

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

AGENDA

Board of County Commissioners

Regular Meeting – February 19, 2009 – 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 take the following action concerning Proclamations:

- A. Adopt the Proclamation proclaiming Thursday, February 26, 2009, as "Military Appreciation Day" in Escambia County; and
- B. Adopt the following two Proclamations honoring and congratulating the following citizens for reaching the age of 100 years or more:
 - (1) The Proclamation honoring and congratulating Mrs. Pearl Mueller for reaching the age of 100; and
 - (2) The Proclamation honoring and congratulating Mrs. Mable Marietta Sinkfield for reaching the age of 101.

7. Employee of the Month Proclamations – None.

8. Written Communication:

- A. January 21, 2009 – Communication from Marcia Thompson, Program Manager, Lutheran Services Florida, Inc., requesting that the Board accept a payment of \$2,000 for partial release of various Liens against property located at 6227 Dallas Avenue;
- B. January 27, 2009 – Communication from Harvey D. Jordan concerning a Code Enforcement Lien against property located at 3830 Frontera Circle;
- C. Undated communication from Sunil Gupta, M.D., requesting relief from a Code Enforcement Lien against property located at 5032 North Davis Highway; and
- D. Undated communication from Frederick H. Gould requesting that the Board forgive a Code Enforcement Lien (*recorded in Official Records Book 5226, Page 888*) against property located at 7 Ellinor Court.

9. 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*.

10. **5:31 p.m. Public Hearing for consideration of the Vacation a portion of a one-foot-wide (approximately 0.65 square feet), vehicular non-access Easement, located on Lot 3, Lowe's at Ensley Subdivision, as petitioned by Del Lago Ventures, Inc.**

Recommendation: That the Board, at the 5:31 p.m. Public Hearing, take the following action concerning the Vacation a portion of a one-foot-wide (approximately 0.65 square feet), vehicular non-access Easement, located on Lot 3, Lowe's at Ensley Subdivision, as petitioned by Del Lago Ventures, Inc.:

- A. Approve the Vacation;
 - B. Accept the Hold/Harmless Agreement;
 - C. Adopt the Resolution to Vacate; and
 - D. Authorize the Chairman or Vice Chairman to accept the documents as of the day of delivery of the documents to the Chairman or Vice Chairman, and authorize the Chairman or Vice Chairman to execute them at that time.
11. **5:32 p.m. Public Hearing for consideration of adopting an Ordinance providing authorization for pari-mutuel wagering facilities to conduct cardroom gaming as allowed by Florida Law.**

Recommendation: That the Board, at the 5:32 p.m. Public Hearing, adopt an Ordinance creating Chapter 18, Article IX, Division 1, a new Section 18-400, of the Escambia County Code of Ordinances, providing authorization for pari-mutuel wagering facilities to conduct cardroom gaming as allowed by Florida Law.

12. Committee of the Whole Recommendation.

(TO BE DISTRIBUTED UNDER SEPARATE COVER)

13. Reports:

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

14. Items added to the agenda.

15. Announcements.

16. 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
FEBRUARY 19, 2009

I. CONSENT AGENDA

1. Recommendation Concerning Acceptance of Reports

Recommendation: That the Board accept, for filing with the Board's Minutes, the following five Reports prepared by the Clerk and Comptroller's Finance Department:

- A. Payroll Expenditures as of Payday February 6, 2009, in the amount of \$2,217,001.03;
- B. The following two Disbursement of Funds:
 - (1) January 29, 2009, to February 4, 2009, in the amount of \$10,629,476.23; and
 - (2) February 5, 2009, to February 11, 2009, in the amount of \$13,540,766.51;
- C. The Investment Report for the month ended January 31, 2009; and
- D. The Tourist Development Tax (TDT) Collections Data for Fiscal Year 2008-2009, which includes the December 2008 returns received in the month of January 2009; the four months revenue collected to date reflects 21% of the Budget for the Fiscal Year.

2. Recommendation Concerning Disposition of Property and/or Reinstatement of Fixed Assets

Recommendation: That the Board approve 14 forms, *Requests for Disposition of Property*, indicating equipment to be sold as surplus and/or appropriately disposed of, and one form, *Request for Re-Instatement of Property*; the Requests were prepared by various County Bureaus and state the reasons for disposition/reinstatement.

I. CONSENT AGENDA – Continued

3. Recommendation Concerning Acceptance of Documents

Recommendation: That the Board accept, for filing with the Board's Minutes, the Contract and Solicitation documents for PD 07-08.121, "Small Equipment, Parts and Supplies Pricing Agreement," approved by the Board on September 18, 2008, for the following four companies, as received in the Clerk to the Board's Office on January 30, 2009:

Steadham Enterprises, Inc., d/b/a A-1 Small Engines
Fixit Shop & Rentals, Inc.
Coastal Machinery Company
Hendrix Services Corporation

4. 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 Joint Meeting of the Escambia County Board of Commissioners and the Escambia County District School Board held January 27, 2009;
- B. Approve the Minutes of the Public Forum Work Session and Regular Board Meeting held February 5, 2009; and
- C. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held February 5, 2009.

GROWTH MANAGEMENT REPORT

February 19, 2009

I. ACTION ITEM

1. Quail Ridge Subdivision Final Plat

RECOMMENDATION: That the Board take the following action concerning recording of the Final Plat of Quail Ridge Subdivision (private 116 lot single family residential subdivision with private streets) located in the Pine Forest community lying south of Twisted Oak Drive and west of West Roberts Road, owned and developed by Quail Ridge of Escambia County, Inc. Prior to recording, the County Engineer, County Surveyor, Development Services Bureau Chief and the Clerk of the Circuit Court must sign the Final Plat, as set forth in Section 4.02.07.E, of the Escambia County Land Development Code. Also, prior to recording the County Surveyor must sign the Final Plat as set forth in Chapter 177.081 (1) Florida Statute;

- A. Approve the final plat for recording; and
- B. Approve the street names “Millet Circle, Wiregrass Place, and Tall Pines Lane”; and
- C. Accept all public easements, drainage improvements within public easements/public parcels and Parcel “B” (0.51 acre Retention Pond), as depicted upon the final plat for permanent County maintenance, the cost of maintenance for drainage improvements are to be funded through the establishment of a stormwater management MSBU (Municipal Services Benefit Unit); and
- D. Authorize the Chairman or Vice-Chairman to execute a Release of Claims for Damages, Hold Harmless, and Indemnification Agreement.

**COUNTY ADMINISTRATOR'S REPORT
FEBRUARY 19, 2009**

I. Technical/Public Service Consent Agenda

1. **Recommendation Concerning Certificate of Need Application for Superior Waste & Landclearing, LLC – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning a Certificate of Need for Superior Waste & Landclearing, LLC:

- A. Approve a Certificate of Need Application permitting the above named company to operate in Escambia County; and
- B. Authorize the Chairman to sign the Certificate.
2. **Recommendation Concerning Enterprise Zone Development Agency 2008 Fourth Quarter Report and Annual Report – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board accept, for filing with the February 19, 2009, Board's Minutes, the Information Reports concerning the Enterprise Zone Development Agency 2008 Fourth Quarter Report and Annual Report.

3. **Recommendation Concerning Community Redevelopment Agency Meeting Minutes – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board approve for filing with Board's Minutes, the January 22, 2009, Community Redevelopment Agency (CRA) Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA.

4. **Recommendation Concerning the Escambia County Government Access Channel Policies and Procedures – Robert R. McLaughlin, County Administrator**

RECOMMENDATION: That the Board approve the Escambia County Government Access Channel (ECTV) Policies and Procedures Guide.

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 2 of 23

5. Recommendation Concerning Disposition of Surplus Equipment and Donation of a 2000 Ambulance to Castleberry, Alabama, Volunteer Fire Department – Michael Hardin, Public Safety Bureau Chief

RECOMMENDATION: That the Board take the following action concerning disposition of surplus equipment and donation of a 2000 Ford F350 Horton Ambulance (Property Number 49422) to the Castleberry Volunteer Fire Department (VFD), Castleberry, Alabama:

- A. Rescind its action taken September 4, 2008, approving disposal of referenced vehicle by sale or auction and approve disposal of the obsolete ambulance by the aforementioned donation;**
- B. Adopt a Resolution authorizing conveyance of the ambulance (Serial Number 1FDWF36F8YEC97020) to the Castleberry VFD, in compliance with Section 274.06, Florida Statutes; and**
- C. Authorize the Chairman to sign all documents related to the donation.**

6. Recommendation Concerning Disposition of Surplus Equipment and Donation of a 2000 Ambulance to Escambia County, Alabama, Emergency Management Agency – Michael Hardin, Public Safety Bureau Chief

RECOMMENDATION: That the Board take the following action concerning disposition of surplus equipment and donation of a 2000 Ford F350 Horton Ambulance (Property Number 49424) to the Escambia County, Alabama, Emergency Management Agency:

- A. Approve the Request for Disposition of Property for the ambulance, which is obsolete and serves no useful function to the County, to be appropriately disposed of through donation to Escambia County, Alabama, Emergency Management Agency;**
- B. Adopt a Resolution authorizing conveyance of the ambulance (Serial Number 1FDWF36F0YED10200) to Escambia County, Alabama, Emergency Management Agency, in compliance with Section 274.06, Florida Statutes; and**
- C. Authorize the Chairman to sign required documents related to the donation.**

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 3 of 23

7. **Recommendation Concerning Donation of an Abandoned Building and Generator to Peoples Water Service Company of Florida, Inc. – Michael Hardin, Public Safety Bureau Chief**

RECOMMENDATION: That the Board adopt, and authorize the Chairman to sign, a Resolution donating an abandoned 10 foot x 16 foot building and generator (formerly used for communication equipment) located at 590 West Winthrop Avenue, Pensacola, Florida, to Peoples Water Service Company of Florida, Inc.

8. **Recommendation Concerning Street Name Approval – Old Black Trail – T. Lloyd Kerr, AICP, Development Services Bureau Chief**

RECOMMENDATION: That the Board approve the street name “Old Black Trail” for an un-named, private road that runs south off of the 1600 block of Blackwell Lane and is 245 feet east of Whitmire Drive.

9. **Recommendation Concerning a Conservation Easement for the Leisure Lakes RV Park Expansion DRC Project – T. Lloyd Kerr, AICP, Development Services Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding a Conservation Easement for the Leisure Lakes RV Park Expansion DRC Project #08041783:

- A. Accept as a condition precedent to the development of property in Escambia County, Florida, conveyance of a Conservation Easement, pursuant to Section 704.06, Florida Statutes Easement, consisting of 6.19 +/- acres of wetland at 5565 West Nine Mile Road; and
- B. Authorize the Chairman to sign all documents related to the conservation Easement.
10. **Recommendation Concerning Community Action Program Committee, Inc., Appointment – Robert R. McLaughlin, County Administrator**

RECOMMENDATION: That the Board confirm the appointment of Commissioner Marie Young to the Community Action Program Committee, Inc., effective January 2009, to run concurrent with her term of office, as requested by Mary A. Palmer, Director of Support Services, Community Action Program Committee, Inc.

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 4 of 23

11. **Recommendation Concerning Scheduling of a Public Hearing for Chasefield Subdivision Street Lighting MSBU – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board authorize a Public Hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on March 5, 2009, at 5:31 p.m., to consider the adoption of an Ordinance creating the Chasefield Subdivision Street Lighting MSBU.

12. **Recommendation Concerning Authorizing a Fundraiser for the Escambia County Animal Shelter – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the Resolution to Authorize a Fundraiser for the Escambia County Animal Shelter:

- A. Adopt the Resolution Authorizing a Fundraiser for the Animal Shelter; and
- B. Authorize the Chairman to sign the Resolution.

13. **Recommendation Concerning Agenda For Regular Meetings Policy – Robert R. McLaughlin, County Administrator**

RECOMMENDATION: That the Board adopt an amended Board Policy – Agenda for Regular Meetings, Section I, Part A.2.

14. **Recommendation Concerning Out-of-County Travel – Robert R. McLaughlin, County Administrator**

RECOMMENDATION: That the Board authorize out-of-County travel for Robert R. McLaughlin, County Administrator, to attend the 2009 Transportation Disadvantaged Commission Meetings that will be held at various locations throughout the State of Florida.

II. **Budget/Finance Consent Agenda**

1. **Recommendation Concerning Florida Division of Emergency Management Domestic Security Subgrant Agreement – Michael Hardin, Public Safety Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the Florida Division of Emergency Management (FDEM) Domestic Security Subgrant Agreement #09-DS-51-01-27-01-XXX providing Grant funding in the amount of \$47,000, for a period of 18 months after the date of execution, but no later than May 31, 2010:

- A. Approve the FDEM Federally-Funded Subgrant Agreement, with funding to be identified in Fund 110, Other Grants and Projects, Cost Center 330459, Revenue Account 334252; and
- B. Authorize the Chairman or Vice-Chairman to execute the Agreement.

2. **Recommendation Concerning Town of Century Interlocal Agreement for Environmental Enforcement Services – Gordon Pike, Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding an Interlocal Agreement with the Town of Century:

- A. Approve an Interlocal Agreement between Escambia County, Florida, and the Town of Century, Florida, for the provision of Environmental Enforcement services in connection with the abatement of neighborhood nuisances within the corporate limits of the Town of Century; and
- B. Authorize the Chairman to sign the Interlocal Agreement.

[Funding for this Agreement will be provided from Cost Center 220488, Community Development Block Grant]

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 6 of 23

3. Recommendation Concerning Commercial Façade, Landscape, and Infrastructure Grant Program Cancellation of Liens – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board ratify the following action of the Community Redevelopment Agency (CRA) concerning the Commercial Façade, Landscape, and Infrastructure Grant Program:

- A. Approving the following four Commercial Façade, Landscape and Infrastructure Grant Program Cancellation of Liens since the Grant recipients have met their Grant requirements:

<u>Property Owner's Name</u>	<u>Property Address</u>	<u>Lien Amount</u>
Clutch Products, Inc.	4811 North Palafox Street	\$10,000.00
Larry M. and Barbara J. Tronu	3701 North Pace Boulevard	\$10,000.00
McBride Development of Northwest Florida, Inc.	2413 North Pace Boulevard	\$10,000.00
Sheet Metal Masters, LLC and	3537 North "W" Street	\$4,710.75;

- B. Authorizing the Chairman to execute the Cancellation of Liens.

4. Recommendation Concerning Lease of a Landfill Gas Utility Blower/Flare System for the Perdido Landfill – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board approve the lease of a temporary Landfill Gas Utility Blower/Flare System for the Perdido Landfill, as described in the SCS Field Services Equipment Rental Agreement and Addendum, for an initial period of six months, with two 3-month optional extensions as required, at a rate of \$3,000 per month, and authorize the Chairman to sign the Addendum. [Funds are available in Solid Waste Fund 401, Cost Center 220602, Object Code 54401]

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 7 of 23

5. Recommendation Concerning Purchase of Property Owned by Rinaldo and Connie A. Slaughter for Right-of-Way for the Ten Mile Road at Chemstrand Road Intersection Improvement Project – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the purchase of property owned by Rinaldo and Connie A. Slaughter, for right-of-way for the Ten Mile Road at Chemstrand Road Intersection Improvement Project:

- A. Authorize staff to purchase a portion of property owned by Rinaldo and Connie A. Slaughter (approximately 805 square feet or 0.02 acres) for the Ten Mile Road at Chemstrand Road Intersection Improvement Project for the negotiated price of \$1,811.25;**
- B. Authorize the payment of documentary stamps because this property is being acquired for governmental use to improve the roadway and infrastructure at this intersection. This project will benefit the County and its citizens by reducing traffic delays and providing greater safety; and**
- C. Authorize the Chairman to sign all documents needed to complete the purchase.**

[Funding Source: Fund 352, Lost III, Account 210107/56301/56101, Project 08EN0255]

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 8 of 23

6. Recommendation Concerning Acquisition of Property for the Kupfrian Park Drainage Project – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the acquisition of property for the Kupfrian Park Drainage Project:

- A. Authorize staff to negotiate and resolve any matters related to, or associated with the acquisition of property concerning drainage improvements for the Kupfrian Park Drainage Project, and to gather information and conduct inspections as needed to allow the Board's acceptance of the real property;**
- B. Authorize payment of documentary stamps because the property is being acquired for governmental use, which is for improvement and maintenance of the County drainage and road system, and the County benefits from the acquisition of these properties because these improvements will improve the quality of life for the citizens of Escambia County by providing a safe and efficient roadway and drainage system;**
- C. Authorize the payment of incidental expenditures associated with the acquisition of these properties, which includes, but is not limited to title searches, appraisals, legal document preparation fees and recording of documents; and**
- D. Authorize the Chairman or Vice Chairman to accept the Deeds or Easements as of the day of delivery of the Deeds or Easements to the Chairman or Vice Chairman, and authorize the Chairman or Vice Chairman to acknowledge the Board's acceptance at that time.**

[Funding Source: Fund 351, Lost II, Account 210105/56301/56101 & Fund 352, Lost III, Account 210107/56301/56101, Project 05EN2313]

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 9 of 23

7. Recommendation Concerning Sale of Surplus Real Property Located in the 6100 Block of Schaag Road – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the reduction of the minimum bid required for the sale of surplus real property located in the 6100 Block of Schaag Road:

- A. Authorize the sale of surplus real property Account Number 12-0239-000, Reference Number 10-2N-31-2401-000-002, acquired by tax deed, to the highest offer received from sealed bids above the minimum bid of \$3,648, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board. A legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting sealed bids; and**
- B. Authorize the Chairman to sign all documents related to the sale.**

8. Recommendation Concerning Purchase of Property Owned by Souls Harbor Free Will Baptist Church for Right-of-Way for the Ten Mile Road at Chemstrand Road Intersection Improvement Project – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the purchase of property owned by Souls Harbor Free Will Baptist Church for right-of-way for the Ten Mile Road at Chemstrand Road Intersection Improvement Project:

- A. Authorize Staff to purchase a portion of property owned by Souls Harbor Free Will Baptist Church (approximately 7,195 square feet or 0.17 acres), for the Ten Mile Road at Chemstrand Road Intersection Improvement Project for the negotiated price of \$14,390;**
- B. Authorize the payment of documentary stamps because this property is being acquired for governmental use to improve the roadway and infrastructure at this intersection. This project will benefit the County and its citizens by reducing traffic delays and providing greater safety; and**
- C. Authorize the Chairman to sign all documents needed to complete the purchase.**

[Funding Source: Fund 352, Lost III, Account 210107/56301/56101, Project 08EN0255]

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 10 of 23

9. **Recommendation Concerning Purchase of Property Owned by Joseph E. Johnson and Jacquelyn N. Beck for Right-of-Way for the Ten Mile Road at Chemstrand Road Intersection Improvement Project – Joy D. Blackmon, P.E., Public Works Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the purchase of property owned by Joseph E. Johnson and Jacquelyn N. Beck for right-of-way for the Ten Mile Road at Chemstrand Road Intersection Improvement Project:

- A. Authorize staff to purchase a portion of property owned by Joseph E. Johnson and Jacquelyn N. Beck (approximately 559 square feet or 0.01 acres), for the Ten Mile Road at Chemstrand Road Intersection Improvement Project for the negotiated price of \$1,118;
- B. Authorize the payment of documentary stamps because this property is being acquired for governmental use to improve the roadway and infrastructure at this intersection. This project will benefit the County and its citizens by reducing traffic delays and providing greater safety; and
- C. Authorize the Chairman to sign all documents needed to complete the purchase.

[Funding Source: Fund 352, Lost III, Account 210107/56301/56101, Project 08EN0255]

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 11 of 23

10. Recommendation Concerning Purchase of Property Owned by Mary Jane Eddins for Right-of-Way for the Ten Mile Road at Chemstrand Road Intersection Improvement Project – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the purchase of property owned by Mary Jane Eddins, for right-of-way for the Ten Mile Road at Chemstrand Road Intersection Improvement Project:

- A. Authorize staff to purchase a portion of property owned by Mary Jane Eddins (approximately 656 square feet or 0.02 acres), for the Ten Mile Road at Chemstrand Road Intersection Improvement Project for the negotiated price of \$1,312;**
- B. Authorize the payment of documentary stamps because this property is being acquired for governmental use to improve the roadway and infrastructure at this intersection. This project will benefit the County and its citizens by reducing traffic delays and providing greater safety; and**
- C. Authorize the Chairman to sign all documents needed to complete the purchase.**

[Funding Source: Fund 352, Lost III, Account 210107/56301/56101, Project 08EN0255]

11. Recommendation Concerning Surplus and Sale of Real Property Located at North 7th Avenue – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the surplus and sale of real property located at North 7th Avenue:

- A. Declare surplus the Board's real property, Account Number 13-3556-000, Reference Number 00-0S-00-9020-003-085, acquired by Chancery Order. A legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting offers by sealed bid;**
- B. Authorize the sale of this property to the bidder with the highest offer received from sealed bids above the minimum bid of \$11,168, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and**
- C. Authorize the Chairman to sign all documents related to the sale.**

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 12 of 23

12. Recommendation Concerning the Surplus and Sale of Real Property Located in the 1800 Block of North Tarragona Street – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the surplus and sale of real property located in the 1800 Block of North Tarragona Street:

- A. Declare surplus the Board's real property, Account Number 13-4208-500, Reference Number 00-0S-00-9020-070-129, acquired by Chancery Order. A legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting offers by sealed bid;**
- B. Authorize the sale of this property to the bidder with the highest offer received from sealed bids above the minimum bid of \$1425, in accordance with Section 46-134 of the Escambia County Code of Ordinances, without further action of the Board; and**
- C. Authorize the Chairman to sign all documents related to the sale.**

13. Recommendation Concerning Sale of Surplus Real Property Located in the 1100 Block of North "B" Street – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the surplus and sale of real property located in the 1100 Block of North "B" Street:

- A. Declare surplus the Board's real property, Account Number 15-0137-000, Reference Number 00-0S-00-9060-161-012, acquired by Chancery Order. A legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting offers by sealed bid;**
- B. Authorize the sale of this property to the bidder with the highest offer received from sealed bids above the minimum bid of \$1,372, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and**
- C. Authorize the Chairman to sign all documents related to the sale.**

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 13 of 23

14. Recommendation Concerning Surplus and Sale of Real Property Located in the 2400 Block of North Tarragona Street – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the surplus and sale of real property located in the 2400 Block of North Tarragona Street:

- A. Declare surplus the Board's real property, Account Number 13-2275-000, Reference Number 00-0S-00-9010-020-139, acquired by Chancery Order. A legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting offers by sealed bid;**
- B. Authorize the private sale of the property to the bidder with the highest offer received from sealed bids above the minimum bid of \$238 in accordance with Section 46-134 Escambia County Code of Ordinances, without further action of the Board; and**
- C. Authorize the Chairman to sign all documents related to the sale.**

15. Recommendation Concerning Sale of Surplus Real Property Located at 252 Kenmore Road – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the reduction of the minimum bid required for the sale of real property located at 252 Kenmore Road:

- A. Amend the Board's action of May 24, 2007, to correct the address from 256 to 252 Kenmore Road, due to the incorrect address being posted on the Property Appraiser's web site;**
- B. Authorize the sale of the Board's surplus real property, Account Number 03-1727-100, Reference Number 27-1S-30-3101-024-050, acquired by quitclaim, to the bidder with the highest offer received from sealed bids above the minimum bid of \$9,000, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board. A legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting sealed bids; and**
- C. Authorize the Chairman to sign all documents related to the sale.**

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 14 of 23

16. Recommendation Concerning Sale of Surplus Real Property Located in the 2300 Block of North Baylen Street – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the reduction of the minimum bid required for the sale of real property located in the 2300 Block of North Baylen Street:

- A. Authorize the sale of the Board's surplus real property, Account Number 13-2215-750, Reference Number 00-0S-00-9010-221-134, acquired by foreclosure to the bidder with the highest offer received from sealed bids above the minimum bid of \$3,919, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and**
- B. Authorize the Chairman to sign all documents related to the sale.**

17. Recommendation Concerning an Amendment to the Fiscal Year 2008/2009 Miscellaneous Appropriations Agreement for Pensacola Bay Area Chamber of Commerce, Inc. – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning approval of the Amendment to the Fiscal Year 2008/2009 Miscellaneous Appropriations Agreement for Pensacola Bay Area Chamber of Commerce, Inc.:

- A. Approve the Amendment to the Fiscal Year 2008/2009 Miscellaneous Appropriations Agreement amending Section 3, increasing the allocation by \$505,000, for a total allocation of \$1,710,212, to be paid from the 3rd Cent Tourist Development Tax Fund (108), Cost Center 360101;**
- B. Authorize the Chairman to sign the Amendment and all other necessary documents; and**
- C. Approve the necessary Change Order.**

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 15 of 23

18. Recommendation Concerning Amendment to the Fiscal Year 2008/2009 Miscellaneous Appropriations Agreement for Perdido Key Area Chamber of Commerce, Inc. – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning approval of the Amendment to the Fiscal Year 2008/2009 Miscellaneous Appropriations Agreement for Perdido Key Area Chamber of Commerce, Inc.:

- A. Approve the Amendment to the Fiscal Year 2008/2009 Miscellaneous Appropriations Agreement amending Section 3, increasing the allocation by \$117,000, for a total allocation of \$230,000, to be paid from the 3rd Cent Tourist Development Tax Fund (108), Cost Center 360101;**
- B. Authorize the Chairman to sign the Amendment and all other necessary documents; and**
- C. Approve the necessary Change Order.**

19. Recommendation Concerning Fiscal Year 2008/2009 Miscellaneous Appropriations Agreement for Escambia County Healthy Start Coalition, Inc. – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning approval of the Fiscal Year 2008/2009 Miscellaneous Appropriations Agreement for the Escambia County Healthy Start Coalition, Inc.:

- A. Approve the Miscellaneous Appropriations Agreement for \$20,000, to be paid from the General Fund (001), Cost Center 110201, Account 58201;**
- B. Authorize the Chairman to sign the Agreement and all other necessary documents; and**
- C. Authorize the execution of the necessary Purchase Order.**

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 16 of 23

20. Recommendation Concerning Professional Auditing Services Agreement – O’Sullivan Creel, LLP – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning approval of the increase to the Professional Auditing Services Agreement between Escambia County and O’Sullivan Creel, LLP:

- A. Approve increasing the Professional Auditing Services Agreement between Escambia County and O’Sullivan Creel, LLP, by \$35,000, to cover the additional costs incurred as the result of new accounting standards set by SAS99, to be paid from the General Fund (001), Cost Center 140201, Account 53101; and**
- B. Approve the necessary Change Order.**

21. Recommendation Concerning Amendment to the Fiscal Year 2008/2009 Miscellaneous Appropriations Agreement for Pensacola Sports Association, Inc. – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning approval of the Amendment to the Fiscal Year 2008/2009 Miscellaneous Appropriations Agreement for Pensacola Sports Association:

- A. Approve the Amendment to the Fiscal Year 2008/2009 Miscellaneous Appropriations Agreement amending Section 3, increasing the allocation by \$13,573, for a total allocation of \$236,423, to be paid from the 3rd Cent Tourist Development Tax Fund (108), Cost Center 360101;**
- B. Authorize the Chairman to sign the Amendment and all other necessary documents; and**
- C. Approve the necessary Change Order.**

22. Recommendation Concerning Foreclosure on Real Property Located at 1233 Betts Avenue – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board authorize foreclosure of the Code Enforcement Lien recorded in OR Book 5794 at page 1062 of the Public Records of Escambia County, Florida, on real property located at 1233 Betts Avenue, Account #120062000, Reference number 03-2N-31-2100-000-032. The County’s current Lien amount is \$20,032.50, and the current assessed value of the property is \$37,109.

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 17 of 23

23. Recommendation Concerning Foreclosure on Real Property Located at 431 Norris Avenue – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board authorize foreclosure of the Code Enforcement Lien recorded in OR Book 5622 at page 1003 of the Public Records of Escambia County, Florida, on real property located at 431 Norris Avenue, Account #052443000, Reference Number 09-2S-30-0900-060-009. The County's current Lien amount is \$9,322.50, and the current assessed value of the property is \$35,784.

24. Recommendation Concerning Supplemental Budget Amendment #113 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #113, Solid Waste Fund (401) and Transportation Trust Fund (175), in the amount of \$62,732, to transfer funds from Solid Waste to the Road Prison, and to appropriate these funds into the correct Cost Centers so that the funding source matches the work location for a Corrections Officer.

25. Recommendation Concerning Edgewater Phase II, Chaseville – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board award an Indefinite Quantity, Indefinite Delivery, Unit Price Contract, PD 08-09.004 "Edgewater Phase II, Chaseville" to Panhandle Grading & Paving, Inc., for the Base Bid Items in the amount of \$188,109, plus all Alternate Bid Items A-1, A-2, A-3 and A-4, in the amount of \$77,777.10, for a total of \$265,886.10. [Funding to be provided in Cost Center 220516, Object Code 56301]

26. Recommendation Concerning Agreements for the Sale of Recyclables from the Escambia County Division of Solid Waste Management's Recycling Operations – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board in accordance with the Agreements' Section 3, "Term", terminate for convenience and without cause, the following Agreements with Auto Shred Recycling, LLC: PD 98-99.86, PD 98-99.88, PD 98-99.89 and PD 98-99.90, by the Board giving 30 days written notice after approval of this Recommendation. These open-ended Contracts are dated and need revision.

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 18 of 23

27. Recommendation Concerning the Criminal Justice System Assessment Study – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve a Purchase Order to The National Center for State Courts, in the amount of \$151,862, to perform a Criminal Justice System Assessment Study. [Fund 115, (Article-V Fund), Cost Center 410507 and Object Code 53101]

28. Recommendation Concerning Purchase Orders in Excess of \$50,000 for Fiscal Year 2008-2009 to Gordon Maner – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve the issuance of various Purchase Orders for Fiscal Year 2008-2009 to Gordon Maner, in which the cumulative total, exceeds \$50,000 from various Cost Centers.

29. Recommendation Concerning Purchase of Uniforms Contract Agreement – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the Purchase of Uniforms Agreement, PD 05-06.036:

- A. Approve the assignment of the Contract from, The Fechheimer Brothers Company, d/b/a Harrison Uniform Company, 2960 Edison Avenue, Jacksonville, Florida 32254, to the Azar's Uniform Company, 5767 Carmichael Road, Montgomery, Alabama 36117, per the terms and conditions of the original Solicitation's Contract Agreement PD 05-06.036; and**
- B. Approve a Contract extension for an additional six months as allowed per the terms and conditions of the original Solicitation's Contract Agreement PD 05-06.036, and grant six additional months to the new Awardee, Azar's Uniform Company.**

[Fund Source: Cost Center 330302, Fund 408 (Emergency Medical Services), and Cost Center 330302, Account Code 55201]

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 19 of 23

30. Recommendation Concerning Uniform Rental Contract Extension – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve a Contract extension for an additional six months as allowed per the terms and conditions of the original Solicitation's Contract Agreement, PD 05-06.035, to Unifirst Corporation, which will provide time to solicit for another acceptable Contract Awardee. [Funding is available from various Funds and various Cost Centers]

31. Recommendation Concerning Coral Creek Subdivision Drainage and Pond Rehabilitation Project – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning Coral Creek Subdivision Drainage and Pond Rehabilitation Project:

A. Approve the Selection/Negotiation Committee Ranking:

- 1. Baskerville-Donovan, Inc.;**
- 2. Fabre Engineering & Surveying; and**
- 3. Sigma Consulting Group, Inc.; and**

B. Award a Task Order, PD 08-09.007, Coral Creek Subdivision Drainage and Pond Rehabilitation Project, per the terms and conditions of PD 02-03.079, Professional Services, as Governed by Florida Statute 287.055, to Baskerville-Donovan, Inc., for a lump sum amount of \$100,660.10 and allowances of \$100,000, for a total of \$200,660.10.

[Funding: Fund Code: 352, LOST III, Account Code: 210107, Object Code: 56301, Project Number: 08EN0301]

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 20 of 23

32. Recommendation Concerning Professional Services as Governed by Florida Statute 287.055 (A&E Services) – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning Professional Services as Governed by Florida Statute 287.055 (A&E Services):

- A. Award a Task-Order based on Continuing Contracts to Biological Research Associates, LLC, Handex Consulting and Remediation – Southeast, LLC, and Quality Engineering Surveying and Inspections, LLC, per PD 02-03.79, Professional Services, as Governed by Florida Statute 287.055 (A&E Services) on a “Maximum Ceiling” basis fee schedule as follows:**

Maximum Overhead – 168%

Maximum Profit – 12%

Maximum FCCM – 1.50%

Maximum Multiplier – 301.66% (providing no single item above is exceeded)

Existing Hourly Rates for each firm (based on an audited or auditable financial package); and

- B. Authorize the division(s) in conjunction with the Office of Purchasing, to negotiate Task Orders according to F.S. 287.055 “Consultants’ Competitive Negotiation Act” (A&E Services) on a project-by-project basis.**

33. Recommendation Concerning Supplemental Budget Amendment #122 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #122, Local Option Sales Tax III Fund (352), in the amount of \$606,032, to recognize a reimbursement from Emerald Coast Utilities Authority and to appropriate these funds for the Ferry Pass Zone 2 Sewer Expansion Project.

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 21 of 23

34. Recommendation Concerning Parking Agreement with Winterfest of Pensacola, Inc., for Mardi Gras – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the February 21 (Mardi Gras) Parking Agreement with Winterfest of Pensacola, Inc.:

- A. Approve the February 21 (Mardi Gras) Parking Agreement between Escambia County (County) and Winterfest of Pensacola, Inc., (Winterfest), with the following stipulations for the parking lots:**
- 1. Winterfest agrees to act as an agent for the County on February 21, 2009, to oversee and manage the northern, unpaved Civic Center parking lot, across from the Crowne Plaza Hotel (located on the corner of Gregory and Alcaniz Streets) and the Judicial Parking Garage (located on Baylen Street, behind the Blanchard Judicial Center), in Pensacola, Florida;**
 - 2. A parking fee of \$5.00 per vehicle will be collected on behalf of the County by Winterfest; and**
 - 3. As compensation for the services provided by Winterfest on behalf of the County, County agrees to pay Winterfest 66 2/3% of the amount collected by Winterfest and tendered to County and 33 1/3% to the Boy Scout Troop 676. Winterfest accepts responsibility for assuring that County's portion of the amount is donated to the Boy Scout Troop 676; and**
- B. Authorize the Chairman or Vice Chairman to execute the Agreement.**

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 22 of 23

35. Recommendation Concerning the Ex-Oriskany PCB Artificial Reef Monitoring Project Grant Agreement – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the Ex-Oriskany PCB (Polychlorinated Biphenyl) Artificial Reef Monitoring Project Grant Agreement with Florida Fish and Wildlife Conservation Commission (FWC) for PCB Artificial Reef Monitoring:

- A. Ratify the Chairman's signature and submittal of the Grant Agreement between Escambia County Board of County Commissioners and FWC for the Ex-Oriskany PCB Artificial Reef Monitoring Project Year 4 Grant, in the amount of \$40,000, effective from the date of execution to December 30, 2010; and
- B. Authorize the Chairman to execute any documents related to acceptance, execution, reporting, and Amendments to this Grant. [Cost Center: TBD; Object Code: 53101; Fund 110, Other Grants and Projects]

36. Recommendation Concerning the Florida Department of Environmental Protection, Division of Recreation and Parks, 2008-2009 Land and Water Conservation Fund Grant Application – Robert R. McLaughlin, County Administrator

RECOMMENDATION: That the Board take the following action concerning the Florida Department of Environmental Protection, Division of Recreation and Parks, Land and Water Conservation Fund (LWCF) 2008-2009 Grant Application for Beulah Regional Park:

- A. Approve submission of the Grant Application in the amount of \$86,250, with a required match of \$86,250, for a total of \$172,500; and
- B. Authorize the County Administrator to sign Grant Application.

[Funding for the match is available in Fund 351, "Local Option Sales Tax II", Account 350213, Object Code 56301, Project #08PR0091]

COUNTY ADMINISTRATOR'S REPORT

February 19, 2009

PAGE 23 of 23

III. For Discussion

1. Recommendation Concerning Resolution for Escambia County Housing Finance Authority, Single-Family Mortgage Revenue Bond Program (Multi-County Program) – Elbert Jones, Jr., Escambia County Housing Finance Authority Executive Director

RECOMMENDATION: That the Board adopt the Resolution (the “Resolution”) which approves a three-year plan of finance (the “Plan of Finance”) for low-interest loans to first-time homebuyers, and authorizes the Escambia County Housing Finance Authority (the “Authority”) to issue Single-Family Mortgage Revenue Bonds from time-to-time, including temporary Bond Anticipation Notes in connection therewith, in an aggregate principal amount not-to-exceed \$300,000,000.

2. Recommendation Concerning \$8,000,000 Escambia County, Florida, Environmental Improvement Revenue Bonds (International Paper Company Project) 2009 Series A – Robert R. McLaughlin, County Administrator

RECOMMENDATION: That the Board take the following action concerning the proposed issuance of not exceeding \$8,000,000 Escambia County, Florida, Environmental Improvement Revenue Bonds (International Paper Company Project) 2009 Series A:

- A. Adopt the Resolution amending and restating Resolution No. R2009-6 adopted by the Board on January 22, 2009, which authorized the issuance and sale of the Bonds upon the terms established therein (The Resolution authorized the sale of the Bonds at an interest rate not-to-exceed 8%. Due to current market conditions, it is now necessary to increase the maximum interest rate at which the Bonds may be sold to 12%); and
 - B. Authorize the Chairman to sign the Resolution.
3. Recommendation Concerning State Lobbyist Services for Escambia County – Amy Lovoy, Management and Budget Services Bureau Chief

(BACKUP TO BE DISTRIBUTED UNDER SEPARATE COVER)

COUNTY ATTORNEY'S REPORT
February 19, 2009

I. **FOR INFORMATION:**

1. Notice of Termination From Sheriff David Morgan Concerning the Interlocal Agreement on the Regional Public Safety Training Facility

That the Board accept the attached information concerning the Notice of Termination of Interlocal Agreement from Sheriff David Morgan dated February 2, 2009. The Notice effectively ends the three-party arrangement to develop a regional public safety training facility. The County Attorney's Office will take the appropriate steps to ensure the County's funds are returned.

2. Mandel v. McNesby, et al. - Case 3:08-cv-00049-RV-MD

Accepting, for filing with the Board's Minutes, the information concerning Robert K. Mandel and Sharon F. Mandel vs. Harry R. McNesby, Charlie Walker, Sotirios Thagouras, and Steve Littlejohn, wherein the Court denied Plaintiff's Motion for Relief from Judgment and Leave to File An Amended Complaint.

3. Rocky Branch Road Homeowners v. Board of County Commissioners of Escambia County - 2008 CA 000114

That the Board accept the attached information concerning Rocky Branch Road Homeowners v. Board of County Commissioners of Escambia County wherein the attorney for plaintiffs voluntarily dismissed the lawsuit.