

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE
BOARD OF COUNTY COMMISSIONERS
HELD MARCH 21, 2013
BOARD CHAMBERS, FIRST FLOOR, ERNIE LEE MAGAHA GOVERNMENT BUILDING
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(4:32 p.m. – 7:25 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
Susan Woolf, General Counsel to the Clerk (Regular Meeting only)
George Touart, Interim County Administrator
Alison Rogers, County Attorney
Doris Harris, Deputy Clerk to the Board
Judy H. Witterstaeter, Program Coordinator, County Administrator's Office

PUBLIC FORUM WORK SESSION

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

1. FOR INFORMATION: The Board heard comments from the following eight citizens concerning Escambia County Area Transit (ECAT), and/or First Transit, Inc., and/or Pensacola Bay Transportation:
 - A. Howard Shook, who advised that he was suspended without pay, and subsequently terminated, because First Transit alleged that he was dishonest in handling written statements regarding an incident between two ECAT employees;
 - B. Joe Herrin, who advised that he diligently promoted and supported the *(additional four-cent) gas tax (on November 19, 2012, the Board adopted Ordinance Number 2012-41, approving the tax as a dedicated funding source for ECAT);*
 - C. Addie McMillan, who advised that the management team should be given sufficient time to resolve issues at ECAT;
 - D. Michael Lowery, who clarified that Mr. Shook and Mr. Herrin were the only two citizens who had requested to speak on behalf of the Amalgamated Transit Union;
 - E. Valerie G. Crews, on behalf of Ellison Bennett, who supports ECAT workers and a more efficient mobilization system;

(Continued on Page 2)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

PUBLIC FORUM WORK SESSION – Continued

1. Continued...
 - F. Reverend Larry Watson, who advised that there is "grave" concern regarding ECAT drivers and employees;
 - G. Belinda Savage, who expressed concern that Pensacola Bay Transportation does not provide timely pick-up service for disabled citizens, who are sometimes left alone, in the dark, for up to two hours;
 - H. Barbara Mayall, who requested that a joint meeting be scheduled with the Board and the Mayor/Pensacola City Council to discuss ECAT, as well as Library issues.
2. FOR INFORMATION: The Board heard comments from Joseph Herring, who presented a Certificate of Appreciation to each Commissioner for supporting the 2012 Veterans' events.
3. FOR INFORMATION: The Board heard comments from the following four citizens concerning the Perdido Key name change issue:
 - A. Dan Head, who requested that the Board consider rescinding its vote to change the name of Perdido Key to Perdido Key Beach (*at the February 7, 2013, Regular Board Meeting, the Board adopted Resolution R2013-19, requesting that the FDOT change [on] FDOT's County Map, and nothing else, the reference for the area known as Perdido Key to Perdido Key Beach, and approved that this in no way affects any other designation, branding, or imaging of Perdido Key for Escambia County*);
 - B. Alan Dennis, who advised that he and other Perdido Key property owners are saddened and disappointed with recent events on Perdido Key, specifically, the County's "orchestrated" attempt to change the name of Perdido Key and termination of the Contract with DPZ (*Duany Plater-Zyberk & Company, LLC*), the (*Perdido Key*) Master Plan Consultant, and requested that the Board rescind the Resolution regarding the name change for Perdido Key and consider DPZ's opinions regarding Perdido Key;

(Continued on Page 3)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

PUBLIC FORUM WORK SESSION – Continued

3. Continued...

C. Bobby McCarley, who advised that if the Resolution regarding the signage for Perdido Key has been misinterpreted, then the Board should rescind its action (*adopting the Resolution*), and expressed his concern regarding termination of the contract with DPZ after 95% completion of the contract; and

D. Wendy Underhill, who requested that the Board rescind (*its adoption of*) the Resolution to change the name of Perdido Key to Perdido Key Beach.

4. FOR INFORMATION: The Board heard comments from James C. Nims, Jr., concerning the Board's communication with citizens, BP funds, and homeless citizens.

5. FOR INFORMATION: The Board heard comments from Admiral LeRoy, Jr., concerning the Gulf Coast African-American Chamber of Commerce.

5:26 P.M. – PUBLIC FORUM ADJOURNED

5:46 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 5:46 p.m.

2. Invocation

Commissioner Barry introduced Pastor Joseph Herring, Agape Christian Ministries, to 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

A. District 1 – Commissioner Robertson:

- (1) Announced that Jim C. Bailey, who served as a member of the Escambia County School Board for many years and for whom Bailey Middle School is named, and Representative C. V. "Clay" Ford both passed away this week; and
- (2) Invited everyone to attend the ceremony, at 10:00 a.m. tomorrow (*March 22, 2013*), to rename the Equestrian Center in honor of James C. Robinson, who passed away recently;

B. District 5 – Commissioner Barry expressed his appreciation to staff for the time and effort involved in (*preparing*) two Proclamations that were presented last week;

C. District 4 – Commissioner Robinson:

- (1) Advised that he will be attending Florida Association of Counties (FAC) Meetings on Friday (*March 22, 2013*) and, further, that Escambia County was the only one of eight counties that specifically designated funds for minority tourism; and
- (2) Requested that the Board discuss, following the Agenda Work Session on April 2, 2013, issues on which he has been working at the FAC executive level; and

D. District 3 – Commissioner Valentino:

- (1) Announced that all five Commissioners, at differing times over a two- or three-day period, will travel to Tallahassee next week to lobby for the key priorities for the Legislative Session, which ends around April 30; and
- (2) Advised that he has asked staff to prepare a written statement, which will be published next week, to accurately describe the Board's action concerning the "sign" issue relating Perdido Key (*on February 7, 2013, the Board adopted a Resolution requesting that the Florida Department of Transportation change on its County Map the reference for the area known as Perdido Key to Perdido Key Beach*) and that there was never any intent to rename Perdido Key.

REGULAR BCC AGENDA – Continued

6. Presentation

Commissioner Grover C. Robinson IV presented a Plaque to Chasidy Hobbs for her dedicated service as his appointee to the Citizens' Environmental Committee.

Speaker(s):

Chasidy Hobbs

7. Proclamations

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

- A. Ratifying the Proclamation dated February 20, 2013, on behalf of the citizens of Escambia County and the Marcus Lake community, expressing sincere appreciation to Dr. Simon William Boyd, Sr., for his years of dedicated service as a husband, father, doctor, and public servant;
- B. Ratifying the Proclamation dated February 28, 2013, extending congratulations to Bethel AME (African Methodist Episcopal) Church Pensacola, Florida, on its 100th Anniversary of ministry to the community;
- C. Ratifying the Proclamation dated March 8, 2013, welcoming Dr. David Herndon, Chief of Staff, Shriners Hospitals for Children – Galveston, Texas, on the occasion of his visit to Pensacola, Florida, on March 12, 2013, and expressing appreciation for his dedication, leadership, and service to the Shriners Hospital for Children;
- D. Ratifying the Proclamation dated March 11, 2013, commending and congratulating the J.M. Tate High School Aggie Baseball Program for its historical success, and in wishing them continued success, proclaiming the week of March 17 through March 22, 2013, as the "20th Anniversary Aggie Classic Week" in Escambia County, Florida;

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

7. Continued...

- E. Adopting the Proclamation commending and congratulating Mr. Eric Masterson on his achieving the rank of Eagle Scout and wishing him success in his future endeavors; and
- F. Adopting the Proclamation proclaiming March 24, 2013, as "Bobby Johns Bearheart Day" in Escambia County, and on behalf of the citizens of Escambia County, paying tribute by recognizing the leadership and invaluable service provided by Bobby Johns Bearheart to his Perdido Bay Tribe of Southeastern Lower Muscogee Creeks in Pensacola, Florida, and the citizens of Escambia County.

Speaker(s):

Robert Johns

8. Years of Service Recognition

Motion made by Commissioner Robinson, seconded by Commissioner May, and carried unanimously, recognizing, with a pin and certificate, Marilyn Wesley, Community Affairs Department Director, for her dedication in 25 years of service to Escambia County.

9. Retirement Proclamations

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, adopting the following five Retirement Proclamations:

- A. The Proclamation commending and congratulating Richard F. Andrews, Division Manager, Public Works Department, on his retirement after 14 years of service;
- B. The Proclamation commending and congratulating William P. Glover, Construction Inspector, Public Works Department, on his retirement after 7 years of service;
- C. The Proclamation commending and congratulating Mark D. Huber, Equipment Operator II, Public Works Department, on his retirement after 6 years of service;

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

9. Continued...

D. The Proclamation commending and congratulating John R. Knoth, Maintenance Technician, Facilities Management Department, on his retirement after 12 years of service; and

E. The Proclamation commending and congratulating Elmer R. Mooney, Jr., Equipment Operator IV, Public Works Department, on his retirement after 28 years of service.

10. Written Communication – Ric Moore

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, and carried unanimously, approving to "do nothing" concerning the February 5, 2013, email communication from Ric Moore, on behalf of Paul Lay, requesting that the Board forgive a Code Enforcement Lien against property located at 5653 Wickford Lane (*four Liens, totaling \$19,444, consisting of \$6,645 in hard costs and \$12,799 in fines and administrative costs*).

11. 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 three Public Hearings on the agenda:

(1) The 5:31 p.m. Public Hearing, advertised in The Escambia Sun-Press, LLC, on March 7, 2013, for consideration of the Petition to Vacate a portion of Sinton Drive, as petitioned by Marvin Woodruff;

(2) The 5:45 p.m. Public Hearing, advertised in the Pensacola News Journal on February 15, 2013, for consideration of transmittal of CPA-2013-1 to DEO; and

(3) The 5:46 p.m. Public Hearing, advertised in the Pensacola News Journal on February 22, 2013, for consideration of an Amended Development Agreement with WCI Communities, LLC; and

(Continued on Page 8)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

11. Continued...

B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule March 18- March 22, 2013 – Legal No. 1593628*, as published in the Pensacola News Journal on March 16, 2013, as follows:

March 18 3:00 p.m. West Florida Regional Planning Council Executive Committee
March 18 3:30 p.m. West Florida Regional Planning Council
March 19 9:00 a.m. SRIA Commercial Leaseholder Dialogue
March 19 1:30 p.m. Environmental Enforcement Special Magistrate
March 19 2:00 p.m. Tourism Administration Convention Committee (TACC)
March 19 4:00 p.m. Escambia County Health Facilities Authority
March 19 5:30 p.m. Animal Services Advisory Committee
March 19 6:00 p.m. County Commissioner District 4- Town Hall Meeting
March 20 8:00 a.m. Escambia Soil and Water Conservation District Board
March 20 8:30 a.m. Board of Adjustment
March 20 12:00 p.m. Public Safety Coordinating Council
March 20 1:00 p.m. Development Review Committee
March 20 5:00 p.m. Santa Rosa Island Authority Committee Meeting
March 21 8:45 a.m. Community Redevelopment Agency Meeting
March 21 9:00 a.m. Board of County Commissioners Agenda Work Session
March 21 9:00 a.m. Board of Electrical Examiners Regular Meeting
March 21 4:30 p.m. Board of County Commissioners Public Forum
March 21 5:30 p.m. Board of County Commissioners Public Hearings & Reports

NEXT WEEK'S NOTE:

March 26 1:30 p.m. Environmental Enforcement Special Magistrate
March 27 1:00 p.m. Development Review Committee
March 29 Escambia County Offices Closed-Good Friday

REGULAR BCC AGENDA – Continued

12. 5:31 p.m. Public Hearing – Dropped

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, dropping the Public Hearing for consideration of taking the following action concerning 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, and the Petitioner's property lying south of Sinton Drive is where the marina/dry storage facility 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 that the Board vacate any interest the County has in this portion of Sinton Drive, approximately 0.17 acre, which abuts his property and is being used as a crossing area; Engineering staff has reviewed this request and has no objections to the proposed vacation, provided that a public access easement is retained over the vacated portion of Sinton Drive, with the understanding that the County will not be responsible for maintenance of the easement; all utility companies concerned have been contacted and have no objections to the requested vacation provided that a utility easement is retained over the area being vacated, with the understanding that the County will not be responsible for the maintenance of the easement; 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; no one will be denied access to his or her property as a result of this vacation:

- A. Approve the Petition to Vacate;
- B. Accept the Hold/Harmless Agreement;
- C. Adopt the Resolution to Vacate; and
- D. Authorize 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 authorize the Chairman or Vice Chairman to execute them at that time.

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

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

I. CONSENT AGENDA

1-2. Approval of Various Consent Agenda Items

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

1. Accepting, for filing with the Board's Minutes, the following eight Reports prepared by the Clerk of the Circuit Court and Comptroller's Finance Department:
 - A. The following two Payroll Expenditures:
 - (1) Pay Date March 1, 2013, in the amount of \$2,125,420.27; and
 - (2) Pay Date March 15, 2013, in the amount of \$2,163,647.02;
 - B. The following four Disbursement of Funds:
 - (1) February 14, 2013, to February 20, 2013, in the amount of \$793,215.37;
 - (2) February 21, 2013, to February 27, 2013, in the amount of \$5,616,262.37;
 - (3) February 28, 2013, to March 6, 2013, in the amount of \$8,876,148.57; and
 - (4) March 7, 2013, to March 13, 2013, in the amount of \$2,099,350.49;
 - C. Tourist Development Tax Collections Data for the January 2013 returns received in the month of February 2013; this is the fifth month of collections for Fiscal Year 2012-2013; total collected for the January 2013 returns was \$274,606, which is a 2.55% increase over the January 2012 returns; total collections year-to-date are 6.64% higher than the comparable time frame in Fiscal Year 2011-2012; and
 - D. The Investment Report for the month ended February 28, 2013, as required by Ordinance Number 95-13.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-2. Approval of Various Consent Agenda Items – Continued
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 February 21, 2013;
 - B. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held February 21, 2013; and
 - C. Accepting, for filing with the Board's Minutes, the Report of the Committee of the Whole Workshop (C/W) held February 14, 2013, as follows:

AGENDA NUMBER

1. Call To Order

Chairman Valentino called the Committee of the Whole (C/W) to order at 9:06 a.m.

2. Was the Meeting Properly Advertised?

The C/W was advised by Doris Harris, Deputy Clerk to the Board, that the Meeting was advertised in the Pensacola News Journal on February 9, 2013, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule, February 11- February 15, 2013, Legal No. 1590507.*

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-2. Approval of Various Consent Agenda Items – Continued
2. Continued...
- C. Report of the February 14, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

3. Property Assessed Clean Energy (PACE) Program

A. Board Discussion – The C/W heard a synopsis of the PACE Program from Commissioner Robinson and County Attorney Rogers, and heard the request from Commissioner Valentino that each Commissioner receive a one-on-one briefing of the Program; and

B. Board Direction – None.

Speaker(s):

Erin Davie

4. Policy Regarding Legal Representation for Commissioners and County Employees

A. Board Discussion – The C/W discussed Policy Regarding Legal Representation for Commissioners and County Employees, and the C/W:

- (1) Was advised by County Attorney Rogers that, based on the Board's discussion, at the January C/W Workshop, regarding legal representation for County employees and County Commissioners, a draft Policy has been provided for the Board's review; and

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-2. Approval of Various Consent Agenda Items – Continued
- 2. Continued...
- C. Report of the February 14, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

- 4. Continued...
 - A. Continued...
 - (2) Was advised by Commissioner Valentino that there is a consensus for County Attorney Rogers to "walk the halls" for input from each Commissioner regarding any tweaks to the draft Policy, and that, absent any major conflicts, the Policy will be brought forward for adoption at a Regular Board Meeting; and
 - B. Board Direction – None.
- 5. Discussion of Local Option Sales Tax IV
 - A. Board Discussion – The C/W discussed Local Option Sales Tax IV, and the C/W:
 - (1) Was advised by Interim County Administrator Touart that:
 - (a) Absent objection from the Board, staff, if asked, will assist Santa Rosa County with promoting a Local Option Sales Tax for its county by way of providing parallel advice, providing Escambia County brochures, invitations to attend Public Hearings, etc.; and
 - (b) Local Option Sales Tax (LOST) III expires January 2017, and he recommends that promotion for LOST IV begin late 2013/early 2014 for the 2014 General Election;

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-2. Approval of Various Consent Agenda Items – Continued
2. Continued...
- C. Report of the February 14, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

5. Continued...
 - A. Continued...
 - (2) Was advised by Commissioner Valentino that there is a consensus to promote LOST IV for the 2014 General Election; and
 - (3) Was advised by Commissioner Robertson that he would prefer staff not become involved with Santa Rosa County's promotion of a LOST; and
 - B. Board Direction – None.

COMMISSIONER ROBINSON WAS ABSENT DURING DISCUSSION OF THIS ITEM

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-2. Approval of Various Consent Agenda Items – Continued
2. Continued...
- C. Report of the February 14, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

6. Commissioner Appointment to the Escambia County Transportation Disadvantaged Coordinating Board
 - A. Board Discussion – The C/W discussed Commissioner Appointment to the Escambia County Transportation Disadvantaged Coordinating Board; and
 - B. Board Direction – The C/W recommends that the Board approve appointing Lumon J. May to the Escambia County Transportation Disadvantaged Coordinating Board (TDCB) to chair the meetings of the TDCB.

Recommended 4-0, with Commissioner Robinson absent

Speaker(s):

Julia Pearsall

7. Discussion Concerning the Emerald Coast Utilities Authority
 - A. Board Discussion – The C/W was advised by Interim County Administrator Touart that attempts to resolve the issue with Emerald Coast Utilities Authority (ECUA) concerning solutions for solid waste removal in Escambia County have been unsuccessful, and the C/W:
 - (1) Heard Commissioner Robertson suggest that, if ECUA and the County cannot come to an agreement, the County either buy back the service or seek a remedy through the Legislature; and

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-2. Approval of Various Consent Agenda Items – Continued
- 2. Continued...
- C. Report of the February 14, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

7. Continued...

A. Continued...

(2) Heard Interim County Administrator Touart suggest that the Board place a two-year moratorium to maintain current tipping fees, which would give the County an opportunity to research the technology ECUA is interested in; and

B. Board Direction – None.

COMMISSIONER ROBINSON WAS ABSENT DURING DISCUSSION OF THIS ITEM

8. City of Pensacola and Gulf Breeze Agreement for Natural Gas Franchise Assignment

A. Board Discussion – The C/W discussed City of Pensacola and Gulf Breeze Agreement for Natural Gas Franchise Assignment, and the C/W:

(1) Was advised by County Attorney Rogers that:

(a) The City of Pensacola (City) is requesting that the Board "bless" the *Agreement for Natural Gas Franchise Assignment* between the City of Pensacola and the City of Gulf Breeze, as provided in the backup; furthermore, within the Agreement is the City's request for reaffirmation from the Board of the City's exclusive gas franchise for all unincorporated portions of Escambia County, with the exception of Santa Rosa Island and the Town of Century;

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-2. Approval of Various Consent Agenda Items – Continued
- 2. Continued...
- C. Report of the February 14, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

8. Continued...

A. Continued...

(1) Continued...

(b) Prior to any Board action concerning this issue, she recommends that the County obtain a release from both the City of Pensacola and the City of Gulf Breeze that releases the County from any litigation or claims;

(c) The Board, at a Public Hearing, needs to make a decision on authorizing the assignment or the sublease of the City's exclusive franchise rights to the City of Gulf Breeze for Santa Rosa Island only;

(d) It is her opinion that it is not in the County's best legal interest to reaffirm the City's exclusive natural gas rights for unincorporated Escambia County because Okaloosa Gas currently provides a significant number of customers with natural gas in the Molino area and of the possibility of legal arguments should any other provider attempt to provide natural gas services in areas where Pensacola is unable or unwilling to provide natural gas services; and

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-2. Approval of Various Consent Agenda Items – Continued
- 2. Continued...
- C. Report of the February 14, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

8. Continued...

A. Continued...

(1) Continued...

(e) If the Board chooses to move forward with the Agreement, the Board, at a Public Hearing, should adopt a new Ordinance "blessing" Gulf Breeze's provision of natural gas services to Pensacola Beach;

(2) Was advised by Commissioner Robinson that his concerns with the affirmation relate to the City's capability and/or willingness to provide natural gas services in the Molino area; and

(3) Was advised by Don Suarez, Pensacola Energy Director, that Pensacola Energy has the ability to serve any part of Escambia County, with the exception of Pensacola Beach; and

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-2. Approval of Various Consent Agenda Items – Continued
- 2. Continued...
- C. Report of the February 14, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

8. Continued...

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

(1) Approve obtaining the releases from the two municipalities (*the City of Pensacola and the City of Gulf Breeze*); and

(2) Schedule 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

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-2. Approval of Various Consent Agenda Items – Continued
- 2. Continued...
- C. Report of the February 14, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

8. Continued...

B. Continued...

(2) Continued...

(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)*.

Recommended 4-0, with Commissioner Valentino abstaining *(and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers)*

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-2. Approval of Various Consent Agenda Items – Continued
- 2. Continued...
- C. Report of the February 14, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

9. Raising Chickens Accessory to Single-Family Dwellings

A. Board Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled *Chickens*, presented by Allyson Cain, Urban Planner II, Development Services Department, regarding proposed Land Development Code regulations concerning raising chickens in single-family dwellings, and was advised by Mrs. Cain that the costs involved are as follows:

- (1) \$115,425 for three new Animal Control Officers;
- (2) \$1,000 per new Animal Control Officer for training and associated travel to become FACA (*Florida Animal Control Association*) certified; and
- (3) \$134,505 for three additional Animal Control vehicles with Rescue Units; and

B. Board Direction – The C/W recommends that the Board approve reverting to the County's former policy that property must be properly zoned for farm animals.

Recommended 4-0, with Commissioner Robinson absent

(Continued on Page 22)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-2. Approval of Various Consent Agenda Items – Continued
2. Continued...
- C. Report of the February 14, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

10. Regional Transportation Financing Authority Discussion Concerning a Resolution to Be Brought Forth to the Next Board Meeting
 - A. Board Discussion – The C/W was advised that discussions with various representatives in Tallahassee regarding a Regional Transportation Financing Authority (RFTA) have been "fruitful," whereas, according to the Secretary of Transportation and the Governor, an RFTA is a viable entity; and
 - B. Board Direction – The C/W recommends that the Board approve allowing Commissioner Valentino, Assistant County Administrator Larry M. Newsom, and staff to continue to go forward with the 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.

Recommended 4-0, with Commissioner Robinson absent

(Continued on Page 23)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1-2. Approval of Various Consent Agenda Items – Continued
2. Continued...
- C. Report of the February 14, 2013, C/W Workshop – Continued

ANNOUNCEMENTS/ITEMS ADDED TO THE AGENDA

1. For Information: Commissioner Valentino reminded the Board of a transmittal from the (*Interim*) County Administrator requesting input regarding a \$4,000 request to redesign the dais, since only one or two Commissioners have responded to the transmittal.
2. For Information: Commissioner Valentino advised that there is consensus to allow Keith Wilkins, Director, Community & Environment Department, to work with Santa Rosa County and Baldwin County to compile a list of environmental projects, with Escambia County, to be submitted to FDEP (*Florida Department of Environmental Protection*) by February 28, 2013, to be considered for funding from the State's portion of RESTORE Act funds.

AGENDA NUMBER – Continued

11. Adjourn

Chairman Valentino declared the C/W Workshop adjourned at 11:44 a.m.

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 unanimously, approving transmittal to the Department of Economic Opportunity (of) an Ordinance to amend Comprehensive Plan Policy MOB 1.1.8 (*providing that future Ordinances updating the TPO 2010-2014 Plan shall not be codified, but shall be recorded in a book kept for that purpose and maintained by the Clerk of the Board of County Commissioners, in accordance with Section 125.68, Florida Statutes*) and OBJ CIE 1.2. to allow certain documents incorporated by reference to be updated in the Escambia County Code of Ordinances without (*an*) amendment to the Comprehensive Plan.

Speaker(s) – None.

2. 5:46 p.m. Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, and carried unanimously, taking the following action concerning an amended Development Agreement with WCI Communities, LLC:

- A. Approving the *Lost Key Golf and Beach Club Amended Development Agreement (between Escambia County and WCI Communities, LLC, for SCI-Lost Key)*;
- B. Approving the Declaration of Transfer of Density and Restrictive Covenant; and
- C. Authorizing the Chairman to sign all documents necessary to complete the transaction.

Speaker(s) – None.

GROWTH MANAGEMENT REPORT – Continued

II. CONSENT AGENDA

1. Scheduling of Public Hearings

Motion made by Commissioner Robinson, seconded by Commissioner May, and carried unanimously, authorizing the scheduling of the following three Public Hearings for Tuesday, April 2, 2013:

A. 5:45 p.m. – A Public Hearing (*for consideration of adopting an Ordinance*) to amend the Official Zoning Map to include the following Rezoning Cases heard by the Planning Board (PB) on March 4, 2013:

- | | |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| (1) Case Number: | Z-2013-01 |
| Address: | 13502 Perdido Key Drive |
| Property Reference Number: | 14-3S-32-1000-003-006 |
| Property Size: | 0.91 (+/-) acre |
| From: | R-2, Single-Family District (cumulative),
Low-Medium Density (7 dwelling units per
acre), and C-1, Retail Commercial District
(cumulative) (10 dwelling units per acre) |
| To: | C-1, Retail Commercial District (cumulative)
(10 dwelling units per acre) |
| FLU Category: | MU-S, Mixed Use-Suburban |
| Commissioner District: | 2 |
| Requested by: | Buddy Page, Agent for, Leo Cyr, Owner |
| PB Recommendation: | Approval |
| Speakers: | Buddy Page |

(Continued on Page 26)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

II. CONSENT AGENDA – Continued

1. Continued..

A. Continued...

- (2) Case Number: Z-2013-03
Address: 590 St. Luke Church Road
Property Reference Number: 31-6N-30-3401-000-000
Property Size: 1.91 (+/-) acres
From: VAG-2, Village Agriculture District (1 dwelling unit per 5 acres)
To: V-2, Village Single-Family Residential District (2 dwelling units per acre)
FLU Category: RC, Rural Community
Commissioner District: 5
Requested By: Van Hibberts, Owner
PB Recommendation: Approval
Speakers: Van Hibberts, Elbert Dixon

B. 5:48 p.m. – A Public Hearing – CPA-2012-04 – Map Amendment for Adoption; and

C. 5:49 p.m. – A Public Hearing – CPA-2012-07 – CIE Adoption.

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

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-11. Approval of Various Consent Agenda Items

Motion made by Commissioner Robertson, seconded by Commissioner Robinson, and carried unanimously, approving Consent Agenda Items 1 through 11, as follows, as amended to change the asset number for Item 1:

1. Declaring surplus, and authorizing the disposition of, all the assets shown in the (*Escambia County Surplus Items*) listing provided; all of the items on the list are inoperable and will be disposed of, as amended to note in the Board's Minutes that, on the list of surplus items in the backup provided, the copier asset tag number 52603 should be corrected to tag number 52063.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

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

2. Ratifying the Chairman's signature on the letter to attest that the Escambia County Board of County Commissioners will be legally and financially responsible in the event that there is outstanding debt owed to the Centers for Medicare & Medicaid Services (CMS) by Escambia County Emergency Medical Services (EMS); this letter is required as an attachment to the Department of Health & Human Services, USA, CMS, Medicare Enrollment Application, CMS-855B, which the Board authorized the Chairman to sign on January 17, 2013.
3. Accepting, for filing with the Board's Minutes, the February 21, 2013, Community Redevelopment Agency's Meeting Minutes, as prepared by Carolyn Barbour, Administrative Assistant.
4. Approving the *Request for Disposition of Property* Form for the Community & Environment Department, Extension Services Division, relating to a Hewlett Packard (HP) LaserJet 4Plus Printer, Property Number 043960, to be auctioned as surplus or properly disposed of, as described on the Disposition Form.
5. Taking the following action concerning the Federal Transit Administration (FTA) Fiscal Year 2013 Annual Certifications and Assurances for Escambia County Area Transit (ECAT); in 1998, the FTA instituted the requirement that all Grant applications and Grant Management Reports be submitted electronically via the Transportation Electronic Award and Management System; additionally, since 1996, the list of Certifications and Assurances must be filed electronically prior to the filing of the Grant application; these Certifications and Assurances provide a basis for all financial, administrative, and accounting agreements between the FTA and the grantee; under the current Five-Year FTA Authorization Act, entitled Safe, Accountable, Flexible, Efficient Transportation Equity Act, A Legacy for Users (SAFETEA-LU), Escambia County will receive an approximate \$3,000,000 apportionment in Fiscal Year 2013 Federal Funding for mass transit:
 - A. Approving, and authorizing the Chairman to sign, the FTA Fiscal Year 2013 Certifications and Assurances for the Federal Transit Administration Assistance Programs;

(Continued on Page 28)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

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

5. Continued...

B. Ratifying the County Attorney's signature, dated February 21, 2013, as the Affirmation of Applicant's Attorney on the FTA Fiscal Year 2013 Certifications and Assurances for the Federal Transit Administration Assistance Programs; and

C. Authorizing ECAT to file the Certifications and Assurances electronically, as required, using the Federal personal passwords of the Chairman and County Attorney.

6. Taking the following action concerning appointments to the Escambia County Health Facilities Authority:

A. Approving the appointment of Mr. J. H. Keith Bullock, effective March 21, 2013, through August 21, 2015, to fill the unexpired term of Ms. Janice Gilley, who resigned; and

B. Approving the appointment of Mr. Eugene Franklin, effective March 21, 2013, through August 21, 2014, to fill the unexpired term of Mr. Rodney L. Kendig, who resigned.

7. Approving to amend the Board's action of June 28, 2012, amending its action of June 7, 2012, approving the Escambia County Board of County Commissioners' Voluntary Separation Incentive Program, to change the last date of employment from July 1, 2012, to July 6, 2012, to be in compliance with the Age Discrimination Employment Act, allowing a 45-day notice for the implementation of this Program, to correct the date of the Board's action to be amended to May 17, 2012, instead of June 7, 2012.

8. Approving, and authorizing the Chairman to sign, the "Authorization to Represent the Principal" forms for M. Lane Stephens, Mark Maxwell, Richard Reeves, and William "Bill" Williams of SCG Governmental Affairs, LLC, to represent Escambia County during the 2013 Legislative Session concerning the Deepwater Horizon Oil Spill and RESTORE Act Issue.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

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

9. Approving to amend the Board's action of February 21, 2013, concerning appointments to the West Florida Public Library Board of Governance, to correct the ending effective date for the two initial three-year appointments, from April 30, 2016, to February 29, 2016, and to correct the ending effective date for the one initial two-year appointment, from April 30, 2015, to February 28, 2015.
10. Adopting the Resolution (*R2013-38*) supporting the efforts of the Pensacola Council of the Navy League to have the new construction LPD-27 ship named the "USS Pensacola" and, upon its completion, have the ship commissioned in Pensacola, Florida.
11. Ratifying the Chairman's execution of a letter of support, dated February 22, 2013, for the City of Pensacola's Byrne Criminal Justice Innovation Grant Application, filed with the U.S. Department of Justice by the City of Pensacola.

II. BUDGET/FINANCE CONSENT AGENDA

1-31. Approval of Various Consent Agenda Items

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, approving Consent Agenda Items 1 through 31, as follows, with the exception of Items 20, 27, and 28, which were held for separate votes (Item 32 was also held for separate vote):

1. Awarding, and authorizing the Interim County Administrator to sign, the Agreement, PD 12-13.017, "Financial Advisor," to First Southwest, for a term of 36 months; the fees will be based on issuance amounts of certain debt instruments, such as Bonds, as the services are required, at the following rates (Funding: fees will be built into the cost of any debt financing or restructuring):
 - 1st \$10 million of debt issuance – \$1.25 per \$1,000
 - Amounts over \$10 million – \$.75 per \$1,000
 - Minimum Fee – \$15,000

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-31. Approval of Various Consent Agenda Items – Continued

2. Adopting the Resolution (*R2013-39*) approving Supplemental Budget Amendment #105, Other Grants and Projects Fund (110), a reduction in the amount of \$8,378, to recognize a decrease in the amount of the (*Drug Court Expansion*) Grant, and allocating funds to the proper expenditure accounts for Drug Court Services in Escambia County.
3. Authorizing the County to piggyback off of the State of Florida Term Contract #071-000-13-1, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Application; exemptions, and Section 46-64, Board approval, and awarding a Purchase Order for two 2013 Ford Expeditions, per the provided quotation, to Hub City Ford, in the amount of \$94,068.50, for the Public Safety Department (Funding: Fund 352, Local Option Sales Tax III, Cost Center 330435, Object Code 56401).
4. Awarding a Contract to Birkshire-Johnstone, LLC, for the Englewood Community Center, PD 12-13.014, to construct a new 1,300 square-foot, stand-alone building, in the base bid amount of \$366,000, with no alternates (Funding: Fund 129, CDBG HUD Entitlement, Cost Center 220435, Object Code 56201, Project #12PF1973, [*in the amount of*] \$240,000, and Fund 352, Local Option Sales Tax III, Cost Center 110267, Object Code 56201, Project #12PF1973, [*in the amount of*] \$126,000).
5. Authorizing the County to piggyback off of the State of Florida Term Contract #01-070-700-S, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Application; exemptions, and Section 46-64, Board approval, and awarding a Purchase Order for four 2013 Ford F-750 XL trucks to Hub City Ford, in the amount of \$290,320, per the provided quotation (Funding: Fund 175, Transportation Trust Fund, Cost Center 210402, Object Code 56401).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-31. Approval of Various Consent Agenda Items – Continued

6. Ratifying the following March 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 625 Rue Max Avenue:

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Kenneth and Laurie Peltier, the owners of residential property located at 625 Rue Max Avenue, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$6,000, representing an in-kind match through Neighborhood Restoration, Fund 151, Community Redevelopment Fund, Cost Center 220521, Object Code 58301, for installing storm windows, connecting to sanitary sewer, and upgrading the electrical wiring; and

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

7. Ratifying the following March 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 203 Marine Drive:

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Robert M. Tarter, the owner of residential property located at 203 Marine Drive, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$1,050, representing an in-kind match through Neighborhood Restoration, Fund 151, Community Redevelopment Fund, 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

1-31. Approval of Various Consent Agenda Items – Continued

8. Taking the following action concerning the properties located at 1313 North Pace Boulevard and 1316 North "P" Street, within the Brownsville Community Redevelopment Area (Funding Source: Fund 352, Local Option Sales Tax III, Cost Center 220102, NESD Capital Projects, Object Code 56101, Land, Project Number 08NE0058, Redevelopment Property Acquisition):

A. Authorizing the purchase of the adjoining parcels of real property (totaling approximately 1.96 acres), located at 1313 North Pace Boulevard and 1316 North "P" Street, from John F. Soule and Susan W. Soule, for the negotiated total price of \$195,000, 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 the parcels of real property located at 1313 North Pace Boulevard and 1316 North "P" Street; and

C. Authorizing the County Attorney to prepare, and the Chairman or Vice Chairman to execute, subject to Legal review and sign-off, any documentation necessary to complete the acquisition of the properties, without further action from the Board.

9. Taking the following action concerning approval of the 2012 Emergency Solutions Grant (*f/k/a Emergency Shelter Grant*) Agreements with The EscaRosa Coalition on the Homeless, Inc., and Catholic Charities of Northwest Florida, Inc. (Funding: Fund 110, Emergency Solutions Grant [ESG], Cost Center 220561):

A. Approving an *Agreement (for Emergency Solutions Grant 2012 Allocation Administration and HMIS Development – Emergency Solutions Grant Program)* with The EscaRosa Coalition on the Homeless, Inc., providing 2012 ESG support, in the amount of \$19,077, for administering and coordinating expansion and continuing integration of the Homeless Management Information System;

B. Approving an *Agreement (Direct Service Delivery and Case Management Services – Emergency Solutions Grant [ESG])* with Catholic Charities of Northwest Florida, Inc., providing 2012 ESG support, in the amount of \$48,166, for direct service delivery and case management services to ESG-eligible clients in Escambia County; and

(Continued on Page 33)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-31. Approval of Various Consent Agenda Items – Continued

9. continued...

C. Authorizing the Chairman or Vice Chairman to execute the Agreements and all related forms or documents as may be required to fully implement the Agreements.

10. Authorizing the County to piggyback off of the Houston-Galveston Area Council (H-GAC) Contract #AM10-12, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Application; exemptions, and Section 46-64, Board approval, and awarding a Purchase Order for four ambulances for the Public Safety Department, three H-T1-19 Horton Model 457, Type I Ford F450 (Features 11717), and one H-MD-16 Horton Model 623 International Navistar (Features 11721), PD 12-13.022, to Horton Emergency Vehicles, in the amount of \$716,999 (Funding: Fund 352, Local Option Sales Tax III Fund, Cost Center 330435, Project 08PS0028).

11. Taking the following action concerning acceptance of the donation of three drainage easements located on East Olive Road from Olive South, Inc., Olive North, Inc., and CNR Solutions, Inc., for the road and drainage improvements project on Olive Road; the County has a project in design to make road and drainage improvements on Olive Road, which, due to limited right-of-way, requires additional property and easements to implement; the project's design indicates the need for drainage easements in the 700 Block of East Olive Road, just west of the intersection of Cody Lane; the three adjacent property owners, Olive South, Inc., Olive North, Inc., and CNR Solutions, Inc., have agreed to donate the requested drainage easements; Board approval is required for the Board's acceptance of the donated drainage easements (Funding: funds for the recording of documents are available in an Engineering Escrow Account accessed by the Escambia County Clerk's Office):

A. Accepting the donation of a drainage easement (approximately 0.02 acre), located on Olive Road, from Olive South, Inc.;

B. Accepting the donation of a drainage easement (approximately 0.02 acre), located on Olive Road, from Olive North, Inc.;

(Continued on Page 34)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-31. Approval of Various Consent Agenda Items – Continued

11. Continued...

C. Accepting the donation of a drainage easement (approximately 0.02 acre), located on Olive Road, from CNR Solutions, Inc.;

D. Authorizing the payment of documentary stamps because the property is being donated for governmental use for road and drainage improvements, and the County benefits from the acceptance of this property, which enhances the safety and wellbeing of the citizens of Escambia County;

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

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

12. Approving, and authorizing the Chairman to sign, the *First Amendment to Locally Funded Agreement between the State of Florida Department of Transportation and Escambia County (Project # 421011-1-28-01)* for State Road 292 (Perdido Key Drive), from the Alabama State Line to the intersection of Innerarity Point Road/Gulf Beach Highway (FPID 421011-1-28-01); on November 15, 2012, the Board agreed to transfer the Perdido Key Drive (State Road 292) Project to the State of Florida Department of Transportation (FDOT) for completion; the current Locally Funded Agreement, in the amount of \$217,724, was also approved at that time; it has since been determined that an additional \$278,276 should be provided by the County to FDOT in order to complete the environmental portion of the Project, amending the amount of Escambia County's portion from \$217,724 to \$496,000 (Funding: Fund 152, "Southwest Sector CRA," Cost Center 110269, Object Code 56301, Project No. 08EN0662 – *[in the amount of]* \$71,542.50; Fund 152, "Southwest Sector CRA," Cost Center 210507, Object Code 56301, Project No. 08EN0662 – *[in the amount of]* \$71,542.50; and Fund 352, "Local Option Sales Tax III," Cost Center 210107, Object Code 56301, Project #06EN0522 – *[in the amount of]* \$135,191).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-31. Approval of Various Consent Agenda Items – Continued

13. Approving, and authorizing the Interim County Administrator to execute, the following Change Order; meeting in regular session on May 3, 2012, the Board voted to award a Lump Sum Contract to Rebol-Battle & Associates, LLC (RBA), on Contract PD 11-12.014 for "Design Services for Muscogee Road between U.S. Highway 29 and Perdido River"; RBA is providing engineering/ survey services and coordinating geotechnical, traffic, permitting, and environmental services to develop final roadway construction plans for the widening, shoulder addition, and drainage improvements to Muscogee Road from U.S. Highway 29 to Perdido River Bridge; Change Order #1 was an administrative Change Order to transfer funds within tasks; this Change Order will add an additional Corridor Study, in the amount of \$67,264, and add Subsurface Utility Exploration (SUE), in the amount of \$55,450, to the Contract; the Corridor Study will provide three routes from which to choose for an access to the proposed industrial site off Muscogee Road; the SUE data will consist of underground verification of an existing, currently out-of-service gas line, most of which is directly in the path of the proposed widening of Muscogee Road; because the Perdido Landfill wants to use this gas line to transport leachate to International Paper, RBA will provide accurate elevations along the gas line where it comes in contact with the proposed widening to avoid any possible conflicts (Funding Source: Fund 352, "Local Option Sales Tax III," Cost Center 210107, Object Code 56301, Project No. 09EN0115, "Muscogee Road"):

Department:	Public Works	
Division:	Engineering/Infrastructure Division	
Type:	Addition	
Amount:	\$122,714	
Vendor:	Rebol-Battle & Associates, LLC	
Project Name:	Muscogee Road	
Contract:	PD 11-12.014	
Purchase Order Number:	121251	
Change Order (CO) Number:	2	
Original Award Amount:		\$ 906,213
Cumulative Amount of Change Orders through this CO:		\$ 122,714
New Contract Total:		\$1,028,927

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-31. Approval of Various Consent Agenda Items – Continued

14. Approving, and authorizing the Interim County Administrator to execute, the following Change Order; on November 10, 2011, a Task Order was issued to American Consulting Engineers of Florida, LLC, on Contract PD 02-03.79, for the Market Street Drainage Improvements Project, to design drainage improvements on Market Street; the original scope was to take the stormwater from Michael Drive to the drainage system on "W" Street; upon investigation of that drainage system, it was determined that to tie the system from Michael Drive into "W" Street was not feasible for several reasons (including closing "W" Street for an extended period of time), consequently, County staff asked the Engineer of Record to identify and coordinate acquisition of a pond site on Market Street; this modification to the original scope of work caused additional design fees to accumulate, which led to this Change Order request; Change Order #1 added time to the Contract; the amount indicated in Change Order #2 will provide the necessary compensation as American Consulting Engineering of Florida, LLC, takes the Project from the bidding process through construction, including completion of the Project's design (Funding Source: Fund 352, "Local Option Sales Tax III," Cost Center 210107, Object Code 56301, Project No. 10EN0323, "Market/Michael Drainage"):

Department:	Public Works
Division:	Engineering/Infrastructure Division
Type:	Addition
Amount:	\$15,706
Vendor:	American Consulting Engineers of Florida, LLC
Project Name:	Market Street Drainage Design
Contract:	PD 02-03.79
Purchase Order Number:	120721
Change Order (CO) Number:	2
Original Award Amount:	\$40,137
Cumulative Amount of Change Orders through this CO:	\$15,706
New Contract Total:	\$55,843

15. Awarding a Purchase Order Agreement for a 48-month Lease Option to Ricoh Americas Corporation, for the Community Corrections Division, in accordance with the Escambia County Code of Ordinances, Chapter 46, Finance, Article II, Purchases and Contracts, Section 46-106, Multi-year lease and lease purchase agreements (Funding: Fund 114, Community Corrections, Object Code 54401, Rentals and Leases).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-31. Approval of Various Consent Agenda Items – Continued

16. Approving, and ratifying the Chairman's signature on, the Amendment and Assignment by the State of Florida, Department of Children and Families, to Big Bend Community Based Care, Inc., Contract #AH102 (*which provided funding for the establishment of a Forensic Mental Health Specialist position within the Community Corrections Division*), in order to implement the requirements of Section 394.9082, Florida Statutes, and to assign all rights, powers, duties, and obligations under the Contract, as amended, to Big Bend Community Based Care, Inc., in lieu of termination of the Contract, per Section 394.9082(6)(b), Florida Statutes.

17. Approving, and authorizing the Interim County Administrator to execute, the following Change Order; meeting in regular session on October 7, 2010, the Board awarded a Task Order for PD 09-10.076, "Design Services for 10 Mile Roadway and Drainage Improvements from North Palafox to Chemstrand Road," per terms and conditions of PD 02-03.79, "Professional Services," as governed by Florida Statute 287.055, to Kenneth Horne & Associates, Inc., for a lump sum amount of \$143,265.00 and allowances of \$56,000.00, for a total of \$199,265.00; Change Order #1 transferred funds from the geotechnical allowance to the surveying allowance; additional surveying was needed for McArthur Lane and minor related areas to accommodate the drainage system outfall to the Dovefield Pond; Change Order #2 was an additive Change Order, in the amount of \$49,762.54, for additional time and funding for this Project; the original scope excluded railroad crossing improvements; however, it was determined that to meet roadway design standards, an upgrade would need to be implemented to include the railroad crossing improvements; this Change Order also added 730 calendar days to the Contract; this Change Order #3 is an additive Change Order, in the amount of \$12,650.00, to provide signalization services for this project, which includes a complete set of signalization modification plans for the intersection of Ten Mile Road and Ashton Brosnaham Road; these changes were deemed to be necessary upon 60% plan review by the Traffic and Transportation Division; the modifications will include the addition of countdown pedestrian signal crossings for the north and east legs, new vehicle detector loops, underground and under pavement conduit, pull boxes, saw-cut runs, and adjustments to the existing signal head locations where feasible (Funding Source: Fund 352, "Local Option Sales Tax III," Cost Center 210107, Object Code 56301, Project #10EN0745, Ten Mile and Chemstrand Road and Drainage Improvements):

(Continued on Page 38)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-31. Approval of Various Consent Agenda Items – Continued

17. Continued...

Department:	Public Works	
Division:	Engineering/Infrastructure Division	
Type:	Addition	
Amount:	\$12,650.00	
Vendor:	Kenneth Horne & Associates, Inc.	
Project Name:	Ten Mile Roadway and Drainage Improvements	
Contract:	PD 09-10.076	
Purchase Order Number:	110484	
Change Order (CO) Number:	3	
Original Award Amount:		\$199,265.00
Cumulative Amount of Change Orders through this CO:		\$ 62,412.54
New Contract Total:		\$261,677.54

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-31. Approval of Various Consent Agenda Items – Continued

18. Taking the following action regarding the acquisition of two contiguous parcels of real property (totaling approximately 2.87 acres), located on East Olive Road, from Charles N. Kraselsky and David B. Aronson; the County has a project in design to make improvements to East Olive Road, which includes road widening and related drainage infrastructure; the design indicates a need for additional property for stormwater retention purposes in the 2600 Block area of East Olive Road; 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 Mr. Kraselsky and Mr. Aronson to acquire two contiguous parcels of real property they own, located in the 2600 Block of East Olive Road; staff had appraisals performed by G. Daniel Green & Associates, dated September 15, 2012, which placed a total value of \$199,000 for the two parcels; 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 total appraised value of \$199,000, 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 210109/ 56101/56301, Project No. 10EN0363):
 - A. Authorizing the purchase of two contiguous parcels of real property, located in the 2600 Block of East Olive Road (totaling approximately 2.87 acres), for the appraised value of \$199,000, from Charles N. Kraselsky and David B. Aronson, in accordance with the terms and conditions contained in the *Contract for Sale and Purchase*;
 - B. Approving, and authorizing the Chairman to sign, the *Contract for Sale and Purchase* for the acquisition of two contiguous parcels of real property, located in the 2600 Block of East Olive Road (totaling approximately 2.87 acres); 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

1-31. Approval of Various Consent Agenda Items – Continued

19. Adopting the Resolution (*R2013-40*) approving Supplemental Budget Amendment #111, Other Grants and Projects Fund (110), in the amount of \$81,371, to recognize Grant proceeds from the Florida Department of Law Enforcement, and to appropriate these funds for Drug Court treatment services in Escambia County.
20. See Page 43.
21. Approving, and authorizing the Interim County Administrator to sign, the *Agreement for Livestock Collection and Boarding Services* between Escambia County Board of County Commissioners and Josh Weekley (*in the amount of \$1,485 per month, plus impoundment fees of \$8 per day for small animals; e.g., goats, sheep, pigs, hogs, \$10 per day for large animals; e.g., cows, horses, mules, donkeys, and \$13 per day for large animals requiring veterinary care*) (Funding: Fund 103, Code Enforcement Fund, Cost Center 209010, Object Code 53101]).
22. Authorizing the County to piggyback off of the State of Florida Term Contract #071-000-13-1 and Contract #12-20-0905, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Application; exemptions, and Section 46-64, Board approval, and awarding a Contract to Hub City Ford for one 2013 Ford Police Interceptor Sedan AWD (*at a cost of \$28,154.90*), one 2013 Ford Explorer FWD (*at a cost of \$25,748.00*), and one 2013 Ford F-150 2WD Supercrew 1455" XL (*at a cost of \$24,792.20*), in the (*total*) amount of \$78,695.10, PD 12-13.028, per the provided quotations (Funding: Fund 114, Misdemeanor Probation/Capital, Cost Center 290301, Object Code 56401, [*in the amount of*] \$28,154.90; Fund 103, Enforcement/Capital, Cost Center 290101, Object Code 56401, [*in the amount of*] \$25,748.00; and Fund 175, Transportation/Trust/Capital, Cost Center 290202, Object Code 56401, [*in the amount of*] \$24,792.20).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-31. Approval of Various Consent Agenda Items – Continued

23. Approving, and authorizing the Interim County Administrator to execute, the following Change Order #3, to Purchase Order Number 130378, Ecovery, LLC, for additional services associated with the Solid Waste Management End-of-Life Electronics Recycling Program for Fiscal Year 2013 (Funding Source: Fund 401, Solid Waste Fund, Cost Center 230306, Object Code 53401):

Department:	Solid Waste Management	
Division:	Waste Services	
Type:	Addition	
Amount:	\$75,000	
Vendor:	Ecovery, LLC	
Project Name:	Electronics Recycling	
Contract:	N/A	
Purchase Order Number:	130378	
Change Order (CO) Number:	3	
Original Award Amount:		\$ 15,000
Cumulative Amount of Change Orders through CO #3:		\$109,900
New Contract Total:		\$124,900

24. Authorizing the County to piggyback off of the Florida Sheriff's Association Contract #12-10-0905, Specification #10, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Application; exemptions, and Section 46-64, Award approval and threshold authority, and awarding a Purchase Order for three 2013 Caterpillar CT660 Tractors, with 52,000-pound GVWR Cab & Chassis - 4x6 Tandem Axle, to Thompson Tractor Company, Inc., in the amount of \$376,665, for the Solid Waste Management Department (Funding: Fund 401, Solid Waste Fund, Cost Center 230307, Object Code 56401).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-31. Approval of Various Consent Agenda Items – Continued

25. Authorizing the County to piggyback off of the Florida Sheriff's Association Contract #12-10-0905, Specification #39, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Application; exemptions, and Section 46-64, Award approval and threshold authority, and awarding a Purchase Order for five Mac Model TNSP48MF Waste Trailers with Walking Floor, to General Truck Equipment & Trailer Sales, Inc., in the amount of \$369,515, for the Solid Waste Management Department (Funding: Fund 401, Solid Waste, Cost Center 230307, Object Code 56401).
26. Approving, and authorizing the Interim County Administrator to execute, a Task Order on Contract PD 05-06.041 (*Perdido Landfill -Landfill Engineering Services*), to Jones Edmunds & Associates, Inc., in the amount of \$104,000, for Bidding and Construction-Phase Services for the Perdido Landfill Section 4 Gas Collection and Control System (Funding: Fund 401, Solid Waste, Cost Center 230315, Object Code 56301).'
27. See Page 44.
28. See Page 44.
29. Taking the following action concerning the Escambia County "Employee of the Month and Employee of the Year Awards Program" Policy (Funding Source: Fund 001, General Fund, Cost Center 150101, Account 55201):
 - A. Adopting the "Employee of the Month and Employee of the Year Awards Program" Policy, in accordance with the Escambia County Code of Ordinances, Chapter 2, Article III, Officers and Employees, Section 2-62, Employee recognition and appreciation program, which provides for the following cash awards:
 - (1) Employee of the Month – \$250 and framed Proclamation; and
 - (2) Employee of the Year – \$500 and framed Proclamation; and
 - B. Authorizing the Interim County Administrator to execute all related documents requiring authorized signature, subject to Legal approval.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-31. Approval of Various Consent Agenda Items – Continued

30. Awarding a Lump Sum Contract, per the terms and conditions of PD 12-13.018, "Escambia County Perdido Firing Range," to J. Miller Construction, Inc., in the amount of \$271,225 (Funding: Fund 352, Local Option Sales Tax III, Cost Center 540115, Object Code 56201, Project Number 11SH1221).
31. Awarding, and authorizing the Interim County Administrator to sign, the continuing Contract for Bridges, Docks, and Boat Ramps, PD 12-13.001, to DKE Marine Services, Inc., and authorizing (*the issuance of*) Purchase Orders in excess of \$50,000 for the Fiscal Year 2012-2013 (Funding: Fund 352, "Local Option Sales Tax III," Cost Center 210107, Object Code 56301, Project #13EN2188).

20. Adult Drug Court Treatment Program

Motion made by Commissioner Barry, seconded by Commissioner Robertson, and carried 4-0, with Commissioner Robinson abstaining (*and filing Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), taking the following action concerning the *Agreement for Escambia County Adult Drug Court Treatment Program Between Escambia County, Florida and Lakeview Center, Inc.* (Funding: Fund 110, Other Grants and Projects Fund, Object Code 53401, Cost Center to be determined):

- A. Approving the *Agreement for Escambia County Adult Drug Court Treatment Program Between Escambia County, Florida and Lakeview Center, Inc.*, for outpatient services, based on piggybacking on the Agreement with the State of Florida for the Non-Competitive Bid Process for continuation of Senate Bill 1258 Initiative (Contract Number AH 338);
- B. Approving funding for the program, not to exceed \$80,500 effective January 1, 2013, through September 30, 2013; the Agreement may be extended up to a maximum of 90 days upon mutual consent of the parties; the source of funding is Fiscal Year 2013 Edward Byrne Memorial Justice Assistance Grant (JAG), in the amount of \$80,500; and
- C. Authorizing the Chairman, as the County's representative, to sign Amendments and requests for payment or other related documents as may be required.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

27-28. Approval of Two Consent Agenda Items

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried 4-0, with Commissioner Robertson abstaining (*and filing Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), approving Consent Agenda Items 27 and 28, as follows:

27. Taking the following action concerning the Gulf Power *Equipment Rental Lease and Maintenance Agreement* for the Escambia County Jail and Central Booking Detention Facility (CDBF) (Funding: Fund 001, General Fund, Cost Center 310207, Object Code 54301/54601):
 - A. Approving the Gulf Power *Equipment Rental Lease and Maintenance Agreement*, effective May 1, 2013, in the amount of \$26,514 per year, for a period of 24 years, the projected life of the equipment, providing primary metering equipment and maintenance for Gulf Power distribution facilities installed behind two primary metering cabinets located at the Escambia County Jail and CDBF; and
 - B. Authorizing the Chairman or Vice Chairman to execute all documents relating to the Agreement as required.

28. Taking the following action concerning the Gulf Power *Equipment Rental Lease and Maintenance Agreement* for the M.C. Blanchard Building (Funding: Fund 001, General Fund, Cost Center 310207, Object Code 54301/54601):
 - A. Approving the Gulf Power *Equipment Rental Lease and Maintenance Agreement*, effective May 1, 2013, in the amount of \$10,160 per year, for a period of 24 years, the projected life of the equipment, providing primary metering equipment and maintenance for Gulf Power distribution facilities installed behind the primary metering cabinet located at the M.C. Blanchard Building; and
 - B. Authorizing the Chairman or Vice Chairman to execute all documents relating to the Agreement as required.

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

32. Acquisition of Property – Dropped

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, dropping the recommendation that the Board take the following action regarding the acquisition of three parcels of real property (totaling approximately 40 acres), located at 10836 Lillian Highway, from RL REGI of Florida, LLC, for a public boat ramp facility; the acquisition of this property is funded by the Florida Boating Improvement Program and Local Option Sales Tax (LOST); current planned improvements at the Lillian Highway Ramp (RL REGI Florida, LLC, property) are being funded by National Resource Damage Assessment (NRDA); future further improvements to the Lillian Highway property will require Grant funding or future LOST funds; RL REGI, Florida, LLC, owns three contiguous parcels of property, totaling approximately 40.03 acres, located at 10836 Lillian Highway, which has frontage on Perdido Bay; the owners listed the property for sale for \$1,900,000; staff had an appraisal performed by G. Daniel Green, dated February 27, 2012, which placed a value of \$910,000; pursuant to Board policy, when property is valued at more than \$250,000, staff must acquire two appraisals; staff had another appraisal performed by Brantley & Associates, dated May 1, 2012, which placed a value of \$1,235,000 for the approximately 40.03 acres of property; the average of the two appraisals is \$1,072,500; the owners were not amenable to accepting the average price of the two appraisals and countered with an offer of \$1,235,000, which is the value placed on the property according to the Brantley appraisal; the owners indicated that they are firm on this price and are not amenable to accepting less; the owners have agreed to sell the property for the appraised value of \$1,235,000, according to the terms and conditions contained in the Agreement for Sale and Purchase; Board approval of the Agreement for Sale and Purchase is required to complete this acquisition (funding for this project is available in Funding Source: Fund 352, LOST III, Cost Center 220102, NESD Capital Projects, Project 08NE0018, Boat Ramps):

- A. Authorize the purchase, by super majority vote, of three parcels of real property (totaling approximately 40 acres), located at 10836 Lillian Highway, for the higher of the two appraisals, at a value of \$1,250,000, from RL REGI of Florida, LLC, in accordance with the terms and conditions contained in the Agreement for Sale and Purchase;

(Continued on Page 46)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

32. Continued...

- B. Approve the Agreement for Sale and Purchase for the acquisition of three parcels of real property located at 10836 Lillian Highway (totaling approximately 40 acres); and
- C. Authorize the County Attorney's Office to prepare, and the Chairman or Vice Chairman to execute, any documents, subject to Legal review and sign-off, necessary to complete the acquisition of this property, without further action of the Board.

III. FOR DISCUSSION

1. Library Board of Governance

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, taking the following action concerning appointments to the West Florida Public Library Board of Governance:

- A. Acknowledging, for the Official Record, Mayor Ashton Hayward's appointment of Rebecca A. Temple, Ph.D., to the West Florida Public Library Board of Governance, to serve a three-year term, effective March 1, 2013, through February 29, 2016; and
- B. Acknowledging, for the Official Record, the Pensacola City Council's appointment of Ms. Dianne P. Robinson to the West Florida Public Library Board of Governance, to serve a two-year term, effective March 1, 2013, through February 28, 2015.

For Information: The Board:

- A. Was advised by Interim County Administrator Touart that the West Florida Public Library Board of Governance will hold its first organizational meeting on April 11, 2013; and
- B. Heard the suggestion from County Attorney Rogers that the Interlocal Agreement (*relating to the governing board and scope of operations for the Library System*) be discussed at the April 11, 2013, Committee of the Whole Workshop.

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1-2. Approval of Various For Action Items

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, and carried unanimously, approving For Action Items 1 and 2, as follows, as amended to change the increase amount to \$822.91 for Item 1:

1. Approving an \$822.91 increase in a previously approved Workers' Compensation settlement for former employee Bonnie Beckett, based on approval of a Medicare set-aside by the Federal Centers for Medicare & Medicaid Services.
2. Authorizing the Chairman to execute the *Acknowledgment of Termination and Cancellation of Lease* with Leon County for the property at 1 Villa Drive, Pensacola, Florida, operated by Pensacola Care, Inc., as an intermediate care facility for mentally impaired persons.

II. FOR DISCUSSION

1. Policy Amendments

Motion made by Commissioner Barry, seconded by Commissioner Robertson, and carried unanimously, approving amendments to the following (*two*) policies, as amended to delete, from both Policies, "For controversial issues, speakers are encouraged to select a spokesperson and the spokesperson for each side will be allocated six (6) minutes unless otherwise determined by the Chairman (*Public Forum and Written Communications...*)/Chair" (*Orderly Conduct of Meetings*):

- A. Public Forum and Written Communications for Board of County Commissioners Meetings; and
- B. Orderly Conduct of Meetings.

Speaker(s):

James C. Nims, Jr.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Continued

III. FOR INFORMATION

1. DCA Opinion

Motion made by Commissioner Robertson, seconded by Commissioner Barry, and carried unanimously, accepting, for filing with the Board's Minutes, the Opinion filed February 28, 2013, regarding Alachua County, Charlotte County, Escambia County, et al. v. Expedia, Inc., et al., 1st DCA (*District Court of Appeal*), Case No. 1D12-2421; the County Attorney has consulted with outside counsel and has been informed that they are considering several options for proceeding with the Case.

ITEMS ADDED TO THE AGENDA – COMMISSIONER WILSON B. ROBERTSON

1. Proclamation

Motion made by Commissioner Robertson, seconded by Commissioner May, and carried unanimously, adopting the Proclamation honoring and commemorating the life of Representative C. V. "Clay" Ford, who is remembered as a distinguished attorney, Florida State Representative in District 2, and leader in the community.

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

1. Policy – Cash/Cash Equivalent Instruments

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, that the Board approve the County implementing a policy against promotional events that provide for the administration and disbursement of cash and cash equivalent instruments (credit cards), and the motion failed 2-3, with Commissioner Barry, Commissioner May, and Commissioner Valentino voting "no."

For Information: The Board heard Commissioner May's request that Interim County Administrator Touart provide a report to the Board concerning the issuance of the gift cards (*BP American Express Credit Cards*), and Commissioner Valentino's request that a status of the audit be provided at the April 2, 2013, Regular Board Meeting.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

ITEMS ADDED TO THE AGENDA IN THE MEETING

1. FOR INFORMATION: The Board took no action concerning Commissioner Valentino's request for approval of a \$4,000 expenditure to obtain an estimate for renovations to the dais.

Speaker(s):

Jesse Casey

ITEMS ADDED TO THE AGENDA – INTERIM COUNTY ADMINISTRATOR TOUART

1. Proclamation

Motion made by Commissioner Robertson, seconded by Commissioner Barry, and carried unanimously, approving (*adopting*) a Proclamation supporting a Pensacola Sports Museum in Escambia County/Pensacola.

ANNOUNCEMENTS

1. FOR INFORMATION: The Board:
 - A. Was advised by Interim County Administrator Touart that he and Commissioner May attended a meeting last night with First Transit and the (*Amalgamated Transit*) Union, and, at the end of the meeting, he asked Tom Turner to evaluate the management style (*of First Transit, Inc.*) and the employees of Escambia County Area Transit (ECAT), and he plans to place this matter on the agenda for the April 11, 2013, Committee of the Whole Workshop, with a recommendation to the Board; and
 - B. Was advised by Commissioner Valentino that he spoke at a meeting with the ATU over the weekend, at which approximately 70 people were in attendance, and the employees' attitude is that they want to be part of the solution.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

ADJOURNMENT

There being no further business to come before the Board, Chairman Valentino declared the Regular Meeting of the Board of County Commissioners adjourned at 7:25 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: April 2, 2013