Present: Commissioner Kevin W. White, Chairman, District 5  
Commissioner Wilson B. Robertson, Vice Chairman, District 1  
Commissioner Grover C. Robinson IV, District 4  
Commissioner Gene M. Valentino, District 2  
Commissioner Marie K. Young, District 3  
Mr. Charles R. "Randy" Oliver, County Administrator  
Mrs. Alison Rogers, County Attorney  
Mrs. Patricia L. Sheldon, Clerk and Comptroller's Administrator of Financial Services  
Mrs. Shirley L. Gafford, Program Coordinator, County Administrator's Office  
Mrs. Doris Harris, Deputy Clerk to the Board

PUBLIC FORUM WORK SESSION

Chairman White called the Public Forum Work Session to order at 4:33 p.m.

1. FOR INFORMATION: The Board heard comments from Abbie Rolph and Libby Johnson, and was advised by Ms. Rolph that the Commissioners are invited to “Lunch and Learn,” which will be hosted by the Escarosa Young Farmers and Ranchers on June 15, 2011, from 11:00 a.m. to 1:00 p.m., at Energy Services of Pensacola.

2. FOR INFORMATION: The Board heard comments from Anthony and Beatrice James concerning a citation they received for erecting a privacy fence on a County-owned alleyway adjoining their property, located at 2385 North “U” Street, and was advised by Steve Littlejohn that he has provided direction to Mr. and Mrs. James relative to the procedure for filing a Petition to Vacate the alleyway.

3. FOR INFORMATION: The Board heard comments from George Hawthorne, Jerry McIntosh, and Willie Blackwell concerning the Tourist Development Council’s recommendation for allocating $4,384,830 in BP Grant funds that are to be appropriated for tourism activities (County Administrator’s Report Item III-2, to be considered by the Board during the Regular Board Meeting this date).
PUBLIC FORUM WORK SESSION – Continued

4. **FOR INFORMATION:** The Board heard comments from Barbara Mayall, who expressed her appreciation to the Board for scheduling a Joint City-County Meeting and for allowing schools to use the Pensacola Civic Center for Graduation Ceremonies, and heard her request that the Board hire a local company to manage Escambia County Area Transit.

5. **FOR INFORMATION:** The Board heard comments from L. Gary Sansing concerning Public Forum, the economy, the “dotcom bubble,” and Fee Simple Title for property on Pensacola Beach.

6. **FOR INFORMATION:** The Board heard comments from Sherri Myers, who expressed her appreciation to Commissioner Robinson, County Administrator Oliver, and Larry M. Newsom, Assistant County Administrator, for the improvements to Sanders Street and Burgess Road.

5:00 P.M. – PUBLIC FORUM ADJOURNED

5:31 P.M. – REGULAR BOARD MEETING CONVENED

REGULAR BCC AGENDA

1. **Call to Order**

   Chairman White called the Regular Meeting of the Board of County Commissioners to order at 5:31 p.m.

2. **Invocation**

   Chairman White advised that Horace Jones would deliver the Invocation.

3. **Pledge of Allegiance to the Flag**

   Chairman White advised that Commissioner Robertson would lead the Pledge of Allegiance to the Flag.
4. **Adoption of the Agenda**

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

5. **Commissioners’ Forum**

A. District 4 – Commissioner Robinson expressed appreciation to Becky Azelton, District 4 Commissioner’s Aide, Keith Wilkins, Director, Community & Environment Department, Marilyn Wesley, Director, Community Affairs Department, Kenneth Gordon, General Manager, Escambia County Area Transit, and Sonya Daniel, Public Information Manager *(for their assistance with Environmental Protection Agency Task Force meetings hosted by the County)*;

B. District 3 – Commissioner Young advised that Graduation Ceremonies will be held Monday and Tuesday *(June 6 and June 7, 2011)* at The Pensacola Civic Center and invited the Commissioners to attend these ceremonies and, further, advised that her granddaughter is one of this year’s Graduates; and

C. District 2 – Commissioner Valentino advised that some great economic development initiatives are underway and will be discussed further as they come to fruition.
Motion made by Commissioner Valentino, seconded by Commissioner Young, 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 5:45 p.m. Public Hearing, advertised in the Pensacola News Journal on May 18, 2011, for consideration of adopting an Ordinance amending the Official Zoning Map; and

B. The Board of County Commissioners – Escambia County, Florida, Meeting Schedule May 30-June 3, 2011 – Legal No. 1523982, as published in the Pensacola News Journal on May 28, 2011, as follows:

Next Week’s Note:

June 7 9:00 a.m. BID Inspections Fund Advisory Board Meeting
June 7 1:30 p.m. Environmental Enforcement Special Magistrate
June 7 3:00 p.m. Tourist Development Council Meeting
I. CONSENT AGENDA

1-4. Approval of Various Consent Agenda Items

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 4, as follows:

1. Accepting, for filing with the Board's Minutes, the following three reports prepared by the Clerk of the Circuit Court & Comptroller's Finance Department:

   A. Payroll Expenditure for Pay Date May 27, 2011, in the amount of $2,264,070.77; and

   B. The following two Disbursements of Funds:

      (1) May 12, 2011, to May 18, 2011, in the amount of $5,954,643.35; and

      (2) May 19, 2011, to May 25, 2011, in the amount of $1,867,182.88.

2. Approving to amend the Board's action taken on April 21, 2011, adopting the Resolution (R2011-66) approving Supplemental Budget Amendment Number 174, recognizing, and appropriating for use by the Sheriff's Office, $94,477 in reimbursements from BP, to change the Fund from Other Grants and Projects Fund (110) to General Fund (001), due to a scrivener's error.
I. CONSENT AGENDA – Continued

1-4. Approval of Various Consent Agenda Items – Continued

3. Accepting, for filing with the Board's Minutes, the following four documents provided to the Clerk to the Board's Office:

   A. The original State Financial Assistance Agreement, DEP Agreement No. LP8914, Escambia County Amendment No. 1, as executed by the Chairman on April 21, 2011, based on the Board's November 6, 2008, approval of DEP Agreement No. LP8914;

   B. The original Applicant/Recipient Disclosure/Update Report for the U.S. Department of Housing and Urban Development, as executed by the Chairman on May 12, 2011, based on the Board's January 7, 2010, adoption of the Resolution authorizing submission of the Community Development Block Grant Disaster Recovery Grant (2008 Storms) Application, in the maximum amount of $7,067,397, to the Department of Community Affairs;

   C. The recorded Escambia County Community Redevelopment Agency Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreement for DM Forest Creek, LLC, for property located at 34 Patton Drive, as approved by the Board on September 16, 2010, and recorded in Official Records Book 6721, Pages 1614 and 1615 (on May 18, 2011); and

   D. The original Modification #1 Contract Between Workforce Escarosa, Inc. and the Escambia County Board of County Commissioners Non-custodial Parent Placement Program (NCPPP) WIA-2010-2011, as executed by the Chairman on March 17, 2011, based on the Board's December 9, 2010, approval of the NCPPP Contract.
I. CONSENT AGENDA – Continued

1-4. Approval of Various Consent Agenda Items – Continued

4. Taking the following action concerning Minutes and Reports prepared by the Clerk to the Board's Office:

A. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held May 19, 2011;

B. Approving the Minutes of the Regular Board Meeting held May 19, 2011; and

C. Accepting, for filing with the Board's Minutes, the Report of the Committee of the Whole Workshop held May 12, 2011, as follows:

AGENDA NUMBER

1. Call To Order

Chairman White called the Committee of the Whole (C/W) to order at 9:04 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 May 7, 2011, in the Board of County Commissioners – Escambia County, Florida, Meeting Schedule May 9-May 13, 2011, Legal No. 1521374.

(Continued on Page 8)
PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

1-4. Approval of Various Consent Agenda Items – Continued

4. Continued…

C. Report of the May 12, 2011, C/W Workshop – Continued

AGENDA NUMBER – Continued

3. Air Installations Compatible Use Zones Study Briefing – NAS Pensacola

A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *Public Release – 2010 AICUZ Study, Air Installations Compatible Use Zones (AICUZ) Study, NAS Pensacola and NOLF Saufley, Pensacola, FL, May 2011*, presented by Fred E. Pierson, Program Manager, NAVFAC Atlantic (*the Air Installations Compatible Use Zones Study for NAS Pensacola and NOLF Saufley 2010 was provided on a CD-ROM, which is on file in the Clerk’s Office as CD-190*); and

B. Board Direction – None.

Speaker(s):

Stephanie S. Oram
Capt. Christopher Plummer

4. Summary Report of the CAFR/Audit

A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, *The Citizen’s Report For Fiscal Year 2010*, presented by Patricia L. Sheldon, Clerk and Comptroller’s Administrator of Financial Services; and

B. Board Direction – None.

(Continued on Page 9)
CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

1-4. Approval of Various Consent Agenda Items – Continued

4. Continued…

C. Report of the May 12, 2011, C/W Workshop – Continued

AGENDA NUMBER – Continued

5. Sector Plan Update

A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, Escambia County Sector Plan, Conceptual Plan, presented by Barry Wilcox, VHB MillerSellen; and

B. Board Direction – None.

6. Rental Accountability/Slumlord Ordinance

A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, Discussion of Proposed Rental Accountability Ordinance, presented by County Administrator Oliver, and was advised by Commissioner White that the consensus of the Board is to direct staff to solicit input from the Planning Board, Association of Realtors, and Neighborhood Associations, including those in CRA (Community Redevelopment Agency) districts; and

B. Board Direction – None.

(Continued on Page 10)
C. Report of the May 12, 2011, C/W Workshop – Continued

AGENDA NUMBER – Continued

7. Establish Policy Relating to Canals

A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, Escambia County Canal Dredging Policy, presented by Robert Turpin, Community & Environment Department; and

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

   (1) Approve establishing a Municipal Services Benefit Unit (MSBU) for maintenance dredging of Siguenza canal navigation channel;

   (2) Approve establishing an MSBU for maintenance dredging, if desired by the property owners; alternatively, (the property) owners can maintain; and

   (3) Approve not to maintain or improve other canals; i.e., Lafitte Cove and Bayou Grande Villa, without impacted properties forming an MSBU to defray costs.

   Recommended 5-0

For Information: County Attorney Rogers disclosed that her husband operates his business from the Lafitte Cove marina and canal.

(Continued on Page 11)
CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

1-4. Approval of Various Consent Agenda Items – Continued

4. Continued…

C. Report of the May 12, 2011, C/W Workshop – Continued

AGENDA NUMBER – Continued

8. The Wayfinding Sign Program

A. Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled, Wayfinding Signs, presented by T. Lloyd Kerr, AICP, Director, Development Services Department; and

B. Board Direction – The C/W recommends that the Board authorize staff to proceed with a plan for an initial Wayfinding Signs pilot program (for Highway 29) and a subsequent Wayfinding Signs Policy.

Recommended 4-0, with Commissioner Robertson absent

9. State Lobbyist Contract/RFP

A. Discussion – The C/W heard the request from County Attorney Rogers for Board direction concerning obtaining the services of a State Lobbyist, since the contract with Richard Gentry (Gentry & Associates, LLC) will expire December 2011; and

B. Board Direction – The C/W recommends that the Board authorize staff to prepare a Request for Proposals (RFP) for State Lobbyist Services.

Recommended 5-0

(Continued on Page 12)
C. Report of the May 12, 2011, C/W Workshop – Continued

AGENDA NUMBER – Continued

10. Escambia County Noise Ordinance – Environmental Section, Page CD42:9, Section 42-67 Entitled "Regulations for Santa Rosa Island and Perdido Key"

   A. Discussion – The C/W discussed Escambia County Noise Ordinance, Environmental Section, Page CD42:9, Section 42-67, entitled, "Regulations for Santa Rosa Island and Perdido Key," and the C/W:

   (1) Heard the request from Commissioner Valentino that the Board consider the following modifications to Escambia County's Noise Ordinance, as it relates to Perdido Key:

   (a) Remove Perdido Key from Section 42-67, "Regulations for Santa Rosa Island and Perdido Key"; or

   (b) Modify the sound level at which a law enforcement officer is authorized to issue a citation, as follows:

   1) 80 dbA (sound level measurement) after 9:00 p.m. until 7:00 a.m. only; or

   2) A weighted average over 70 dbA, based on 10 readings during a 10-minute interval;

   (2) Was advised by Commissioner Robinson that he would prefer a "time certain" noise standard; and

   (Continued on Page 13)
I. CONSENT AGENDA – Continued

1-4. Approval of Various Consent Agenda Items – Continued

4. Continued…

C. Report of the May 12, 2011, C/W Workshop – Continued

AGENDA NUMBER – Continued

10. Continued…

A. Continued…

(3) Was advised by Chief Deputy Larry Aiken, Escambia County Sheriff's Office, that because of the way noise studies are currently performed, requiring Officers to perform a 10-minute noise study would be an unreasonable request; furthermore, it is the opinion of the Sheriff's Office that the County's Noise Ordinance is viable as written; and

B. Board Direction – None.

Speaker(s):

Lt. Frank Forte

ANNOUNCEMENTS

1. For Information: The C/W was advised by Commissioner Robinson that on June 1, 2011, the EPA (Environmental Protection Agency) will conduct its Florida meeting at the Saenger Theatre.

AGENDA NUMBER – Continued

11. Adjourn

Chairman White declared the C/W Workshop adjourned at 11:37 a.m.
GROWTH MANAGEMENT REPORT – T. Lloyd Kerr, Director, 
Development Services Department

I. PUBLIC HEARING

1. Rezoning Cases

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and
carried unanimously, taking the following action concerning Rezoning Case Z-2011-08
heard by the Planning Board (PB) on May 9, 2011:

A. Adopting the PB’s recommendation and denying C-1 and approving R-6; and

B. Authorizing the Chairman to sign the Order of the Escambia County Board of County
Commissioners for the Rezoning Case that was reviewed, as follows:

(1) Case Number: Z-2011-08
Location: 310 East Johnson Avenue
Property Reference Number: 12-1S-30-6106-004-001
Property Size: 0.38 (+/-) acre
From: R-5, Urban Residential/Limited Office District (cumulative), High Density (20 dwelling units per acre)
To: C-1, Retail Commercial District (cumulative) (25 dwelling units per acre)
FLU Category: MU-U, Mixed Use-Urban
Commissioner District: 5
Requested by: Robert Payne, Agent for G. M. (Glendon Marvin) and Louise Jernigan, Owners
PB Recommendation: Denial of C-1, Retail Commercial District (cumulative) (25 dwelling units per acre)
Approval of R-6, Neighborhood Commercial and Residential District (cumulative), High Density (25 dwelling units per acre)

Speaker(s) – None.

(Continued on Page 15)
I. PUBLIC HEARING – Continued

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning Rezoning Case Z-2011-09 heard by the Planning Board (PB) on May 9, 2011:

A. Adopting the PB’s recommendation and approving R-5; and

B. Authorizing the Chairman to sign the Order of the Escambia County Board of County Commissioners for the Rezoning Case that was reviewed, as follows:

(2) Case Number: Z-2011-09
Location: 3411 John Street
Property Reference Number: 16-2S-30-1001-330-004
Property Size: 0.31 (+/-) acre
From: R-4, Multiple-Family District (cumulative), Medium-High Density (18 dwelling units per acre)

To: R-5, Urban Residential/Limited Office District (cumulative), High Density (20 dwelling units per acre)

FLU Category: MU-U, Mixed Use-Urban
Commissioner District: 3
Requested by: Tanaya Rosa, Agent for Keith L. Davis, Owner
PB Recommendation: Approval

Speaker(s) – None.
GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARING – Continued

2. 5:45 p.m. Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, adopting an Ordinance (Number 2011-14) to amend the Official Zoning Map to include the Rezoning Cases (Z-2011-08 and Z-2011-09) heard by the Planning Board on May 9, 2011, and approved during the previous agenda item; and to provide for severability, inclusion in the Code, and an effective date, as amended to reflect R-6 for Rezoning Case Z-2011-08.

Speaker(s) – None.

II. ACTION ITEM

1. Comprehensive Plan Implementation Annual Report

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, approving, for filing with the Board's Minutes, the Escambia County Comprehensive Plan Implementation Annual Report Fiscal Year 2009/2010.

III. CONSENT AGENDA

1. Scheduling of a Public Hearing

Motion made by Commissioner Valentino, seconded by Commissioner Robertson, and carried unanimously, authorizing the scheduling of a Public Hearing on Thursday, July 7, 2011, at 5:45 p.m. – LDC Ordinance – Article 6, "Motorized Commercial Recreation."
I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-10. Approval of Various Consent Agenda Items

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, approving Consent Agenda Items 1 through 10, as follows, with the exception of Items 3, 4, and 6, which were held for separate votes:

1. Adopting the **Real Property Acquisitions and Property Vacations** Policy; under this Policy, real property acquisitions and property vacations requiring authorization from the Committee of the Whole (C/W) or Board of County Commissioners in order for staff to initiate the acquisition or vacation process, shall be coordinated through the Real Estate Division of Public Works; real property acquisitions not related to a road or drainage project will be presented to the C/W or at a Regular Board Meeting for authorization to initiate the acquisition process; Board approval will be required prior to the final acquisition of property; staff will maintain compliance pursuant to *(Chapter 46, Article II, Division 5)* Section 46.139, Escambia County Code of Ordinances.

2. Approving the **Request for Disposition of Property** Form, indicating one item, which is described and listed on the Request, with reason for disposition stated; this item is to be sold as described on the supporting documentation; the surplus property listed on the **Request for Disposition of Property** has been checked and declared surplus to be sold; the Request has been signed by all applicable authorities, including Division Manager, Department Director, and County Administrator.


5. Authorizing the scheduling of a Public Hearing for June 16, 2011, at 5:32 p.m., for consideration of the renewal of a Permit to Construct, Operate, Modify or Close a Construction and Demolition Debris or Land Clearing Disposal Management Facility, for Oak Grove Land Clearing Debris Pit, located at 745 County Road 99 North, Walnut Hill, Florida, owned by Escambia County (Funding: Fund 401, Solid Waste, Account Number 343402).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR’S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSEN T AGENDA – Continued

1-10. Approval of Various Consent Agenda Items – Continued

7. Adopting the following definitions: Canal, Canal lying within a recorded Plat, and Florida Sovereign Submerged Lands (Attachment 1); recommendation from the May 12, 2011, Committee of the Whole Workshop; adopting a Policy for the public canal, establishing a Municipal Services Benefit Unit (MSBU) to defray costs for maintenance dredging publicly dedicated canals (Siguenza Cove canal, and Bayou Grande Villa canal), if maintenance dredging is desired by the property owners; alternatively, (the property) owners can maintain without the use of an MSBU; this Policy does not apply to Lafitte Cove, which will be addressed by the BOCC (Board of County Commissioners) at a later date:

A. Canal: a manmade trench covered by water that serves as a waterway for transportation;

B. Canal lying within a recorded Plat: a trench that lies within the described boundary of a platted subdivision and is dedicated to the public and accepted by the Board of County Commissioners will be maintained through the MSBU process; or if stated to be private, will be maintained by the homeowners association or the land owners; and

C. Florida Sovereign Submerged Lands: tidal lands, sand bars, shallow banks, and lands waterward of the mean high water line, beneath navigable fresh water, or beneath tidally-influenced waters.

8. Approving the Report of Reassigned Excess Property Form, transferring the below-listed vehicles and light bars to the Sheriff’s Office, Cost Center 220902:

<table>
<thead>
<tr>
<th>Property Number</th>
<th>Vehicle Identification Number</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>047399</td>
<td>1GTCS1440X8515649</td>
<td>1999 GMC Sonoma</td>
</tr>
<tr>
<td>058851(-04489)</td>
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<td>2010 Chevrolet Impala</td>
</tr>
<tr>
<td>058851(-04486)</td>
<td></td>
<td>Light Bar</td>
</tr>
<tr>
<td>058852(-04488)</td>
<td>2G1WD5EMXA1249444</td>
<td>2010 Chevrolet Impala</td>
</tr>
<tr>
<td>058852(-04487)</td>
<td></td>
<td>Light Bar</td>
</tr>
</tbody>
</table>
9. Taking the following action concerning the County’s Group Medical Insurance (PD 08-09.042, Group Medical, Life, and Disability Insurance), to extend the Accounting & Retention Agreement through September 30, 2012 (Funding Source: Fund 501, Internal Service Fund, Cost Center 140609, Object Code 54501):

   A. Approving the Blue Cross Blue Shield of Florida, Inc., Health Options, Inc., Accounting & Retention Agreement; and

   B. Authorizing the County Administrator to sign the Agreement.

10. Approving the transfer of two Escambia County Area Transit 1996 Gillig buses, Asset Numbers 044041 and 044042, surplused by the Board on September 16, 2010, to Bay Town Trolley/Bay County Transportation Planning Organization.

3. Easement for Electric Service

   Motion made by Commissioner Valentino, seconded by Commissioner Young, and carried 4-0, with Commissioner Robertson abstaining (and filing Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers), taking the following action (concerning) granting Gulf Power an Easement, in order to supply electrical service to the future Wedgewood Community Center:

   A. Approving, for Gulf Power, an Easement for Electric Service, which will lie five feet on each side of the centerline of the electrical facilities, as installed and/or to be installed, as shown in Exhibit "A" on the property described in Exhibit "B" (attached to the Easement for Electric Service); and

   B. Authorizing the Chairman to execute the Easement for Electric Service document.

The Easement for Electric Service is recorded in OR Book 6728, at Page 932
I.  TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

4. Request for Disposition of Property

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, approving the (five) Request for Disposition of Property Forms for the Public Safety Department, for property which is no longer in service, has been damaged beyond repair, and/or is obsolete, and is to be auctioned as surplus or properly disposed of, all of which is described and listed on the Disposition Forms noting the reason for disposal, as amended to change Property Record Number 49423 to 52618.

6. Advertising Services Agreement

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, approving, and authorizing the County Administrator to sign, an Advertising Services Agreement between Escambia County Area Transit and Pensacola State College, providing advertising services on Escambia County Area Transit vehicles for (the) effective dates of January 1, 2011, through May 10, 2011.

For Information: The Board heard Commissioner Robinson disclose that he is a member of the Pensacola State College Foundation Board; however, because it is an unpaid position for a not-for-profit entity, he is not excluded from voting on this issue.

II. BUDGET/FINANCE CONSENT AGENDA

1-12. Approval of Various Consent Agenda Items

Motion made by Commissioner Valentino, seconded by Commissioner Robertson, and carried unanimously, approving Consent Agenda Items 1 through 12, as follows, with the exception of Items 2, 7, 10, and 11, which were held for separate votes:

1. Adopting the Resolution (R2011-84) approving Supplemental Budget Amendment #211, Transportation Trust Fund (175), in the amount of $32,830, to recognize insurance proceeds received for damage to a Road Department vehicle and to appropriate the funds back to the Fleet Maintenance Division.

2. See Page 24.
II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

3. Awarding a Lump Sum Contract, with allowances, to Vanasse Hangen Brustlin, Inc., d/b/a VHB Miller Sellen (VHB-MS Contract No. 81283.11), per PD 10-11.020, Navy Boulevard Gateway Design Guidelines & Corridor Management, for a lump sum of $225,000, and allowances of $25,000, for a total of $250,000 (Funding: Fund 151, Warrington TIF, Cost Center 220516, Object Code 53101).

4. Taking the following action concerning the Community Development Block Grant (CDBG)-funded Neighborhood Renewal Initiative Mini-Grant Agreement with Warrington Neighborhood Watch Corporation (WNW) (Funding: Fund 129 [Neighborhood Enterprise Foundation, Inc.]/2009 and 2010 CDBG, Cost Centers 220410 and 440435):

   A. Approving the Agreement and awarding a Neighborhood Renewal Initiative Grant, in the maximum amount of $500, for the Warrington Neighborhood Watch Awareness Project, sponsored by WNW, located in the Warrington Community Redevelopment Area; and

   B. Authorizing the Chairman or Vice Chairman to execute the Agreement and all related documents as required to implement the project.
II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

5. Approving, and authorizing the County Administrator to execute, the following Change Order Number 3, which will provide the additional Architectural and Engineering fees needed to complete the design effort for the inclusion of the library in the conversion project for the Molino School Building (Funding: Fund 351, Local Option Sales Tax II, Cost Center 110224, Object Code 56201, Project Number 09PF0035):

   Department:       Public Works
   Branch:        Facilities Management
   Type:        Addition
   Amount:        $22,675
   Vendor:        DAG Architects, Inc.
   Project Name:      Molino School Renovations
   Contract:        PD 08-09.106
   Purchase Order Number:   100846-2
   Original Award Amount:        $214,580
   Cumulative Amount of Change Orders through Number 3: $141,550
   New Purchase Order Amount:      $356,130

6. Approving to amend the Board’s action of September 16, 2010, approving the issuance of blanket and/or individual Purchase Orders for the Fiscal Year 2010-2011, based upon previously awarded Contracts, Contractual Agreements, or annual requirements for the Public Works Department/Transportation and Traffic Division and Engineering/Infrastructure Division, to include the following vendor, which was inadvertently omitted:

<table>
<thead>
<tr>
<th>Vendor</th>
<th>Vendor No.</th>
<th>Amount</th>
<th>Fund/Cost Centers</th>
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</thead>
<tbody>
<tr>
<td>Traffic Logix Corp.</td>
<td>202308</td>
<td>$250,000</td>
<td>Fund 351, &quot;(Local Option Sales Tax) LOST II,&quot; Account 210105</td>
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<tr>
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<td>Fund 352, &quot;LOST III,&quot; Account 210107</td>
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<td></td>
<td></td>
<td>Fund 181, &quot;Master Drainage Basins,&quot; Accounts 201719-210736</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>Fund 333, &quot;New Road Construction,&quot; Account 210204</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Fund 175, &quot;Transportation Trust Fund,&quot; Accounts 110303 and 270201</td>
</tr>
</tbody>
</table>

6/2/2011 Page 22 of 30 dch
1-12. Approval of Various Consent Agenda Items – Continued

7. See Page 25.

8. Authorizing the County to piggyback off of the Florida Sheriffs Association Contract #10-18-0907, in accordance with the Escambia County Code of Ordinances, Chapter 46, Finance, Article II, Purchases and Contracts, Division 2, Administration, Section 46-64, Board approval (Award approval and threshold authority), and awarding a Purchase Order to Hub City Ford, LLC, for four 2011 F-150 pickup trucks, Crew Cab, 4x4 wheel drive, for a total amount of $115,000, for the Escambia County Road Prison; these trucks are replacements to the inventory to support the Escambia County Road Prison (Funding Source: Fund 175 [Transportation Trust Fund], Cost Center 290202, Care and Custody, Object Code 56401).

9. Authorizing a maximum $80,000 total Change Order amount on Purchase Order 291405-10, with the current vendor, Cameron Cole, LLC, for the remainder of the Fiscal Year; this request is to prevent continued multiple Change Orders for additional environmental services, as required at the former Escambia County Mosquito Control facility located at 603 West Romana Street (Funding Source: Fund 129, Neighborhood Enterprise Foundation, Inc. [NEFI], 2009 and 2010 CDBG [Community Development Block Grant], Cost Centers 220435 and 220410, Object Code 53101).

10. See Page 25.

12. Approving, and authorizing the County Administrator to execute, the following Change Order Number 5, which will increase the Purchase Order amount to cover the costs of the additional Architectural and Engineering services resulting from the Settlement Agreement between Douglas E. and Sherry F. Wager and Escambia County (Funding: Fund 352, Local Option Sales Tax III, Cost Center 110267, Object Code 56201, Project Number 08PF0012):

- Department: Public Works
- Branch: Facilities Management
- Type: Addition
- Amount: $98,985
- Vendor: DAG Architects, Inc.
- Project Name: Perdido Key Fire Station and Community Center
- Contract: PD 07-08.109
- Purchase Order Number: 291073-4
- Original Award Amount: $378,509
- Cumulative Amount of Change Orders through Number 5: $112,810
- New Purchase Order Amount: $491,319

2. **Purchase of Elgin Eagle Sweeper**

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, authorizing the County to piggyback off the City of Tallahassee Contract #1619, in accordance with the Escambia County, Florida, Code of Ordinances, Chapter 46, Article II, (Division 1), Section 46-44, Application; exemptions, and (Division 2), Section 46-64, Board approval (Award approval and threshold authority), and awarding a Purchase Order to Sansom Equipment Company for one Elgin Eagle Sweeper with specified options, PD 10-11.050, in the total amount of $186,744, which includes $211,828, less a deductible for options not needed, per bid, and dealer discount of $5,084, and less the trade-in value of $20,000, for one 1999 Elgin Eagle Sweeper Property Number 47323 (Funding: Fund 175, Transportation Trust Fund, Cost Center 21405, Object Code 56401), as amended to change Cost Center 21405 to Cost Center 210405.
II. BUDGET/FINANCE CONSENT AGENDA – Continued

7. Rebate to NFCU

Motion made by Commissioner Valentino, seconded by Commissioner Young, 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 a rebate to Navy Federal Credit Union (NFCU), in the amount of $10,479.26, authorized by Ordinance 2007-56 and approved by the Board on September 16, 2010; NFCU has completed year two of the criteria established as noted in the Economic Development Agreement dated April 2, 2009 (funds are available in Fund 102, Economic Development Fund, Cost Center 360704, Account 58201, Aids to Private Organizations).

10. Special Needs Housing

Motion made by Commissioner Valentino, seconded by Commissioner Young, 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 Escambia Consortium HOME Investment Partnership Act (HOME) and State Housing Initiatives Partnership (SHIP)-supported 12-unit Transitional (Rental) Housing Development Agreement for the facility to be known as the Clinton Cox Residence (Funding: Fund 147/2007 and 2009 HOME, Cost Centers 220500 and 220408, and Fund 120/2010 SHIP, Cost Center 220430):

A. Approving the Special Needs Housing Rental Development Agreement (Transitional Housing) with Community Enterprise Investments, Inc. (CEII), Pathways for Change, Inc. (Pathways), and EscaRosa Coalition on the Homeless, Inc. (ECOH), formally committing $490,000, comprised of $355,000 in HOME Community Housing Development Organization (CHDO) set-aside funds and $135,000 in SHIP funds, to financially support the cost of constructing a 12-unit transitional housing facility, including nine HOME set-aside units, to be known as the Clinton Cox Residence, on property controlled by CEII and Pathways, through a 50-year Lease from Baptist Health Care Corporation, located on Blount Street just east of Pace Boulevard (Parcel Reference #302S301001001030), in accordance with the long-term occupancy requirements of the HOME and SHIP Programs; and

(Continued on Page 26)
10. Continued…

B. Authorizing the Chairman to execute the *Special Needs Housing Rental Development Agreement (Transitional Housing)* and all related documents required to fully implement the Agreement and to complete all provisions thereof.

For Information: The Board heard Commissioner Young disclose that she serves on the CEII Board and is involved with Baptist Hospital; however, because she is not paid for this service, she is not precluded from voting on this issue.

11. **Project “Sugar”**

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning Project "Sugar," as amended to adjust the *(average annual)* wage number, per the State schedule, from $43,000 to $40,745, the *(50-job total)* payroll number *(from $2,150,000)* to $2,037,250, and the *100-job (payroll)* level *(from $4.3 million)* to $4,074,500, and to provide a Resolution, instead of a letter:

A. **Adopting a Resolution (R2011-86) of support for Project "Sugar"; and**

Resolution R2011-86 was repealed. See Page 21 of the July 7, 2011, Minutes.

B. **Approving to establish the Board's intent of support to approve an Economic Development Agreement with Project "Sugar", an economic development prospect; Project “Sugar” is a maker of confectionery products and is expected to bring over 100 full-time jobs to the area, with an average *(annual)* wage of $40,745, exclusive of benefits, and a minimum capital investment of $6 million; the total maximum possible incentive would be $250,000, payable as follows (funds are available in Fund 102, Economic Development Fund, Cost Center 360704, Account 58201, Aids to Private Organizations):

1. $125,000 when Project “Sugar” reaches 50 jobs, $2,037,250 in total payroll, and a capital investment of $6 million; and

2. $125,000 when Project “Sugar” reaches 100 jobs and $4,074,500 in payroll.
COUNTY ADMINISTRATOR’S REPORT – Continued

III. FOR DISCUSSION

1. Herndon Property

Motion made by Commissioner Robertson, seconded by Commissioner Valentino, and failed 3-2, with Commissioner Robinson and Commissioner Young voting “no” (supermajority vote required), to take the following action concerning the acquisition of a parcel of real property, located at 11794 Mobile Highway, owned by Ricky and Traci Herndon”) (meeting in regular session on April 22, 2010, the Board approved the recommendation presented to the Committee of the Whole on April 15, 2010, and authorized staff to initiate the purchase process for a parcel of real property to facilitate the installation of a boat ramp; the subject parcel is waterfront property, consisting of 0.52 acre, with approximately 70 feet of frontage along Perdido River, with a residential structure consisting of approximately 1,100 square feet) (Funding Source: Fund 352, Local Option Sales Tax III, Account 220102/56101, Project 08NE0018, “Boat Ramps”):

A. Rescind the Board’s action of April 21, 2011, approving to accept the appraisals and allow the individuals to keep the residences on the property and move forward (with) making an offer, relative to the recommendation that the Board:

   (1) Authorize staff to make an offer to Ricky and Traci Herndon to purchase a parcel of real property (0.52 acre, with a residential structure consisting of approximately 1,100 square feet), for the appraised amount of $165,000; and

   (2) Authorize the County Attorney to prepare, and the Chairman or Vice Chairman to execute, any documents necessary to complete the acquisition of this property;

B. Authorize staff to make an offer to purchase the property for $181,500, which is 10% above the appraised amount of $165,000;

C. Approve requiring the owners to respond within 30 days from the date of the counteroffer, pay closing costs of documentary stamps, and relocate the residential structure from the property within 120 days from the effective date of a sales contract, subject to Legal sign-off; and

(Continued on Page 28)
COUNTY ADMINISTRATOR’S REPORT – Continued

III. FOR DISCUSSION – Continued

1. Continued…

D. Authorize the County Attorney to prepare, and the Chairman or Vice Chairman to execute, any documents necessary to complete the acquisition of this property.

Speaker(s):

Eilene Beard

2. **BP Oil Grant**

Motion made by Commissioner Robertson, seconded by Commissioner Valentino, and carried 4-1, with Commissioner Young voting "no," taking the following action concerning Supplemental Budget Amendment #196 – BP Oil Grant:

A. Adopting the Resolution *(R2011-85)* approving Supplemental Budget Amendment #196, Tourist Promotion Fund (108), in the amount of $4,384,830.00, recognizing proceeds from a BP Grant and appropriating these funds for tourism activities;

B. Approving the following allocations, as recommended by the Tourist Development Council:

   - DeLuna Fest – $546,342.50
   - MWP Pensacola Events (Memorial Day Events) – $36,000.00
   - City of Pensacola Community Redevelopment Agency (Pelican Drop) – $25,000.00
   - Pensacola Mardi Gras – $120,000.00
   - Pensacola Big Game Fishing Club – $6,000.00
   - Fiesta of Five Flags (Seafood Festival) – $16,000.00
   - Pensacola Beach Chamber of Commerce (Taste of the Beach) – $26,000.00
   - Pensacola Songwriters' Festival – $25,000.00
   - Pensacola Area Chamber of Commerce – $2,463,699.00
   - Perdido Key Chamber of Commerce – $940,084.75
   - Pensacola Sports Association – $180,703.75

C. Approving the necessary Miscellaneous Appropriations Agreements, Interlocal Agreements, and Purchase Orders, subject to Legal sign-off; and

(Continued on Page 29)
COUNTY ADMINISTRATOR’S REPORT – Continued

III. FOR DISCUSSION – Continued

2. Continued…

D. Authorizing the Clerk’s Office to reimburse these entities for costs incurred prior to June 2, 2011, but not before January 1, 2011.

Speaker(s):

John Jerralds   Tony R. McCray, Jr.
William Banks   Alison Davenport
Randie Robinson George Hawthorne
Willie Blackwell Calvin Nickson
Arthur Freeman Johnny Chisholm

COUNTY ATTORNEY’S REPORT – Alison Rogers, County Attorney

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, approving the County Attorney’s Report, For Action Item 1 and For Information Item 2, as follows:

I. FOR ACTION

1. Approving the filing of a lawsuit for damages for breach of contract and negligence against McCall and Associates Architects, Inc., Sam Johnson, Inc., and Speegle Construction, Inc. (design architect, structural engineer, and general contractor, respectively, for construction of the Public Safety Building [because of abnormal expansion and contraction of the monolithic concrete roof, which caused movement of certain structural members and cracking of concrete]).

II. FOR INFORMATION

1. Accepting, for filing with the Clerk to the Board, the May 10, 2011, letter to Municipal Code concerning a scrivener’s error in Escambia County Ordinance (Number) 2011-3, Page 31, under the maximum density allowed in residential categories for the Mixed-Use Perdido Key Future Land Use Category (requesting that Municipal Code correct the Ordinance to reflect the intended maximum density as 25 du/acre [not the 5 du/acre reflected in the adopted Ordinance]).
ITEMS ADDED TO THE AGENDA – None.

ANNOUNCEMENTS – None.

ADJOURNMENT

There being no further business to come before the Board, Chairman White declared the Regular Meeting of the Board of County Commissioners adjourned at 6:20 p.m.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

ATTEST:                                                                 By: ____________________________
Ernie Lee Magaha                                                    Kevin W. White, Chairman
Clerk of the Circuit Court and Comptroller                          
Deputy Clerk

Approved: June 16, 2011