

THROUGH THESE DOORS WALK ONLY THE FINEST PEOPLE – THE CITIZENS OF ESCAMBIA COUNTY. DECISIONS ARE MADE IN THIS ROOM AFFECTING THE DAILY LIVES OF OUR PEOPLE. DIGNIFIED CONDUCT IS APPRECIATED.

CHAMBER RULES

1. IF YOU WISH TO SPEAK, YOU WILL BE HEARD.
2. YOU MUST SIGN UP TO SPEAK. SIGN-UP SHEETS ARE AVAILABLE AT THE BACK OF THE ROOM.
3. YOU ARE REQUESTED TO KEEP YOUR REMARKS BRIEF AND FACTUAL.
4. BOTH SIDES ON AN ISSUE WILL BE GRANTED UNIFORM/MAXIMUM TIME TO SPEAK.
5. DURING QUASI-JUDICIAL HEARINGS (I.E., REZONINGS), CONDUCT IS VERY FORMAL AND REGULATED BY SUPREME COURT DECISIONS. VERBAL REACTION OR APPLAUSE IS NOT APPROPRIATE.

**PLEASE NOTE THAT ALL BCC MEETINGS ARE RECORDED AND TELEVISED**

AGENDA

Board of County Commissioners  
Regular Meeting – June 3, 2010 – 5:30 p.m.  
Governmental Complex – First Floor

1. Call to Order.

**(PLEASE TURN YOUR CELL PHONE TO THE VIBRATE, SILENCE, OR OFF SETTING)**

2. Invocation – Commissioner Valentino.
3. Pledge of Allegiance to the Flag.
4. Are there any items to be added to the agenda?

Recommendation: That the Board adopt the agenda as prepared **(or duly amended)**.

5. Commissioners' Forum.
6. Proclamations.

Recommendation: That the Board adopt the Proclamation commending and congratulating Ms. Janie E. Bonds on her retirement from the Escambia County Property Appraiser's Office after 45 years of faithful service.

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7. Written Communication:

- A. March 11, 2010 – Communication from Robert E. Sawall, Jr., concerning a Code Enforcement Lien, Case No. CE 08-05-0103, against property located at 915 Bartow Avenue;
- B. May 7, 2010 – Communication from Charles L. Hoffman, Jr., Shell, Fleming, Davis & Menge, representing Robert G. and Karen Ann England, requesting that the Board approve a partial satisfaction of the Final Judgment for the parties listed in Paragraph E on Page 4 (the Englands) of the Final Summary Judgment of Foreclosure; and
- C. Undated communication from Clois R. Crumbley requesting that the Board forgive a Code Enforcement Lien against property located at 1552 Dog Track Road.

8. Did the Clerk's Office receive the proofs of publication for the Public Hearing(s) on the agenda and the Board's Weekly Meeting Schedule?

Recommendation: That the Board waive the reading of the legal advertisement(s) and accept, 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*.

9. **5:31 p.m. Public Hearing for consideration of adopting an Ordinance to conform the permitted scope of work for marine contractors to the scope of work permitted by the State of Florida's license for marine contractors.**

Recommendation: That the Board, at the 5:31 p.m. Public Hearing, adopt an Ordinance amending Chapter 18, Article II, Division 1, Section 18-34(3), of the Escambia County Code of Ordinances, to conform the permitted scope of work for marine contractors to the scope of work permitted by the State of Florida's license for marine contractors.

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10. **5:32 p.m. Public Hearing for consideration of adopting an Ordinance defining and prohibiting slot machines in the unincorporated areas of Escambia County.**

Recommendation: That the Board, at the 5:32 p.m. Public Hearing, adopt an Ordinance creating Chapter 18, Article X, Division 1, Sections 18-500 through 18-504, of the Escambia County Code of Ordinances, defining and prohibiting slot machines in the unincorporated areas of Escambia County.

11. Committee of the Whole Recommendation.

Recommendation: The Committee of the Whole (C/W), at the May 27, 2010, C/W Workshop, recommends that the Board authorize the Chairman to adopt and execute Resolution R2010-97, Declaration of State of Local Emergency, effective for seven (7) days beginning at 2:00 p.m. May 28, 2010, through 1:59 p.m. June 4, 2010, pursuant to Section 252.38(3)(a)5, Florida Statutes.

12. Reports:

Clerk of the Circuit Court & Comptroller  
Growth Management  
County Administrator  
County Attorney

13. Items added to the agenda.
14. Announcements.
15. Adjournment.

**BACKUP NOT INCLUDED WITH THE CLERK'S REPORT IS AVAILABLE FOR REVIEW IN  
THE OFFICE OF THE CLERK TO THE BOARD  
ESCAMBIA COUNTY GOVERNMENTAL COMPLEX, SUITE 130**

CLERK OF THE COURTS & COMPTROLLER'S REPORT  
JUNE 3, 2010

I. CONSENT AGENDA

1. Recommendation Concerning Acceptance of Reports

Recommendation: That the Board accept, 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 Expenditures for Pay Date May 28, 2010, in the amount of \$2,129,568.42; and

B. The following two Disbursement of Funds:

(1) May 13, 2010, to May 19, 2010, in the amount of \$23,886,885.38; and

(2) May 20, 2010, to May 26, 2010, in the amount of \$4,451,716.44.

2. Recommendation Concerning Investment Advisory and Management Services

Recommendation: That the Board authorize Ernie Lee Magaha, Clerk of the Circuit Court and Comptroller, in his capacity as Chief Investment Officer, to award a one-year Contract, with a retroactive effective date beginning June 1, 2010, and ending May 31, 2011, to PFM Asset Management, LLC, to provide Investment Advisory and Management Services, at a cost of \$40,000, to be paid from portfolio interest earnings, with an optional renewal for four additional one-year periods, as recommended by the County Investment Advisory Committee (CIAC) on May 17, 2010.

3. Recommendation Concerning Minutes and Reports

Recommendation: That the Board take the following action concerning Minutes and Reports prepared by the Clerk to the Board's Office:

A. Approve the Minutes of the Regular Board Meeting held May 20, 2010; and

B. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held May 20, 2010.

## GROWTH MANAGEMENT REPORT

June 3, 2010

### I. PUBLIC HEARING

1. **5:45 p.m. – Thursday, June 3, 2010 – Adoption Hearing** – Comprehensive Plan Amendment, Evaluation & Appraisal Report Based Amendments

**RECOMMENDATION:**

That the Board take the following action:

- A. Repeal the Escambia County Comprehensive Plan: 2000, Ordinance No. 93-20 in its entirety.
  - B. Review and adopt an Ordinance, the Escambia County Comprehensive Plan: 2030, to replace Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended; and
  - C. Authorize the Chairman to sign the Ordinance and transmit the adopted Amendment package to the Department of Community Affairs (DCA).
2. **5:46 p.m. – Thursday, June 3, 2010 – Approve the rescheduling** - LDC Ordinance – Articles 3 & 6 “Arcade Amusement Centers & Bingo Facilities

**RECOMMENDATION:**

That the Board reschedule the public hearing for July 8, 2010 at 5:46 p.m.

This hearing serves as the first of two required public hearings before the Board of County Commissioners (BCC) as set forth in LDC Section 2.08.04(b) and F.S. 125.66(4)(b)

### II. ACTION ITEM

1. **Thursday, June 3, 2010 – Action Item** – Escambia County Comprehensive Plan Implementation Annual Report Fiscal Year 2008/2009

**RECOMMENDATION:**

That the Board review and approve for filing with the Board’s Minutes the Escambia County Comprehensive Plan Implementation Annual Report Fiscal Year 2008/2009.

### **III. CONSENT AGENDA**

#### **1. Schedule of Public Hearing**

**RECOMMENDATION:**

That the Board authorize the scheduling of the following Public Hearing:

**5:45 p.m. – Thursday, June 17, 2010 – Public Hearing – Review of Vested Rights determination for 9521 N. Barth Road.**

**COUNTY ADMINISTRATOR'S REPORT  
JUNE 3, 2010**

**I. Technical/Public Service Consent Agenda**

1. **Recommendation Concerning Street Name Approval – Angyla Way – T. Lloyd Kerr, AICP, Development Services Bureau Chief**

**RECOMMENDATION:** That the Board approve the street name Angyla Way for an un-named road that runs south off of the 4900 Block of West Nine Mile Road and 200 feet west of Patrick Lane.

2. **Recommendation Concerning Request for Disposition of Property for the Development Services Bureau – T. Lloyd Kerr, AICP, Development Services Bureau Chief**

**RECOMMENDATION:** That the Board approve the Request for Disposition of Surplus property to be auctioned as surplus or properly disposed of, which is described and listed on the Disposition Form with the Bureau and reason stated.

3. **Recommendation Concerning Scheduling a Public Hearing for the Warrington Area Redevelopment Plan – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

**RECOMMENDATION:** That the Board ratify the action of the Escambia County Community Redevelopment Agency authorizing the scheduling of a Public Hearing on Thursday, June 17, 2010, at 5:31 p.m., to consider adopting a Resolution to amend the Warrington Area Redevelopment Plan.

4. **Recommendation Concerning Amendment Number Two to the Antenna Site License Agreement – Frank Edwards, Public Safety Bureau Chief**

**RECOMMENDATION:** That the Board take the following action concerning Amendment Number Two to the Antenna Site License Agreement with Southern Communications Services, Inc., d/b/a SouthernLINC Wireless, as it pertains to the Englewood Antenna Site:

- A. Approve the Amendment extending the term of the License for an additional five-year term, beginning July 25, 2010, providing three consecutive, automatic-renewal terms of five years per term and providing the associated fees and payment schedule; and
- B. Authorize the Chairman to sign the document.

COUNTY ADMINISTRATOR'S REPORT

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5. Recommendation Concerning Employee Incentive Award and Recognition Program – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board rescind the Employee Incentive Award and Recognition Program, Section II, C25 from the Board of County Commissioners' Policy Manual, due to the Budget reduction, reorganization, and the loss of five Human Resources positions; the process of awarding and/or rewarding employees was delegated to the Bureaus.

6. Recommendation Concerning the Electronic Trading Partner Agreement and Trading Partner Certification with Blue Cross and Blue Shield of Florida – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board take the following action concerning the Electronic Trading Partner Agreement and Trading Partner Certification with Blue Cross and Blue Shield of Florida:

- A. Approve the Electronic Trading Partner Agreement and Trading Partner Certification with Blue Cross Blue Shield of Florida; and
- B. Authorize the Interim County Administrator to sign the Electronic Trading Partner Agreement and Trading Partner Certification.

7. Recommendation Concerning Requests for Disposition of Property for the Public Works Bureau – Joy D. Blackmon, P.E., Interim Assistant County Administrator

**RECOMMENDATION:** That the Board approve the five Requests for Disposition of Property, which are described and listed on the forms, with reasons for disposition stated. The items are to be auctioned as surplus or properly disposed of.

8. Recommendation Concerning Appointment to the Governmental Facilities Leasing Cooperation Board of Directors – Larry Newsom, Interim County Administrator

**RECOMMENDATION:** That the Board adopt the Resolution approving the appointment of Darby Kenniff, CCIM, effective June 3, 2010, as a replacement on the Board of Directors of the Governmental Facilities Leasing Corporation, for Mr. Tom Bell, who resigned.

COUNTY ADMINISTRATOR'S REPORT

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9. Recommendation Concerning Appointment to the Escambia County Housing Finance Authority – Larry Newsom, Interim County Administrator

**RECOMMENDATION:** That the Board appoint Robert C. Maloy to the Escambia County Housing Finance Authority for a four-year term, effective August 1, 2010, through July 31, 2014, to replace James D. Cronley, as requested by Mr. Elbert Jones, Jr., Executive Director.

10. Recommendation Concerning Scheduling of a Public Hearing for an Economic Development Ad Valorem Tax Exemption Ordinance for Gelman Sciences, Inc., d/b/a Pall Life Sciences – Larry Newsom, Interim County Administrator

**RECOMMENDATION:** That the Board approve the scheduling of a Public Hearing, Thursday, June 17, 2010, at 5:32 p.m., for consideration of adopting an Ordinance establishing an Economic Development Ad Valorem Tax Exemption for, Gelman Sciences, Inc., d/b/a Pall Life Sciences, for 100% of their business expansion for 10 years.

11. Recommendation Concerning Operation of the Bob Sikes Toll Facility – W. A. “Buck” Lee, Executive Director, Santa Rosa Island Authority

**RECOMMENDATION:** That the Board ratify the Request for Proposal for operation of the Bob Sikes Toll Facility on March 24, 2010, from AccuStaff by the Santa Rosa Island Authority.

12. Recommendation Concerning Request for Disposition of Property – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

**RECOMMENDATION:** That the Board approve the four Requests for Disposition of Surplus Property which are described and listed on the Disposition Forms, with reasons for disposition stated. The listed items have been found to be of no further usefulness to the County; thus, it is requested that they be auctioned as surplus or properly disposed.

II. Budget/Finance Consent Agenda

1. Recommendation Concerning Supplemental Budget Amendment #208 – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #208, Other Grants & Projects Fund (110), in the amount of \$7,195, to recognize proceeds from the State of Florida Division of Elections and to appropriate these funds for the MOVE (Military & Overseas Empowerment) Act Grant for enhanced development or upgrades of existing web-based absentee ballot requests and tracking for federal elections.

2. Recommendation Concerning Supplemental Budget Amendment #214 – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #214, Other Grants and Projects Fund (110), in the amount of \$621,999, to recognize proceeds from a Florida Department of Transportation Local Agency Program Agreement and to appropriate these funds for construction of sidewalks on both sides of Airway Drive, from Nine Mile Road to Johnson Avenue.

3. Recommendation Concerning Supplemental Budget Amendment #215 – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #215, Other Grants and Projects (Fund 110) and General Fund (001), in the amount of \$7,138,071, to recognize the Community Development Block Grant Disaster (2008 Storms) Grant, awarded by the Florida Department of Community Affairs. These funds will support Grant-funded activities in Escambia County, the City of Pensacola and the Town of Century.

4. Recommendation Concerning Contract for Custodial Services for Various County Buildings – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board extend the Contract for the 5th and final year, to Southern Management, for Custodial Services for Various County Buildings, PD 05-06.092, under the current terms and conditions with no price increases for Fiscal Year 2010-2011. [Funding: Fund 001, General Fund, Cost Center 210603, Object Code 53401; Fund 406, Building Inspections, Cost Centers, 250101, 250107, 250108, 250109, 250111, 250114, 250115, 250116, and 250118, Object Code 53401; Fund 401, Solid Waste, Cost Center 220603, Object Code 53401]

5. **Recommendation Concerning Architectural and Engineering Services for the Wedgewood Community Center – Amy Lovoy, Management and Budget Services Bureau Chief**

**RECOMMENDATION:** That the Board take the following action concerning PD 09-10.045, Architectural and Engineering Services for the Wedgewood Community Center:

A. Approve the Selection and Negotiation Committee ranking for the Architectural and Engineering Services for the Wedgewood Community Center, PD 09-10.045:

1. TOWNES + Architects, P.A.
2. Quina Grundhoefer Architects, P.A.
3. DAG Architects; and

B. Award a Contract for the Architectural and Engineering Services for the Wedgewood Community Center, PD 09-10.045, in the amount of \$329,660, to TOWNES + Architects, P.A.

[Funding: Fund 351, LOST II, Cost Center 110224, Object Code 56201, Project Number 09PF0023]

6. **Recommendation Concerning Contract for Traffic Signal Construction, County Road 95A and Kingsfield Road – Amy Lovoy, Management and Budget Services Bureau Chief**

**RECOMMENDATION:** That the Board Award a Contract, PD 09-10.056, Traffic Signal Construction, County Road 95A and Kingsfield Road, to Ingram Signalization, Inc., in the amount of \$111,324. [Funding: Fund 352, LOST III, Cost Center 210107, Object Code 56301, Project # 10EN0165]

7. **Recommendation Concerning a Purchase Order for Fiscal Year 2009-2010 Annual Railroad Crossing Maintenance – Joy D. Blackmon, P.E., Interim Assistant County Administrator**

**RECOMMENDATION:** That the Board authorize the issuance of a Purchase Order to Alabama & Gulf Coast Railway for Fiscal Year 2009-2010 (for the period October 1, 2009, to September 30, 2010) Annual Railroad Crossing Maintenance, in the amount of \$51,409. [Funding: Fund 175, Transportation Trust Fund, Account 110303/54601]

COUNTY ADMINISTRATOR'S REPORT

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8. Recommendation Concerning County Road 498 (Copter Road) Local Agency Program Agreement – Joy D. Blackmon, P.E., Interim Assistant County Administrator

**RECOMMENDATION:** That the Board take the following action concerning allocation of additional funds to the County Road (CR) 498 (Copter Road) Local Agency Program Agreement (LAP) as follows:

- A. Adopt the Resolution authorizing execution of LAP Supplemental Agreement Number 2;
- B. Approve the Florida Department of Transportation LAP Supplemental Agreement Number 2, which specifies the increase of \$37,669.29, in project costs for the CR 498 (Copter Road) Resurfacing Project; and
- C. Authorize the Chairman or Vice Chairman to execute the Resolution and the Agreement.

[Funding Source: Fund 352, Local Option Sales Tax (LOST) III, Account 210107/56301, Project No. 10EN063]

9. Recommendation Concerning Architectural and Engineering Services for the New One Stop Building – Joy D. Blackmon, P.E., Interim Assistant County Administrator

**RECOMMENDATION:** That the Board approve and authorize the Interim County Administrator to execute the following Change Order:

Bureau:	Public Works
Division:	Facilities Management
Type:	Addition
Amount:	\$30,000.00
Vendor:	Bay Design Associates Architects
Project Name:	A&E Fees for Design of New One Stop Building
Contract:	PD 01-02.080
P.O. #:	100650 (280573-7) (270570-5) (261601)
C.O. #:	13
Original Award Amount:	\$801,800.00
Cumulative Amount of Change Orders through CO#12:	\$220,755.00
This Change Order Amount:	<u>\$30,000.00</u>
New Contract Total:	\$1,052,555.00

[Funding Source: Fund 351, Local Option Sales Tax II, Cost Center 110261, Object Code 56201, Project No. 05AD0029]

COUNTY ATTORNEY'S REPORT  
June 3, 2010

**I. FOR ACTION:**

1. Arcade Amusement Center Moratorium Extension

That the Board authorize the scheduling of a Public Hearing on June 17, 2010 at 5:33 p.m. for consideration of adopting an ordinance extending the temporary moratorium until August 6, 2010 on the issuance of building permits and development orders for arcade amusement centers because the moratorium is set to expire at 5:00 p.m. on July 2, 2010.

2. John McNaughton Workers Compensation Settlement

That the Board approve a workers' compensation settlement in the amount of \$291,901.37 for former Escambia County corrections officer John McNaughton. An excess insurance carrier shall reimburse the County for 100.0% of this settlement amount. In exchange for the settlement amount, Mr. McNaughton shall execute a general release of liability for the County.

**II. FOR INFORMATION:**

1. *Murfey Thomas and Mattie Thomas v. Escambia County, Florida*  
Case No. 2009 CA 001539

That the Board accept, for filing with the Board's Minutes, the Information Report concerning *Murfey Thomas and Mattie Thomas v. Escambia County, Florida*, Case No. 2009 CA 001539, wherein the Court granted the County's Motion for Final Summary Judgment.