

THE SCHOOL BOARD OF
ESCAMBIA COUNTY, FLORIDA

MINUTES, JULY 14, 2015

The School Board of Escambia County, Florida, convened in Special Meeting at 9:00 a.m., in Room 160, at the J.E. Hall Educational Services Center, 30 East Texar Drive, Pensacola, Florida, with the following present:

Chair: Mrs. Patricia Hightower
Vice Chair: Mr. Bill Slayton (*via speakerphone*)
Board Members: Mr. Jeff Bergosh
Mr. Gerald Boone (*entered at 9:06 a.m.*)
Mrs. Linda Moultrie

School Board General Counsel: Mrs. Donna Sessions Waters

Superintendent of Schools: Mr. Malcolm Thomas

Meeting was advertised in the *Pensacola News Journal* on July 10, 2015 - Legal No. 1644437

NOTE: The minutes from this session have been prepared according to *Roberts Rules of Order, Newly Revised*.
The video from this session is available at <http://escambiacountysdfl.swagit.com/play/07212015-1428>

I. CALL TO ORDER/ADOPTION OF AGENDA

Mrs. Hightower called the Special Meeting to order at 9:06 a.m. On motion by Mrs. Moultrie, seconded by Mr. Bergosh, adoption of the agenda, passed unanimously.

II. OIL SPILL LITIGATION SETTLEMENT
(Supplementary Minute Book, Exhibit "A")

It was noted that School Board Members had received the following documents just prior to this meeting: A resolution of the Escambia County School Board in the State of Florida accepting a full and final settlement of all claims against BP and other resulting from the Deep Water Horizon Oil Spill, authorizing the execution and delivery of a general release and other necessary documents and providing an immediately effective date; Full and Final Release, Settlement, and Covenant Not to Sue; and a letter to be signed by the School Board's General Counsel confirming that the School Board Chair had the legal authority to execute the Full and Final Release, Settlement, and Covenant Not to Sue for and on behalf of the School Board.

Mr. Brian Barr, attorney with Levin, Papantonio, Thomas, Mitchell, Echsner & Proctor, P.A., presented BP's offer to pay the School Board \$2,000,000.00 for economic losses and as full and final settlement of all claims against BP and others from the Deepwater Horizon Oil Spill. Mr. Barr said it was his recommendation that the School Board accept the settlement.

Mrs. Hightower took a moment to read the resolution aloud:

A RESOLUTION OF THE ESCAMBIA COUNTY SCHOOL BOARD IN THE STATE OF FLORIDA ACCEPTING A FULL AND FINAL SETTLEMENT OF ALL CLAIMS AGAINST BP AND OTHERS RESULTING FROM THE DEEPWATER HORIZON OIL SPILL, AUTHORIZING THE EXECUTION AND DELIVERY OF A GENERAL RELEASE AND OTHER NECESSARY DOCUMENTS AND PROVIDING AN IMMEDIATELY EFFECTIVE DATE.

BE IT RESOLVED by the Escambia County School Board in the State of Florida that the Escambia County School Board hereby accepts BP's offer to pay the amount of \$2,000,000.00 for the Escambia County School Board (economic losses and as full and final settlement of all claims against BP and others resulting from the Deepwater Horizon Oil Spill; and

BE IT FURTHER RESOLVED that the Chair of the Escambia County School Board is authorized and directed to execute and deliver to BP a general release, in the form attached hereto (the "Release"), of all damages resulting from or associated with the Deepwater Horizon Oil Spill, in favor of BP and all entities associated with that incident as listed in the attached Release, which form and substance are hereby approved; and

BE IT FURTHER RESOLVED that the execution of the Release shall be deemed conclusive evidence of the approval and acceptance of the Release.

Motion was made by Mr. Bergosh, seconded by Mrs. Moultrie, to approve the resolution. Mrs. Waters noted for the record, that the resolution would be numbered as 07-14-15. Motion carried unanimously. Mrs. Waters also noted for the record, that although the advertisement of this meeting had indicated the possibility of an executive session, there had been no need for one.

III. PUBLIC FORUM

Mrs. Hightower called for public forum; however, no one had registered to address the School Board.

IV. ADJOURNMENT

There being no further business, the Special Meeting was adjourned 9:19 a.m.

Attest:

Approved:

Superintendent

Chair

PENDING BOARD APPROVAL