

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE  
BOARD OF COUNTY COMMISSIONERS  
HELD FEBRUARY 21, 2013  
BOARD CHAMBERS, FIRST FLOOR, ERNIE LEE MAGAHA GOVERNMENT BUILDING  
221 PALAFOX PLACE, PENSACOLA, FLORIDA  
(4:33 p.m. – 8:34 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 4:33 p.m.

1. FOR INFORMATION: The Board heard comments from James C. Nims, Jr., who advised that the cost to process juvenile offenders for a first-time misdemeanor offense is \$5,000, while the cost for a civil citation is \$896; therefore, the Pensacola Police Department and the Escambia County Sheriff's Office should utilize the citation process.
2. FOR INFORMATION: The Board heard comments from Patricia "Pat" Caro concerning Chiang Kai-shek, consumerism, books by Herman Wouk, and General Joseph W. "Vinegar Joe" Stilwell, who was her grandfather's brother.
3. FOR INFORMATION: The Board heard comments from Larry Pellegrino, who advised that Patrick T. "Pat" Johnson, Director, Solid Waste Management Department, calculated that Titan Waste Services, Inc., owes the County \$105,000 for shortages in tonnage delivered to Perdido Landfill; however, those figures do not account for the tonnage that Titan delivered to Gulf States Recycling and Recycled Fibers of Alabama during 2010 and 2011, and heard Commissioner Robinson's suggestion that Mr. Pellegrino discuss the dispute with the County Attorney and Mr. Johnson.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

PUBLIC FORUM WORK SESSION – Continued

4. FOR INFORMATION: The Board heard comments from the following nine citizens concerning chickens in urban areas:
  - A. Tommy Brooks, who advised that he supports the provision in the existing Ordinance that requires two acres of property for farm animals;
  - B. The following six citizens who expressed their support for an Ordinance that would allow backyard chickens:
    - (1) Sonye Doten
    - (2) Donald Conley
    - (3) Cary Schwenke
    - (4) Joshua Welch
    - (5) Leanne Easteal
    - (6) Joel Schirtzinger
  - C. Robin Cummings, who spoke on behalf of several other citizens and advised that an online group of more than 190 individuals support citizens owning backyard chickens, and suggested that the County adopt an Ordinance that mirrors the City's Ordinance, and requested that the Board continue the "moratorium" established in August, while the group conducts research as to which counties and cities have enacted "chicken friendly" laws, after which she would like an opportunity to make a formal presentation to the Board (*at its Regular Meeting held August 23, 2012, the Board approved that the County would refrain from enforcing zoning regulations related solely to chickens until the Board resolves whether or not it will amend its regulations related to chickens and approved that any active Code Enforcement cases related to chicken violations shall be stayed until resolution of the issue by the Board*); and
  - D. Dottie Dubuisson, who requested that the County consult with the City concerning this issue.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

PUBLIC FORUM WORK SESSION – Continued

5. FOR INFORMATION: The Board heard comments from Mackel D. Jones, who advised that the Principal of Pensacola High School has offered to provide a computer lab at the School and has donated bats and balls for the *At Risk Teen Program*, regarding which he addressed the Board at the February 7, 2013, Public Forum Work Session, that a local club owner purchased eight gloves for the Program, at a cost of \$221, and that he has also received other offers of assistance.
6. FOR INFORMATION: The Board heard comments from L. Gary Sansing concerning recycling, the landfill, juvenile justice, Walden Pond, the economy, and various other local, state, and national issues.

5:33 P.M. – PUBLIC FORUM ADJOURNED

5:45 P.M. – REGULAR BOARD MEETING CONVENED

REGULAR BCC AGENDA

1. Call to Order

Chairman Valentino called the Regular Meeting of the Board of County Commissioners to order at 5:45 p.m.

2. Invocation

Chairman Valentino advised that Joe Miller, Director of Pray for Pensacola and State Director for the "National Day of Prayer," would deliver the Invocation.

3. Pledge of Allegiance to the Flag

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

4. Adoption of the Agenda

Motion made by Commissioner Robinson, seconded by Commissioner May, and carried unanimously, adopting the agenda (*as prepared and duly amended*).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

5. Commissioners' Forum

District 2 – Commissioner Valentino:

- A. Requested a moment of silence in honor of Father Jack Gray, Jr., who passed away last Saturday (*February 16, 2013*);
- B. Advised that the Florida Department of Environmental Protection and the Army Corps of Engineers have granted approval for a snorkeling reef to be constructed in the Gulf of Mexico, approximately 500 feet south of the public access area at Sandy Key Drive on Perdido Key; and
- C. Advised that he will dance with Miss Georgia at Ballet Pensacola's "Dancing with the Stars" on Saturday evening (*February 23, 2013*), at New World Landing.

6. Proclamations

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, taking the following action concerning adoption/ratification of the following five Proclamations:

- A. Adopting the Proclamation extending special thanks from both the Board and the citizens of Escambia County to Florida Department of Law Enforcement Special Agent Chris Webster for his heroism and bravery in the face of extreme danger, his services to the citizens, and for his ongoing service ensuring the safety of the population of Escambia County;
- B. Adopting the Proclamation extending special thanks from both the Board and the citizens of Escambia County to Florida Department of Law Enforcement Special Agent Chris Williams for his heroism and bravery in the face of extreme danger, his services to the citizens, and for his ongoing service ensuring the safety of the population of Escambia County;
- C. Adopting the Proclamation proclaiming March 2013 as "American Red Cross Month" and encouraging the citizens of Escambia County to support the American Red Cross and its noble humanitarian mission;

(Continued on Page 5)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

6. Continued...

- D. Adopting the Proclamation proclaiming February 21, 2013, as "Military Appreciation Day in Escambia County" and joining the Navy League and the citizens of Escambia County in expressing appreciation to the men and women of the United States Armed Forces stationed in Northwest Florida not only for their contributions to our community during their tours of duty here, but also for their service to our great Country; and
- E. Ratifying the Proclamation dated February 14, 2013, welcoming retired Israeli Ambassador Yoram Ettinger as he visits Pensacola, Florida, during his ambassadorial visits and encouraging the citizens of Escambia County to attend the series of events co-sponsored by the B'nai Israel Synagogue and the First Pentecostal Church.

Speaker(s):

Chris Webster

7. Proof of Publication

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, waiving the reading of the legal advertisement(s) and accepting, for filing with the Board's Minutes, the certified affidavit(s) establishing proof of publication for the Public Hearing(s) on the agenda, and the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule*, as follows:

A. The following four Public Hearings on the agenda:

- (1) The 5:31 p.m. Public Hearing, advertised in The Escambia Sun-Press, LLC, on February 7, 2013, for consideration of the Petition to Vacate a portion of a 20-foot-wide alleyway, Block 21, Hazlehurst Subdivision, as petitioned by Linh Le;
- (2) The 5:32 p.m. Public Hearing, advertised in the Pensacola News Journal on February 9, 2013, for consideration of adopting an Ordinance to establish public dogs parks on Pensacola Beach and Perdido Key;

(Continued on Page 6)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

7. Continued...

A. Continued...

- (3) The 5:33 p.m. TEFRA Public Hearing, advertised in the Pensacola News Journal on February 7, 2013, for consideration of adopting the Resolution authorizing the issuance of approximately \$53,000,000 Escambia County, Florida, Industrial Development Revenue Bonds, Series 2013; and
- (4) The 5:45 p.m. Public Hearing, advertised in the Pensacola News Journal on February 6, 2013, for consideration of adopting an Ordinance amending LDC Article 6, Section 6.05.15.01, CCPK (Perdido Key) commercial core district; and

B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule February 18- February 22, 2013 – Legal No. 1591129*, as published in the Pensacola News Journal on February 16, 2013, as follows:

<b>February 18</b>		<b>Escambia County Offices Closed-President’s Day</b>
February 19	1:30 p.m.	Environmental Enforcement Special Magistrate
February 19	4:00 p.m.	Escambia County Health Facilities Authority
February 20	8:00 a.m.	Escambia Soil and Water Conservation District Board
February 20	8:30 a.m.	Board of Adjustment
February 20	1:00 p.m.	Development Review Board
February 21	8:30 a.m.	Incident Review Board
February 21	8:45 a.m.	Community Redevelopment Agency Meeting
February 21	9:00 a.m.	Board of Electrical Examiners
February 21	9:00 a.m.	Board of County Commissioners Agenda Work session
February 21	4:30 p.m.	Board of County Commissioners Public Forum
February 21	5:30 p.m.	Board of County Commissioners Public Hearings & Reports
February 22	12:30 p.m.	Library Blue Ribbon Task Force
<b>NEXT WEEK’S NOTE:</b>		
February 25	4:00 p.m.	District 2 West End Advisory Committee
February 25	5:30 p.m.	County Commissioner District 5- Town Hall Meeting
February 27	1:00 p.m.	Development Review Committee
February 27	5:00 p.m.	Santa Rosa Island Authority Committee Meeting
February 28	7:00 a.m.	Gulf Consortium
February 28	6:00 p.m.	County Commissioner District 3- Town Hall Meeting

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

8. 5:31 p.m. Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner May, and carried unanimously, taking the following action concerning the Petition to Vacate a portion of a 20-foot-wide alleyway, Block 21, Hazlehurst Subdivision (approximately 0.04 acre), as petitioned by Linh Le; the Petitioner owns Lots 5 through 10, Block 21, Hazlehurst Subdivision, and Lots 1 through 5, Block A, Blount Re-Subdivision of Kupfrian Park; there is a platted 20-foot-wide alleyway extending east to west through said Block 21, as recorded in Plat Deed Book 55, at Page 262, of the public records of Escambia County, Florida; the Petitioner is requesting that the Board vacate any interest it has in that portion of said 20-foot-wide alleyway (approximately 0.04 acre), which abuts her property; staff has made no representations to the Petitioner or to the Petitioner's agent that Board approval of this request operates to confirm the vesting or return of title to the land to the Petitioner or to any other interested party:

- A. Approving the Petition to Vacate;
- B. Accepting the Hold/Harmless Agreement;
- C. Adopting the Resolution to Vacate (*R2013-24*); and
- D. Authorizing the Chairman or Vice Chairman to accept the documents as of the day of delivery of the documents to the Chairman or Vice Chairman, and authorizing the Chairman or Vice Chairman to execute them at that time.

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

9. 5:32 p.m. Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried 4-1, with Commissioner Robertson voting "no," adopting an Ordinance (*Number 2013-7*) amending Volume I, Chapter 10, Article I, Section 10-11, relating to animal control, creating Section 10-25 of the Escambia County Code of Ordinances to establish two public parks on Pensacola Beach specifically designated for dogs, and creating Section 10-26 of the Escambia County Code of Ordinances to establish parks on Perdido Key specifically designated for dogs, as amended to reflect that the Ordinance will be reevaluated in 6 months, rather than 12 months.

Speaker(s):

Dan Smith  
Jeff Condon  
E. G. "Ed" Southworth  
Carole Tebay  
Jim Cox  
Dana Timmons  
Lucy Duncan  
Barbara Albrecht  
Linda Fogel  
Karen Sindel  
W. A. "Buck" Lee

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

10. 5:33 p.m. TEFRA Public Hearing

Motion made by Commissioner Robertson, seconded by Commissioner Barry, and carried unanimously, taking the following action concerning the issuance of approximately \$53,000,000 Escambia County, Florida, Industrial Development Revenue Bonds, Series 2013 (Century Wood Pellet Project) (herein, the "Bonds"), on behalf of North Florida Biomass Fuels, LLC (the "Borrower"), for construction of a wood biomass pellet manufacturing facility to be located in Century, Florida (the Bonds will not obligate the credit of the County or pose any obligation or liability for the County):

- A. Ratifying the scheduling of the 5:33 p.m. Tax Equity and Fiscal Responsibility Act (TEFRA) Public Hearing, and advertising of the Notice of Public Hearing, for consideration of authorizing the issuance of the Bonds; and
- B. Adopting, and authorizing the Chairman to execute, the Resolution (*R2013-25*) authorizing the issuance and sale of the Bonds upon the terms established therein.

Speaker(s):

John F. Colquitt  
Richard I. Lott

11. Committee of the Whole Recommendation

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, and carried unanimously, approving Items A and D, as follows, as recommended by the Committee of the Whole (C/W), at the February 14, 2013, C/W Workshop:

- A. Approving to appoint Lumon J. May to the Escambia County Transportation Disadvantaged Coordinating Board (TDCB) to chair the meetings of the TDCB (C/W Item 6); and
- D. Approving to allow Commissioner Valentino, Assistant County Administrator Larry M. Newsom, and staff to continue to go forward with the Regional Transportation Finance Authority (RTFA), which will create funding strategies, on a case-by-case basis, for projects on the TPO (Transportation Planning Organization) project priority list, as well as other projects (C/W Item 10).

REGULAR BCC AGENDA – Continued

11. Continued...

B. Natural Gas Franchise Assignment

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, and carried 4-0, with Commissioner Valentino abstaining (*and filing Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), taking the following action concerning the City of Pensacola (*d/b/a Pensacola Energy, f/k/a Energy Services of Pensacola [ESP]*) and Gulf Breeze Agreement for Natural Gas Franchise Assignment (C/W Item 8):

- (1) Approving to obtain the releases from the two municipalities (*the City of Pensacola and the City of Gulf Breeze*); and
- (2) Authorizing the scheduling of the following three Public Hearings:
  - (a) A Public Hearing for consideration of authorizing the *Agreement for Natural Gas Franchise Assignment* between the City of Pensacola and the City of Gulf Breeze;
  - (b) A Public Hearing for consideration of adopting a new Ordinance to provide natural gas services to Pensacola Beach, to repeal and replace the existing Ordinance (*Number 2012-7, granting the City of Gulf Breeze, Florida, a non-exclusive franchise to construct, maintain, and operate a natural gas distribution system on the portion of Santa Rosa Island located in Escambia County, Florida*); and
  - (c) A Public Hearing for consideration of the City of Pensacola's request for reaffirmation (*of its exclusive gas franchise for all portions of Escambia County except the previously excepted areas within the Town of Century and Santa Rosa Island*).

C. Raising Chickens Accessory to Single-Family Dwellings

Motion made by Commissioner Barry, seconded by Commissioner May, and carried unanimously, approving to pull and reschedule, for discussion at a future date, the C/W recommendation that the Board revert to the County's former policy that property must be properly zoned for farm animals, relative to raising chickens accessory to single-family dwellings (C/W Item 9).

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

1-4. 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:

1. Accepting, for filing with the Board's Minutes, the following five Reports prepared by the Clerk and Comptroller's Finance Department:
  - A. Payroll Expenditures for Pay Date February 15, 2013, in the amount of \$2,097,164.58;
  - B. The following two Disbursement of Funds:
    - (1) January 31, 2013, to February 6, 2013, in the amount of \$2,073,617.72; and
    - (2) February 7, 2013, to February 13, 2013, in the amount of \$2,183,869.10;
  - C. Tourist Development Tax Collections Data for the December 2012 returns received in the month of January 2013; this is the fourth month of collections for Fiscal Year 2012-2013; total collected for the December 2012 returns was \$276,156, which is a 2.38% decrease over the December 2011 returns; total collections year to date are 7.26% higher than the comparable time frame in Fiscal Year 2011-2012; and
  - D. The Investment Report for the month ended January 31, 2013, as required by Ordinance 95-13.
2. Adopting the Resolution (*R2013-26*) authorizing the write-off of \$986.00 in returned checks in various funds of the County that have been determined to be uncollectible bad debts.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-4. Approval of Various Consent Agenda Items – Continued
  3. Accepting, for filing with the Board's Minutes, the following four documents regarding Escambia Co., FL v McCall and Associates, Inc. Architects, et al., as approved by the Board on November 1, 2012, and received in the Clerk to the Board's Office on January 10, 2013:
    - A. The original *Settlement Agreement and Release* between Speegle Construction, Inc., Carolina Casualty Insurance Company, Berkley Insurance Company, All-South Subcontractors, Inc., and Escambia County;
    - B. The original *General Release of All Claims* between Speegle Construction, Inc., Carolina Casualty Insurance Company, Berkley Insurance Company, All-South Subcontractors, Inc., and Escambia County;
    - C. A color copy of the *General Release of All Claims* between McCall and Associates, Inc. Architects and Escambia County; and
    - D. A copy of the *Settlement Agreement* (and General Mutual Release) between Samuel Johnson, Inc., Samuel F. Johnson, Jr., and Escambia County.
  4. Taking the following action concerning Minutes and Reports prepared by the Clerk to the Board's Office:
    - A. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held February 7, 2013; and
    - B. Approving the Minutes of the Regular Board Meeting held February 7, 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 Robertson, seconded by Commissioner Robinson, and carried 4-0, with Commissioner May temporarily out of Board Chambers, adopting an Ordinance (*Number 2013-8*) to (*amend*) the Escambia County Land Development Code (LDC), amending Article 6, "Zoning Districts" (*Section 6.05.15.01, CCPK [Perdido Key] commercial core district, to remove certain standards for lot coverage, revise standards to allow greater building heights and remove standards for footprint*); this Hearing serves as the second of two required Public Hearings before the Board of County Commissioners, as set forth in LDC Section 2.08.04(b) and Florida Statute 125.66 (4)(b).

Speaker(s) – None.

II. CONSENT AGENDA

1. Scheduling of Public Hearings

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, and carried 4-0, with Commissioner May temporarily out of Board Chambers, authorizing the scheduling of the following two Public Hearings for Thursday, March 21, 2013:

A. 5:45 p.m. – A Public Hearing – Comprehensive Plan Text Amendment CPA 2013-01; and

B. 5:46 p.m. – A Public Hearing – WCI Amended Development Agreement.

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

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-14. Approval of Various Consent Agenda Items

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, and carried unanimously, approving Consent Agenda Items 1 through 14, as follows, with the exception of Items 8 and 13, which were held for separate votes:

1. Accepting, for filing with the Board's Minutes, the January 17, 2013, Community Redevelopment Agency's (CRA) Meeting Minutes, prepared by Carolyn Barbour, Senior Office Support Assistant, CRA.
2. Ratifying the following February 21, 2013, action of the Board of County Commissioners of Escambia County, acting in its capacity as the Escambia County Community Redevelopment Agency, concerning the Escambia County Enterprise Zone Development Agency Board:
  - A. Reappointing Steve Littlejohn, Lead Land Development Officer, Escambia County Environmental Code Enforcement Division, to serve a four-year term as a local code enforcement representative, effective February 21, 2013, until February 2017; and
  - B. Reappointing Nita Freeman, President, Bell Acres Neighborhood Watch Group, to serve a four-year term as a resident living within the Enterprise Zone, effective February 21, 2013, until February 2017.
3. Taking the following action concerning the *Memorandum of Understanding between the National Park Service-Gulf Islands National Seashore and Escambia County for the Provision of Emergency Medical Services*:
  - A. Approving the Memorandum of Understanding (MOU) to establish the terms and conditions under which Escambia County, through the Emergency Medical Services Division of the Department of Public Safety and the National Park Service, will cooperate to jointly provide emergency medical services within and near the boundaries of the Gulf Islands National Seashore; and
  - B. Authorizing the Chairman to sign the MOU.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-14. Approval of Various Consent Agenda Items – Continued

4. Approving the *Request for Disposition of Property* Form for the Public Safety Department, Fire Services Division, for property which is described and listed on the Request Form, with reason for disposition stated; this property is to be auctioned as surplus or properly disposed of.
5. Approving the “Special Event Permit Application” for a limited waiver of the noise restrictions imposed by the Escambia County Noise Abatement Ordinance, extending the ending time from 10:00 p.m., to 10:30 p.m., for an outdoor wedding reception to be held at the Pensacola Country Club on Saturday, April 13, 2013.
6. Approving, and authorizing the Chairman to sign, the *Community Center License and Management Agreement* between Escambia County and Barrineau Park Historical Society, Inc., for the Barrineau Park Community Center and Historical Society, with an effective date of February 9, 2013.
7. Approving the *Request for Disposition of Property* Form for the Facilities Management Department, indicating two items to be properly disposed of, which are described and listed on the Request Form, with reason for disposition stated.
8. See Page 19.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-14. Approval of Various Consent Agenda Items – Continued

9. Taking the following action concerning the conveyance of a parcel of real property, approximately 12,695 square feet, to Florida Department of Transportation (FDOT), for their planned improvement project for the portion of State Road 296 (Beverly Parkway) at the County Road 453 ("W" Street) Intersection; FDOT has a project designed to make improvements to Beverly Parkway, which includes adding turn lanes and upgrading the related stormwater drainage system at the intersection of "W" Street; the County owns a large parcel of property at the southwest corner of Beverly Parkway and "W" Street; FDOT is requesting that the County convey a portion of this property, approximately 12,695 square feet, to facilitate the addition of a turn lane and upgrade of the stormwater drainage; staff has reviewed this request and determined that the conveyance of this property to FDOT will have no adverse impact to the County's use of this property and has no objection to the conveyance of this parcel:
  - A. Adopting a Resolution (*R2013-27*) authorizing the conveyance of a parcel of real property, approximately 12,695 square feet, to FDOT for their planned improvement project for the portion of Beverly Parkway at the "W" Street Intersection; and
  - B. Authorizing the Chairman to execute the Deed, the Resolution, and all other documents related to the transfer, without further action of the Board.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-14. Approval of Various Consent Agenda Items – Continued

10. Taking the following action concerning the conveyance of an Underground Distribution Easement (approximately 10 foot x 10 foot = 100 square feet) to Gulf Power Company on County-owned property in Deerfield Estates Subdivision; Escambia County owns a parcel of property, currently being utilized as a stormwater retention pond, located at the northern terminus of Erika Court in Deerfield Estates Subdivision; Deerfield Estates Subdivision is located north off of Mobile Highway and lies adjacent to the Escambia County Equestrian Center; Deerfield Estates Subdivision is recorded in Plat Book 16, at Page 36, of the Public Records of Escambia County, Florida; Gulf Power is doing some upgrades to their electrical system in Deerfield Estates Subdivision, and has determined the need for a small portion of the County pond parcel abutting Erika Court; therefore, Gulf Power is requesting that the County convey to them an Underground Distribution Easement (approximately 10 foot x 10 foot = 100 square feet) on the County retention parcel in Deerfield Estates Subdivision; Public Works Department staff has reviewed this request and has determined that the granting of this Easement will not adversely affect the County's use of this property, and has no objections to granting the Easement:
  - A. Approving to grant an Underground Distribution Easement (approximately 10 foot x 10 foot = 100 square feet) to Gulf Power Company on County-owned property in Deerfield Estates Subdivision; and
  - B. Authorizing the Chairman to execute the Easement document and any other documents associated with the granting of the Underground Distribution Easement to Gulf Power Company.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-14. Approval of Various Consent Agenda Items – Continued

11. Approving, and authorizing the Chairman to sign, the *State of Florida, County of Escambia, Assignment of Advertising Agreements* between Martin Mercy of Escambia County, LLC, and the Board of County Commissioners of Escambia County; in May 2011, the two parties entered into a License Advertising Agreement to provide exterior advertising services for fixed-route buses operated by Escambia County Area Transit (ECAT), granting a License to Martin Mercy of Escambia County, LLC, to sell third party advertising Contracts; the parties mutually agreed to terminate the License Advertising Agreement, effective October 1, 2012; as part of this termination, Martin Mercy of Escambia County, LLC, agrees to transfer all third-party Contracts to the Board of County Commissioners of Escambia County; the following are referred to as Exhibits A-C:

Third Party Advertiser/Contract Term

Exhibit A – Thomas Ueberschaer, PA, 6/24/2012 – 6/24/2013

Exhibit B – Levin Law, 1/5/2012 – 1/5/2013

Exhibit C – Law Office of JJ Talbott, P.A., 5/29/2012 – 5/28/2013

No new Contracts will be issued; staff is working with ECAT to acquire a new vendor to provide exterior advertising services.

12. Approving a *Request for Disposition of Property* Form for the Public Works Department indicating one item to be properly disposed of, which is described and listed on the Request Form, with reason for disposition stated; the surplus property listed on the *Request for Disposition of Property* Form has been checked, declared surplus, and is to be sold or disposed of, as listed on the supporting documentation; the Request Form has been signed by all applicable authorities, including the Department Director and the Interim County Administrator.
13. See Page 20.
14. Confirming the appointment of Robert Cothran to replace Commissioner Steven L. Barry on the Early Learning Coalition of Escambia County, to serve as Commissioner Barry's designee, with the term of office to begin February 21, 2013, and to run concurrent with Commissioner Barry's term of office (November 2016), or at his discretion.

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

8. Scheduling of Public Hearing

Motion made by Commissioner Robertson, seconded by Commissioner Robinson, and carried unanimously, authorizing the scheduling of a Public Hearing for March 21, 2013, at 5:31 p.m., to consider the Petition to Vacate a portion of Sinton Drive, approximately 0.17 acre, as petitioned by Marvin Woodruff; the Petitioner owns property bordering on both sides of Sinton Drive (60-foot-wide right-of-way), a paved County-maintained road, as dedicated and shown on the Plat of Quinavista Subdivision, recorded in Plat Book 2, at Page 68, of the Public Records of Escambia County, Florida; Quinavista Subdivision (portions of which have been re-subdivided into Southwind Subdivision, as recorded in Plat Book 11, at Page 23, of the Public Records of said County), lies south of Gulf Beach Highway and east of Casa Maria Lane; the Petitioner owns and operates the Southwind Marina facility located on Big Lagoon; the Petitioner's property lying north of Sinton Drive is being used as a dry storage facility for boats, and the Petitioner's property lying south of Sinton Drive is where the marina and boat launch facility are located; to move the boats from the dry storage facility to the boat launch area requires crossing Sinton Drive using a large forklift machine; the Petitioner is requesting the Board vacate any interest the County has in this portion of Sinton Drive, approximately 0.17 acre, which abuts his property and is the portion of Sinton Drive being used as a crossing area; staff has made no representations to the Petitioner or to the Petitioner's agent that Board approval of this request operates to confirm the vesting or return of title to the land to the Petitioner or to any other interested party.

For Information: The Board:

- A. Heard Interim County Administrator Touart disclose, pursuant to the County's Code of Ethics, Section C(3)(a), that he owns a condominium in the neighborhood potentially affected by the requested vacation, in close proximity to the applicant's property and the portion of the road requested for vacation; and
- B. Heard County Attorney Rogers disclose, pursuant to the County's Code of Ethics, Section C(3)(a), that her parents own a townhouse in the neighborhood potentially affected by the requested vacation, in close proximity to the portion of the road requested for vacation, that she will not provide any legal advice on the requested vacation, and that another attorney will sit with the Board during the Public Hearing on March 21, 2013.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

13. Resolution Supporting Second Amendment

Motion made by Commissioner Robertson, seconded by Commissioner Robinson, and carried 4-1, with Commissioner May voting "no," adopting, and authorizing the Chairman to sign, the Resolution (*R2013-28*) supporting the Second Amendment to the Constitution of the United States.

Speaker(s):

James C. Nims, Jr.  
Michael A. Lowery

II. BUDGET/FINANCE CONSENT AGENDA

1-25. Approval of Various Consent Agenda Items

Motion made by Commissioner May, seconded by Commissioner Robinson, and carried unanimously, approving Consent Agenda Items 1 through 25, as follows, with the exception of Items 8, 9, and 24, which were held for separate votes:

1. Adopting the Resolution (*R2013-29*) approving Supplemental Budget Amendment #080, State Housing Initiatives Partnership Program (SHIP) Fund (120), in the amount of \$119,618, to recognize the award of 2013 SHIP funds by Florida Housing Finance Corporation, and to appropriate these funds for the 2013 SHIP Program.
2. Adopting the Resolution (*R2013-30*) approving Supplemental Budget Amendment #097, Local Option Sales Tax III Fund (352), in the amount of \$116,372, to recognize reimbursements received from Emerald Coast Utilities Authority under cost sharing agreements for the Beach Haven Northeast Drainage project and Ensley Drainage Improvements project, and to appropriate these funds back to the Local Option Sales Tax III Fund (352).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-25. Approval of Various Consent Agenda Items – Continued

3. Taking the following action concerning the surplus and sale of real property located at 721 West Lee Street that has escheated to the County:

A. Declaring surplus the Board's real property, Account Number 14-4014-000, Reference Number 00-0S-00-9050-009-033;

B. Authorizing the sale of the property to the bidder with the highest offer received at or above the minimum bid of \$43,164, in accordance with Section 46.134 of the Escambia County Code of Ordinances; and

C. Authorizing the Chairman to sign all documents related to the sale.

4. Taking the following action concerning the sale and the *Waiver and Release* on real property located at 5100 Commerce Park Circle, Account Number 04-0861-851, Reference Number 39-1S-30-0200-012-002:

A. Approving the *Waiver and Release*, which was approved by the Escambia County Legal Department, concerning the *Amendments to Use Regulations and Restrictive Covenants Applicable to Portions of Marcus Pointe Commerce Park*, recorded in Official Records Book 4029, at Page 87, which expired on January 1, 2010; and

B. Waiving the Board's right to repurchase Lot 12, Block B, Marcus Pointe Commerce Park, and authorizing the sale from its current owner to Cumulus Broadcasting, LLC.

5. Approving to terminate the Contract, PD 11-12.064, "Jaunita Williams Park Parking Lot & Dock," between Starfish, Inc., of Alabama and Escambia County, and prohibit the participation of Starfish, Inc., of Alabama in the re-bid of the Project; the Contract was awarded on November 1, 2012, to Starfish, Inc., of Alabama, for the amount of \$136,626.25, based on the bid received on October 17, 2012 (Funding: Fund 151, Community Redevelopment Fund, Cost Center 220516, Object Code 56301).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-25. Approval of Various Consent Agenda Items – Continued

6. Authorizing the County to piggyback off of the State of Florida Department of Transportation Public Transit Office Contract #TRIPS-12-SNV-CBS, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Applications; exemptions; and Section 46-64, Board approval, and awarding a Purchase Order for two Special Needs Transit Vehicles, models VPG DX, with CNG, and REI reverse camera and monitor system backup options, PD 12-13.021, to Transit Plus, Inc., in the amount of \$119,046 (Funding: Fund 320, FTA Capital Project Fund, Cost Center 320410, Object Code 56401).

7. Taking the following action concerning three Off System Project Agreements between the State of Florida Department of Transportation (FDOT) and Escambia County related to the replacement and maintenance of Bayou Grande Bridge on CR 292A (#480096), Unnamed Branch Bridge on Stefani Road (#480041), and Unnamed Branch Bridge on Brickyard Road (#484053); the following three bridges, located in Escambia County, and not on the State Highway System, will be replaced by FDOT: Bayou Grande Bridge #480096, Unnamed Branch Bridge #480041, and unnamed Branch Bridge #484053; according to FDOT criteria, these bridges have reached a level of deterioration to warrant replacement and are next on the list for FDOT's 5-Year Work Plan; the construction plans, referred to in the Agreements as "Exhibit A" (blank page is marked "APPENDIX A"), are confidential documents protected by Florida Statutes 119.07(3)(a) - 119.07(3)(b), and are exempt from public inspection; therefore, the attachments referenced in the Agreements have been intentionally excluded; upon Board approval of the Agreements, adoption of the Resolutions, and FDOT's completion of the structures, Escambia County will be responsible for maintenance of the bridges (Funding Source: Fund 175, "Transportation Trust Fund," Accounts 210402/54601):

A. Approving the State of Florida Department of Transportation Off System Project Agreements between FDOT and Escambia County related to the replacement and maintenance of Bayou Grande Bridge #480096, Unnamed Branch Bridge #480041, and Unnamed Branch Bridge #484053;

B. Adopting the Resolutions (*R2013-31, R2013-32, and R2013-33*) authorizing the Agreements; and

C. Authorizing the Chairman or Vice Chairman to execute the documents.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-25. Approval of Various Consent Agenda Items – Continued

8. See Page 31.

9. See Page 31.

10. Taking the following action concerning the *Transitional Housing Ownership Transfer Agreement (Children's Home Society)* with The Children's Home Society of Florida and Hope Center for Teens, Inc. (Funding: not applicable):

A. Approving the Transitional Housing Ownership Transfer Agreement with The Children's Home Society of Florida and Hope Center for Teens, Inc., detailing requirements for the transfer of the Hurricane Housing Recovery Program (HHRP)-assisted property and facility located at 51 East Pinestead Road (Property Reference #271S301202008001), from Hope Center for Teens, Inc., to the Children's Home Society of Florida; and

B. Authorizing the Chairman or Vice Chairman to execute the subject Agreement and all related documents required to complete the transfer of the property, including any actions that may be required of the County Attorney's Office.

11. Ratifying the following February 21, 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 205 Rue Max Street:

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Whitney Vaughan Fike, the owner of residential property located at 205 Rue Max Street, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$950, representing an in-kind match through Neighborhood Restoration, Fund 151, Cost Center 220521, 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

1-25. Approval of Various Consent Agenda Items – Continued

12. Ratifying the following February 21, 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 Commercial Facade, Landscape, and Infrastructure Grant Program Funding and Lien Agreements for the property located at 3700 North Palafox Street:
  - A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding and Lien Agreements between Escambia County CRA and Underwood Group I, LLC, owner of commercial property located at 3700 North Palafox Street, Pensacola, Florida, in the Palafox Redevelopment Area, each in the amount of \$10,000, representing an in-kind match through Neighborhood Restoration, Fund 151, Cost Center 220521, Object Code 58301, and/or Neighborhood Enterprise Foundation, Inc. (NEFI), 2010 Community Development Block Grant (CDBG), Fund 129, Cost Center 220435, Object Code 58301, for replacing existing soffit and trim and painting the building exterior; and
  - B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.
  
13. Ratifying the following February 21, 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 2 Victoria Place:
  - A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Karen S. Kriegel, the owner of residential property located at 2 Victoria Place, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$2,400, representing an in-kind match through Neighborhood Restoration, Fund 151, Cost Center 220521, 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

1-25. Approval of Various Consent Agenda Items – Continued

14. Ratifying the following February 21, 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 123 Southeast Gilliland Road:
  - A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Richard C. and Anita G. Hyder, the owners of residential property located at 123 Southeast Gilliland Road, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$650, representing an in-kind match through Neighborhood Restoration, Fund 151, Cost Center 220521, 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.
  
15. Ratifying the following February 21, 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 132 Marine Drive:
  - A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Edrina L. Brown, the owner of residential property located at 132 Marine Drive, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$1,238, representing an in-kind match through Neighborhood Restoration, Fund 151, Cost Center 220521, 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

1-25. Approval of Various Consent Agenda Items – Continued

16. Ratifying the following February 21, 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 Commercial Facade, Landscape, and Infrastructure Grant Funding and Lien Agreements for the property located at 2102 West Town Street:
  - A. Approving the Commercial Facade, Landscape, and Infrastructure Grant Program Funding and Lien Agreements between Escambia County CRA and Family Practice Clinic, Inc., owner of commercial property located at 2102 West Town Street, Pensacola, Florida, in the Palafox Redevelopment Area, each in the amount of \$10,000, representing an in-kind match through Neighborhood Restoration, Fund 151, Cost Center 220521, Object Code 58301, for parking lot improvements to include pervious pavers; and
  - B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.
17. Taking the following action concerning the 2012-2013 Emergency Solutions Grant Agreement with Loaves and Fishes Soup Kitchen, Inc. (Funding: Fund 110, Other Grants and Projects Fund, Emergency Solutions Grant [ESG], Cost Center 220556):
  - A. Approving an Agreement with Loaves and Fishes Soup Kitchen, Inc., detailing the utilization of a maximum of \$87,690 to support salary and/or operational costs of the Loaves and Fishes Homeless Center located at 257 East Lee Street; and
  - B. Authorizing the Chairman or Vice Chairman to execute the subject Agreement and all related documents required to complete the project.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-25. Approval of Various Consent Agenda Items – Continued

18. Taking the following action concerning the renewal of the Navy Park Plaza Lease between Escambia County and Navy Park Partnership for the property located at 3960 Navy Boulevard, Units 1 and 2, Building "A," for the Escambia County Health Department (no impact to Escambia County Board of Commissioners' Budget; lease payments to be made by the Escambia County Health Department):

A. Authorizing exercising the option to renew the Navy Park Plaza Lease for the term of two years, at the rate of \$2,165 a month, to be paid by the Escambia County Health Department; and

B. Authorizing the Interim County Administrator or his designee to complete the necessary documents required.

19. Taking the following action concerning the Perdido Landfill Forest Biomass Sale (Funding: Fund 401, Solid Waste):

A. Accepting the *Request for Quote* submitted by Easterling Bros. & Sons, Inc., the highest apparent responsive and responsible bidder, in the amount of \$0.55 per ton, for the harvesting and purchase of understory/timber on approximately 262 acres of Escambia County property located on certain tracts of land belonging to the County and described as follows:

Section 32, Township 1 North, Range 31 West, 1401-000-000

Section 32, Township 1 North, Range 31 West, 1101-000-000

Section 32, Township 1 North, Range 31 West, 1201-000-000

Section 32, Township 1 North, Range 31 West, 2202-000-000

B. Approving the *Agreement for Sale of Biomass Material* between Escambia County and Easterling Bros. & Sons, Inc.; and

C. Authorizing the Chairman to sign the Agreement and all necessary legal documents relating to the sale of the biomass material.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-25. Approval of Various Consent Agenda Items – Continued

20. Taking the following action regarding the acquisition of a parcel of real property (approximately 0.58 acres), located on Blue Angel Parkway, from 21st Century Marble, Inc.; Barefoot Estates Subdivision, east of Blue Angel Parkway, has a history of stormwater drainage issues which include flooding of houses and infrastructure; an effort to alleviate some of these problems will require acquisition of additional property for stormwater retention; the property (approximately 0.58 acre), owned by 21st Century Marble, Inc., lies adjacent to an existing County retention pond that is in need of expansion to allow more capacity for stormwater retention; pursuant to the Board's adoption of the Policy for Real Property Acquisitions Related to Roads and Drainage Projects, dated April 21, 2011, staff entered into negotiations with 21st Century Marble, Inc., to acquire their property located in the 6100 Block of Blue Angel Parkway; staff had an appraisal performed by Brantley & Associates, dated September 29, 2011, which placed a value of \$61,000 on the parcel; the owners indicated that they were amenable to accepting this amount; staff prepared, and the property owners agreed to, the terms and conditions contained in the Contract for Sale and Purchase, with the understanding that this acquisition requires final Board approval; the Contract for Sale and Purchase includes an offer to purchase the property for the appraised value of \$61,000, with the owners/sellers being responsible for payment of documentary stamps and other closing costs; staff is requesting Board approval of this acquisition and the Contract for Sale and Purchase (Funding Source: Fund 352, "Local Option Sales Tax III," Accounts 210107/56101/56301, Project No. 11EN1141):
- A. Authorizing the purchase of a parcel of real property located in the 6100 Block of Blue Angel Parkway (approximately 0.58 acre), for the appraised value of \$61,000, from 21st Century Marble, Inc., in accordance with the terms and conditions contained in the *Contract for Sale and Purchase*;
  - B. Approving the *Contract for Sale and Purchase* for the acquisition of a parcel of real property located in the 6100 Block of Blue Angel Parkway (approximately 0.58 acre); and
  - C. Authorizing the County Attorney's Office to prepare, and the Chairman or Vice Chairman to execute, any documents necessary to complete the acquisition of this property, without further action of the Board.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-25. Approval of Various Consent Agenda Items – Continued

21. Taking the following action concerning three Resolutions reaffirming three Off System Project Agreements between the State of Florida Department of Transportation (FDOT) and Escambia County related to the replacement and maintenance of the Bridge on the West Fork of Boggy Creek on CR 97A (#480106), Brushy Creek Bridge on Pineville Road (#484007), and an unnamed Branch Bridge on Becks Lake Road (#484036); three Off System Agreements executed by the Chairman of the Board on October 18, 2012, and by FDOT on November 7, 2012, and recorded in the Clerk's Official Records on December 11, 2012, were processed without adoption of Resolutions; FDOT has requested the Board's adoption of the Resolutions:

A. Adopting the three Resolutions (*R2013-35, R2013-36, and R2013-37*) reaffirming approval of the Off System Project Agreements between FDOT and Escambia County related to the replacement and maintenance of the Bridge on the West Fork of Boggy Creek on CR 97A (#480106), Brushy Creek Bridge on Pineville Road (#484007), and an unnamed Branch Bridge on Becks Lake Road (#484036), which were executed by the Chairman of the Board on October 18, 2012, executed by FDOT on November 7, 2012, and recorded in the Clerk's Official Records on December 11, 2012; and

B. Authorizing the Chairman or Vice Chairman to execute the documents.

22. Approving the *Agreement between Escambia County Board of County Commissioners and Mervyn Leroy Simmons for the Management of the Lake Stone Campground Facility*, and authorizing the Interim County Administrator to sign the Agreement (Funding Source: Fund 001, General Fund, Lake Stone Cost Center 350204 = \$10,200, paid via 12 monthly installments of \$850).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-25. Approval of Various Consent Agenda Items – Continued

23. Taking the following action concerning the 2013 Lobbyist Registration (*[Funding Source:]* Annual Registration Fee of \$50 per lobbyist, General Fund 001, Cost Centers 110101, 110302, and 130101, Object Code 55501):
- A. Approving the "Authorization to Represent the Principal" forms for George Touart, Interim County Administrator; Larry Newsom, Assistant County Administrator; Gene M. Valentino, Chairman, County Commissioner, District 2; and Grover C. Robinson IV, County Commissioner, District 4; and
  - B. Authorizing the Chairman to sign the "Authorization to Represent the Principal" forms and all related documents, as necessary.
24. See Page 31.
25. Taking the following action concerning the settlement of back wage disbursements with the Wage and Hour Division of the Department of Labor (Funding Source: Fund 001, General Fund, Cost Center 310203):
- A. Approving the payment of back wage disbursements to eligible employees for the investigation period beginning on October 14, 2010, through October 13, 2012, in the total amount of \$30,741.43, plus applicable payroll taxes and Florida Retirement System contributions;
  - B. Approving the payment of back wage disbursements to eligible employees for the amounts accruing from October 13, 2012, through February 8, 2013, the date the practice was cured, in an amount not to exceed \$6,600, plus applicable payroll taxes and Florida Retirement System contributions; and
  - C. Authorizing the Interim County Administrator to execute all related documents requiring authorized signature, subject to Legal approval.

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

8. Equestrian Center

Motion made by Commissioner Robertson, seconded by Commissioner Robinson, and carried unanimously, adopting, and authorizing the Chairman to sign, the Resolution (R2013-34) naming the Escambia County Equestrian Center as the "James C. Robinson Escambia County Equestrian Center" (Funding Source: Fund 352, Local Option Sales Tax [LOST] III, Cost Center 350231 – Equestrian Center LOST, Project 08PR0031 – Equestrian Center).

9. Titan Waste Services

Motion made by Commissioner Robinson, seconded by Commissioner May, and carried unanimously, authorizing the County Attorney's Office to pursue the County's legal remedies to collect an outstanding debt from Titan Waste Services, Inc., totaling \$105,483.44, through negotiation and, if unsuccessful, through the filing of a lawsuit in the Circuit Court of Escambia County, Florida (the amount totaling \$105,483.44 will be placed in Fund 401, Solid Waste, Account Number 343405, when collected).

Speaker(s):

Larry Pellegrino

24. 3100 West Desoto Street

Motion made by Commissioner May, seconded by Commissioner Barry, and carried unanimously, authorizing staff to obtain an appraisal for real property owned by Brownsville Assembly of God, located at 3100 West Desoto Street; a portion of this property is a potential site for a multi-use facility; Brownsville Assembly of God will also get an appraisal on the property; staff will comply with Section 46-139, Escambia County Code of Ordinances, which outlines the requirements for purchases of real property by the County (Funding: Fund 352, Local Option Sales Tax III), as amended to authorize staff to obtain two appraisals.

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION

1. West Florid Public Library Board of Governance

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, appointing Frances Yeo and Rodney L. Kendig to serve an initial three-year term, effective March 1, 2013, through April 30, 2016, and appointing Rodney P. Guttman, Ph.D., to serve an initial two-year term, effective March 1, 2013, through April 30, 2015, to the West Florida Public Library Board of Governance (Library Board of Governance), from the following list of ten applicants:

- A. Alexa Canady-Davis, M.D.
- B. David J. Bryant
- C. Frances Yeo
- D. Grant Erbach
- E. Joe Vinson
- F. Lynne C. Tobin
- G. Rodney P. Guttman, Ph.D.
- H. Rodney L. Kendig
- I. Steve Marvin
- J. Tristessa C. Osborne\*

\*Ineligible for appointment as a non-resident of Escambia County, Section 1-20(c)(1), Escambia County Code of Ordinances.

2. Lobbyist Services

Motion made by Commissioner Robertson, seconded by Commissioner Barry, and carried unanimously, awarding, and authorizing the Interim County Administrator to sign, the *Agreement for Lobbyist Services* for the Deepwater Horizon Oil Spill and RESTORE Act, PD 12-13.009, to SCG Governmental Affairs, LLC (Southern Consulting Group), for a period of 6 months, for a fee of \$4,000 per month, with options to extend for a maximum period of 36 months (Funding: Fund 001, General Fund, Cost Center 110201, Object Code 53101), as amended to reflect that the Lobbyist will also work with the Florida Oil Spill Response Commission.

Speaker(s):

Bill Williams

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1. Workers' Compensation Settlement

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried 4-0, with Commissioner Robertson having left the Meeting, approving a washout Workers' Compensation settlement for former corrections officer Eric Williamson, in the amount of \$167,146; in exchange for this settlement, Mr. Williamson will execute a general release of liability on behalf of Escambia County.

ITEMS ADDED TO THE AGENDA IN THE MEETING

1. FOR INFORMATION: The Board viewed a PowerPoint Presentation, which was also provided in hard copy, entitled *The Greater Pensacola Bay Area, A Unified Approach: Research Update*, presented by Brian Gilpatrick, BOHAN Advertising, who was introduced by Terry Scruggs, Greater Pensacola Chamber.

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 8:34 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: March 21, 2013