

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 – July 23, 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.

AGENDA – BOARD OF COUNTY COMMISSIONERS

July 23, 2009

Page 2

6. Proclamations.

Recommendation: That the Board take the following action concerning Proclamations:

- A. Adopt the Proclamation honoring and congratulating Mrs. Hattie Maxwell for reaching the age of 104; and
- B. Take the following action concerning the adoption/ratification of the following four Proclamations:
 - (1) Adopt the Proclamation proclaiming the week of July 27-August 2, 2009, as “Fats, Oils, and Grease Week” in Escambia County;
 - (2) Adopt the Proclamation proclaiming July 25, 2009, as “Americans with Disabilities Act Awareness Day” in Escambia County;
 - (3) Ratify the Proclamation, dated July 8, 2009, recognizing and commending the “Blue Angels” for their dedication, leadership, and service to our community, country, and the Armed Forces; and
 - (4) Ratify the Proclamation, dated July 9, 2009, proclaiming Tuesday, July 14, 2009, as “Zelica Grotto Day” in Escambia County.

7. Written Communication:

- A. March 23, 2009 – Communication from Kenneth M. Keefe, Jr., McGuireWoods, LLP, requesting that the Board execute a *Disclaimer of Interest* to clarify issues raised by the typographical error in the legal description of two parcels cited in a foreclosure proceeding against Cordova Community Facilities Corporation, formerly known as Escambia Housing Corporation; and
- B. July 7, 2009 – Communication from Anne Bennett requesting to update the Board on the Perdido Watershed Eco-Tourism Project.

AGENDA – BOARD OF COUNTY COMMISSIONERS

July 23, 2009

Page 3

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 creating Kingsfield Courtyard Subdivision Street Lighting MSBU.**

Recommendation: That the Board, at the 5:31 p.m. Public Hearing, adopt, and authorize the Chairman to sign, the Ordinance creating the Kingsfield Courtyard Subdivision Street Lighting Municipal Services Benefit Unit (MSBU), and all related documents, and make the following findings of fact:

- A. Lots in the District are specially benefited since street lighting not only increases the market value of an individual lot in the District, but also increases safety in the District surrounding individual lots and the ability of lot owners to use their individual lots after dark;
- B. The benefit from improved street lighting varies according to the relative size of the affected lots; residential lots benefit from improved street lighting uniformly because of the small variation in size throughout the District;
- C. The non-ad valorem special assessments levied represent a fair and reasonable apportionment of the cost of the special benefit received by each lot and do not represent a fair share of the cost of general governmental service provided to residents in the unincorporated areas of Escambia County; and
- D. Lots which do not receive a special benefit have been and shall be excluded from the non-ad valorem special assessment for street lighting.

AGENDA – BOARD OF COUNTY COMMISSIONERS

July 23, 2009

Page 4

10. **5:32 p.m. Public Hearing for consideration of adopting an Ordinance establishing an EDATE for Landworks Investments, LLC, for up to 46% of their expansion for 10 years.**

Recommendation: That the Board, at the 5:32 p.m. Public Hearing, adopt an Ordinance establishing an Economic Development Ad Valorem Tax Exemption (EDATE) for Landworks Investments, LLC, for up to 46% of their expansion for 10 years.

11. **5:33 p.m. Public Hearing for consideration of adopting an Ordinance authorizing the issuance of civil citations for certain violations of the Escambia County Code of Ordinances.**

Recommendation: That the Board, at the 5:33 p.m. Public Hearing, take the following action:

- A. Adopt an Ordinance authorizing the issuance of civil citations for certain violations of the Escambia County Code of Ordinances; and
- B. Authorize the Chairman to sign the Ordinance.

12. **5:36 p.m. Public Hearing for consideration of the Escambia County Fiscal Year 2009 Section 5307 ARRA Grant Application.**

Recommendation: That the Board, at the 5:36 p.m. Public Hearing, take the following action concerning the Escambia County Fiscal Year 2009 Section 5307 ARRA (*American Recovery and Reinvestment Act of 2009*) Grant Application:

- A. Ratify the scheduling and advertising of a Public Hearing for 5:36 p.m. on Thursday, July 23, 2009, for the purpose of receiving comments from the general public concerning the Escambia County Fiscal Year 2009 Section 5307 ARRA Grant Application for \$4,031,579 in federal assistance for mass transit projects;
- B. After receipt of comments at the Public Hearing, approve, or amend and approve, the Escambia County Fiscal Year 2009 Section 5307 ARRA Stimulus Grant Application for \$4,031,579 in federal assistance for mass transit projects; and
- C. Adopt the Resolution authorizing the Chairman to sign and file all appropriate documents for application and receipt of federal funds from the Federal Transit Administration.

13. **5:37 p.m. Public Hearing for consideration of the Fiscal Year 2009 Grant Application for FTA 5307 funding for planning and capital assistance for mass transit projects for ECAT.**

Recommendation: That the Board, at the 5:37 p.m. Public Hearing, take the following action concerning the Fiscal Year 2009 Grant Application for Federal Transit Administration (FTA) 5307 funding for planning and capital assistance for mass transit projects for Escambia County Area Transit (ECAT):

- A. Ratify the scheduling and advertising of a Public Hearing for 5:37 p.m. on Thursday, July 23, 2009, for the purpose of receiving comments from the general public concerning the Escambia County Fiscal Year 2009 Section 5307 Grant Application for \$3,029,266 in federal assistance for mass transit projects;
- B. After receipt of comments at the Public Hearing, approve, or amend and approve, the Escambia County Fiscal Year 2009 Section 5307 Grant Application for \$3,029,266 in federal assistance for mass transit projects;
- C. Adopt the Resolution authorizing the Chairman to sign and file all appropriate documents for application, execution, and receipt of federal funds from the FTA; and
- D. Authorize the ECAT General Manager to file the Grant Application and Grant Award Execution via the Federal Transportation Electronic Award and Management System (TEAM), using the authorized passwords for the Chairman and County Attorney, where necessary.

AGENDA – BOARD OF COUNTY COMMISSIONERS

July 23, 2009

Page 6

14. Committee of the Whole Recommendation.

Recommendation: The Committee of the Whole (C/W), at the July 16, 2009, C/W Workshop, recommends that the Board take the following action:

- A. Authorize staff to cooperate in providing information to the Escambia County Consolidation Study Commission (ECCSC), as well as Special Advisory Committees and Subcommittees of the ECCSC, regarding revenue and expenditure categories for the County, and approve that, when necessary, staff will attend the meetings of the ECCSC and its Special Advisory Committees and Subcommittees to present information (*Item 3*);
- B. Adopt a Resolution identifying the need to obtain a high quality mixed-income residential development of scale within the downtown area and/or close-in older neighborhoods (*Item 8*); and
- C. Approve, subject to Legal sign-off, authoring a letter of support for a \$1.2 million match for a \$10 million National Institute of Standards and Technology Grant, for which the Florida Institute of Human and Machine Cognition (IHMC) is applying, to be utilized for a LEED (*Leadership in Energy and Environmental Design*) Gold Certified State-of-the-Art Robotics and Assistive Technologies Research Laboratory to be built on IHMC's property, with the County's match to be funded from \$3 million allocated for economic development (*Item 19*).

15. Reports:

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

16. Items added to the agenda.

17. Announcements.

18. 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
JULY 23, 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 of the Circuit Court & Comptroller's Finance Department:

- A. Payroll Expenditures for Pay Date July 10, 2009, in the amount of \$2,128,749.59; and
- B. The following two Disbursement of Funds:
 - (1) July 2, 2009, to July 8, 2009, in the amount of \$1,860,284.48; and
 - (2) July 9, 2009, to July 15, 2009, in the amount of \$2,313,711.07;
- C. The Investment Report for the month ended June 30, 2009; and
- D. The Tourist Development Tax Collections Data for Fiscal Year 2008-2009, which includes May 2009 returns received in the month of June 2009; the nine months revenue collected to date reflects 54.8% of the Budget for the Fiscal Year.

2. Recommendation Concerning Accounts Receivable Write-Off

Recommendation: That the Board adopt the Resolution authorizing the write-off of \$1,073.90 in returned checks and accounts receivable in various funds of the County that have been determined to be uncollectible bad debts.

I. CONSENT AGENDA – Continued

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

Recommendation: That the Board approve 19 forms, *Request for Disposition of Property*, indicating 63 items of equipment to be sold as surplus and/or appropriately disposed of; the Requests were prepared by various County Bureaus and state the reasons for disposition; the carrying value of the assets being disposed of totals \$330,037.96.

4. Recommendation Concerning Acceptance of Document

Recommendation: That the Board accept, for filing with the Board's Minutes, the original *State of Florida Department of Transportation, Transportation Regional Incentive Program Agreement*, based on the Board's March 19, 2009, approval of the Agreement, which specifies that the Department of Transportation will pay up to \$650,000 toward the design update on U. S. 90A (Nine Mile Road), between SR 297 (Pine Forest Road) and U. S. Highway 29, as received in the Clerk to the Board's Office on July 8, 2009.

5. 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 July 9, 2009; and
- B. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held July 9, 2009.

GROWTH MANAGEMENT REPORT

July 23, 2009

I. CONSENT AGENDA

RECOMMENDATION:

That the Board authorize the scheduling of the following Public Hearing(s):

- A. 5:45 p.m. – Thursday, August 6, 2009, A Public Hearing to adopt an Ordinance to Amend the Land Development Code, Amending Article 4, “Subdivisions and Site Plans”**
- B. 5:46 p.m. – Thursday, August 6, 2009, A Public Hearing to adopt an Ordinance to Amend the Land Development Code, Amending Article 5, “Concurrency Management”**

COUNTY ADMINISTRATOR'S REPORT
July 23, 2009

I. Technical/Public Service Consent Agenda

1. **Recommendation Concerning CRA Meeting Minutes – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board accept, for filing with the Board's Minutes, the June 18, 2009, Community Redevelopment Agency (CRA) Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA.

2. **Recommendation Concerning the EZDA Second Quarter Report – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board accept, for filing with the July 23, 2009, Board's Minutes, the Information Report concerning the Enterprise Zone Development Agency (EZDA) Second Quarter Report.

3. **Recommendation Concerning Scheduling a Public Hearing Amending the Barrancas, Brownsville Neighborhood, Englewood, Palafox, and Warrington Redevelopment Trust Fund Ordinances – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board approve the scheduling of a Public Hearing on August 6, 2009, at 5:33 p.m., to consider the adoption of County Ordinances amending the Barrancas Redevelopment Trust Fund Ordinance 2008-24, Brownsville Neighborhood Redevelopment Trust Fund Ordinance 2008-25, Englewood Redevelopment Trust Fund Ordinance 2008-26, Palafox Redevelopment Trust Fund Ordinance 2008-27, and Warrington Redevelopment Trust Fund Ordinance 2008-28, allowing for a 50% allocation of revenue for community redevelopment projects in the Tax Increment Financing Districts.

COUNTY ADMINISTRATOR'S REPORT

JULY 23, 2009

PAGE 2 of 22

4. Recommendation Concerning Vacation of a Portion of an Alleyway Located in Block 29, Englewood Heights Subdivision – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the Petition to Vacate a Portion of a 20-foot-wide alleyway (approximately 3,000 square feet or 0.06 acres), located in Block 29, Englewood Heights Subdivision, as petitioned by Terry Hale:

- A. Rescind the Board's action of April 16, 2009, as follows, due to the fact that the Petitioner failed to advertise the "Notice of Adoption" within the 30 days following its adoption, as required by Florida Statutes:**
- 1. Approving the Petition to Vacate;**
 - 2. Accepting the Hold/Harmless Agreement;**
 - 3. Adopting the Resolution (R2009-62) to Vacate; and**
 - 4. Authorizing 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 authorizing the Chairman or Vice Chairman to execute them at that time; and**
- B. Authorize the scheduling of a Public Hearing on August 20, 2009, at 5:31 p.m., for the consideration of the Petition to Vacate a portion of a 20-foot-wide alleyway (approximately 3,000 square feet or 0.06 acres) located in Block 29, Englewood Heights Subdivision, as petitioned by Terry Hale.**

5. Recommendation Concerning Termination of Interlocal Agreement with the City of Pensacola for Maintenance of Roads as Listed – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board take the following action regarding the termination of the Interlocal Agreement between Escambia County and the City of Pensacola, which arranged for a road maintenance strategy, was established on August 7, 1975, and was revised on June 29, 1982:

- A. Authorize termination of the Interlocal Agreement regarding maintenance of the roads listed in Attachment "A"; and**
- B. Authorize the Escambia County Public Works Bureau Chief Joy D. Blackmon, P.E., to send the letter of termination to Mr. Al Garza, P.E., Director of Public Works for the City of Pensacola.**

COUNTY ADMINISTRATOR'S REPORT

JULY 23, 2009

PAGE 3 of 22

6. **Recommendation Concerning Appointments to the Animal Services Advisory Committee – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

(BACKUP TO BE DISTRIBUTED UNDER SEPARATE COVER)

7. **Recommendation Concerning the 2009 Annual Update to the Escambia County Ten-Year Transit Development Plan – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board receive the 2009 Annual Update to the Escambia County Ten-Year Transit Development Plan, prepared by Escambia County Area Transit for information only.

II. Budget/Finance Consent Agenda

1. Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements at 214 Northwest Gilliland Road – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board ratify the following action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements at 214 Northwest Gilliland Road:

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Jamie L. Sherman, owner of residential property located at 214 Northwest Gilliland Road, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$4,492, representing an in-kind match through the Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, for the following improvements: Install a new roof and new storm windows; and**
- B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.**

2. Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements at 303 Southeast Kalash Road – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board ratify the following action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements at 303 Southeast Kalash Road:

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Robert and Pamela Clyde, owners of residential property located at 303 Southeast Kalash Road, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$5,940, representing an in-kind match through the Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, for the following improvements: Install new storm windows; and**
- B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.**

3. **Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements at 1403 North "U" Street – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board ratify the following action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements at 1403 North "U" Street:

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and James Berry, owner of residential property located at 1403 North "U" Street, Pensacola, Florida, in the Brownsville Redevelopment Area, each in the amount of \$1,640, representing an in-kind match through the Brownsville Tax Increment Financing (TIF), Fund 151, Cost Center 220515, Object Code 58301, for the following improvements: Install a new roof; and
- B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

4. **Recommendation Concerning 2009 Escambia Consortium Annual Action Plan – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning approval of the 2009 Escambia Consortium Annual Action Plan:

- A. Approve the 2009 Escambia Consortium Annual Action Plan for Housing and Community Development, including the Escambia County 2009 Annual Plan, detailing use of 2009 Community Development Block Grant (CDBG) funds, in the amount of \$2,101,113; 2009 HOME Investment Partnerships Act (HOME) funds in the amount of \$1,795,021; and 2009 Emergency Shelter Grant Program (ESG) funds in the amount of \$91,704; and
- B. Authorize the County Administrator to execute the 2009 Annual Action Plan forms, certifications and related documents, as required to submit the Plan to the U.S. Department of Housing and Urban Development, and authorize the County Administrator or Chairman, as appropriate, to execute documents required to receive and implement the 2009 CDBG, 2009 HOME, and 2009 ESG Programs.

[Funding: Fund 129/CDBG, Fund 147/HOME, and Fund 110/ESG—Cost Centers to be assigned]

5. **Recommendation Concerning Community Development Block Grant-Recovery Agreement for Sanitary Sewer Improvement Project – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding the Community Development Block Grant-Recovery (CDBG-R) Grant for Sanitary Sewer Improvements awarded by the U.S. Department of Housing and Urban Development:

- A. Approve the Interlocal Agreement with Emerald Coast Utilities Authority in the amount of \$559,361, providing for the construction of public sanitary sewer system improvements in the Dorrie Miller/Aviation Field neighborhood, utilizing CDBG-R funds;
- B. Authorize the Chairman or County Administrator, as appropriate, to execute the Interlocal Agreement and all related documents as required to implement the project; and
- C. Authorize the Office of the Clerk of the Circuit Court to record the Interlocal Agreement in the Official Records of Escambia County.

[Funding: Fund 129/CDBG, Cost Center to be assigned]

6. **Recommendation Concerning First Amendment to Pedestrian Easement and Agreement Regarding Construction of a Boardwalk at the Terminus of Sandy Key Drive – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning an Amendment to an existing Pedestrian Easement, allowing construction of a boardwalk with dune crossover and an Agreement regarding the construction of a boardwalk at the terminus of Sandy Key Drive, to accommodate the settlement of a lawsuit between Sandy Key Owners' Association, Inc., and Grand Caribbean at Perdido Key Owners' Association, Inc.:

- A. Approve the First Amendment to Pedestrian Easement between Escambia County and the Sandy Key Owners' Association, Inc., to allow for construction of a boardwalk within the public Easement;
- B. Approve the Agreement Regarding Boardwalk Located at the Terminus of Sandy Key Drive between Escambia County, the Sandy Key Owners' Association, Inc., and Grand Caribbean at Perdido Key Owners' Association, Inc.; and
- C. Authorize the Chairman to sign the First Amendment to Pedestrian Easement and Agreement regarding the Boardwalk.

[Funding: Grand Carribbean at Perdido Key Owners' Association, Inc. will pay for construction of the Boardwalk]

7. **Recommendation Concerning Amendment No. 5 to the Perdido Key Dune Restoration and Beach Restoration Feasibility Study – Sandra P. Jennings, E.I., Neighborhoods/ Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning Amendment No. 5 to the Perdido Key Dune Restoration and Beach Restoration Feasibility Study, Contract No. H5ES1 with the Florida Department of Environmental Protection, Bureau of Beaches and Coastal Systems:

- A. Approve Amendment No. 5, Perdido Key Dune Restoration and Beach Restoration Feasibility Study, Contract No. H5ES1, providing for an extension to the Grant project completion date to July 31, 2011, and revert \$809,374 back to the State, per action of the 2009 Legislature; and
- B. Authorize the Chairman to sign the Amendment and any other documents related to the Grant Agreement.

[Funding: Fund 110, Other Grants and Projects, Cost Center 220327 - \$809,374 deduction, per action of the 2009 State Legislature]

8. **Recommendation Concerning Increase in Recreation Fees for the Parks Programs Division – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board adopt the Parks Programs Division's proposal to increase recreation fees, resulting in an increase of approximately \$69,580 in revenue, effective October 1, 2009. [Funding: General Fund (001)/ Cost Centers 220801 (Adult Sports), 220803 (Recreation), and 220804 (Lake Stone)]

9. **Recommendation Concerning Confirmation of Escambia County Public Safety Bureau Chief/Fire Chief – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board confirm the appointment of Franklin H. Edwards, to the position of Public Safety Bureau Chief/Fire Chief, with an annual salary of \$100,000, effective August 18, 2009. This position receives the Senior Executive Service level of Management Optional Benefits and accrues Paid-Time Off. This position also receives the Special Risk level in the Florida Retirement System, and includes all benefit elections offered to County employees. [Funding Source: 50% from Fire Fund #143 and 50% from General Fund #001 (Cost Center: 330401, Object Code: 51201)]

COUNTY ADMINISTRATOR'S REPORT

JULY 23, 2009

PAGE 9 of 22

10. Recommendation Concerning Supplemental Budget Amendment #285 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #285, CDBG Entitlement Fund (129), in the amount of \$559,361 to recognize funds from the U.S. Department of Housing and appropriate these funds for the Community Development Block Grant Recovery (CDBG-R) to support infrastructure improvements in targeted neighborhoods.

11. Recommendation Concerning Supplemental Budget Amendment #292 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #292, Fire Protection Fund (143), in the amount of \$110,496, to recognize funds from the U.S. Department of Homeland Security Staffing for the Adequate Fire and Emergency Response (SAFER) Grant and appropriate these funds for 12 additional Fire personnel at County Fire Services.

12. **Recommendation Concerning Certification of Millage Rates and Scheduling Public Hearings for the Fiscal Year 2009/2010 Budget – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the certification of millage rates and the scheduling of Public Hearings for the Fiscal Year 2009/2010 Budget:

- A. Certify the millage rates for Fiscal Year 2009/2010 as follows:
County-wide Operating – 6.9755
Law Enforcement MSTU (Municipal Services Taxing Unit) – .685

Once the millage rates listed above have been certified, the millage rate cannot be increased without re-first class notices to the public; the millage rates must be certified by August 4, 2009. The millage rates are the same levels as those used for funding purposes in Fiscal Year 2008/2009;

- B. Certify the proposed millage rates at 5.16% below the aggregate rolled back rate;
- C. Reaffirm the Boards intent to reduce the allocation of revenues from 75% to 50% in the Community Redevelopment Agency Tax Increment Financing Districts for Fiscal Year 2009/2010;
- D. Approve the scheduling of a Public Hearing on the Fiscal Year 2009/2010 Budget for September 3, 2009, at 5:01 p.m., to be held in the Chambers of the Board of County Commissioners of Escambia County, Florida, located on the first floor of the Escambia County Governmental Complex, 221 Palafox Place, Pensacola, Florida; and
- E. Approve the scheduling of a Public Hearing to adopt the Fiscal Year 2009/2010 non-ad valorem Special Assessment Roll at 5:02 p.m., on September 3, 2009, to be held in the Chambers of the Board of County Commissioners of Escambia County, Florida located on the first floor of the Escambia County Governmental Complex, 221 Palafox Place, Pensacola Florida.

13. **Recommendation Concerning Supplemental Budget Amendment #296 – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #296, Local Option Sales Tax III Fund (352) and General Fund (001), in the amount of \$40,683, to recognize indirect costs from the Federal Stimulus Grant and appropriate these funds into the General Fund.

COUNTY ADMINISTRATOR'S REPORT

JULY 23, 2009

PAGE 11 of 22

14. Recommendation Concerning a Change Order for Scanning Services – Amy Lovoy, Management and Budget Services Bureau Chief

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

Bureau:	Development Services	
Division:	Planning	
Type:	Addition	
Amount:	\$20,261.24	
Vendor:	Gilmore Services	
PO No.:	271946/280663/290517	
CO No.:	1	
Original Award Amount		\$41,307.37
Cumulative Amount of Change Order Through CO#1		<u>\$20,261.24</u>
New Contract Total:		\$61,568.61

[Funding Source: Fund 001, "General Fund", Account 250301/53101]

15. Recommendation Concerning Group Dental Contractual Services and Claims – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning PD 02-03.61, Group Dental Contractual Services and Claims:

- A. Approve extending the Delta Dental Insurance Company Contract for three years from October 1, 2009, through September 30, 2012, to provide dental insurance contractual and claims service, with no increase in administrative service fees or benefits. The annual premium amount is not to exceed \$70,000 for administrative services and \$600,000 for claims;
- B. Approve increasing dental insurance premiums by \$5 for all low option coverage and \$10 for all high option coverage;
- C. Approve Amendment #2 to the Dental Administration Services Contract between Delta Dental Insurance Company and Escambia County, which adds a Diagnostic and Preventative Waiver to the County's coverage with no additional Administrative Services Contract fee or suggested funding rates; and
- D. Authorize the County Administrator to sign Amendment #2.

[Funding Source: Fund 501, Internal Service Fund, Cost Center 140608, Object Codes 53101 & 53401]

16. Recommendation Concerning Flexible Benefits Plan Administrative Services – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve extending the Contract with EBS Atlanta for 2 years, from October 1, 2009, through September 29, 2011, to provide Flexible Benefits Plan Administrative Services. The extension also provides for a fee increase, from \$3.35 per participant, per month, to \$3.85 per participant, per month. [Funding Source: Fund 501, Internal Service Fund; Cost Center 140612, Object Code 53101]

17. **Recommendation Concerning Group Medical Insurance – Amy Lovoy,
Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding the County's Group Medical Insurance (PD 08-09.042, Group Medical, Life, and Disability Insurance):

- A. Award a Contract to Blue Cross and Blue Shield of Florida, Inc., for one year, from October 1, 2009, to September 30, 2010, to provide health insurance coverage in the form of plans Blue Option 1352, Blue Option 1552, Health Saving Accounts (HSA), and Blue Medicare and Group Medicare Supplement Plan "F" for retirees that are Medicare-eligible;
- B. Award a Contract for \$10,000 additional life insurance to The Standard Life Insurance Company, for a total of \$50,000 of Group Term Life and Accidental Death and Dismemberment Insurance, and offset dental insurance premiums by \$12.98 for employees electing not to take the County's health insurance coverage, effective October 1, 2009. The Health Indemnity Program will be eliminated as of October 1, 2009;
- C. Approve the employee and retiree health insurance premiums. Attachment 1 shows premiums reflecting a \$20 discount for employees that do not smoke. Attachment 2 shows the health insurance premiums for the County's retirees. Retirees will be responsible for paying their full premium, whether they are Medicare-eligible or not;
- D. Authorize the County to deposit \$600 into the HSA account of each employee who elects the HSA coverage. This will assist the employee in paying the higher deductible (\$2,100 or \$4,200). The deposit will be reviewed each year at renewal time. The cost would include a \$3 monthly fee for each employee, along with a one-time start-up fee of \$22 for each new employee who enrolls. The cost is included in our total cost estimate; and
- E. Authorize the County Administrator to sign the Employer Application.

[Funding Source: Fund 501, Internal Service Fund, Cost Center 140609, Object Code 54501]

18. **Recommendation Concerning Group long Term Disability Insurance – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding the Group Long Term Disability Insurance Contract with Madison National Life Insurance Company for the County's Group Long Term Disability Insurance (PD 08-09.042, Group Medical, Life and Disability Insurance):

- A. Approve changing Group Long Term Disability Insurance from a County-paid program to a voluntary program;
- B. Award a Contract to Madison National Life Insurance Company (Madison National Life Insurance Company is the carrier, and National Insurance Services administers the plan), effective October 1, 2009, for a period of 36 months; and
- C. Authorize the County Administrator to sign a revised Joinder Agreement for Voluntary Long Term Disability Insurance (Joinder Agreement for Voluntary Long Term Disability Insurance will be drafted upon approval of issuing a Contract to Madison National Life Insurance).

[Funding Source: Fund 501, Internal Service Fund]

19. **Recommendation Concerning Group Life and Accidental Death and Dismemberment Insurance – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding the County's Group Life and AD&D (Accidental Death and Dismemberment) Insurance (PD 08-09.042 Group Medical, Life, and Disability Insurance):

- A. Award a Contract to Standard Life Insurance Company for Group Life and AD&D Insurance, PD 08-09.042, to provide the following:
 - 1. An annual premium amount not to exceed \$350,000 per Fiscal Year, for all eligible employees, effective October 1, 2009, for a period of 36 months; and
 - 2. A change in retiree life insurance from a County-paid program to an entirely voluntary program, effective October 1, 2009, for a period of 36 months. The price for retiree life insurance will be \$.30 per \$1,000 worth of coverage. The Standard Life Insurance Company will have the responsibility of collecting the premiums on an annual basis once the County notifies its retirees of the change; and
- B. Authorize the County Administrator to sign a Standard Life Insurance Application for Group Life Insurance (Standard Life Insurance Application for Group Life Insurance will be drafted upon approval of issuing a Contract to Standard Life Insurance).

[Funding Source: Fund 501, Internal Service Fund, Cost Center 140610, Object Code 54501.]

20. **Recommendation Concerning Molino Road Resurfacing – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board award an Indefinite Quantity, Indefinite Delivery, Unit Price Contract, PD 08-09.068 "Molino Road Resurfacing" to Roads, Inc., of NWF, for a total amount of \$858,713.05. [Fund 352, LOST III, Cost Center 210107, Object Code 56301, Project Number 08EN0208]

COUNTY ADMINISTRATOR'S REPORT

JULY 23, 2009

PAGE 16 of 22

21. Recommendation Concerning Sauflley Field Road Resurfacing – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board award an Indefinite Quantity, Indefinite Delivery, Unit Price Contract, PD 08-09.067 “Sauflley Field Road Resurfacing” to Roads, Inc., of NWF, for a total amount of \$433,836. [Fund 352, LOST III, Cost Center 210107, Object Code 56301, Project Number 08EN0208]

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

RECOMMENDATION: That the Board award a one year extension to Contract PD 05-06.092, effective October 1, 2009, to Southern Management for “Custodial Services for Various County Buildings”, under the current terms and conditions with no price increase for Fiscal Year 2009-2010. [Funding: Facilities Management, Fund 001, General Fund, Cost Center 210603 and Object Code 53401. Building Inspections, Fund 406, Cost Centers 250101, 250107, 250108, 250109, 250111, 250114, 250115, 250116 and 250118 and Object Code 53401; Solid Waste, Fund 401, Cost Center 220603 and Object Code 53401]

23. Recommendation Concerning Roll-Off Container Service – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board award the Contract for Roll-Off Container Service, PD 08-09.071, to Containers Inc., Waste Pro of Florida and Allied Waste Services of North America, for a period of 12 months, renewable for 2 additional 12-month periods, for a total of 36 months, in the approximate amount of \$60,000. [Funding: Fund 401, Solid Waste Fund, Cost Center 220604]

24. Recommendation Concerning Temporary Employment Services – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board award Contracts, for Temporary Employment Services, PD 08-09.069, to the following firms, Medical Staffing Network, Inc., Accustaff, MTI-Moten Tate, Inc., Temporary Employee Services, Inc., Kelly Services and Keegan Temps, Inc., dba Keegan, for a period of 12 months, renewable for 2 additional 12 month periods, for a total of 36 months. [Funding: Fund 110, Other Grants and Projects, Cost Center 220203, Object Code 53401; Fund 101, Escambia County Restricted, Cost Center 210602, Object Code 53401; Fund 408, EMS Fund, Object Code 330304, Cost Center 53401; Fund 001, General Fund, Cost Center 220204, Object Code 53401; Fund 001, General Fund, Cost Centers 220101 and 220803 and Object Code 53401]

COUNTY ADMINISTRATOR'S REPORT

JULY 23, 2009

PAGE 17 of 22

25. Recommendation Concerning Extension of Pricing Agreement for Medical Supplies and Equipment – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board extend the pricing Agreement for PD 06-07.072, Medical Supplies and Equipment, originally awarded June 21, 2007, for a period of 12 months and annual amounts over \$50,000 to the following vendors:

- A. Alliance Medical;**
- B. Bound Tree Medical, LLC;**
- C. Kentron Health Care, Inc.;**
- D. Laerdal Medical Corporation;**
- E. Physio-Control (a division of Medtronic);**
- F. Moore Medical, LLC;**
- G. QuadMed, Inc.;**
- H. Henry Schein Matrix Medical; and**
- I. Tri-Anim Health Services, Inc.**

[Fund 408, Emergency Medical Services, Cost Center 330302 and Fund 143, Fire Services, Cost Center 330202]

26. **Recommendation Concerning Acceptance of Property on Walton Street, North Loop Road and Ailanthus Court for Road and Drainage Improvements – Joy D. Blackmon, P.E., Public Works Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the acquisition of property by donation for road rights-of-way and drainage improvement projects, to facilitate the continued maintenance of existing road and drainage facilities and for proposed future projects, on Walton Street, North Loop Road and Ailanthus Court:

- A. Authorize staff to negotiate and resolve any matters related to, or associated with the acquisition of property for road rights-of-way and Easements located on or adjacent to the above properties, gather information, and conduct inspections, as needed, to allow the Board's acceptance of the real property;
- B. Authorize the payment of documentary stamps because the property is being acquired for governmental use, which is for road rights-of-way and Easements, and the County benefits from these acquisitions because they facilitate the installation of the improvements and the maintenance of paving and drainage systems, which will enhance the quality of life for the citizens of Escambia County;
- C. Authorize the payment of incidental expenditures associated with the acquisition of these properties; and
- D. Authorize staff to prepare, and 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.

COUNTY ADMINISTRATOR'S REPORT

JULY 23, 2009

PAGE 19 of 22

27. Recommendation Concerning Change Order for State Road 292 (Perdido Key Drive) from the Alabama State Line to the South End of the Theo Baars Bridge – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board approve and authorize the County Administrator to execute the following Change Order for the purpose of preparation of an Environmental Impact Study for the Project Development and Environmental Study for “State Road 292 (Perdido Key Drive) from the Alabama State Line to the South End of the Theo Baars Bridge”, as required by Federal and State guidelines:

Bureau:	Public Works	
Division:	Engineering	
Type:	Addition	
Amount:	\$898,064.12	
Vendor:	Post, Buckley, Schuh and Jernigan, Inc. (PBS&J)	
Project Name:	State Road 292 (Perdido Key Drive) from Alabama State Line to the South End of the Theo Baars Bridge	
Contract:	PD 05-06.075	
PO No.:	280609	
CO No.:	3	
Original Award Amount (County Portion):		\$650,000.00
Original Award Amount (FDOT/Grant Portion):		\$650,000.00
Change Order for Efficient Transportation Decision Making Process (ETDM) FDOT Requirement		\$106,554.00
Amount of this Change Order		<u>\$898,064.12</u>
New Contract Total:		\$2,304,618.12

[Funding Source: Fund 152, “Southwest Sector Plan”, Account 110269/56301 – \$449,032.06 and Account 210507/56301 – \$449,032.06, Project No. 08EN0662]

28. Recommendation Concerning Purchase of Property for Right-of-Way on Muscogee Road and County Road 97 – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the purchase of property for right-of-way on Muscogee Road and County Road (CR) 97:

- A. Authorize staff to purchase a portion of the property owned by Regions Bank, as Trustee of the Juanita F. Spearman Revocable Trust (approximately 7,140 square feet or 0.16 acres), on Muscogee Road and County Road 97, for the negotiated price of \$14,280;
- 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 required to complete the purchase.

[Funding Source: Fund 351, Lost II, Account 210105/56301/56101, Project 05EN1515]

29. Recommendation Concerning Surplus and Sale of Real Property Located on Cobb Lane – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the sale of real property located on Cobb Lane:

- A. Declare surplus the Board's real property, Account Number 03-0893-000, Tax Reference Number 25-1S-30-1101-000-001, located on Cobb Lane and acquired by tax deed. The property will be advertised on the Internet auction web site for a minimum of six days before bidding commences;
- B. Authorize the sale of the property to the bidder with the highest offer received above the minimum bid of \$4,940, 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.

30. **Recommendation Concerning Sale of Real Property Located at 1008 West Lloyd Street – Joy D. Blackmon, P.E., Public Works Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the sale of real property, Account Number 14-4101-000, Tax Reference Number 00-0S-00-9050-024-052, located at 1008 West Lloyd Street:

- A. Rescind the Board's action of April 10, 2007, as follows, due to the adjacent property owners' lack of interest to purchase:
 - 1. Declaring surplus the Board's real property located at 1008 West Lloyd Street (Tax Reference Number 00-0S-00-9050-024-052), offering this property to the adjacent property owners, and authorizing the sale of this property to the highest offer received above the minimum bid of \$6,300, without further action of the Board;
 - 2. Making a factual determination, in accordance with Section 46-131 of the Escambia County Code of Ordinances, that the real property is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the property, and the size, shape, location, and value of the property would make it of use to only one or more of the adjacent property owners; and
 - 3. Authorizing the Chairman to sign any and all documents necessary to close this sale;
- B. Declare surplus the Board's real property, Account Number 14-4101-000, Tax Reference Number 00-0S-00-9050-024-052, acquired by tax deed. The property will be advertised on the Internet auction web site for a minimum of six days before bidding commences;
- C. Authorize the sale of the property to the bidder with the highest offer received above the minimum bid of \$5,985, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and
- D. Authorize the Chairman to sign all documents related to the sale.

COUNTY ADMINISTRATOR'S REPORT

JULY 23, 2009

PAGE 22 of 22

31. **Recommendation Concerning a Cooperative Agreement with the Escambia County School Board – Gordon Pike, Corrections Bureau Chief**

(BACKUP TO BE DISTRIBUTED UNDER SEPARATE COVER)

32. **Recommendation Concerning Addendum to IKON Office Solutions, Inc., Master Agreement for Escambia County Fire Rescue – Michael Hardin, Public Safety Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the Addendum to IKON Office Solutions, Inc., Master Agreement Number 1016359 for the lease of copiers for Escambia County Fire Rescue:

- A. Approve the Addendum; and
- B. Authorize the Chairman to sign the Addendum.

[Funding Source: Fund 143, Fire Protection, Cost Center 330206, Fire Department Paid]

COUNTY ATTORNEY'S REPORT
July 23, 2009

I. FOR ACTION:

1. Escambia County v. The Health Center of Pensacola, Inc.
Case No. 2009 CA 2070

That the Board ratify the filing of a lawsuit by the County Attorney's Office against The Health Center of Pensacola, Inc. to recover outstanding debts owed to Escambia County Emergency Medical Services.

2. Resolution Adopting Identity Theft Prevention Program and Amendments and Addition to Escambia County's Privacy and Security Policies

That the Board adopt the attached resolution amending Section 39 and creating Section 60 of Escambia County's Privacy and Security Policies.

3. James E. Snider Workers' Compensation Washout Settlement

That the Board approve a workers' compensation settlement in the amount of \$42,500.00 that includes a washout settlement in the amount of \$22,750.00 and an agreement to resolve pending attorney's fees and costs litigation in the amount of \$19,750.00.

4. Shelley Berman Workers' Compensation Washout Settlement

That the Board of County Commissioners approve a workers' compensation washout settlement with former Santa Rosa Island Authority (SRIA) employee Shelley Berman in the amount of \$135,000.00, inclusive of attorney fees and costs. An excess carrier shall reimburse the County for 100.0% of the settlement value. In exchange for the settlement, Ms. Berman shall execute a general release of all claims with the County.

5. Form Agreements: Two Year Warranty Agreement With Surety/Financial Security and Two Year Warranty Agreement Without Surety/Financial Security for Streets and Drainage Improvements.

That the Board consider adopting the forms of Two-Year Warranty Agreements, which are required by Section 4.03.03.C., Land Development Code to be provided by developers as a condition of the County accepting the streets and drainage improvements.