



## **AGENDA**

### **COMMITTEE OF THE WHOLE WORKSHOP BOARD OF COUNTY COMMISSIONERS**

Board Chambers  
Suite 100  
Ernie Lee Magaha Government Building - First Floor  
221 Palafox Place

February 13, 2014  
9:00 a.m.

Notice: This meeting is televised live on ECTV and recorded for rebroadcast on the same channel. Refer to your cable provider's channel lineup to find ECTV.

1. Call to Order  
  
(PLEASE TURN YOUR CELL PHONE TO THE SILENCE OR OFF SETTING.)
2. Was the meeting properly advertised?
3. Legislative Day (FOR DISCUSSION ONLY - NO BACKUP PROVIDED)  
(Larry Newsom - 10 min)
  - A. Board Discussion
  - B. Board Direction
4. 4-H (REFERRED FROM THE JANUARY 16, 2014, AGENDA REVIEW SESSION)  
(FOR DISCUSSION ONLY - NO BACKUP PROVIDED)  
(Commissioner Barry - 60 min)
  - A. Board Discussion
  - B. Board Direction
5. RESTORE Act Update  
(Bentina Terry/Chips Kirschenfeld - 45 min)
  - A. Board Discussion
  - B. Board Direction
6. 9 Mile Road PD&E Study  
(April Williams, Florida Department of Transportation Project Manager - 10 min)
  - A. Board Discussion
  - B. Board Direction

7. Project Stallion  
(Larry Newsom - 30 min)
  - A. Board Discussion
  - B. Board Direction

8. Recommendation Concerning the West Florida Public Library Board of Governance Bylaws - Darlene Howell, Library Administrator

That the Board approve the Bylaws established by the West Florida Public Library Board of Governance (BOG).

Resolution Number R2013-17, established the West Florida Public Library Board of Governance on January 22, 2013. Section 17., Bylaws., states that the "Board of Governance shall adopt appropriate bylaws consistent with the provisions of the Agreement". On November 20, 2013, the BOG approved the proposed bylaws for adoption. The bylaws were reviewed and approved by the County's Legal Office on December 3, 2013.

9. Process to Name a Replacement to the West Florida Public Library Board of Governance to Complete the Remaining Term of Rodney Kendig  
(Darlene Howell - 20 min)
  - A. Board Discussion
  - B. Board Direction

10. Adjourn

**Committee of the Whole**

**3.**

**Meeting Date:** 02/13/2014

**Issue:** Legislative Day

**From:** Larry Newsom, Interim County Administrator

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**Information**

**Recommendation:**

Legislative Day (FOR DISCUSSION ONLY - NO BACKUP PROVIDED)

(Larry Newsom - 10 min)

A. Board Discussion

B. Board Direction

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**Committee of the Whole**

**4.**

**Meeting Date:** 02/13/2014

**Issue:** 4-H

**From:** Steven Barry, District 5 Commissioner

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**Information**

**Recommendation:**

4-H (REFERRED FROM THE JANUARY 16, 2014, AGENDA REVIEW SESSION) (FOR DISCUSSION ONLY - NO BACKUP PROVIDED)

(Commissioner Barry - 60 min)

A. Board Discussion

B. Board Direction

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**Committee of the Whole**

**5.**

**Meeting Date:** 02/13/2014

**Issue:** RESTORE Act Update

**From:** Keith Wilkins, Department Director

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**Information**

**Recommendation:**

RESTORE Act Update

(Bentina Terry/Chips Kirschenfeld - 45 min)

A. Board Discussion

B. Board Direction

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**Attachments**

RESTORE Act Update - Presentation

10-18-2012 BCC Meeting Minutes, Rec. and Resolution

02-07-2013 BCC Meeting Minutes and Rec.

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# RESTORE Act Update

Committee of the Whole Meeting

**February 13, 2014**

Presented By: Bentina Terry, Chair,  
Escambia County RESTORE Advisory Committee

# “Running a Red Light While Drunk” Analysis

1. **Compensatory Fines** - Natural Resource Damage Assessment (NRDA)
2. **Punitive Fines** – 80 % RESTORE Act Gulf Coast Restoration Trust Fund
  - o Federal, State, Local, NOAA & US Fish & Wildlife Service, and Centers of Excellence Components
3. **Criminal** - National Fish and Wildlife Foundation (NFWF)
4. **Civil Fines** - Private Claims



## Gulf Coast Restoration Trust Fund

80% of Clean Water Act Civil and Administrative Penalties

35%

Local

Equal State  
Allocation  
(RESTORE Act)

Direct Component  
(Treasury)

RESTORE Advisory  
Committee  
(Escambia County)

30%

State

Oil Spill Restoration  
Impact Allocation  
(RESTORE Act)

Spill Impact  
Component  
(Treasury)

Gulf Consortium  
(Florida)

30%

Federal

Gulf Coast  
Restoration Council  
Allocation  
(RESTORE Act)

Comprehensive Plan  
Component  
(Treasury)

Gulf Council

5%

Research &  
Monitoring

NOAA

US Fish & Wildlife  
Service

Centers of Excellence



## “Local Pot”

- Administered by the United States Department of Treasury
- 35 % equally divided amongst the five (5) impacted Gulf Coast States
  - Florida= 7 % of Trust Fund \$
- Allowable Uses: Ecosystem Restoration, Economic Development and Tourism

# Florida Counties Distribution of Funds

## DISPROPORTIONATELY IMPACTED COUNTIES

75% OF FLORIDA ALLOCATION	
Based on degree of impact	
<b>Escambia County- 25.334%</b>	
Santa Rosa-	10.497%
Okaloosa-	15.226%
Walton-	13.712%
Bay-	15.101%
Gulf-	6.743%
Franklin-	8.441%
Wakulla-	4.943%

## NON-DISPROPORTIONATELY AFFECTED COUNTIES

25% OF FLORIDA ALLOCATION	
Based on weighted formula	
Average Population	34 %
Average Tax Collection per Capita	33%
Distance from Deepwater Horizon	33%

Figures provided by Ocean Conservancy, 2012.

# Eligible Activities and Projects

## Infrastructure

- Infrastructure projects benefitting economy or ecological resources, including ports
- Coastal flood protection and related infrastructure

## Ecological Restoration

- Restoration and protection of natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast region
- Mitigation of damage to fish, wildlife, and natural resources
- Implementation of a federally approved marine, coastal or comprehensive conservation management plan, including fisheries monitoring

# Eligible Activities and Projects

## Tourism

- Promotion of tourism, including recreational fishing
- Promotion of consumption of seafood harvested from the Gulf Coast region

## Workforce Development and Job Creation

## Coastal Resiliency Projects

- Improvements to state parks in coastal areas affected by Deepwater Horizon spill
- Coastal flood protection and related infrastructure

## Planning and Administrative Costs

- Administration fees- 3%
- Planning assistance

# Treasury Regulations

- Proposed U.S. Treasury Regulation for the Gulf Coast Restoration Trust Fund released **September 5, 2013** (31 CFR Part 34)
- Comment period was open for 60 days following the release of the proposed rule
- Comments were submitted by Escambia County and the Florida Association of Counties (FAC)

## The proposed rule established that:

- **RESTORE Act funds will be administered as a Grant Program** including compliance monitoring following award of funding
- Grant recipients (Escambia County) **must submit a Multi-Year Implementation Plan in order to receive funding**
- **Treasury WILL NOT evaluate whether the project is the best use of funds**
  - Treasury will review applications to determine whether the proposal meets statutory requirements and contains information and certifications required by the rule



# Treasury Regulations

- **RESTORE Act project planning must include costs of compliance with federal law**
  - Projects will likely require costly NEPA analyses, and need to comply with federal disability laws such as Americans with Disabilities Act and Davis Bacon Act
  - Treasury regulations **require specific certifications and conditions** in grant agreements to ensure accountability of the recipient
  - Multi-year implementation plan authorizes Treasury to require **additional audit requirements**
- **Final Treasury Regulation has NOT yet been released, but is expected to address topics which were unclear in the proposed rule**
  - The final rule will likely play a **key role** in the development of project selection criteria and implementation of the Multi-Year Implementation Plan

# General Conditions of RESTORE Act Funding

## The County must:

- Adhere to US Treasury audit requirements
- Certify that a project requesting funding:
  - Is **designed** to restore and protect the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, coastal wetlands or Gulf Coast economy
  - Carries out one or more eligible activities
  - Is based on **meaningful public input**
  - Is based on the **best available science**
- Be consistent with **standard procurement regulations**
- Submit a **multi-year implementation plan** for the use of funds



## RESTORE Advisory Committee's Role

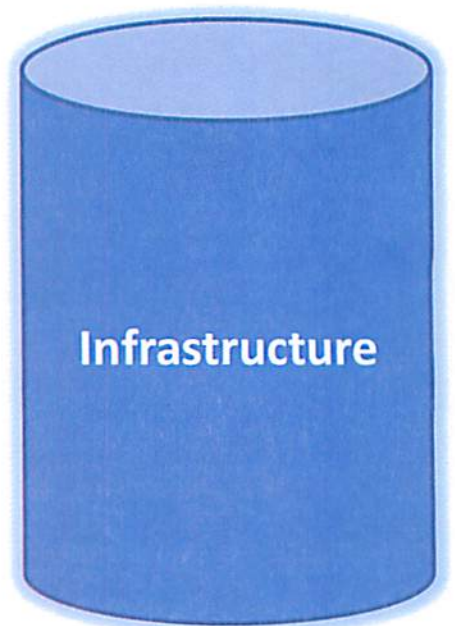
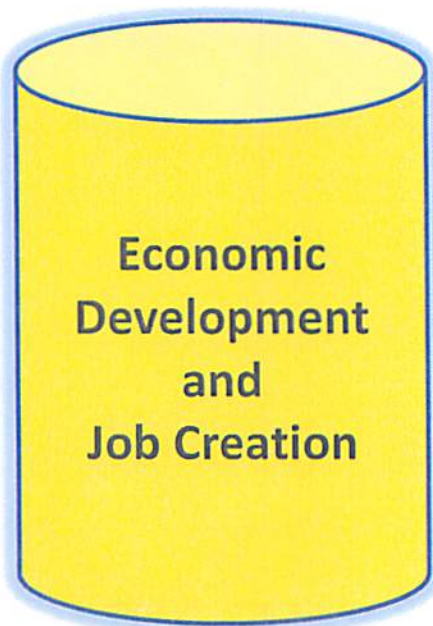
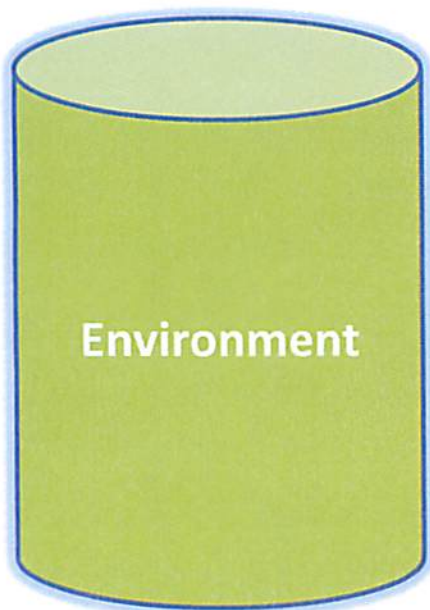
- Review and rank proposed projects
- Hold advertised public meetings
- Provide regular status reports to the BCC
- Establish an application and application process
  - Accept applications for projects that comply with RESTORE Act eligibility
- Review, score and rank projects, and present the ranked project list to BCC
- Develop and submit a multi-year implementation plan for RESTORE Act projects



## RESTORE Advisory Committee Public Input Meetings

- Average of 5 public comments and 40 attendees per meeting
- Committee and EC Staff has given 13 presentations to local organizations
- Request for Proposals (RFP) expected be solicited to hire RESTORE consultant during February 2014
- Committee accepted suggested criteria presentations from local professional organizations which included 7 environmental, 6 economic and 6 combination or other presentations
- Public Workshops anticipated to be held during April and May 2014 at the following suggested locations and times
  - District 1: Charity Chapel at 5820 Montgomery Ave
  - District 2: Perdido Key Fire Station
  - District 3: Pensacola High School
  - District 4: Pensacola Beach/TBD
  - District 5: Molino Community Center or Jim Allen School

## Categories set by BCC



# ECONOMIC DEVELOPMENT

Workforce  
Readiness



Workforce  
Development



Local Tourism

Economic Challenges in Escambia County

Talent Supply & Education

Population Growth

Gross Household Earnings

Economic Diversification

Public Health

Public Safety

Infrastructure



# ENVIRONMENTAL

## Local Watershed Challenges

### Perdido River & Bay

<b>Storm water runoff and nonpoint pollution</b>	Loss of shoreline, littoral habitat from alteration erosion and armoring
<b>Wastewater Discharge-nitrogen and phosphorus loading in ground and surface water</b>	Degraded urban stream systems- habitat loss, sedimentation and poor water quality discharges into Bay
<b>Protection and restoration of estuaries</b>	

Source: Northwest Florida Water Management District

### Pensacola Bay

<b>Storm water runoff and nonpoint pollution</b>	Degraded sea grass habitat
<b>Discharge of treated wastewater</b>	Sedimentation and turbidity from active erosion sites
<b>Widespread sedimentation from unpaved roads</b>	Degraded urban bayou habitats
<b>Loss of shoreline, littoral habitat</b>	Potential marine invasive species in bays and estuaries

**The #1 Environmental Issue in Escambia County is Water Quality**

# INFRASTRUCTURE

## DEFINITIONS- Webster's Dictionary

1. The underlying foundation or basic framework (as of a system or organization)
2. The system of public works of a country, state or region; also the resources (as personnel, buildings or equipment) required for an activity

### Proactive Measures to Mitigate External Effects

- Underground electrical utilities
  - Reinforce water and sewage infrastructure
  - Establish paid professional environmental watchdogs
- Source: Peter King, Perdido Key Chamber

### Return on Investment (ROI)

Follow a ROI approach which recognizes that spending with underutilized business is an investment. Returns add value to local community and economy.  
Source: Tony McCray & Jon Veasley, NAACP

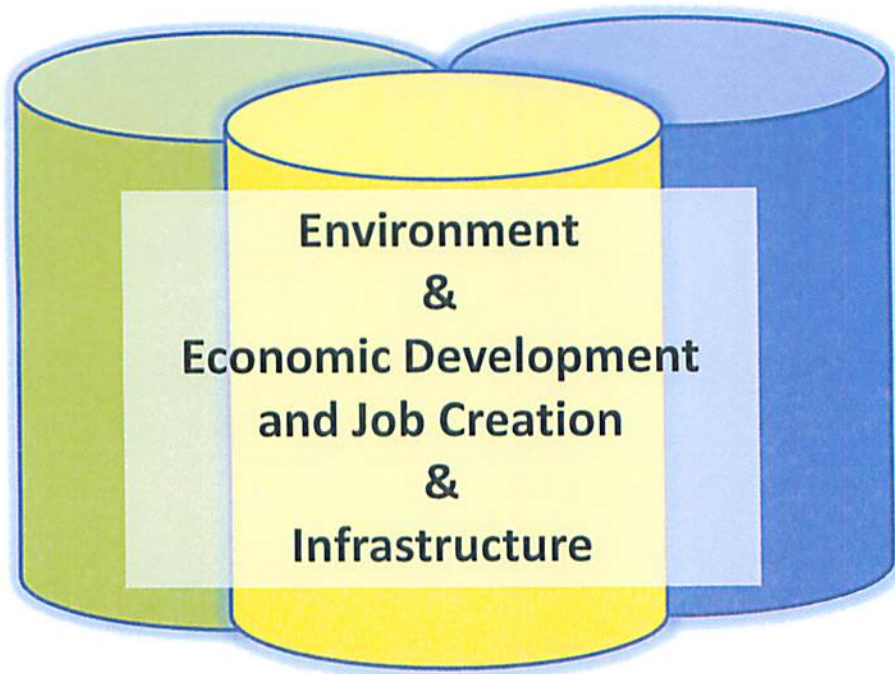
### Category Examples

Social Infrastructure  
Economic Infrastructure  
Transport infrastructure  
Communications infrastructure  
Water management infrastructure  
Urban infrastructure  
Green Infrastructure

### Enhance assets for tourism

Spending flowing from tourism sector dives other sectors of the local economy  
Source: Peter King, Perdido Key Chamber

## BCC Criteria Relationships







## RESTORE Advisory Committee Next Steps

- District-Specific Public Informational Sessions- Anticipated to be held during April and May 2014
- April 2014: Recommendation to BCC regarding Consultant Selection
- Development of Project Selection Criteria
  - Recommendation to BCC
- October 2014: Completion of Multi-Year Implementation Plan
  - Recommendation to BCC
- Submission of Multi-Year Implementation Plan to Treasury for Approval
- Grant funding to selected sub-grant recipients

## Local Pot Allocation (Pot 1)

**Projects to restore natural resources or economy**

**Project selection requires meaningful public input**

**Multiyear plan for use of the funds**

**Consistent with standard procurement rules**

### Conditions:

- (1) Agree to Secretary of Treasury (SOT) requirements (includes audit)
  - (2) Certify to SOT projects/programs:
    - (a) Meets criteria (approved usage)
    - (b) Was selected based on meaningful input from public (including individuals, businesses, and NPOs)
    - (c) For natural resource protection or restoration projects, based on the best available science.
  - (3) Certify the projects/programs/contract award are consistent with standard procurement rules and audit requirements
  - (4) Develop and submit a multi-year implementation plan for the use of funds
- \*Funds allocated to a coastal political subdivision (in FL, a county) shall remain in the Trust Fund until plans submitted and approved**



# Questions?

# Backup Slides

## RESTORE Act Categorical Comparison Chart

County	Florida	Task Force Strategic Plan	RESTORE Act
Environment	Implementation of Agriculture Best Management Practices	Restore and Conserve Habitat	Restoration and protection of natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches and coastal wetlands
Environment	Water Quality projects including military base buffer land preservation	Restore Water Quality	Mitigation of damage to fish, wildlife and natural resources
Environment	Fish and Wildlife Habitat and Management	Replenish and Protect Living Coastal and Marine Resources	Implementation of federally approved marine coastal or comprehensive conservation management plan, including fisheries monitoring

## RESTORE Act Categorical Comparison Chart

County	Florida	Task Force Strategic Plan	RESTORE Act
Economic Development/ Job Creation	N/A	Restore and Revitalize the Gulf Economy	Workforce and Job Creation
Infrastructure	Community Resilience/ Living Shorelines	Restore and Revitalize the Gulf Economy	Improvements to or on State parks located in coastal areas affected by the Deepwater Horizon Oil Spill
Infrastructure	Storm Water/ Wastewater Infrastructure	Restore & Revitalize the Gulf Economy	Infrastructure projects benefiting the economy or ecological resources including port infrastructure
Infrastructure	Community Resilience/ Living Shorelines	Enhance Community Resilience	Coastal flood protection and related infrastructure



PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

2-5. Approval of Various For Action Items – Continued

5. Taking the following action concerning the scheduling of an Attorney-Client Session concerning Escambia County v. McCall & Associates, Inc., et al:
  - A. Scheduling a private meeting with the Board's attorneys to discuss pending litigation, in accordance with Section 286.011 (8), Florida Statutes, for November 1, 2012, at 4:00 p.m.; and
  - B. Approving the Public Notice printed below to be published in the Pensacola News Journal on Sunday, October 21, 2012:

PUBLIC NOTICE

IT IS THE INTENTION of the Board of County Commissioners of Escambia County, Florida, to hold a private meeting with its attorney to discuss pending litigation in the case of *Escambia County v. McCall & Associates, Inc., et al.* in accordance with Section 286.011(8), Florida Statutes. Such attorney-client session will be held at 4:00 p.m. on Thursday, November 1, 2012, in the Board Meeting Room, First Floor, Escambia County Governmental Complex, 221 Palafox Place, prior to the meeting of the Board of County Commissioners. Commissioners Wilson B. Robertson, Gene M. Valentino, Marie K. Young, Grover C. Robinson, IV, and Kevin W. White, County Administrator Charles R. "Randy" Oliver, Attorney representing Escambia County Charles V. Peppler, Deputy County Attorney, Alison P. Rogers, County Attorney and a certified court reporter will attend the attorney-client session.

\* 1. RESTORE Act Advisory Committee ►

Motion made by Commissioner Robinson, seconded by Commissioner White, and carried 4-1, with Commissioner Valentino voting "no," adopting the Resolution (R2012-150) establishing the RESTORE Act Advisory Committee, as amended to change the years of experience, in Section 4, *Composition of the Committee*, from 10 years to 5 years.



**BOARD OF COUNTY COMMISSIONERS**  
Escambia County, Florida

AI-3371

County Attorney's Report 13. 1.  
Action

BCC Regular Meeting

Meeting Date: 10/18/2012

Issue: Resolution Establishing the RESTORE Act Advisory Committee

From: Ryan E. Ross, Assistant County Attorney

Organization: County Attorney's Office

CAO Approval:

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**RECOMMENDATION:**

Recommendation Concerning Adopting a Resolution Establishing the RESTORE Act Advisory Committee

That the Board adopt the attached Resolution establishing the RESTORE Act Advisory Committee.

**BACKGROUND:**

At the October 4, 2012 meeting, the Board discussed establishing a RESTORE (Advisory) Committee. (Copy of Resume attached.) This Resolution sets out the duties and responsibilities of this committee.

**BUDGETARY IMPACT:**

N/A

**LEGAL CONSIDERATIONS/SIGN-OFF:**

Assistant County Attorney Ryan Ross drafted the Resolution.

**PERSONNEL:**

N/A

**POLICY/REQUIREMENT FOR BOARD ACTION:**

N/A

**IMPLEMENTATION/COORDINATION:**

N/A

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**Attachments**

Resolution

Resume Page of Oct. 4 2012

Escambia County  
Clerk's Original  
10/18/2012/CAT 1-1

RESOLUTION NUMBER R2012 - 150

**A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF  
ESCAMBIA COUNTY, FLORIDA, ESTABLISHING THE RESTORE  
ADVISORY COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, in response to the Deepwater Horizon oil spill during the summer of 2010, the United States Congress has enacted the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012, also known as the "RESTORE Act;" and

**WHEREAS**, one purpose of the RESTORE Act is to ensure that the federal government distributes a substantial portion of fines or settlement amounts collected as a result of the oil spill to communities affected by the oil spill; and

**WHEREAS**, the RESTORE Act empowers the Escambia County Board of County Commissioners with the authority to distribute certain amounts for various purposes and projects as designated by the Act; and

**WHEREAS**, the Board of County Commissioners finds that an advisory committee would assist the Board in determining which projects qualify for funding under the Act, and therefore would serve the public interest.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, AS FOLLOWS:**

**SECTION 1. RECITALS.**

The aforementioned recital clauses are hereby incorporated into this Resolution.

**SECTION 2. ESTABLISHMENT.**

The Escambia County Board of County Commissioners hereby establishes the RESTORE Act Advisory Committee.

Date: 10/19/2012 Verified By: B. Schuyler

**SECTION 3. DUTIES OF THE RESTORE ACT ADVISORY COMMITTEE.**

The RESTORE Act Advisory Committee shall have the following duties and responsibilities:

A. That within the first six months of formation, the committee shall develop a plan, taking public input into consideration, that sets forth the final goals for the community's use of the subject RESTORE funds.

B. The Committee shall review projects submitted to the Board of County Commissioners for consideration of funding pursuant to the RESTORE Act. The Committee shall assign each project proposal into one of three categories: economic development and job creation, environmental, and infrastructure. A project may only be submitted for funding in one category. At the Committee's discretion, similar projects may be combined into a unified project proposal. Projects with a total estimated cost lower than \$500,000.00 will not be considered for funding using RESTORE Act funds.

C. The Board of County Commissioners shall establish ranking criteria for the Committee to use. The Committee shall rely solely on the ranking criteria established by the Board of County Commissioners.

D. The Committee shall rank each project and compile aggregate ranked lists of the projects submitted in each category. The Committee shall then submit the lists to the Board of County Commissioners for review and approval. The Board of County Commissioners may adopt a timeline for the ranking and approval process and any other deadlines it deems necessary. This timeline and other deadlines shall be binding on the Committee.



**SECTION 4.**            **COMPOSITION OF THE COMMITTEE.**

The Committee shall consist of seven (7) members who are residents of Escambia County and appointed by the Board of County Commissioners as follows:

1. A representative of the financial industry (economist, banker, accountant, or financial planner with five (5) or more years experience in the financial industry).
2. A business leader with five (5) or more years of economic development experience.
3. An individual with five (5) or more years of experience in the area of transportation.
4. An individual with five (5) or more years of complex governmental experience.
5. An at-large citizen representative.
6. An individual appointed by the City of Pensacola. This Committee member cannot be an elected official or a regular or contract employee of the City of Pensacola unless the City of Pensacola is not going to request funding for a project under consideration by the Committee.
7. An individual representing local environmental advocacy groups.

A committee member may not be employed by or be a member of any organization that requests funding from, or that will be making recommendations to, the committee.

**SECTION 5.**            **TERMS OF COMMITTEE MEMBERS.**

Committee members shall serve on the Committee until it has made all recommendations and completed its assignments as designated by the Board of County Commissioners. Should any Committee member cease to be an elector of the County, he or she shall cease to be a Committee member and shall be replaced by the Board of

County Commissioners. Except for the Committee member representing the City of Pensacola, Committee members may also be removed by the Board of County Commissioners. Additionally, the Committee shall recommend to the Board of County Commissioners the removal of a Committee member who accrues three unexcused absences from regularly-scheduled meetings of the Committee during the calendar year. Absences may be excused by a vote of the members present at any meeting.

**SECTION 6. OFFICERS.**

A. Chairperson. The Committee shall elect a Chairperson to preside at all meetings. The Chairperson shall be elected at the first meeting in January of each year and shall serve until the first meeting in January of the following year. There shall be no term limits for a member to serve as Chairperson.

B. Vice-Chairperson. The Committee shall elect a Vice-Chairperson to preside and act on behalf of the Chairperson during his or her absence. The term of office and method of election for the Vice-Chairperson shall be the same as the Chairperson.

**SECTION 7. REGULAR MEETINGS.**

The Committee shall establish a schedule of regular meetings, which shall be held at least every other month. A schedule of each year's regular meetings shall be distributed to all Committee members in December of the preceding calendar year.

**SECTION 8. QUORUM AND VOTING.**

Four (4) Committee members shall constitute a quorum for the purpose of conducting business. Each member shall exercise one vote on all matters subject to a vote of the Committee. All matters shall be decided by a majority vote of the members

present. No member shall abstain from voting unless the member has a conflict of interest.

**SECTION 9.**        **SPECIAL MEETINGS.**

The Chairperson may call a special meeting of the Committee on his or her initiative and shall call a special meeting at the request of any four members.

**SECTION 10.**      **LOCATION OF MEETING.**

Committee meetings shall be held in a public facility of sufficient size to accommodate those present and at such locations as the Committee may determine from time to time.

**SECTION 11.**      **RULES OF PROCEDURE.**

The Committee shall conduct its meeting in accordance with the current edition of Robert's Rules of Order, except to the extent that the provision thereof is inconsistent with this Resolution.

**SECTION 12.**      **SUNSHINE LAW.**

The Committee shall be subject to and each member shall be responsible for compliance with the Florida Sunshine Law and the Florida Public Records Act.

**SECTION 13.**      **AGENDA.**

The Chairperson shall prepare an agenda for all meetings. Any Committee member may request that a matter be placed on the agenda. The agenda and related materials shall be distributed at least one day prior to the meeting date.

**SECTION 14. MINUTES.**

Minutes shall be kept at each Committee meeting. The written summary of each meeting shall be submitted for approval of the members at the next regular meeting.

Each written summary shall reflect the persons in attendance, items discussed, each action taken at the meeting, and the vote of the members on each item presented at the meeting.

**SECTION 15. NOTICE OF PUBLIC MEETING.**

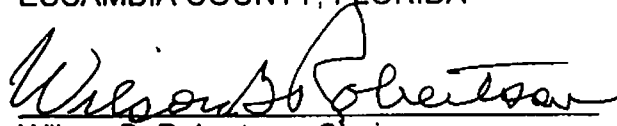
Notice of regular or special meetings of the Committee and the time and location of each meeting shall be published to the public.

**SECTION 16. EFFECTIVE DATE.**

That this Resolution shall become effective immediately upon adoption by the Board of County Commissioners.

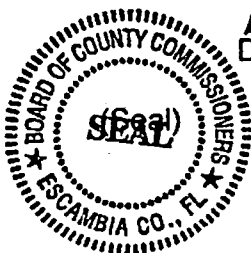
ADOPTED this 18th day of October 2012

BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA

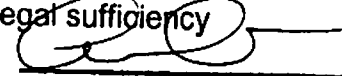
  
Wilson B. Robertson, Chairman

ATTEST: Ernie Lee Magaha  
Clerk of the Circuit Court

  
Deputy Clerk



This document approved as to form  
and legal sufficiency

By   
Title County Attorney  
Date 10/18/12

Date Executed  
October 18, 2012

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION

\* 1. RESTORE Act Committee ➤

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, approving Items A, B, and C, and taking the following action concerning nine appointments to the RESTORE Act Advisory Committee, effective February 7, 2013; appointees will serve on the Committee until all recommendations and assignments relating to the RESTORE Act are completed, as designated by the Board of County Commissioners:

A. Confirming the Escambia County Commissioners' appointments, as follows:

- (1) Commissioner Robertson's appointment of Mr. Alan C. McMillan to serve as an individual with five or more years of experience in the area of transportation;
- (2) Commissioner Valentino's appointment of Mr. Donald McMahon III, to serve as a business leader with five or more years of economic development experience;
- (3) Commissioner May's appointment of Mr. Alvin G. Coby to serve as an at-large citizen representative;
- (4) Commissioner Robinson's appointment of Ms. Tammy Bohannon to serve as an individual with five or more years of complex governmental experience; and
- (5) Commissioner Barry's appointment of Mr. Gregg Beck to serve as a representative of the financial industry with five or more years of experience;

B. Confirming the appointment of Mr. Christian Wagley to serve as an individual representing local environmental advocacy groups; and

C. Confirming the City of Pensacola's appointment of Ms. Bentina Chisolm Terry.

(Continued on Page 35)

**PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued**

**COUNTY ADMINISTRATOR'S REPORT – Continued**

**III. FOR DISCUSSION – Continued**

**1. Continued...**

**D. Selection of At-Large and Alternate Appointees**

The Board appointed, by ballot, Harlan Butler and Michelle Avignone Inere, from the list of the following 21 nominees, to serve as (*at-large*) appointees representing the Citizens of Escambia County:

- (1) Mr. Harlan Butler
- (2) Mr. Jesse Casey
- (3) Mr. James "Jim" S. Cox
- (4) Mr. Jim Donovan
- (5) Mr. John R. Fogg
- (6) Dr. Gloria G. Horning
- (7) Ms. Michelle Avignone Inere
- (8) Mr. Michael Johnson
- (9) Mr. Gregory Jones
- (10) Ms. Barbara Mayall
- (11) Mr. John L. Peacock, Jr.
- (12) Mr. Courtney B. Peterson
- (13) Mr. Vernon Lee Prather
- (14) Mr. John F. Soule
- (15) Mr. William "Mike" Turner
- (16) Mr. William Vann Milheim
- (17) Ms. Deborah Velleco
- (18) Ms. Tracie T. Watson
- (19) Ms. Valerie A. Watson
- (20) Ms. Frances Yeo
- (21) Mr. David C. Penzone

(Continued on Page 36)

**PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued**

**COUNTY ADMINISTRATOR'S REPORT – Continued**

**III. FOR DISCUSSION – Continued**

**1. Continued...**

**D. Continued...**

Motion made by Commissioner Robertson, seconded by Commissioner Robinson, and carried unanimously, appointing John F. Soule as Alternate #1 and Courtney B. Peterson as Alternate #2, to serve only in the event an appointee permanently leaves the Committee.

**Speaker(s):**

Dottie Dubuisson

**For Information:** The Board heard Interim County Administrator Touart disclose that he and his wife, as well as he and his partner, have submitted claims to BP, which have not yet been paid.

**COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney**

Motion made by Commissioner Barry, seconded by Commissioner Robinson, and carried 4-0, with Commissioner Robertson having left the Meeting, approving County Attorney's Report, For Action Items 1 and 2 and For Information Item 1, as follows, as amended to drop For Action Item 1: ►

**I. FOR ACTION**

1. Dropping the recommendation that the Board authorize scheduling a Public Hearing for February 21, 2013, at 5:32 p.m., for consideration of adopting an Ordinance restricting alcohol on Portofino Boardwalk.
2. Authorizing the County Attorney's Office to file a Notice of Appeal from the Final Order (provided) entered by the Secretary of the Department of Juvenile Justice, dated January 11, 2013, in the case of Miami-Dade Co., et al. v. Florida Department of Juvenile Justice (DOAH Case No. 10-1893).



**BOARD OF COUNTY COMMISSIONERS**  
**Escambia County, Florida**

AI-3844

**County Administrator's Report 11.1**  
**Discussion**

**BCC Regular Meeting**

**Meeting Date:** 02/07/2013

**Issue:** RESTORE Act Advisory Committee

**From:** George Touart, Interim County Administrator

**Organization:** County Administrator's Office

**CAO Approval:**

*George Touart*

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**RECOMMENDATION:**

**Recommendation Concerning Appointments to the RESTORE Act Advisory Committee - George Touart, Interim County Administrator**

That the Board take the following action concerning nine appointments to the RESTORE Act Advisory Committee, effective February 7, 2013; appointees will serve on the Committee until all recommendations and assignments relating to the RESTORE Act are completed, as designated by the Board of County Commissioners:

A. Confirm the Escambia County Commissioners' appointments, as follows:

1. Commissioner Robertson's appointment of Mr. Alan C. McMillan to serve as an individual with five or more years of experience in the area of transportation;

2. Commissioner Valentino's appointment of Mr. Donald McMahon, III, to serve as a business leader with five or more years of economic development experience;

3. Commissioner May's appointment of Mr. Alvin G. Coby to serve as an at-large citizen representative;

4. Commissioner Robinson's appointment of Ms. Tammy Bohannon to serve as an individual with five or more years of complex governmental experience; and

5. Commissioner Barry's appointment of Mr. Gregg Beck to serve as a representative of the financial industry with five or more years of experience;

B. Confirm the appointment of Mr. Christian Wagley to serve as an individual representing local environmental advocacy groups;

C. Confirm the City of Pensacola's appointment of Ms. Bentina Chisolm Terry; and

D. Appoint two of the following ~~twenty~~ twenty-one nominees to serve as individuals representing the citizens of Escambia County:



1. Mr. Harlan Butler;
2. Mr. Jesse Casey;
3. Mr. James "Jim" S. Cox;
4. Mr. Jim Donovan;
5. Mr. John R. Fogg;
6. Dr. Gloria G. Horning;
7. Ms. Michelle Avignone Inere;
8. Mr. Michael Johnson;
9. Mr. Gregory Jones;
10. Ms. Barbara Mayall;
11. Mr. John L. Peacock, Jr.;
12. Mr. Courtney B. Peterson;
13. Mr. Vernon Lee Prather;
14. Mr. John F. Soule;
15. Mr. William "Mike" Turner;
16. Mr. William Vann Milheim;
17. Ms. Deborah Velleco;
18. Ms. Tracie T. Watson;
19. Ms. Valerie A. Watson;
20. Ms. Frances Yeo; and
21. Mr. David C. Penzone.

**BACKGROUND:**

In response to the Deepwater Horizon oil spill during the summer of 2010, the United States Congress enacted the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012, also known as the "RESTORE Act". One purpose of the RESTORE Act is to ensure that the federal government distributes a substantial portion of fines or

settlement amounts collected as a result of the oil spill to communities affected by the oil spill. The RESTORE Act empowers the Escambia County Board of County Commissioners with the authority to distribute certain amounts for various purposes and projects as designated by the Act.

The Board of County Commissioners (BCC) adopted Resolution R2012-150, on October 18, 2012, which established the RESTORE Act Advisory Committee to assist the Board in determining which projects qualify for funding under the RESTORE Act, and therefore would serve the public interest. On January 3, 2013, the BCC adopted Resolution R2013-5, which amended Resolution R2012-150, to increase the Committee membership from seven to nine members and to revise the quorum requirement from four members to five members.

On January 3, 2013, the BCC approved item 9.B.(2), the Recommendation from the December 11, 2012, Committee of the Whole Workshop, stating which Commissioners would appoint representatives from various interest groups within the community.

The nominees have expressed their willingness to serve on the RESTORE Act Advisory Committee; their Resumes are provided for review.

**BUDGETARY IMPACT:**

N/A

**LEGAL CONSIDERATIONS/SIGN-OFF:**

N/A

**PERSONNEL:**

N/A

**POLICY/REQUIREMENT FOR BOARD ACTION:**

In accordance with Section I, Bart B.1, of the Board of County Commissioners' Policy Manual, Board approval is required for all appointments/reappointments to Boards and Committees established by the Board of County Commissioners.

**IMPLEMENTATION/COORDINATION:**

N/A

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**Attachments**

**BCC Meeting Minutes Page – 01-03-2013**

**Resolution Number R2013-5**

**Resolution Number R2012-150**

**Resumes of Commissioners' Appointees**

**Resume of Mr. Christian Wagley-Environmental Advocacy Groups**

**Resume of Ms. Bentina Terry – City of Pensacola's Appointee**

**Resumes of Individuals Representing the Citizens of Esc. Co.**

**Committee of the Whole**

**6.**

**Meeting Date:** 02/13/2014

**Issue:** 9 Mile Road PD&E Study

**From:** Larry Newsom, Interim County Administrator

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**Information**

**Recommendation:**

9 Mile Road PD&E Study

(April Williams, Florida Department of Transportation Project Manager - 10 min)

A. Board Discussion

B. Board Direction

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**Attachments**

Nine Mile Road Presentation Feb. 2014

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**Major PD&E Study Re-evaluation for Nine Mile Road (S.R. 10A/ U.S. 90A)  
From U.S. 90 (S.R. 10A/Mobile Highway) to Pine Forest Road (S.R. 297)**

# **Update Presentations to**

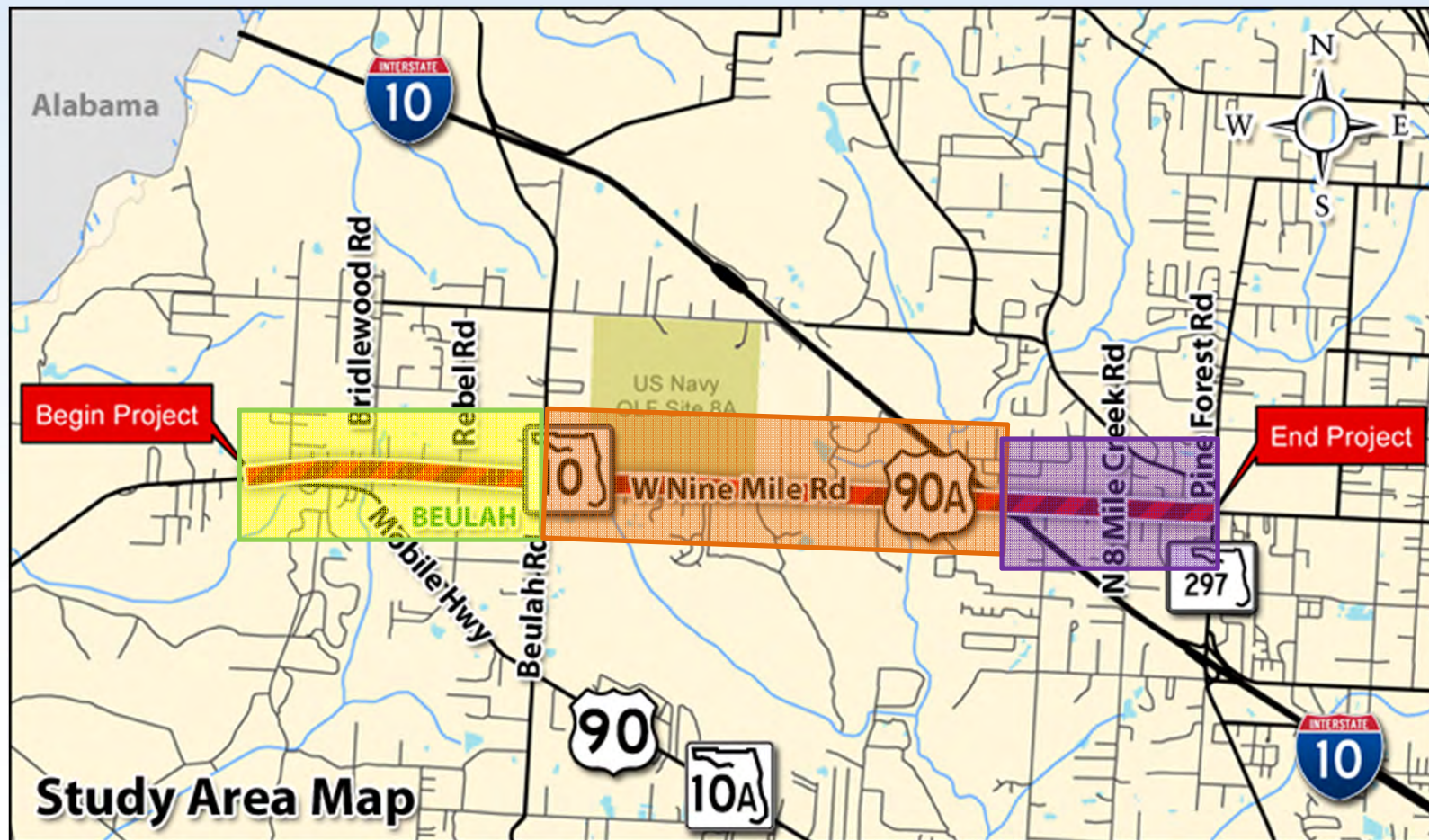


and

The  
Escambia  
BCC



## Study Segments







## Public Kick-Off Meeting was held on October 29, 2013 at Plainview Baptist Church

- ❖ Attended by approximately **60** citizens
- ❖ Main comments included:
  - ❖ What is status of project to the east of Pine Forest Road?
  - ❖ Where will median openings be located?
  - ❖ Will this alleviate flooding issues?
  - ❖ When will construction start?

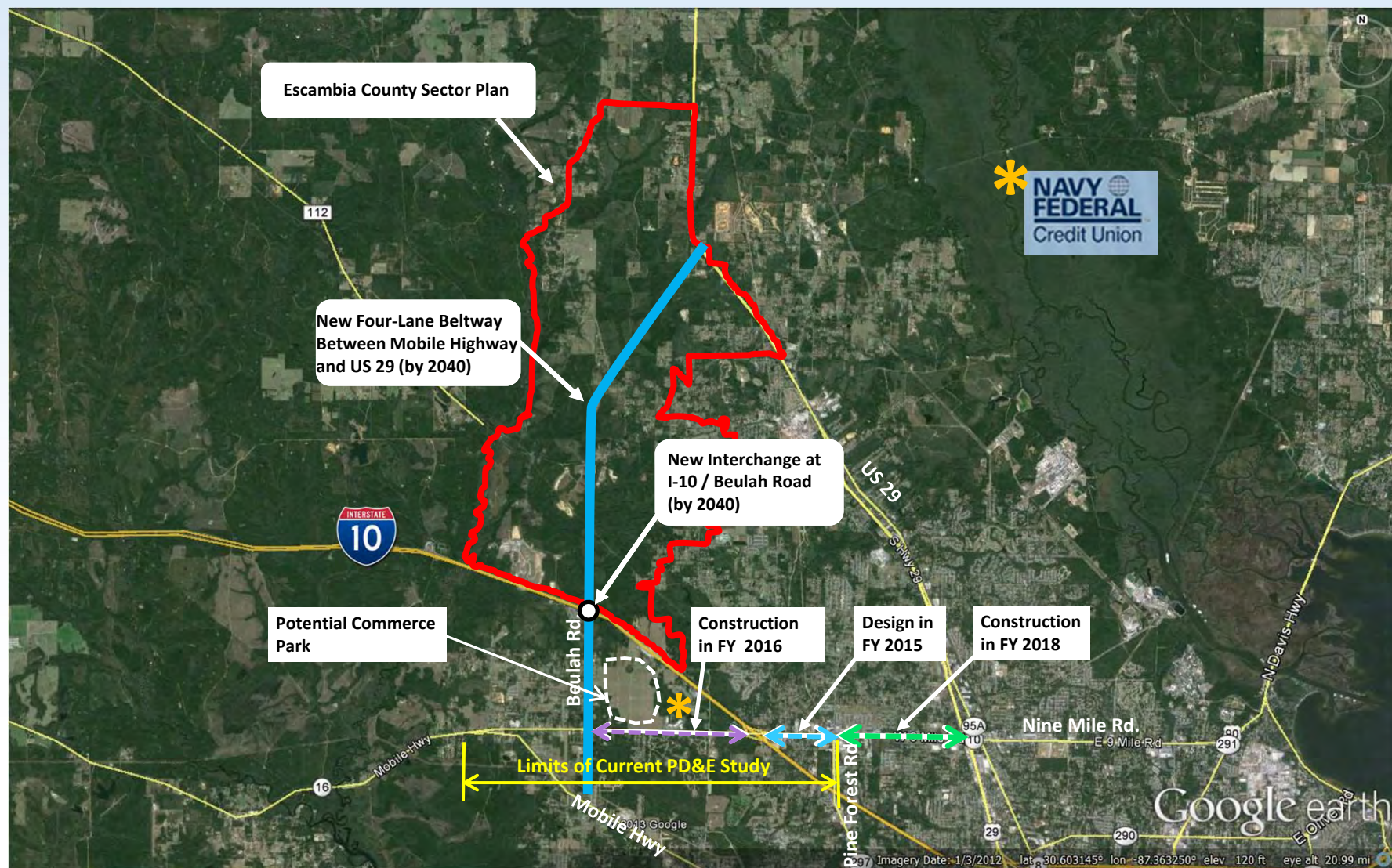






# S.R. 10 (Nine Mile Road) Major PD&E Study Re-evaluation

## Related Projects In/Near the PD&E Study Area

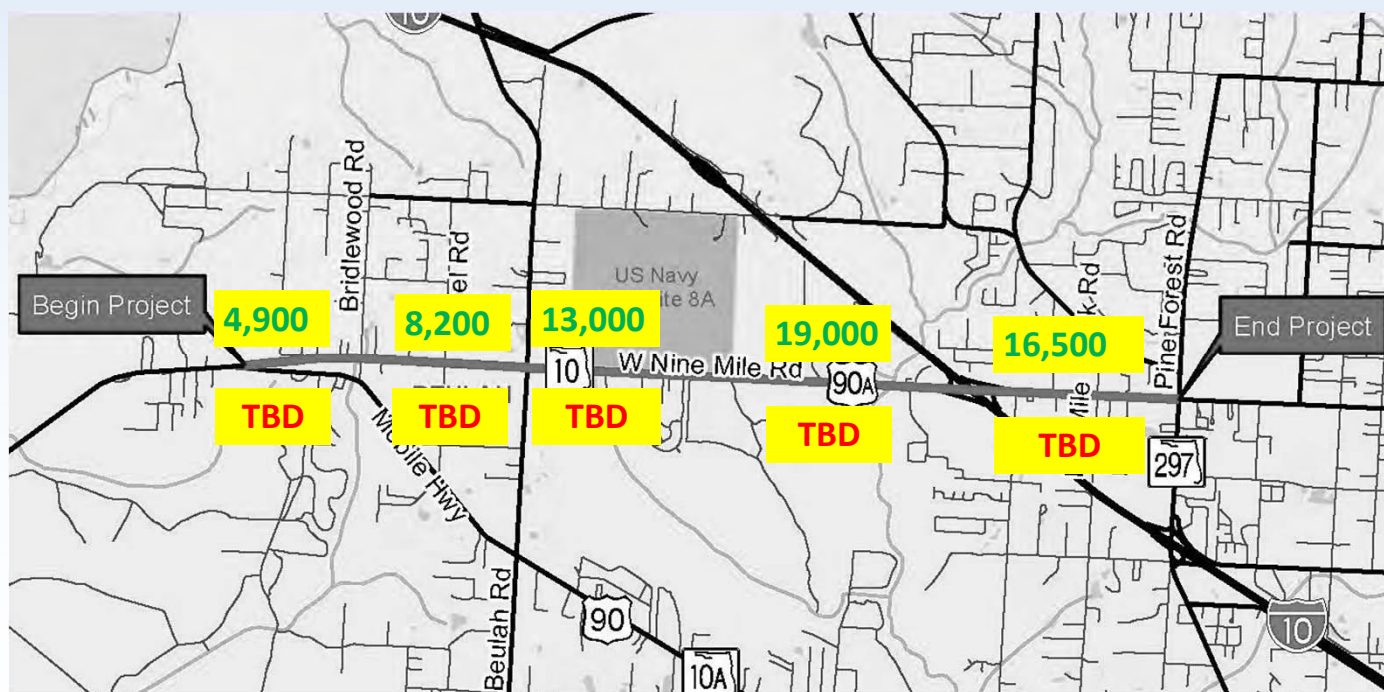




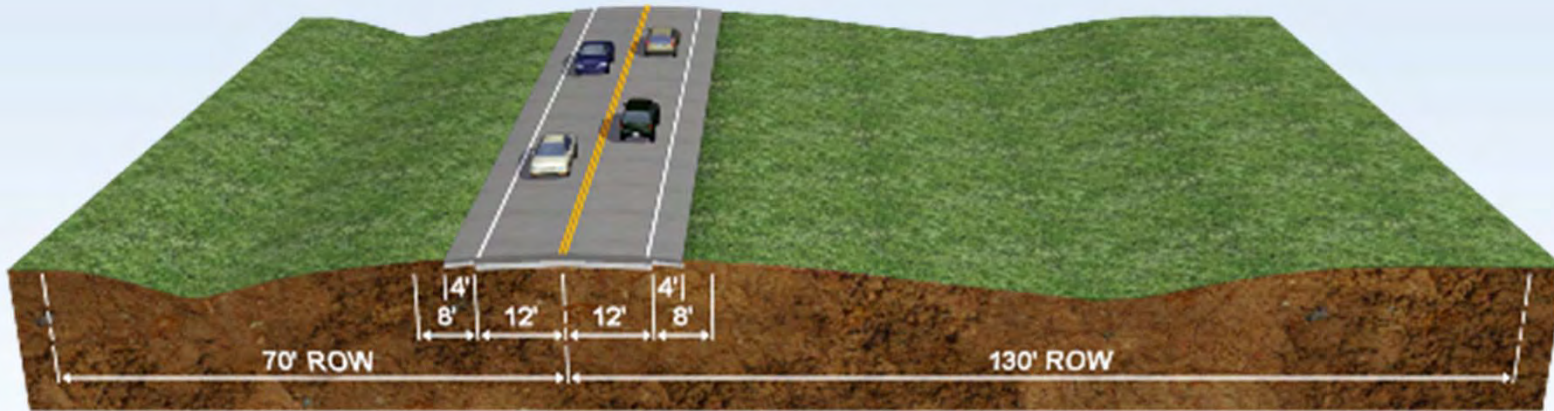
- Traffic Analysis (ongoing)
- Recommended Typical Sections
- Concept Plans with Proposed Median Opening Locations
- Alternative Pond Sites Evaluation
- Preliminary Environmental Evaluation
- Preliminary Cost Estimates



## Existing Traffic (2013 AADTs)



## Future Traffic (2040 AADTs)



The existing roadway is 2-lane undivided and divided in some areas, in a mostly 200-foot wide right of way.

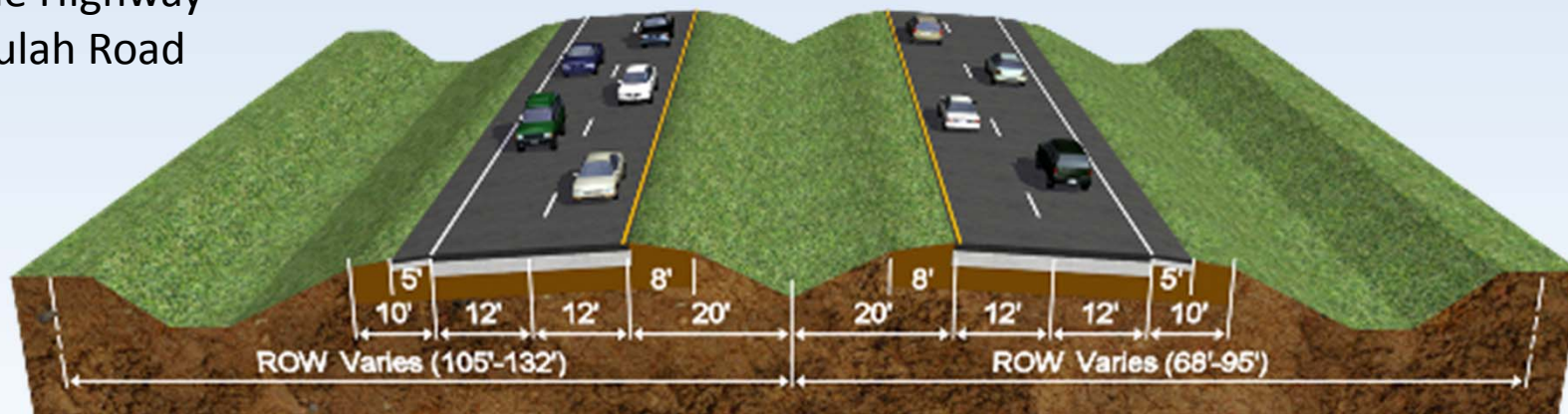
- The road is offset within the existing right of way
- No sidewalks currently
- Paved shoulders also serve as bicycle lanes



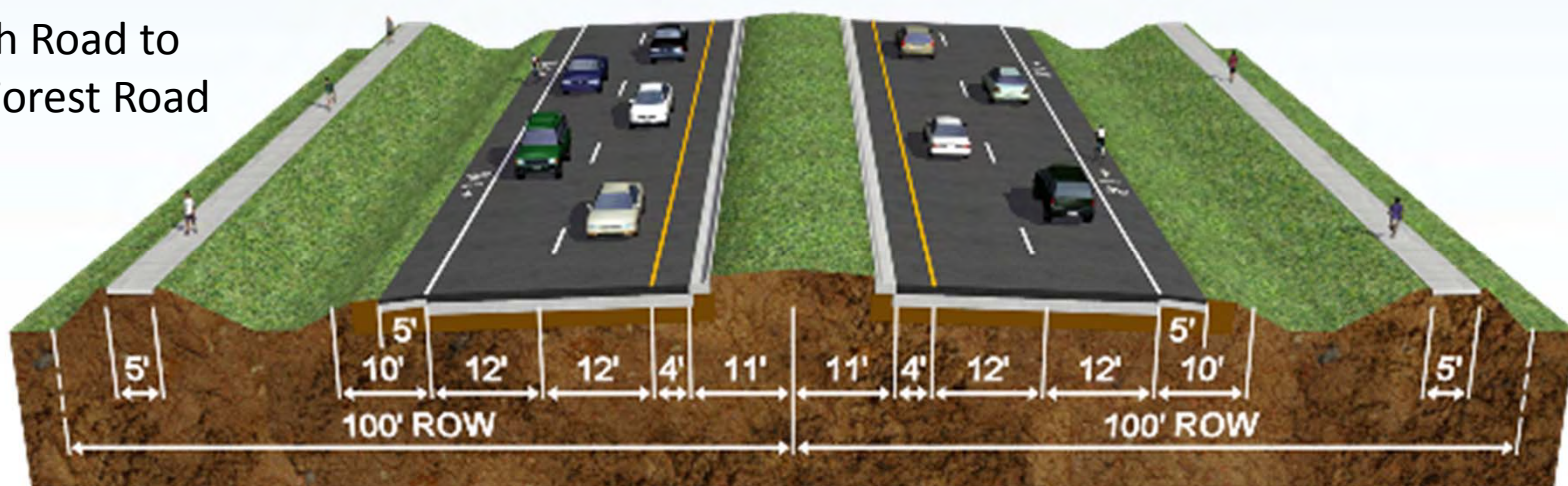
# S.R. 10 (Nine Mile Road) Major PD&E Study Re-evaluation

## Proposed Roadway Typical Sections

Mobile Highway  
to Beulah Road

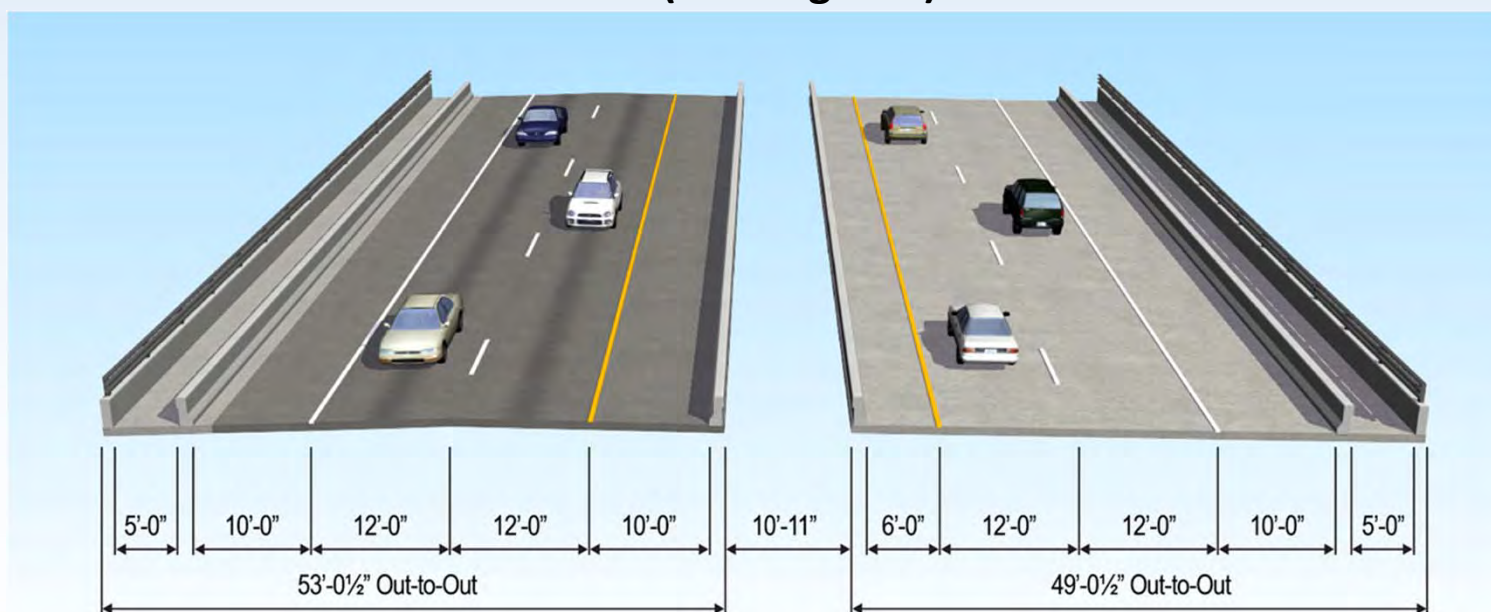


Beulah Road to  
Pine Forest Road





# Existing and Proposed Bridges over Eleven Mile Creek (Looking East)

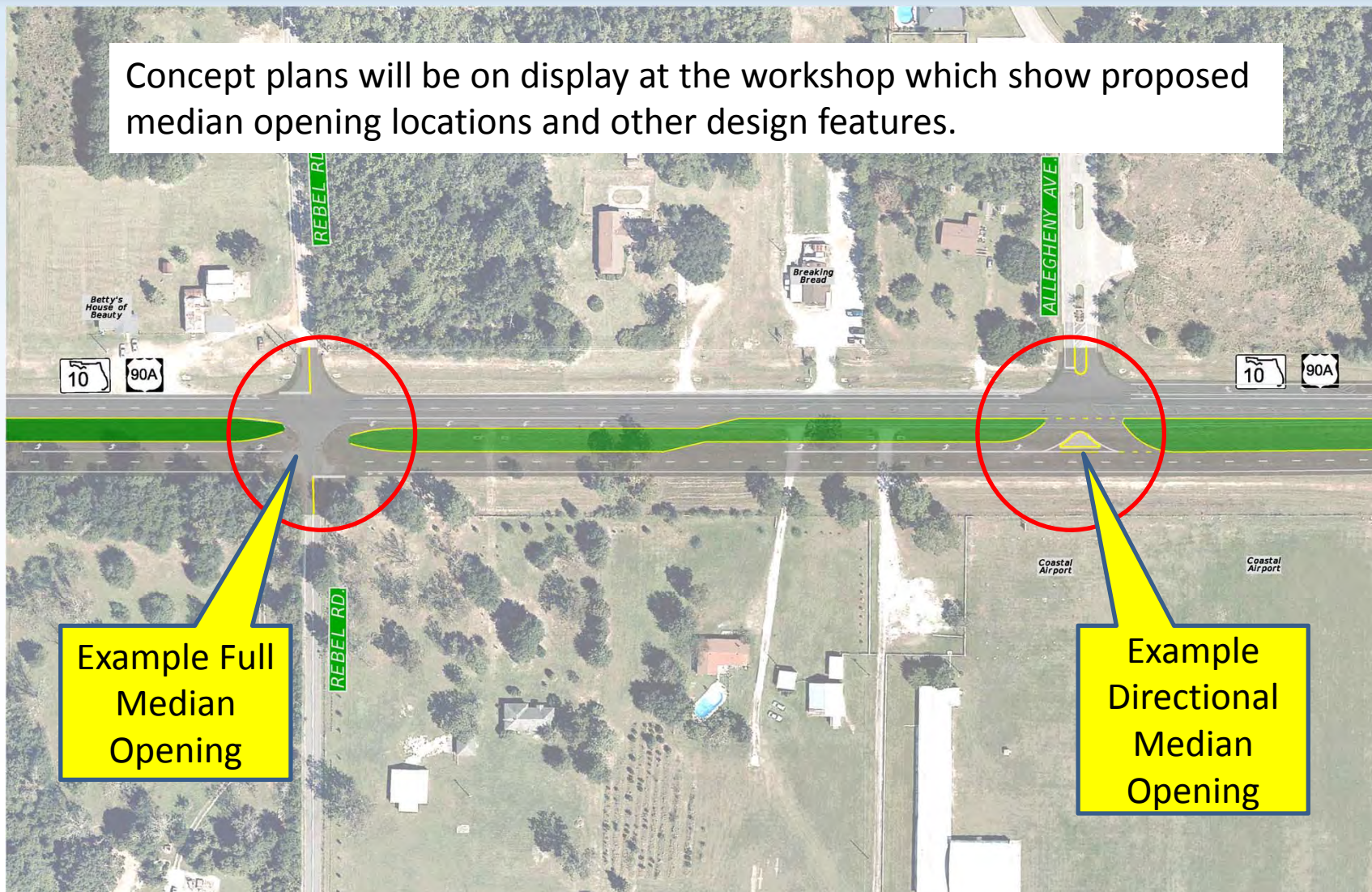


Existing Bridge with a Sidewalk  
Added on the North Side

New Proposed Bridge south of  
the Existing Bridge



Concept plans will be on display at the workshop which show proposed median opening locations and other design features.



- 17 Pond Site Alternatives evaluated; alternative sites (●) will be shown at the Alternatives Public Workshop on February 25
- Potential stream restoration near Leisure Lake investigated
- Hydraulic/floodplain analysis completed
- Bridge hydraulic analysis completed at Eleven Mile Creek bridge







Project Evaluation Matrix			
Comparison of No-Build and Recommended Build Alternative			
Evaluation Factor		No-Build Alternative	Recommended Build Alternative
<b>Environmental Effects</b>			
Noise Sensitive Sites Affected*		--	
No. of Potentially Contaminated Sites Involved		0	
Wetlands Affected (Acres)			
Other Surface Waters Affected (Acres)			6.1
Estimated Floodplain Encroachment		0	1.5
Historic, Archeological, or Paleontological Resources Affected		0	
Business Relocations		0	0
Number of Affected Parcels		0	6
Additional Right-of-Way Required	For Roadway Widening (Acres)	0	0.2
	For Stormwater Ponds and Floodplain Compensation (Acres)	0	25
*Noise impact defined as a site that approaches, meets or exceeds FHWA's Noise Abatement Criteria (NAC). NAC for residences = 67 dBA			

These numbers are currently being refined; updated numbers will be shown at the Alternatives Workshop on 2/25/14



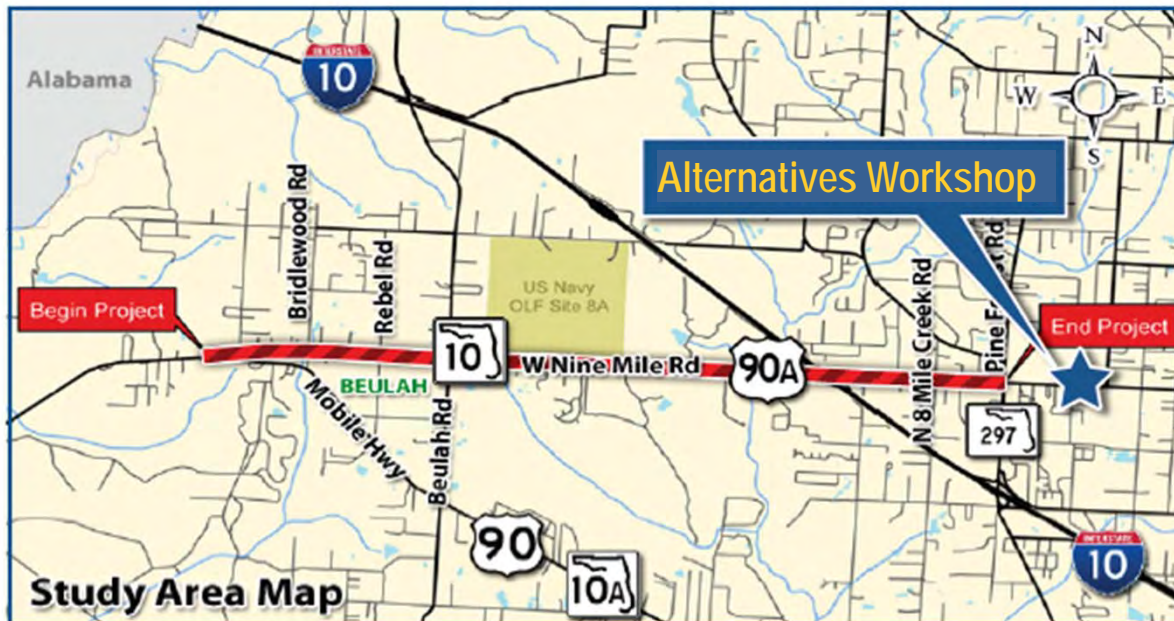
Project Evaluation Matrix		
Comparison of No-Build and Recommended Build Alternative		
Evaluation Factor	No-Build Alternative	Recommended Build Alternative
Cost Estimates (\$millions) Present Day Costs		
Construction	0	28.2
Roadway Design	0	8.5
Construction Inspection	0	
Right-of-Way Acquisition	For Roadway Improvements	0
	For Stormwater Ponds and Floodplain Compensation	2.1
Total Costs (Preliminary Estimate)		\$43

These numbers are currently being refined; updated numbers will be shown at the Alternatives Workshop on 2/25/14



## FDOT Adopted 5-Year Work Program Fiscal Years 13/14 – 17/18

Work Program Phase	Segments		
	Mobile Hwy to Beulah Rd	Beulah Rd to I-10	I-10 to Pine Forest Rd
PD&E Study	Currently Underway	Currently Underway	Currently Underway
Design	Not Currently Funded	*Design/Build FY 15/16	FY 14/15
ROW Acquisition	Not Currently Funded		Not Currently Funded
Construction	Not Currently Funded		Not Currently Funded



Attend our  
**Public Workshop**

February 25, 2014

at:

**Plainview Baptist Church**  
1101 West Nine Mile Road  
Pensacola

**5:30 p.m. – 6:30 p.m.**





# S.R. 10 (Nine Mile Road) Major PD&E Study Re-evaluation

## Project Schedule

TASKS	2013		2014					
	AUG	OCT	JAN	MAR	MAY	JULY	SEPT	OCT
Re-evaluation Begins								
Data Collection								
Engineering & Environmental Analysis								
Public Meetings/ Hearing								
Study Complete								



**April Williams, P.E.**

FDOT Project Manager

1074 Highway 90

Chipley, FL 32428

[April.Williams@dot.state.fl.us](mailto:April.Williams@dot.state.fl.us)

888.638.0250, Ext. 1625

**Tracy Boutwell, P.E.**

Consultant Project Manager

American Consulting Engineers of  
Florida, LLC

4489 Woodbine Road

Pace Florida 32571-8726

[Tboutwell@acp-fl.com](mailto:Tboutwell@acp-fl.com)

850.289.1004

**Committee of the Whole**

**7.**

**Meeting Date:** 02/13/2014

**Issue:** Project Stallion

**From:** Larry Newsom, Interim County Administrator

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**Information**

**Recommendation:**

Project Stallion

(Larry Newsom - 30 min)

A. Board Discussion

B. Board Direction

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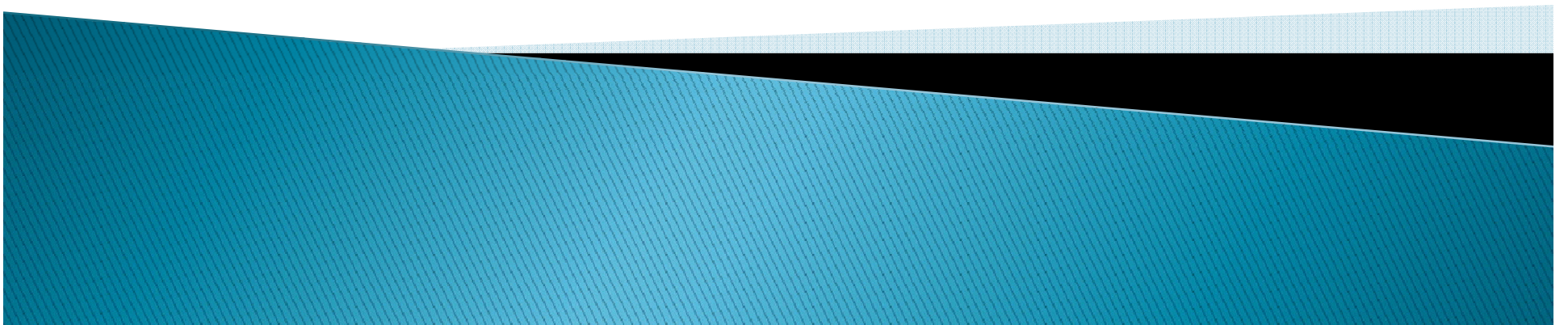
**Attachments**

Project Stallion Presentation

Dec. 5, 2014, Report of the Committee of the Workshop Concerning Project Stallion

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# Project Stallion



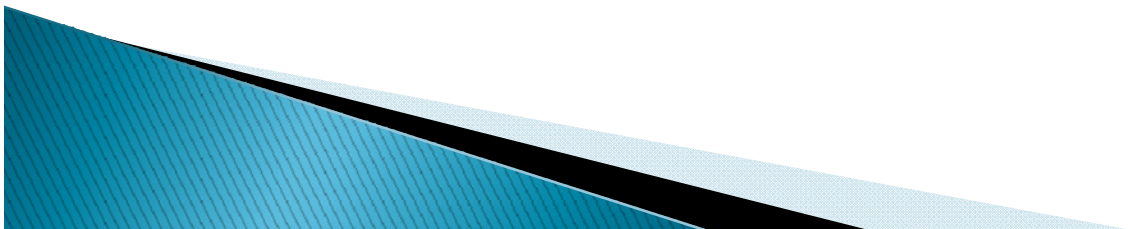
# County Contribution

- ▶ Under the current proposal for funding Project Stallion presented to the County, the following agencies/entities have been identified as committing a total of between \$27.1 million and \$29.3 million:
  - Florida Department of Transportation = \$11.6 million
  - Industry Recruitment Retention & Expansion Fund grant program (IRREF) = \$7 million
  - Pensacola International Airport (Federal Airport Improvement Program grants)= \$3.5 million
  - ST Aerospace = \$5 million – \$7.2 million
- ▶ The current remaining local financing gap for Project Stallion is \$8 million for Phase I. The City is requesting the County to fully fund the final gap financing.
- ▶ The County currently has approximately \$8.8 million in the L.O.S.T. reserves.
- ▶ No other funds other than L.O.S.T. are available without making funding reductions in other areas.
- ▶ **Questions for the Board:**
  - Does the County wish to participate at this level?
  - Is the Board willing to commit County L.O.S.T. reserves?



# Repayment from the City

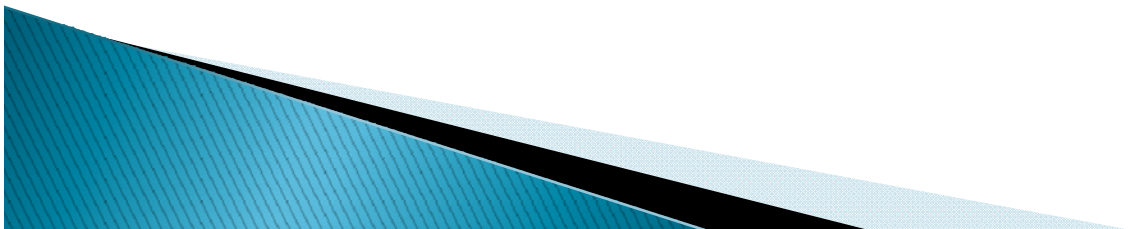
- ▶ Under the current proposal, the County would fully fund the \$8 million local funding gap.
  - 25% of the funds will be dispersed to the City when both the lease and the interlocal agreement have been completed.
  - The remaining funds will be available in three additional draws, pending proof of expenditure of previous funds.
  - No funds will be disbursed prior to a fully executed and approved interlocal agreement between the County and City.
  
- ▶ The City is proposing they would repay the County a total of \$3.2 million by December 31, 2019 pursuant to a mutually acceptable interlocal agreement.
  - The City will pledge certain available revenue sources such as the Communications Services Tax, the Electric Franchise Fee and ESP revenues.
  
- ▶ **Questions for the Board:**
  - Are these terms acceptable?
  - Is this timeline acceptable?
  - Does the Board want to direct the County Attorney to negotiate a draft interlocal agreement with the City?





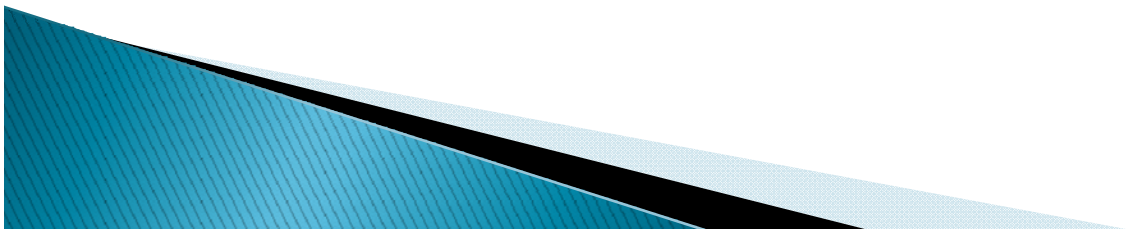
# Investment Guarantees

- ▶ The company is expected to enter into an agreement with Enterprise Florida and Industry Recruitment Retention & Expansion Fund (IRREF) grant program that should provide certain performance benchmarks and job guarantees.
  - 300 positions will be created by Project Stallion within 3 years.
  - The 300 positions must be maintained for 36 months.
  - The average salary for the positions created will be at least \$41,000/annually.
  
- ▶ The company will also enter into a lease agreement with the City of Pensacola for the requisite space which will potentially contain certain performance benchmarks and job guarantees including provisions for a payback from the company for each job below the required 300 each year through the term of the agreement.



# Investment Guarantees *continued*

- ▶ The County will be funding a total of \$8,000,000. Of that \$3,200,000 will be repaid by the City. The County will invest the remaining \$4,800,000 pursuant to certain guarantees:
  - The County funding will be used to build a hanger and related infrastructure at Pensacola International Airport.
  - After 36 months from the date of the approval of the Interlocal Agreement , the City will promise to repay the County \$4,608 per job per year for 7 years for each job below the required 300.
    - This promised repayment from the City will be backed with a pledge from certain available revenue sources such as the Communications Services Tax, the Electric Franchise Fee and ESP revenues.
- ▶ **Questions for the Board:**
  - Does the Board wish to impose different performance measures, benchmarks or other investment guarantees from the City to protect the County's investment?



# Timeline

- ▶ February 13: Board to discuss a gap financing
- ▶ February 18: County to vote on allowing staff to move forward on interlocal negotiations
- ▶ February 18 – February 26: Finalize formal interlocal agreement and update elected officials.
- ▶ March 6 – Interlocal agreement presented to the board of County Commissioners for final vote



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 Two Consent Agenda Items – Continued

2. Continued...

- C. Accepting, for filing with the Board's Minutes, the Report of the Committee of the Whole Workshop (C/W) held November 19, 2013, as follows:

AGENDA NUMBER

1. Call To Order

Chairman Valentino called the Committee of the Whole (C/W) to order at 9:07 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 November 16, 2013, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule November 18-November 22, 2013, Legal No. 1613148.*

3. Reprioritization of LOST Projects

- A. Board Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled *Reprioritization of Local Option Sales Tax Projects*, presented by Amy Lovoy, Director, Management and Budget Services Department, and the C/W:

(1) Was advised by Ms. Lovoy that:

(a) The following new projects are in need of funding:

- 1) Project Stallion – \$10,000,000
- 2) Santa Rosa County Land Purchase (NOLF-X) –\$2,000,000
- 3) Pensacola Bay Center – Between \$0 and \$5,237,041

(Continued on Page 9)

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 Two Consent Agenda Items – Continued
2. Continued...
- C. Report of the November 19, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

3. Continued...

A. Continued...

- (1) Continued...

- (b) Staff suggests the following funding sources:

- 1) LOST (*Local Option Sales Tax*) Reserves – \$4,457,921
- 2) Discretionary District IV Pool – \$880,000
- 3) Crescent Lake Drainage – \$4,000,000
- 4) Maintenance Shop/Main Jail – \$125,000
- 5) Pinestead/Longleaf – \$4,424,120
- 6) Myrtle Grove Jackson – \$1,350,000
- 7) Rebel Road – \$2,000,000

- (c) Board direction is needed concerning the following three funding options for the Pensacola Bay Center:

- 1) Option One – \$5,237,041
- 2) Option Two – \$3,526,754
- 3) Option Three – \$1,076,749

(Continued on Page 10)

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 Two Consent Agenda Items – Continued

2. Continued...

C. Report of the November 19, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

3. Continued...

A. Continued...

- (2) Heard comments from Commissioner Robertson, who expressed his concerns with the proposed funding sources in that the majority of the projects are in District 1, which, in his opinion, will make it difficult to "sell the public" on an additional 10-15 years of LOST;
- (3) Heard comments from Commissioner Robertson and Commissioner Barry, who indicated that they would not support fronting \$10 million for Project Stallion unless an equitable return from the City of Pensacola is promised to the County;
- (4) Heard comments from Commissioner Robinson, who expressed his support for Project Stallion as an economic development venture that would benefit the citizens County-wide, and heard his request for a breakdown of LOST dollars spent over the past ten years, before the Board's next meeting;

(Continued on Page 11)



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 Two Consent Agenda Items – Continued

2. Continued...

C. Report of the November 19, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

3. Continued...

A. Continued...

(5) Discussed the Santa Rosa County land purchase (*NOLF-X*) and:

(a) Was advised by Deputy County Attorney Peppler that the following three items are major issues of concern regarding the existing contract between RMS (*RMS Timberlands, LLC*), and Mr. Cronley (*James Cronley*):

- 1) Mr. Cronley's contract provides for 120 days to perform due diligence, and, since his contract was not terminated within the 120 days, if the County were to accept assignment of that contract, it would have to take the land and title as is;
- 2) RMS sold surface and mineral rights to Blackstone, Exxon, and 30 other entities, and the contract between Mr. Cronley and RMS allows those surface rights to continue; therefore, if the County were to take assignment of the contract, it would have to allow Exxon, Blackstone, and these 30 other entities to drill and come onto the property, which would be inconsistent with developing this property and turning it over to the Navy; and

(Continued on Page 12)

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 Two Consent Agenda Items – Continued

2. Continued...

C. Report of the November 19, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

3. Continued...

A. Continued...

(5) Continued...

(a) Continued...

3) There wasn't enough time to complete Phase I of the property assessment; therefore, the assessment is inconclusive, which means the County is unaware of the property's history (i.e., whether or not the property has been polluted);

(b) Upon inquiry from Commissioner Robinson, was advised by Mr. Peppler that without a release from the entities holding surface rights on the property, the Navy is unlikely to accept this project; therefore, Board direction is needed with regard to negotiating a new contract with RMS, which would provide for a release of those surface rights;

(c) Was advised by Interim County Administrator Touart that Mr. Cronley has indicated that he is in the process of obtaining release letters from Blackstone and Exxon; furthermore, there are several heirs to a 40-acre section of the property, that, in his opinion, does not have to be included in this purchase;

(Continued on Page 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 Two Consent Agenda Items – Continued

2. Continued...

C. Report of the November 19, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

3. Continued...

A. Continued...

(5) Continued...

(d) Was advised by Scott Luth, Greater Pensacola Chamber, that the land purchase contract is for the entire 601 acres, which includes the 40 acres in question, and he would not recommend that the Board abandon that acreage at this time; furthermore, a final report will be provided to the Board at the December 5, 2013, BCC Meeting, which will address all issues/concerns that have been brought forth throughout this process; and

(e) Agreed to direct staff to move forward with obtaining a release of surface rights and attempt to close on the purchase of the main acreage (560 acres) by the end of December;

(6) Discussed the Pensacola Bay Center and:

(a) Heard comments from Commissioner Robertson and Commissioner Valentino, who expressed their support for Option One;

(b) Heard comments from Commissioner Barry, who expressed his opposition to expending 100% of LOST reserves to renovate the Bay Center and his support for Option Three (Life Safety); and

(Continued on Page 14)

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 Two Consent Agenda Items – Continued

2. Continued...

C. Report of the November 19, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

3. Continued...

A. Continued...

(6) Continued...

(c) Heard comments from Commissioner May, who expressed his support for bringing the Bay Center up to standards and suggested that a feasibility study be conducted before the Board expends \$5 million on the facility;

(7) Heard the request from Commissioner May that staff provide a prioritized list of all LOST projects;

(8) Heard comments from Commissioner Robertson, who finalized his Board direction by stating he supported (a) Project Stallion, provided that the City participates with matching funds; (b) the Santa Rosa County land purchase; and (c) \$4 million to \$5.2 million for the Pensacola Bay Center (*Option One*);

(9) Heard comments from Commissioner Barry, who finalized his Board direction by stating he supports (a) Project Stallion, provided that there is an equitable return to the County; (b) moving forward with the process concerning the Santa Rosa County land purchase; and (c) Option Three, which is an expenditure of \$1 million, for the Pensacola Bay Center;

(Continued on Page 15)

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 Two Consent Agenda Items – Continued

2. Continued...

C. Report of the November 19, 2013, C/W Workshop – Continued

AGENDA NUMBER – Continued

3. Continued...

A. Continued...

(10) Heard comments from Commissioner Robinson, who finalized his Board direction by stating he supports (a) NOLF-X; (b) Project Stallion; and (c) Option One for the Pensacola Bay Center;

(11) Heard comments from Commissioner May, who finalized his Board direction by stating that he (a) is against completely depleting *(the LOST)* Reserves; (b) supports all three projects *(Project Stallion, the Santa Rosa County land purchase, and the Pensacola Bay Center)*, as long as there is a strategic plan to replace funding and there is no adverse effect for any other projects; and (c) supports moving forward with the Bay Center, and believes it to be prudent and fiscally wise to look at a master plan for the facility before allocating dollars; therefore, he will wait for staff to come back with their professional expertise and recommendation; and

(12) Heard comments from Commissioner Valentino, who finalized his Board direction by stating he supports the Santa Rosa County land purchase and Project Stallion, provided that there is an equitable return to the County; and

B. Board Direction – None.

(Continued on Page 16)

**Committee of the Whole**

**8.**

**Meeting Date:** 02/13/2014

**Issue:** West Florida Public Library Board of Governance Bylaws

**From:** Darlene Howell, Library Administrator

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**Information**

**Recommendation:**

Recommendation Concerning the West Florida Public Library Board of Governance Bylaws - Darlene Howell, Library Administrator

That the Board approve the Bylaws established by the West Florida Public Library Board of Governance (BOG).

Resolution Number R2013-17, established the West Florida Public Library Board of Governance on January 22, 2013. Section 17., Bylaws., states that the "Board of Governance shall adopt appropriate bylaws consistent with the provisions of the Agreement". On November 20, 2013, the BOG approved the proposed bylaws for adoption. The bylaws were reviewed and approved by the County's Legal Office on December 3, 2013.

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**Attachments**

WFPL BOG Bylaws

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**West Florida Public Library**  
**Board of Governance Bylaws**

**Article I.**

**Identification**

The West Florida Public Library Board of Governance as ordered in Resolution Number R2013-17 of the Escambia County Board of County Commissioners Section 17 shall adopt bylaws.

The name of this Board is the "West Florida Public Library Board of Governance" and will be herein after referred to as "BOG".

The Escambia County Board of County Commissioners will be herein after referred to as "BCC".

The West Florida Public Libraries will be herein after referred to as "WFPL". The Libraries as of October 1, 2013 include:

1. Main Library. 239 North Spring Street. Pensacola, FL 32502
2. Tryon Branch Library. 1200 Langley Avenue. Pensacola, FL 32504
3. Southwest Branch Library. 12248 Gulf Beach Highway. Pensacola, FL 32507
4. Westside Branch Library. 1580 W. Cervantes Street. Pensacola, FL 32501
5. Century Branch Library. 7991 N. Century Boulevard. Century, FL 32535
6. Molino Branch Library. 6450-A Highway 95A. Molino, FL 32577
7. Genealogy Branch Library. 5740 N. 9th Avenue. Pensacola, FL 32504

Interlocal Agreement Between Escambia County and the City of Pensacola Relating to the West Florida Public Library System will be herein after referred to as "Interlocal".

Resolution Number R2013-17 of the Escambia County Board of County Commissioners will be herein after referred to as "Resolution".

**Article II.**

**Purpose**

The BOG shall establish policy and oversee the management of the WFPL and make recommendations to the BCC regarding the annual budget according to the purposes and authority set forth in the Resolution, the Interlocal, and such other agreements, and State and Federal laws.

The mission of the BOG is to advise and assist the WFPL, with its programs, activities, and operational issues as defined in the strategic plan, and annual plan(s). The BOG will enhance the library's ability to conduct its mission and support staffing levels needed for operation of the library.

## **Article III**

### **Membership**

#### **Section 1. Composition**

1.1 The Board of Governance shall be composed of five (5) voting members. All members of the Board of Governance shall be electors of Escambia County. The Board of County Commissioners shall appoint three (3) members, the Pensacola City Council shall appoint one (1) member, and the Mayor of Pensacola shall appoint one (1) member to the Board of Governance.

When establishing the Board of Governance, two (2) of the three (3) members appointed by the Board of County Commissioners and one (1) member appointed by the Mayor of Pensacola shall serve an initial term of three (3) years. The remaining two (2) members, one (1) appointed by the Board of County Commissioners and one (1) appointed by the Pensacola City Council, shall serve an initial term of two (2) years. Thereafter, all members shall be appointed for two (2) year terms. Where a vacancy occurs, the appointment shall be for the unexpired part of the current term. A member may be reappointed to succeed himself for not more than one (1) term, but may be again appointed for membership after the lapse of two (2) years.

#### **1.2 Initial appointees to the BOG:**

- (1) BCC: Rod Kendig, March 1, 2013- February 29, 2016
- (2) BCC: Dr. Rodney Guttman, March 1, 2013- February 28, 2015
- (3) BCC: Frances Yeo, March 1, 2013- February 29, 2016
- (4) Pensacola City Council: Dianne Robinson, March 1, 2013- February 28, 2015
- (5) Mayor of Pensacola: Dr. Rebecca Temple, March 1, 2013- February 29, 2016

#### **Section 2. Votes**

Voting members include all members of BOG who have been duly appointed as per the Resolution.

#### **Section 3. Actions**

All actions of the BOG shall be of the BOG as a unit. The Chairman or designee shall serve as the BOG spokesperson on all media matters. No BOG member shall act on behalf of the BOG, on any matter, without prior approval of the BOG. No BOG member by virtue of his/her office, shall exercise any administrative responsibility with respect to the library nor, as an individual, command the services of any library employee.

#### **Section 4. Compensation**

Members of the BOG shall serve without compensation.

#### **Section 5. Appointments**

5.1 Electors of Escambia County interested in serving on the BOG shall submit application(s) to the Board of County Commissioners, Pensacola City Council, and/or the Mayor of Pensacola.

5.2 Members of the BOG shall not serve as a paid employee of the WFPL.

5.3 The spouse, partner, child, parent, or sibling of any member of the BOG shall not serve as a paid employee of the WFPL.

5.4 Family members other than spouse, partner, child, parent, or sibling of any member of the BOG interested in a position with the Library, shall apply through standard channels.

## Section 6. Vacancies

6.1 Any member may resign at any time by giving written notice to the Library Director/Library Administrator. Such resignation shall be effective when the notice is delivered unless the notice specifies a future date; and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. Upon receipt of such resignation the Library Director/Library Administrator or designee will notify the County Administrator, the appointing authority (the Board of County Commissioners, Pensacola City Council, and/or the Mayor of Pensacola) and the members of the BOG.

6.2 An appointee by a majority vote of the entire membership of the BOG, may be removed from appointment at any regular or special meeting.

## **Article IV.**

### **Officers**

Section 1. The officers of the BOG shall be a Chairman and Vice-Chairman

The Chairman shall preside at meetings, appoint working groups for purposes and durations as deemed appropriate, enforce the observance of these rules, sign official documents including contracts, and grant applications, consult with the Library Director/Library Administrator regarding the agenda, and perform such other duties as pertain to the office of the Chairman which are necessary to carry out the wishes of the BOG and needs of the WFPL. As needed, the Chairman is responsible for appointing liaisons and representatives to other entities.

The Vice-Chairman shall perform the duties of the Chairman in the absence of the latter.

Section 2. Electing Officers

2.1 Nominations for Chairman and Vice-Chairman shall be submitted from the floor at the annual meeting in January.

2.2 Members of the BOG, by majority vote, shall elect by ballot from the nominees a Chairman and Vice-Chairman who shall take office after the conclusion of the annual meeting.

Section 3. Term of Office

3.1 Officers shall serve a term of one year, and be subject to election annually.

3.2 There is no limit on the number of terms to which an individual can be elected to office.

3.3 No member will hold more than one elected position on the BOG at a time. Election or appointment to a second position creates an immediate vacancy in the first.

#### Section 4. Vacancies of Officers

4.1 Any officer duly elected may be removed from office by majority vote of the BOG members present, whenever in its judgment the best interests of the WFPL would be served thereby.

4.2 If an Officer of the BOG is unable to or does not fulfill the responsibilities of his/her office as defined or is unable to serve his/her full term of office, that office may be declared vacant by majority vote of the BOG members present.

4.3 Any officer may resign at any time by giving written notice to the Library Director/Library Administrator. Such resignation shall be effective when the notice is delivered unless the notice specifies a future date; and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective. Upon receipt of such resignation the Library Director/Library Administrator or designee will notify the members of the BOG.

4.4 Nominations for vacancies in office of the Chairman or Vice-Chairman shall be submitted from the floor at the next regular meeting after the vacancy occurs.

4.5 Members of the BOG, by majority vote, shall elect by ballot from the nominees an officer to fill a vacancy for the unexpired terms of his/her predecessor in office to begin immediately.

### **Article V.**

#### **Meetings**

Section 1. The BOG shall meet monthly. The BOG shall set the meeting days in advance for the year in December of the preceding calendar year. A draft schedule of each year's regular meetings shall be distributed to all members of the BOG at the regular December meeting. An approved schedule shall be distributed to all members of the BOG prior to the annual meeting in January.

Section 2. At the annual meeting in January of each year, the BOG shall elect its officers, transfer leadership, and transact any business as may come before it.

Section 3. Special meetings may be called by the Chairman, or upon written request of three (3) members, for the transaction of business as stated in the call. Except in cases of emergency, at least 48 hours' notice shall be given.

Section 4. A quorum for the transaction of business shall consist of three (3) board members, regardless of any current vacancies on the BOG, except in cases of emergency. If quorum is lost during a meeting due to an emergency, the consideration shall be made for removal of motions, lay on the table, etc. and the Chairman, at his/her discretion will entertain a motion to adjourn. Otherwise the meeting can continue with no actions taken.

Section 5. The agenda for all regular meetings shall include, but not be limited to, the following:

- Call to order
- Invocation
- Pledge of Allegiance
- Approval of Agenda
- Approval of Minutes
- Chairman's Report
- Library Director/Library Administrator's Report
- Working Group(s) Reports
- Unfinished Business
- New Business
- Public Forum
- Open Board Discussion
- Future Meeting Schedule and Location
- Adjournment

The Chairman may vary the order of business.

#### Section 6. Conference Call or Online Meeting Attendance

6.1 Under limited circumstances, members of the BOG unable to be physically present at a meeting may participate in the meeting via communication devices. Members attending via communication devices shall be considered present and counted towards the quorum.

6.2 Communication devices include, without limitation, audio and/or video equipment which allows all members of the BOG and other participants to interact on all motions, discussions, and votes. The limited circumstances which allow a member to participate via communication devices are personal illness or disability, employment purposes, family emergency or other emergency.

6.3 A member of the BOG wishing to attend via communication devices must give advanced notice to the Library Director/Library Administrator of the desire to attend via communication devices (unless notice is impractical). The circumstances supporting use of communication devices shall be announced at the start of the meeting and the circumstances shall be noted in the minutes of the meeting. A majority vote of the members present must vote in favor of a member attending via communication devices.

6.4 Technical difficulties may require/result in recess, adjournment, reschedule, or absence of the member from the meeting at no fault to the member. Business may continue, provided a quorum is still present.

Section 7. All meetings of the BOG shall be held in compliance with the Sunshine Laws of Florida and the Florida Public Records Act Chapters 119 and 286 of Florida statutes.



Section 8. All parliamentary procedures not specified herein shall be in accord with Robert's Rules of Order, latest revised edition.

## **Article VI.**

### **Working Groups / Committees /Task Forces**

Section 1. The Chairman may appoint working groups for the study of specific interests for the purposes and durations as deemed appropriate.

Examples may include but are not limited to:

- Advocacy
- Development /Fund Raising
- Long Range Planning
- Policies, Procedures and Bylaws

Section 2. Working group(s) shall only have information seeking or fact-finding powers unless otherwise specified powers are approved by the BOG.

Section 3. Progress reports shall be made at each of the regular meetings until completion of the task or dissolution of the working group. All progress reports shall be submitted in writing upon request.

Section 4. Working groups may consult with the Library Director/Library Administrator or designee as a staff liaison, public representatives, as well as outside experts deemed appropriate for the groups' purpose.

Section 5. Working group(s) may be dissolved with the approval of the BOG.

## **Article VII.**

### **Duties of the Members of the Library Board of Governance**

Section 1. The BOG shall establish policy and oversee the management of the WFPL and make recommendations to the BCC regarding the annual budget according to the purposes and authority set forth in the Resolution, the Interlocal, and such other agreements, and State and Federal laws.

Section 2. The BOG is accountable for the administration and operation of the WFPL.

Section 3. The BOG shall submit an annual budget in accordance with the budget calendar to the BCC.

Section 4. The BOG shall comply with spending limitations established by the annual budget according to County policy, including any amendment(s) thereto, as authorized by the BCC.

Section 5. The BOG shall conduct an annual evaluation of the Library Director/Library Administrator and forward said evaluation to the County Administrator or designee.

Section 6. The BOG shall recommend a Library Director/Library Administrator to the County Administrator or designee.

Section 7. The BOG shall adopt a position description for the Library Director/Library Administrator.

Section 8. WFPL Facilities. Any discontinuance in the operation and funding of the library system's facilities or consolidation of library system facilities must be approved by the BOG.

Section 9. The BOG will review bylaws and policies annually.

Section 10.1 The Chairman may make application, certify eligibility, and execute agreements for receipt of grant funds, gifts, donations, trust funds, and other revenue sources. The BCC shall have the authority to receive and disburse funds in accordance with the agreements and guidelines so established with such funds.

10.2 The application for annual state aid from the Division of Library Services will automatically be executed by the Chairman each year. Other funding sources greater than \$50,000 shall require approval of the BOG.

Section 11. The BOG has the authority to negotiate Memorandum of Understanding's (MOU) to be executed by the Chairman.

## **Article VIII.**

### **Library Director/Library Administrator**

Section 1. The WFPL BOG shall recommend to the County Administrator or designee a Library Director/Library Administrator to serve as the single administrative head of the library. The Library Director/Library Administrator shall have completed a library education program accredited by the American Library Association and shall have had at least two years of full-time paid professional experience, after completing the library education program, in a public library that is open to the public for a minimum of 40 hours per week. The selection shall be made upon the basis of the candidate's training and proficiency in the science of library operations.

Section 2. The Library Director/Library Administrator is an employee of Escambia County, and reports directly or indirectly to the County Administrator.

Section 3. The Library Director/Library Administrator oversees day to day operations of the WFPL, and is responsible for the administration, supervision, management, and coordination of all branch libraries and personnel.

Section 4. The Library Director/Library Administrator shall develop and implement a long range plan, an annual plan of service, and an annual budget. The Library Director/Library Administrator shall submit these plans for approval by the BOG.

Section 5. The Library Director/Library Administrator or designee shall identify issues and alternatives that may relate to the policies, advocacy, goals, or programs, and bring such matters before the BOG.

Section 6. The Library Director/Library Administrator or designee shall render and submit to the BOG reports and recommendations of such policies and procedures, which, in the opinion of the Director, will improve efficiency of the library's service to the public; and for the operation of the library under the financial conditions contained in the annual budget.

Section 7. Under the direction of the County Administrator, the Library Director/Library Administrator shall carry out policy established by the BOG. The Library Director/Library Administrator shall write and enforce administrative regulations or procedures governing the WFPL which logically stem from adopted and approved policies.

Section 8. The Library Director/Library Administrator or designee shall serve as staff liaison for the BOG.

Section 9. The Library Director/Library Administrator or designee shall attend all BOG meetings.

Section 10. Library Director/Library Administrator or designee shall, after consultation with the Chairman prepare an agenda for all meetings.

Section 11. The Library Director/Library Administrator or designee shall arrange for preservation of the BOG meetings, and shall review and submit for approval the draft minutes for each BOG meeting.

Section 12. If any member is absent without reasonable excuse from two (2) meeting during the calendar year for any cause other than illness, the Library Director/Library Administrator or designee shall inform the appointing authority that the BOG member is not serving the best interests of the WFPL and should be replaced by someone who will take an active part in the work. Absences may be excused by a majority vote of the members present at any meeting.

Section 13. The Library Director/Library Administrator or designee shall serve as staff liaison / BOG liaison for the Friends groups.

## **Article IX.**

### **Conflicts of Interest**

Section 1. BOG members, in the capacity of trust imposed upon them, shall observe ethical standards with absolute truth, integrity and honor.

Section 2. BOG members shall promote a high level of service while observing ethical standards.

Section 3. BOG members shall avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, colleagues or the institution.

Section 4. BOG members will not use the library for personal advantage or the personal advantage of friends or relatives.

Section 5. BOG members will declare any conflict of interest between their personal life and their position on the BOG and avoid voting on issues that appear to be a conflict of interest. It is incumbent upon any BOG member to disqualify or recuse himself/herself from voting immediately whenever the appearance of a conflict of interest exists.

## **Article X.**

### **Amendment of By Laws and Approval**

Section 1. These bylaws may be amended at any regular meeting by a majority vote, provided that the amendment shall have been submitted in writing at least thirty (30) days prior to the date of any such meeting, or at the previous regular meeting.

Section 2. Amendments may be proposed by any member of the BOG.

Section 3. The approved amendments shall be delivered to the County Administrator or designee via the Library Director/Library Administrator within 30 days of adoption by the BOG.

Section 4. These bylaws and any subsequent changes take effect upon approval by a majority vote of the BOG.

Section 5. These bylaws shall not be in conflict with the governing documents, the resolution and the Interlocal agreement.

Approved for review by

the West Florida Public Library

Board of Governance on the 20th day of November 2013.

**Committee of the Whole**

**9.**

**Meeting Date:** 02/13/2014

**Issue:** West Florida Public Library Board of Governance

**From:** Darlene Howell, Library Administrator

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**Information**

**Recommendation:**

Process to Name a Replacement to the West Florida Public Library Board of Governance to Complete the Remaining Term of Rodney Kendig

(Darlene Howell - 20 min)

A. Board Discussion

B. Board Direction

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**Attachments**

WFPL BOG Current Members

BCC Meeting Minutes - 3-21-2013

BCC Meeting Minutes - 2-21-2013

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# BOARD OF COUNTY COMMISSIONERS ESCAMBIA COUNTY, FLORIDA

Wilson B. Robertson  
District One

Gene M. Valentino  
District Two

Lumon May  
District Three

Grover C. Robinson, IV  
District Four

Steven Barry  
District Five

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## WEST FLORIDA PUBLIC LIBRARY BOARD OF GOVERNANCE

The West Florida Public Library Board of Governance (Board) was established by Escambia County Resolution R2013-17, adopted by the Board of County Commissioners (BCC) on January 22, 2013, to create a permanent Board to oversee the management of the West Florida Public Library System and make recommendations to the BCC regarding the annual budget and to serve a public purpose by assisting the County with developing and maintaining an effective and efficient library system.

The duties of the Board were established to oversee the management of the West Florida Public Library System and make recommendations to the BCC regarding the annual budget. Towards this end, the Board shall:

- A. Be accountable for the administration and operation of the West Florida Public Library System;
- B. Recommend to the County Administrator or designee a Library Director to develop and implement a long-range plan, an annual plan of service, and an annual budget, and oversee the day-to-day operation of the West Florida Public Library System. The Library Director shall be an employee of Escambia County and shall report directly or indirectly to the County Administrator. Upon the written request of the Board, the County Administrator or designee may remove and/or reassign the Library Director within 30 days. The Board shall conduct an annual evaluation of the Library Director and forward said evaluation to the County Administrator or designee;
- C. Submit an annual budget in accordance with the budget calendar to the BCC for the period commencing on October 1st and ending on September 30th of each Fiscal Year. The annual budget shall be subject to the approval of the BCC; and
- D. Comply with the spending limitations established by the annual budget according to the County policy, including any amendment(s) thereto, as authorized by the BCC.

The Board shall be composed of five voting members. All members of the Board shall be electors of Escambia County. The BCC shall appoint three members, the Pensacola City Council shall appoint one member to the Board, and the Mayor of Pensacola shall appoint one member to the Board. When establishing the Board, two of the three members appointed by the BCC and one member appointed by the Mayor of Pensacola shall serve an initial term of three years. The remaining two members, one appointed by the BCC and one appointed by the Pensacola City Council, shall serve an initial term of two years. Thereafter, all members shall be appointed for two-year terms. Where a vacancy occurs, the appointment shall be for the unexpired part of the current term. A member may be reappointed to succeed himself for not more than one term, but may be again appointed for membership after the lapse of two years. Should any member of the Board cease to be an elector of the County or cease to occupy the office or position of responsibility set for in his or her appointment, he or she shall cease to be a member of the Board and shall be replaced by the appointing authority. Additionally, the Board may recommend to the appointing authority the removal of a Board member who accrues two unexcused absences of the Board during the calendar year. Absences may be excused by a majority vote of the members present at any meeting.

Staff: Larry M. Newsom, Interim County Administrator

**WEST FLORIDA PUBLIC LIBRARY BOARD OF GOVERNANCE  
(Library Board of Governance)**

**Members**

**Term of Office**

<b>Frances Yeo</b> County's appointment with an initial 3-year term	<b>03/01/2013 – 02/29/2016</b>
<b>VACANT</b> County's appointment with an initial 3-year term	<b>02/29/2016</b>
<b>Rodney P. Guttman, Ph.D.</b> County's appointment with an initial 2-year term	<b>03/01/2013 – 02/28/2015</b>
<b>Dianne P. Robinson</b> Pensacola City Council's appointment with an initial 2-year term	<b>03/01/2013 – 02/28/2015</b>
<b>Rebecca A. Temple</b> Mayor of Pensacola's appointment with an initial 3-year term	<b>03/01/2013 – 02/29/2016</b>

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**

**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. Guttmann, 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. Guttmann, 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