Criminal Justice System (Funding: This is a fixed price [unit cost] Contract; Big Bend Community Based Care shall pay for the delivery of authorized services specified in Exhibit "G," Services to be Provided [revision #5], in accordance with the terms and conditions of this Contract, for a total dollar amount not to exceed \$136,951.80, subject to the availability of funds):

A. Approving the *Contract Number AH102, Amendment #005 (retroactive to July 1, 2013)*, between Big Bend Community Based Care and Escambia County Board of County Commissioners, which revises the standard Contract total dollar amount; revises Exhibit "B," Method of Payment; and replaces Exhibit "G," Services to be Provided; and

B. Authorizing the Chairman to sign the Amendment of Contract Number AH102.

9. Taking the following action concerning the Escambia County Animal Services and Animal Control Fee Schedule:

A. Adopting the Resolution (*R2013-88*) authorizing the revision of fees for certain civil infraction penalties imposed pursuant to Chapter 10 of the Escambia County Code of Ordinances relating to animals; and

B. Authorizing the Chairman to sign the Resolution.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-13. Approval of Various Consent Agenda Items – Continued

10. Taking the following action concerning the acceptance of the donation of a parcel of real property (approximately 2.73 acres), located on Barrineau Park Road (Highway 196), from Donna Jacobi Pruett, William Albert Jacobi, Larry Neil Jacobi, and James Lee Jacobi, as the heirs of William Merwin Barrineau (Funding: Funds for incidental expenses associated with recording of documents are available in an Engineering Escrow Account accessed by the Escambia County Clerk's Office):

A. Accepting the donation of a parcel of real property (approximately 2.73 acres), located on Barrineau Park Road (Highway 196), from Donna Jacobi Pruett, William Albert Jacobi, Larry Neil Jacobi, and James Lee Jacobi, as the heirs of William Merwin Barrineau;

B. Authorizing the payment of documentary stamps, as the property is being donated for governmental use, which is for road right-of-way and related drainage infrastructure, and the County benefits from the acceptance of this property, which provides adequate property for maintenance and future upgrades to the roadway system, which enhances the safety and well-being of the citizens of Escambia County;

C. Authorizing the payment of incidental expenditures associated with the recording of documents; and

D. Authorizing staff to prepare, and the Chairman or Vice Chairman to accept, the Warranty Deed as of the day of delivery of the Warranty Deed to the Chairman or Vice Chairman, and authorizing the Chairman or Vice Chairman to acknowledge the Board's acceptance at that time.

For Information: The Board heard Commissioner Barry express his appreciation to the heirs of William Merwin Barrineau for donating this property.



COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-13. Approval of Various Consent Agenda Items – Continued

11. Taking the following action concerning a Local Agency Program Supplemental Agreement between the State of Florida Department of Transportation (FDOT) and Escambia County, to adjust and increase the funding amount from \$416,801 to \$524,258, for additional funding for construction of the Bellview Elementary School Sidewalk Project (Funding: a Supplemental Budget Amendment will be prepared by the Office of Management and Budget to recognize the funding for the Local Agency Program [LAP] Supplemental Agreement; FDOT will reimburse the County \$107,457 under this LAP Supplemental Agreement, bringing the total reimbursement to \$524,258):
  - A. Approving the State of Florida Department of Transportation, LAP Supplemental Agreement, between FDOT and Escambia County; and
  - B. Adopting a Resolution (*R2013-89*) authorizing the Chairman to sign the LAP Supplemental Agreement.
12. See Page 67.
13. Taking the following action concerning the Federal Elections Activities Grant Funds from the Department of State; in order to receive the Federal Elections Activities funds, the Legislature has required that the Chairman of the Board of County Commissioners certify that the County will match the State funds with a 15% County match; both the State funds and the County matching funds must be held in a separate account to be used solely for activities relating to Federal Elections; the required match for this Grant is \$4,984.10; the match is included in the Supervisor of Elections' Fiscal Year 2012-2013 Budget under Cost Center 550101 and various Object Codes:
  - A. Certifying that the County will match State Grant funds with \$4,984.10 from the Supervisor of Elections' Fiscal Year 2012-2013 Budget; and
  - B. Authorizing the Chairman to sign the Certificate Regarding Matching Funds and the Certificate of Equipment for Casting and Counting Ballots.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

6. Roads, Inc., of NWF Price Increase

Motion made by Commissioner Robertson, seconded by Commissioner Barry, and carried unanimously, approving to "honor the contract; make it retroactive back to the time that they made their increase," relative to the recommendation that the Board approve the request from Roads, Inc., of NWF for an increase in price as detailed below, to be effective March 28, 2013, per the terms and conditions of PD 10-11.028, Various Road Materials Pricing Agreement, awarded on May 5, 2011; the price increase for Roads, Inc., of NWF, retroactively, March 28, 2013, increases the cost of 1,587.17 tons of asphalt purchased on the pricing agreement PD 10-11.028 from Roads, Inc., of NWF, since March 28, 2013, by \$1.25/ton over the lowest contract price, for a total of \$1,983.97 (Funding: Fund 175, Transportation Trust Fund, Cost Center 210402, Object Code 55301 – \$250,000; Fund 352, Local Option Sales Tax [LOST] III, Cost Center 210107, Object Code 56301, Project No. 08EN0208 –\$500,000; Fund 352, LOST III, Cost Center 210107, Object Code 56301, Project No. 09EN0388 – \$250,000):

Asphalt Price Per Ton – Picked Up

<u>Current County Price</u>	<u>Proposed Price</u>
\$48.40/ton 1-20 tons	\$54.90/ton 1-20 tons
\$47.80/ton 21-1,000/tons	\$54.30/ton 21-1,000 tons

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

12. Acquisition of Property

Motion made by Commissioner Robertson, seconded by Commissioner Robinson, and carried unanimously, approving, and authorizing the Chairman to execute, the *Amendment to Agreement for Sale and Purchase of Property* from RL REGI Florida, LLC, for the acquisition of real property located at 10836 Lillian Highway; meeting in regular session on June 10, 2013, the Board approved the Agreement for Sale and Purchase for the acquisition of three contiguous parcels of real property (totaling approximately 40 acres), located at 10836 Lillian Highway, from RL REGI, Florida, LLC; in preparation for closing, it was noted that there was an error in the legal description on Exhibit "A" attached to the Sales Agreement, as presented to the Board; the legal description (Exhibit "A") included in the Sales Agreement by the seller's attorney mistakenly included two other parcels the seller owns but was not intended to be part of this transaction; appraisals did not include this unintended property; in all other aspects, the Agreement for Sale and Purchase remains unchanged; staff is requesting the Board approve the Amendment to the Agreement for Sale and Purchase to correct the legal description of the property to be acquired and to proceed with the closing for this acquisition (funding for this Project is available in Funding Source: Fund 352, "Local Option Sales Tax III," Cost Center 220102, NESD Capital Projects, Project 08NE0018, Boat Ramps).

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION

1. Selection of Recruiting Firm

Motion made by Commissioner Robertson, seconded by Commissioner May, and carried unanimously, approving a shortened RFP (*Request for Proposals*) process, with a firm date of September 16, 2013, for the firms to be presented for the Board's final decision, relative to the recommendation that the Board take the following action concerning the selection of a recruiting firm:

- A. Award a Contract to a recruiting firm, to be selected from the following companies that have submitted a proposal, to recruit candidates for the County Administrator position for the Escambia County Board of County Commissioners:
  - (1) Anchor HR Solutions, Inc.
  - (2) Bob Murray & Associates
  - (3) Cohn Baenziger & Associates
  - (4) Logan Development Group
  - (5) The Mercer Group, Inc.
  - (6) Slavin Management Consultants
  - (7) The Waters Consulting Group, Inc.
  
- B. Authorize the expenditure of up to \$45,000 to pay for the search firm fees, expenses, and candidates' travel and interview expenses; and
  
- C. Authorize the Chairman to execute the Agreement, subject to Legal review and approval (the Agreement will be drafted upon approval of this Board action).

Speaker(s):

James C. Nims, Jr.

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1-3. Approval of Various For Action Items

Motion made by Commissioner Robinson, seconded by Commissioner May, and carried unanimously, approving For Action Items 1 through 3, as follows:

1. Authorizing the scheduling of a Public Hearing on September 5, 2013, at 5:31 p.m., to consider (*adopting an Ordinance*) amending Volume 1, Chapter 90, Article II, Section 90-57(4), of the Escambia County Code of Ordinances, to remove the allocation of Tourist Development Tax Revenues for the renewal and replacement fund for the Pensacola Civic Center (*n/k/a the Pensacola Bay Center*).
2. Approving a washout Workers' Compensation settlement, on behalf of Steven Bates, in the amount of \$74,392.94, inclusive of attorney's fees and costs; in exchange for this settlement amount, Mr. Bates shall execute a voluntary resignation and general release of liability on behalf of Escambia County.
3. Ratifying the letter sent to Gerald E. Champagne, General Counsel to the Sheriff, dated July 26, 2013, concerning contracts relating to the Escambia County Jail.

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

1. Proclamations

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, adopting the following two Proclamations (***Commissioner Robinson's add-on Item 1 and Regular Agenda Item 6 [see Page 3] were approved in the same motion:***)

- A. The Proclamation extending congratulations from both the Board and the citizens of Escambia County to Dr. P. C. Wu as the Florida League of Cities President for 2013-2014 and expressing gratitude for all of his efforts on behalf of the citizens of Florida; and
- B. The Proclamation congratulating Ms. Patty Hightower for her selection as President of the Florida School Board Association and extending gratitude for her commitment and dedication to the students and the future of the great State of Florida and her community.

Speaker(s):

Dr. P. C. Wu  
Patty Hightower

ANNOUNCEMENTS

- 1. FOR INFORMATION: The Board viewed a PowerPoint Presentation concerning the Jail Transition, presented by Amy Lovoy, Director, Management and Budget Services Department.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

ADJOURNMENT

There being no further business to come before the Board, Chairman Valentino declared the Regular Meeting of the Board of County Commissioners adjourned at 8:10 p.m.

BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA



ATTEST:

Pam Childers  
Clerk of the Circuit Court & Comptroller

By: \_\_\_\_\_  
Gene M. Valentino, Chairman

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

Approved: August 20, 2013