



# Baldwin County Commission

## Legislation Text

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File #: 23-1055, Version: 2

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**Meeting Type:** BCC Regular Meeting

**Meeting Date:** 5/2/2023

**Item Status:** Replacement

**From:** Matthew Brown, Planning and Zoning Director

**Submitted by:** Ashley Campbell, Natural Resource Planner

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### ITEM TITLE

\*Termination of Baldwin County's Program Membership in the Pensacola and Perdido Bay Estuary Program

### STAFF RECOMMENDATION

Take the following actions:

- 1) Terminate the Interlocal Agreement between the Baldwin County Commission and Pensacola and Perdido Bay Estuary Program (PPBEP) for the Estuary Program establishment and development and implementation of a Comprehensive Conservation & Management Plan, approved during the February 19, 2019, Baldwin County Commission Regular meeting (Agenda Item BA1); and
- 2) Notify PPBEP with the required sixty (60) days written notification of termination as stated in the Agreement; and
- 3) Waive the sixty (60) days written notice requirement from Section 4.2 of the Interlocal Agreement to the extent allowed by law and accepted by the Parties to the Agreement.

Termination to be effective July 1, 2023, or an earlier date to the extent the sixty (60) days written notice requirement of Section 4.2 is waived by the Parties.

### BACKGROUND INFORMATION

**Previous Commission action/date:** 02/19/2019 - The BCC approved the Pensacola and Perdido Bays Estuary Program Interlocal Agreement.

**Background:** Reason for Replacement Item: Staff recommendation revised to include language for the County to waive the sixty (60) day written notice of termination requirement from Section 4.2 of the Interlocal Agreement which would result in an earlier termination date. The earlier termination will allow the PPBEP to move forward with its organizational transition from Escambia County, Florida, to an independent not-for-profit organization without delay.

On August 31, 2017, the U.S. Environmental Protection Agency (EPA) Gulf of Mexico Division and Gulf Coast Ecosystem Restoration Council announced the award of a \$2 million RESTORE Act

Component 2 grant to establish the Pensacola and Perdido Bays Estuary Program (PPBEP).

The Estuary Program was formed through an Interlocal Agreement on February 19, 2019, by Baldwin County, City of Gulf Breeze, City of Milton, City of Pensacola, City of Orange Beach, Escambia County, Okaloosa County, Santa Rosa County, and the Town of Century.

### **FINANCIAL IMPACT**

**Total cost of recommendation:** N/A

**Budget line item(s) to be used:** N/A

**If this is not a budgeted expenditure, does the recommendation create a need for funding?**  
N/A

### **LEGAL IMPACT**

**Is legal review necessary for this staff recommendation and related documents?**  
Yes

**Reviewed/approved by:** N/A

**Additional comments:** N/A

### **ADVERTISING REQUIREMENTS**

**Is advertising required for this recommendation?** N/A

**If the proof of publication affidavit is not attached, list the reason:** N/A

### **FOLLOW UP IMPLEMENTATION**

**For time-sensitive follow up, select deadline date for follow up:** N/A

**Individual(s) responsible for follow up:** N/A

**Action required (list contact persons/addresses if documents are to be mailed or emailed):**

Mail letter to:

Mr. Matt J. Posner, PPBEP Executive Director  
226 South Palafox Place  
Pensacola, Florida 32502

cc the following:

Commissioner Jeff Bergosh, Escambia County, Florida  
Commissioner Colten Wright, Santa Rosa County, Florida  
Commissioner Trey Goodwin, Okaloosa County, Florida

Mayor Cherry Fitch, City of Gulf Breeze, Florida  
Mayor Heather Lindsay, City of Milton, Florida  
Mayor D.C. Reeves, Pensacola, Florida  
Mayor Benjamin Boutwell, Town of Century, Florida  
Mayor Tony Kennon, City of Orange Beach, Alabama

**Additional instructions/notes:** Send copy of letter to Ashley Campbell