

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD AUGUST 20, 2013
BOARD CHAMBERS, FIRST FLOOR, ERNIE LEE MAGAHA GOVERNMENT BUILDING
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(4:33 p.m. – 7:43 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 (Regular Meeting only)
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 4:33 p.m.

1. FOR INFORMATION: The Board:
 - A. Heard comments from Michael Lowery concerning the poor condition of paratransit vehicles operated by Pensacola Bay Transportation (Bay), and problems the employees have encountered, including expiration of their health insurance last year, and again recently;
 - B. Heard comments from Tarah Lovette concerning two Bay coworkers who were advised that their health insurance was terminated and were unable to obtain their prescription medications;
 - C. Was advised by Larry M. Newsom, Assistant County Administrator, that staff is preparing a Request for Proposals for the ADA (*Americans with Disabilities Act*) service provided by Bay, for which the contract expires September 30, 2013;

(Continued on Page 2)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

PUBLIC FORUM WORK SESSION – Continued

1. Continued...

D. Was advised by Margie Wilcox, Owner, Pensacola Bay Transportation, that:

- (1) The employee health insurance issue was the result of an administrative error, which has been corrected, and there has been no break in coverage; and
- (2) Relative to the vehicles, last year Bay applied for a "State of Good Repair" Grant, which was received in July 2013, which means that up to 15 new vehicles can be purchased;

E. Was advised by Herold Humphrey, General Manager, First Transit, that an employee was denied prescription medication today; therefore, questions remain relative to whether there was a break in employee insurance coverage; and

F. Was advised by Howard Vanselow that Pensacola Bay is unhappy with the current insurance carrier, and would like to negotiate with the Union for a different carrier and, further, that any claims that were denied will be paid.

2. FOR INFORMATION: The Board heard comments from James C. Nims, Jr., concerning a newspaper article about Cynthia Tucker, politics, the youth incarceration rate, and various other local, state, and national issues.

3. FOR INFORMATION: The Board heard comments from Lenny Tarantino concerning the negative impact of an Alabama law that prohibits local limousine businesses from doing business in Alabama without an Alabama license, while Alabama limousine business are allowed to conduct business in Florida with no Florida license, and heard the suggestion from Commissioner Valentino that Mr. Tarantino meet with County Attorney Rogers to discuss this matter.

4. FOR INFORMATION: The Board heard comments from George Hawthorne concerning a proposed small business and minority business resource center, and multiple public records requests he has submitted to the Greater Pensacola Chamber, to which no response has yet been received, and was advised by Mr. Hawthorne that the \$150,000 funding request for the small business resource center economic development project could be taken from the \$400,000 economic development allocation to the Chamber.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

PUBLIC FORUM WORK SESSION – Continued

5. FOR INFORMATION: The Board heard the suggestion from Marlin Mueller that, as an incentive for builders and homeowners to develop vacant lots, the Board "freeze" the property taxes at the level at the time application is made for a building permit, and for a period of five years thereafter.
6. FOR INFORMATION: The Board heard comments from Orvind Johnson concerning the proposed land swap to accommodate development of an industrial park in the vicinity of Navy Federal Credit Union, while the commerce park on Highway 29 has only one tenant, and the scheduled replacement of the Pensacola Bay Bridge in 2019.

REGULAR BCC AGENDA

1. Call to Order

Chairman Valentino called the Regular Meeting of the Board of County Commissioners to order at 5:44 p.m.

2. Invocation

Commissioner Barry introduced Quintin McGhee, Boy Scout Troop 628, to deliver the Invocation.

3. Pledge of Allegiance to the Flag

Commissioner Barry introduced Boy Scout Troop 628 to lead the Pledge of Allegiance to the Flag.

4. Adoption of the Agenda

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, and carried unanimously, adopting the agenda, as prepared and duly amended.

5. Commissioners' Forum

A. District 5 – Commissioner Barry thanked Boy Scout Troop 628 from Gonzalez United Methodist Church for attending the Meeting;

(Continued on Page 4)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

5. Continued...

- B. District 4 – Commissioner Robinson commented concerning a meeting today with representatives from the Department of Interior related to a ferry service for Pensacola Bay, which should be implemented by March 2017;
- C. District 3 – Commissioner May commented concerning the Board's support of local youth and schools; and
- D. District 2 – Commissioner Valentino commented concerning the flooding at Forest Creek Apartments, located on Patton Drive, due to the rain event during the past weekend.

6. Presentation

The Board witnessed Commissioner Valentino's presentation of certificates to Miranda Holt, Overall Girls' Winner, and J.R. Schultz, Overall Boys' Winner, of the 56th Annual Divot Derby.

Speaker(s):

Marty Stanovich

7. 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 two Public Hearings on the agenda:

- (1) The 5:45 p.m. Public Hearing, advertised in the Pensacola News Journal on August 5, 2013, for consideration of adopting an Ordinance amending the LDC to allow chickens as permitted accessory uses for single-family residential dwellings; and

(Continued on Page 5)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

7. Continued...

A. Continued...

- (2) The 5:46 p.m. Public Hearing, advertised in the Pensacola News Journal on August 5, 2013, for consideration of an Ordinance amending the LDC 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; and

B. *The Board of County Commissioners – Escambia County, Florida, Meeting Schedule August 19-August 23, 2013 – Legal No. 1606100*, as published in the Pensacola News Journal on August 17, 2013, as follows:

August 19	10:00 a.m.	Escambia County Jail Transition Team Meeting
August 19	1:00 p.m.	Public Workshop-Technical Coordinating Committee
August 19	3:30 p.m.	West Florida Regional Planning Council
August 19	4:00 p.m.	District 2 West End Advisory Committee
August 19	4:00 p.m.	RESTORE Act Advisory Committee
August 20	8:45 a.m.	Community Redevelopment Agency
August 20	9:00 a.m.	Board of County Commissioners Agenda Work Session
August 20	12:00 p.m.	Escambia County Housing Finance Authority-Audit Comm.
August 20	1:30 p.m.	Environmental Enforcement Special Magistrate
August 20	4:00 p.m.	Escambia County Health Facilities Authority
August 20	4:30 p.m.	Board of County Commissioners Public Forum
August 20	5:30 p.m.	Board of County Commissioners Public Hearings & Reports
August 21	8:00 a.m.	Escambia Soil and Water Conservation District
August 21	8:30 a.m.	Board of Adjustment
August 21	1:00 p.m.	Development Review Committee
August 21	4:00 p.m.	West Florida Public Library Board of Governance

NEXT WEEK'S NOTE:

August 26	5:30 p.m.	County Commissioner District 5 Town Hall Meeting
August 28	1:00 p.m.	Development Review Committee
August 28	3:00 p.m.	Mass Transit Advisory Committee Workshop
August 28	5:00 p.m.	Santa Rosa Island Authority Committee Meeting
August 28	5:05 p.m.	Santa Rosa Island Authority Special Board Meeting

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

1-2. Approval of Two Consent Agenda Items

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, approving Consent Agenda Items 1 and 2, as follows:

1. Accepting, for filing with the Board's Minutes, the following Reports prepared by the Clerk and Comptroller's Finance Department:
 - A. Tourist Development Tax Collections Data for the June 2013 returns received in the month of July 2013; this is the tenth month of collections for Fiscal Year 2012-2013; total collected for the June 2013 returns was \$1,261,638.79; this is a 7.97% increase over the June 2012 collections; total collections year-to-date are 7.45% higher than the comparable time frame in Fiscal Year 2011-2012; and
 - B. The Investment Report for the month ended July 31, 2013, as required by Ordinance Number 95-13.
2. 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 August 8, 2013; and
 - B. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held August 8, 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. 5:45 p.m. Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, adopting an Ordinance (*Number 2013-38*) to (*amend*) the Escambia County Land Development Code, Article 6.03.01., to allow chickens as permitted accessory uses for single-family residential dwellings; this Hearing serves as the second of two required Public Hearings before the Board of County Commissioners, as set forth in Section 2.08.04 (b) (*of the Escambia County Code of Ordinances*) and Florida Statute 125.66(4)(b); at the July 1, 2013, Planning Board meeting, the Planning Board recommended approval.

Speaker(s) – None.

2. 5:46 p.m. Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, adopting an Ordinance (*Number 2013-39*) to (*amend*) the Escambia County Land Development Code, Article 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 second of two required Public Hearings before the Board of County Commissioners, as set forth in Section 2.08.04(b) (*of the Escambia County Code Ordinances*) and Florida Statute 125.66(4)(b); at the July 1, 2013, Planning Board meeting, the Planning Board recommended approval.

Speaker(s) – None.

II. ACTION ITEM

1. Tarkiln Way Unplatted Subdivision

Motion made by Commissioner Robertson, seconded by Commissioner Barry, and carried unanimously, approving the request to waive the requirement for paved streets in an unplatted subdivision, per Section 4.01.05 of the Escambia County Land Development Code, for Tarkiln Way Unplatted Subdivision; a plat of the proposed subdivision is provided.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-5. Approval of Various Consent Agenda Items

Motion made by Commissioner Barry, seconded by Commissioner Robinson, and carried unanimously, approving Consent Agenda Items 1 through 5, as follows, with the exception of Item 4, which was held for a separate vote:

1. Authorizing the scheduling of a Public Hearing on September 5, 2013, at 5:32 p.m., to consider adoption of an Ordinance creating the Wilde Lake Estates Subdivision Street Lighting Municipal Services Benefit Unit.
2. Accepting, for filing with the Board's Minutes, the July 25, 2013, Community Redevelopment Agency's Meeting Minutes, prepared by Carolyn Barbour, Administrative Assistant.
3. Approving the three *Request for Disposition of Property* Forms to declare as surplus and authorize removal from the County assets inventory, 13 items, aged 6 to 15 years, which are obsolete and no longer held by the Public Safety Department, having been lost on scene, damaged and disposed of as junk, or used as spare parts without appropriate disposition paperwork.
4. See Below.
5. Approving the *(six) Request for Disposition of Property* Forms for the Corrections Department, for property which is described and listed on the Disposition Forms; the listed items have been found to be of no further usefulness to the County; thus, it is requested that they be auctioned as surplus or properly disposed of.

4. Special Event Permit

Motion made by Commissioner Robinson, seconded by Commissioner May, and carried unanimously, approving the application for a Special Event Permit for a limited waiver of the noise restrictions imposed by the Escambia County Noise Abatement Ordinance, in conjunction with the outdoor event, Gulf Coast Summer Fest 2013, sponsored by Banks Enterprise, LLC, to be held at Casino Beach Saturday, August 31, 2013, from 11:00 a.m. through 11:59 p.m.

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA

1-12. Approval of Various Consent Agenda Items

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, and carried unanimously, approving Consent Agenda Items 1 through 12, as follows, as amended to drop Item 5:

1. Ratifying the following August 20, 2013, action of the Board of County Commissioners of Escambia County, acting in its capacity as the Escambia County Community Redevelopment Agency (CRA), concerning the Residential Rehab Grant Program Funding and Lien Agreements for the property located at 1280 Mahogany Mill Road #7:
 - A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Edward R. Rankin, the owner of residential property located at 1280 Mahogany Mill Road #7, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$1,140, representing an in-kind match through the Barrancas Tax Increment Financing (TIF), Fund 151, Cost Center 220519, Object Code 58301, for replacing the roof; and
 - B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.
2. Ratifying the following August 20, 2013, action of the Board of County Commissioners of Escambia County, acting in its capacity as the Escambia County Community Redevelopment Agency (CRA), concerning the Residential Rehab Grant Program Funding and Lien Agreements for the property located at 208 Brandywine Road:
 - A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Billy N. and Janice J. Crouch, the owners of residential property located at 208 Brandywine Road, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$1,250, representing an in-kind match through the Barrancas Tax Increment Financing (TIF), Fund 151, Cost Center 220519, Object Code 58301, for connecting to sanitary sewer; and
 - B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-12. Approval of Various Consent Agenda Items – Continued

3. Ratifying the following August 20, 2013, action of the Board of County Commissioners of Escambia County, acting in its capacity as the Escambia County Community Redevelopment Agency (CRA), concerning the Residential Rehab Grant Program Funding and Lien Agreements for the property located at 1202 Wilson Avenue:

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Edward P. and Kirsten B. Germann, the owners of residential property located at 1202 Wilson Avenue, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$832, representing an in-kind match through the Barrancas Tax Increment Financing (TIF), Fund 151, Cost Center 220519, Object Code 58301, for connecting to sanitary sewer; and

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

4. Ratifying the following August 20, 2013, action of the Board of County Commissioners of Escambia County, acting in its capacity as the Escambia County Community Redevelopment Agency (CRA), concerning the Residential Rehab Grant Program Funding and Lien Agreements for the property located at 15 Milton Road:

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Gloria J. McCluskey, the owner of residential property located at 15 Milton Road, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$1,900, representing an in-kind match through the Barrancas Tax Increment Financing (TIF), Fund 151, Cost Center 220519, Object Code 58301, for connecting to sanitary sewer; and

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

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-12. Approval of Various Consent Agenda Items – Continued

5. Dropping the recommendation that the Board approve, and authorize the Interim County Administrator to execute, the following Change Order #2, to conduct remediation of contaminated soil located at the County's property known as the Mahogany Mill Boat Ramp:

Department:	Community & Environment
Division:	Community Redevelopment Agency
Type:	Addition
Amount:	\$163,900
Vendor:	Geosyntec Consultants, Inc.
Project Name:	Mahogany Mill Boat Ramp
Contract:	PD 02-03.079
Purchase Order Number:	131158
Change Order (CO) Number:	2
Original Award Amount:	\$ 24,500
Cumulative Amount of Change Orders through CO #2:	\$188,300
New Contract Total:	\$212,800

6. Taking the following action regarding the Escambia County Neighborhood Stabilization Program 3 (NSP3) Subrecipient Agreement with the Area Housing Commission (AHC) (Funding: Fund 129, Cost Center 220507; Fund 124, Cost Center 220406):
- A. Approving a Subrecipient Agreement with the AHC committing \$170,000 in NSP3 and Fund 124 dollars to finance three affordable rental units, including affiliated common and parking areas, as part of the Morris Court Redevelopment Project; and
 - B. Authorizing the Chairman or Vice Chairman to execute the agreement and all related documents required to implement the Project.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-12. Approval of Various Consent Agenda Items – Continued

7. Taking the following action concerning the lease of County-owned real property located at 501 Church Street, Century Florida:

A. Adopting the Resolution (*R2013-90*) authorizing the lease of real property to Health and Hope Clinic, Inc. (HHC), for the property located at 501 Church Street, Century, Florida, for the term of three years, commencing retroactively on July 1, 2013, and providing for renewal by HHC for two additional two-year terms; rent is to be paid to the County in the amount of \$1 per year; and

B. Authorizing the Chairman to sign the Resolution and the Lease Agreement.

8. Approving, and authorizing the Interim County Administrator to execute, the following Change Order Number 1, adding funds for the repair and maintenance of the Public Safety Department's ambulance fleet through the balance of the Fiscal Year (Funding Source: Fund 408, Emergency Medical Services [EMS] Fund, Cost Center 330302, EMS Operations):

Department:	Public Safety	
Division:	Emergency Medical Services	
Type:	Addition	
Amount:	\$45,000	
Vendor:	Ward International Trucks, LLC	
Project Name:	N/A	
Contract:	N/A	
Purchase Order Number:	130049	
Change Order (CO) Number:	1	
Original Award Amount:		\$185,000
Cumulative Amount of Change Orders through this CO:		\$ 45,000
New Purchase Order Total:		\$230,000

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-12 Approval of Various Consent Agenda Items – Continued

9. Taking the following action concerning a Change Order to HDR Engineering, Inc., for design services for the Kupfrian Park Improvements (*Project*) (Funding Source: Fund 352, "Local Option Sales Tax III," Cost Center 210107, Object Code 56301, Project #10EN0433, "Avery Street Drainage"):

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

Department:	Public Works
Division:	Engineering/Infrastructure Division
Type:	Addition
Amount:	\$73,880.37
Vendor:	HDR Engineering, Inc.
Project Name:	Kupfrian Park Improvements
Contract:	PD 08-09.054
Purchase Order Number:	101399
Change Order (CO) Number:	5
Original Award Amount:	\$146,675.22
Cumulative Amount of Change Orders through this CO:	\$123,718.73
New Contract Total:	\$270,393.95

B. Authorizing staff to negotiate future additional professional and design services and issue Task Orders as required for completion of this Project.

10. Awarding Contract #PD 12-13.054 for the Central Booking and Detention Facility Flood Repair to A.E. New, Jr., Inc., in the base bid amount \$1,767,000, deduct \$2,600 per Bid Option 1, and add \$9,500 per Bid Option 2, for a total of \$1,773,900, and authorizing the Interim County Administrator to execute all Purchase Orders for Owner Direct Purchases, in the amount of \$50,000 or greater (Funding: Fund 352, Local Option Sales Tax III, Cost Center 540115, Object Code 56301, Project #13SH2253 – \$220,000) (Funding: Fund 501, Internal Service Fund, Cost Center 140836, Object Code 54601, Project #6FL00155 – \$1,553,900).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-12. Approval of Various Consent Agenda Items – Continued

11. Taking the following action concerning Agreements by SmartCOP, Inc. (Consolidated Technology Solutions and CTS America), and Escambia County Board of County Commissioners, for the use of the SmartJail (Jail Management System) and SmartADMIN (Administrative Modules), which are necessary for the continued operation of the Escambia County Jail (the cost of the SmartJail and SmartADMIN Software Products will be no charge; the cost of necessary services to move data, configure servers, and CTS America project management will be \$5,100.00; additionally, the cost for the first annual maintenance fee will be \$56,428.20):
 - A. Approving the *Software License and Services Agreement*;
 - B. Approving the *Software Maintenance and Support Agreement* with pricing sheet; and
 - C. Authorizing the Chairman to sign the Agreements.
12. Adopting the Resolution (*R2013-91*) approving Supplemental Budget Amendment #221, Law Enforcement Trust Fund (121), in the amount of \$267,010, to recognize additional revenues from various law enforcement activities, and to appropriate these funds into the Sheriff's Law Enforcement Trust Budget.

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION

1. Human Relations Commission Appointment

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, waiving Board's Policy, Section I, Part B 1. (D), Appointment Policy and Procedures, and reappointing Ebbin Spellman to the Escambia-Pensacola Human Relations Commission, for a two-year term, effective retroactively August 17, 2013, through August 16, 2015.

2. Public Right-of-Way Easement

Motion made by Commissioner Robertson, seconded by Commissioner Robinson, and carried 4-1, with Commissioner Barry voting "no," approving, and authorizing the Chairman to sign, the Dedication of Public Right-of-Way Easement for a 50-foot-wide easement along the northern 50 feet of the County's Land Clearing Debris pit and Public Works Substation, located at 6775 Mobile Highway, requested for Bobby Glenn Buffington, at no expense to the County.

3. Allocation of 4th Cent TDT Funds

Motion made by Commissioner Robertson, seconded by Commissioner May, and carried unanimously, approving to "set aside \$100,000 into the account, (*and approving*) that the group (*Visitors Information Center*) that vetted those events last year would vet all the events, and approve them based on the criteria set forth, except the two events," and approving the requests from Reverend Morris and the Yacht Club tonight, with no further vetting, relative to discussion concerning the allocation of the 4th Cent Tourist Development Tax Funds.

Speaker(s):

George Hawthorne
Jim Pasquale
Ron Ellington
Steve Hayes
Samuel Bolden
W. A. "Buck" Lee
William "Cadillac" Banks
T. R. Eagen

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION – Continued

4. Terms and Conditions of Employment

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, approving to endorse the Terms and Conditions of Employment, which are intended to provide sufficient inducement to the Police Benevolent Association (PBA), for Sworn Detention Officers and Non-sworn Jail Support Staff, both represented by the PBA under separate Labor Agreements, and the individual Contract Employees (CE) in Medical Services to waive their leave payment provisions under the current PBA Labor Agreements or the individual CE Agreements with the Sheriff.

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1-4. Approval of Various For Action Items

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

1. Approving a washout Workers' Compensation settlement to former employee William Blackmon, in the amount of \$160,000, inclusive of all outstanding attorney's fees and costs; in exchange, Mr. Blackmon shall execute a general release of liability and waiver of employment on behalf of Escambia County.
2. Adopting a Resolution (*R2013-92*) restricting access to the Gulf of Mexico on a limited portion of Santa Rosa Island during the 2013 Gulf Coast Summerfest Concert event, from sunset on Saturday, August 31, 2013, until sunrise on Sunday, September 1, 2013.
3. Approving a settlement of the medical portion of former employee Ann Brown's Workers' Compensation claim for \$41,276.65, inclusive of attorney's fees and costs; the Board has previously settled the indemnity portion of her Workers' Compensation claim, and this second settlement will completely discharge Escambia County's liability for this Workers' Compensation claim.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

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

4. Taking the following action regarding Industrial Fencing, Inc., and NIT Management, Inc., in the lawsuit filed by the County to recover fire suppression costs incurred by Escambia County on the real property known as Cove Landfill (a/k/a Raymar Pit) from January 22-28, 2013, pursuant to Part I, Section 82-20, Escambia County Code of Ordinances:
 - A. Accepting the settlement offer made by Colony Insurance Company, the insurer for Industrial Fencing, Inc., and NIT Management, Inc., under cleanup costs coverage of an environmental insurance policy, in the sum of \$170,000;
 - B. Authorizing the Interim County Administrator, or his designee, to execute General Releases to be prepared by Colony Insurance Company on behalf of Industrial Fencing, Inc., and NIT Management, Inc., to release all claims by Escambia County and liability concerning fire suppression costs incurred by Escambia County; and
 - C. Authorizing the County Attorney's Office to enter into a Stipulation of Dismissal with Prejudice with all defendants in the lawsuit filed in Escambia County Circuit Court, with each party to bear its own attorneys fees and costs.

ITEMS ADDED TO THE AGENDA – COMMISSIONER GENE M. VALENTINO

1. C/W Recommendation

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, approving Item A, as follows, as recommended by the Committee of the Whole (C/W), at the August 15, 2013, C/W Workshop:

- A. Approving the *Amended Interlocal Agreement (Development of Downtown Technology Park)*, (which: [1] removes the requirement that the property be sold through a competitive bid process; [2] removes the requirement for businesses to be technology based; [3] removes the number of jobs and associated salary/wage and benefits from the criteria for Eligible Buyers of Technology Park lots; and [4] will allow the lots to be given away or sold for a nominal amount), relative to discussion concerning Tech Park (Item 6).

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

ITEMS ADDED TO THE AGENDA – COMMISSIONER VALENTINO – Continued

1. Continued...

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, approving Item B, as amended, relative to the August 15, 2013, Committee of the Whole recommendation that the Board adopt, as a Board project, the Economic Development Project/Navy Super Site, assume the place in the assignable contract and pay off the private party, to be funded from the Economic Development Fund, and approve the transfer of \$200,000 from the Economic Development Fund to a separate project fund for this endeavor (Item 7):

- B. Adopting, as a Board project, Economic Development Project/Navy OLF X, and approving to commence due diligence and completion of the County's property purchase checklist, with costs to be funded from the Economic Development Fund, and approving the transfer of \$200,000 from the Economic Development Fund to a separate project fund for this endeavor, and acknowledging (*that*) the Chamber of Commerce, through Vision 2015, may take assignment of the sales contract for the purchase of the Super Site property.

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, approving Item C, as follows, as recommended by the Committee of the Whole (C/W), at the August 15, 2013, C/W Workshop:

- C. Authorizing staff to prepare a draft Ordinance that provides for planned capital purchases to be posted on the County's website for 30 days, language that the Board can waive that (*30-day*) policy relative to emergency purchases, and "pull from other counties that have a small business preference," relative to discussion concerning Local Preference Procurement (Item 10).

Motion made by Commissioner Robertson, seconded by Commissioner Barry, and carried unanimously, approving Item D, as follows, as recommended by the Committee of the Whole (C/W) at the August 15, 2013, C/W Workshop:

- D. Authorizing staff to pursue due diligence necessary to accept the donation of a parcel of land at the mouth of Weekly Bayou (Item 11).

(Continued on Page 19)

ITEMS ADDED TO THE AGENDA – COMMISSIONER VALENTINO – Continued

1. Continued...

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, approving Item E(1), as follows, relative to the August 15, 2013, Committee of the Whole recommendation concerning Animal Services Policy Issues (Item 13):

- E. (1) Adopting the Resolution (*R2013-93*), as amended to reflect that Section 4, Composition of the Committee, will read as follows:

"The Committee shall consist of seven members. Each County Commissioner shall appoint one member from the County Commissioner's district. The County Administrator shall appoint two at large members. One of those at large members is required to be a veterinarian. All appointments shall be subject to confirmation by a majority vote of the Board of County Commissioners. The Sheriff's Department will have the opportunity to appoint one law enforcement representative, who shall be an ex officio member (non voting) of the Committee, who shall vote only if required to meet the quorum of four. All members shall be electors of Escambia County."

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, approving Item E(2), as follows, as recommended by Committee of the Whole (C/W) at the August 15, 2013, C/W Workshop:

- E. (2) Approving that all animals spayed or neutered at the Animal Shelter will receive pre- or post-surgery pain medication, at an estimated cost of \$40,000, with no increase in the cost for adoption, as recommended by the Committee of the Whole (C/W) Workshop held August 15, 2013.

(Continued on Page 20)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

ITEMS ADDED TO THE AGENDA – COMMISSIONER VALENTINO – Continued

1. Continued...

Motion made by Commissioner Barry, seconded by Commissioner Robinson, and carried 4-0, with Commissioner May temporarily out of Board Chambers, approving Item E(3), as follows, as recommended by the Committee of the Whole (C/W) Workshop held August 15, 2013:

- E. (3) Approving that active Military Service members can participate in the Low Cost Spay/Neuter Program, and that eligibility is based on gross annual income (*not to exceed \$35,000 [on June 28, 2012, the Board adopted the income limit of \$35,000 as eligibility criteria for persons applying for services under the Program]*).

Speaker(s):

Patty Krakowski
Lindley Paxton Barden
Sharyn Berg

ANNOUNCEMENTS – None.


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 7:43 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: September 5, 2013