

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 – April 22, 2010 – 5:30 p.m.

Governmental Complex – First Floor

1. Call to Order.

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

2. Invocation – Reverend Chip Hale, Cokesbury Methodist Church.
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/Years of Service/Special Recognition.

Recommendation: That the Board take the following action concerning Proclamations/
Years of Service/Special Recognition:

A. Adopt the following three Proclamations:

- (1) The Proclamation proclaiming May 1, 2010, as “Law Day” in Escambia County;
- (2) The Proclamation proclaiming May 3-9, 2010, as “Family Values Week” in Escambia County; and
- (3) The Proclamation proclaiming May 5, 2010, as “Carrie Underwood Day” in Escambia County;

B. Take the following action concerning recognition of the Road Prison Tracking Dog Team and Road Prison Drug Interdiction Team:

- (1) Recognize and congratulate Sergeant Charles Snow, Officer Chad Sims, Officer Jim Solchenberger, and Officer Robert Oliver for winning 4th Place against 20 other teams in the Southern States Manhunt Field Trials at Camp Robinson located in Pine Bluff, Arkansas; and
- (2) Recognize and congratulate Officer Mark Butler, with his K-9 Officer Harley, for winning 2nd Place in "Outside Narcotics," 4th Place in "Rooms," and 4th Place in "Overall in Detection Dog," in the Unites States Police Canine Association 2010 Region 1 Field Trials located in Lady Lake, Florida; and

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6. Continued...

- C. Recognize, with a pin and certificate, Linda L. Smithson, Senior Office Support Assistant, Solid Waste Management Division, Neighborhoods and Community Services Bureau, for her 30 years of dedicated service to Escambia County;

Presentation(s):

- A. Proclamation proclaiming May 2010 as “Celebrate Escambia Waterways Month” in Escambia County; and
- B. Certificate recognizing Mr. and Mrs. Robert G. Carr for their efforts to beautify their yard and neighborhood, as nominated by their neighbor, Mrs. Barbara Mayall.
7. 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*.

8. **5:31 p.m. Public Hearing for consideration of adopting an Ordinance amending the Animal Control Ordinance to provide definitions and restrictions relating to tethering animals.**

Recommendation: That the Board, at the 5:31 p.m. Public Hearing, adopt an Ordinance amending Chapter 10, Article I, Section 10-3, "Definitions," and 10-16, "Cruelty to Animals," of the Escambia County Code of Ordinances; this amendment provides definitions and restrictions related to tethering animals.

9. Committee of the Whole Recommendation.

(TO BE DISTRIBUTED UNDER SEPARATE COVER)

10. Reports:

Clerk of the Circuit Court & Comptroller
County Administrator
County Attorney

11. Items added to the agenda.
12. Announcements.
13. 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
APRIL 22, 2010

I. CONSENT AGENDA

1. Recommendation Concerning Acceptance of Reports

Recommendation: That the Board accept, for filing with the Board's Minutes, the following eight Reports prepared by the Clerk of the Circuit Court & Comptroller's Finance Department:

- A. Payroll Expenditures for Pay Date April 16, 2010, in the amount of \$2,177,340.63;
- B. The following three Disbursement of Funds:
 - (1) March 25, 2010, to March 31, 2010, in the amount of \$13,751,775.23;
 - (2) April 1, 2010, to April 7, 2010, in the amount of \$9,641,369.21; and
 - (3) April 8, 2010, to April 14, 2010, in the amount of \$3,183,448.18;
- C. The following two Budget Comparison Reports for *(six months, or 50% of)* Fiscal Year 2009-2010:
 - (1) Summarized, by fund, Budget to Actual Comparison as of March 31, 2010; and
 - (2) Actual Revenue and Expenditure Comparison to the prior Fiscal Year as of March 31, 2010;
- D. The Investment Report for the month ended March 31, 2010; and
- E. The Tourist Development Tax Collections Data for Fiscal Year 2009-2010, which includes the February 2010 returns received in the month of March 2010; the six months revenue collected reflects 32.8% of the Budget for the Fiscal Year.

1. CONSENT AGENDA – Continued

2. Recommendation Concerning Annual Audit Report

Recommendation: That the Board accept, for filing with the Board's Minutes, the Annual Audit Report for the Fiscal Year Ended September 30, 2009, as prepared by the Finance Department of the Clerk and Comptroller's Office and audited by O'Sullivan Creel, LLP, Certified Public Accountants and Consultants, and delivered by the Auditors on April 6, 2010.

3. Recommendation Concerning Accounts Receivable Write-Off

Recommendation: That the Board adopt the Resolution authorizing the write-off of \$32,305 in returned checks and accounts receivable (*that have been recorded*) in various funds of the County and have been determined to be uncollectible bad debts.

4. Recommendation Concerning Acceptance of Documents

Recommendation: That the Board accept, for filing with the Board's Minutes, the following documents received in the Clerk to the Board's Office on April 7, 2010:

- A. A copy of the audited *Northwest Florida Water Management District Financial Statements – September 30, 2009*, as provided by Jean Whitten, Director, Division of Administration, Northwest Florida Water Management District; and
- B. The *Continuation Certificate* continuing *Bond No. 551298* through December 31, 2010, and *Increase Penalty Rider*, increasing the Bond Penalty from \$500,000 to \$900,000, effective February 17, 2009, issued by Evergreen National Indemnity Company, as Surety, on behalf of Allied Waste Services of North America, LLC, as Principal, in favor of Escambia County Solid Waste Management, as Obligee, as provided by Denee M. Rudd, Accounting Supervisor.

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 April 8, 2010; and
- B. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held April 8, 2010.

COUNTY ADMINISTRATOR'S REPORT
April 22, 2010

I. Technical/Public Service Consent Agenda

1. **Recommendation Concerning Request for Disposition of Property – Dell CPU (Property #53647) – T. Lloyd Kerr, AICP, Development Services Bureau Chief**

RECOMMENDATION: That the Board approve the Request for Disposition of Property authorizing the disposal of a Dell CPU (Property #53647).

2. **Recommendation Concerning Request for Disposition of Property – (Dell CPU Property #51120) – T. Lloyd Kerr, AICP, Development Services Bureau Chief**

RECOMMENDATION: That the Board approve the Request for Disposition of Property to be auctioned as surplus or properly disposed of (Dell CPU Property #51120), which is described and listed on the Request for Disposition of Property Form with the Bureau and reason stated.

3. **Recommendation Concerning Employee Benefit Committee Policy, Section II, Part C. 7, of the Board of County Commissioners Policy Manual – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board adopt the Employee Benefits Committee Policy, Section II, Part C. 7, of the Board of County Commissioners' Policy Manual which replaces and supersedes the Employee Input to the Board of County Commissioners on County Benefits Policy and provides for:

- A. A change in the Policy title from "Employee Input to the Board of County Commissioners on County Benefits" to "Employee Benefits Committee";
- B. Add the Purpose to this Policy and revise the Scope to identify the members of the Committee, to delete the Sheriff's Department as a member of the Committee and to add the County Attorney as a member of the Committee;
- C. Revision of the responsibilities of the Committee; and
- D. Grammatical changes and verbiage changes to comply with the Board of County Commissioners' current organizational structure.

4. **Recommendation Concerning Benefit Policy for Reduction in Force, Layoff or Termination, Section II, Part C. 14, of the Board of County Commissioners' Policy Manual – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board adopt the Benefits Policy for Reduction in Force, or Layoff, Section II, Part C. 14, of the Board of County Commissioners' Policy Manual which replaces and supersedes the Escambia County Employees Group Benefits Benefit Policy for Reduction in Force, Lay-off or Termination and provides for:

- A. A change in the Policy title from “Benefit Policy for Reduction in Force, Layoff or Termination”, to "Benefits Policy for Reduction in Force or Layoff”;
- B. The Purposes, Scope, and Responsibilities Sections of the Policy;
- C. Deduction of the premium from the final check from the County, unless the coverage is cancelled in writing prior to termination of employment;
- D. Clarification of the benefits process during a reduction in force (RIF) or layoff; and
- E. Removal of the word “termination” from the Policy.

5. **Recommendation Concerning Annual Leave/PTO Donation Policy, Section II, Part C.30, of the Board of County Commissioners' Policy Manual – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board adopt the Employee's Annual Leave/Paid Time Off (PTO) Donation Policy, Section II, Part C.30, of the Board of County Commissioners' Policy Manual, which replaces and supersedes the Employee's Annual Leave Donation Policy and provides for:

- A. Grammatical changes, and verbiage changes to comply with the Board of County Commissioners' current organizational structure;
- B. Inclusion of Paid Time Off (PTO), Management Option Benefits (MOB), Extended Leave Bank (ELB), and the elimination of County Civil Service Rules;
- C. A written statement before a leave donation request can be published;
- D. Clarification on leave left over from Sick Leave Pool requirements, and hours transferred to the Sick Leave Pool; and
- E. The elimination of the Sick Leave Pool Committee requirements and responsibilities.

6. **Recommendation Concerning Escambia County Retirement Incentive Policy, Section II, Part C. 19, of the Board of County Commissioners' Policy Manual – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board adopt the revised Retirement Incentive Policy, Section II, Part C. 19, of the Board of County Commissioners' Policy Manual which provides for the following:

- A. Grammatical changes and verbiage changes to comply with the Board of County Commissioners' current organizational structure;
- B. Inclusion, under A. in the Purpose, "the eligible requirements for" and changing B. Eligibility, 5. b., from "Special Class employees" to "Special Risk Class employees"; and
- C. Deletion of the references to "attachments" from the Policy.

7. Recommendation Concerning Escambia County Employee's Sick Leave Pool Policy, Section II, Part C. 17, of the Board of County Commissioners' Policy Manual – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Sick Leave Pool Policy, Section II, Part C. 17, of the Board of County Commissioners' Policy Manual which replaces and supersedes the Escambia County Employee's Sick Leave Pool Policy and provides for:

- A. A change in the Policy title from "Escambia County Employees Sick Leave Pool" to "Sick Leave Pool Policy";
- B. Clarification on submitting Sick Leave Pool application, requesting Sick Leave Pool Usage, and membership/re-entry requirements;
- C. Grammatical changes and verbiage changes to comply with the Board of County Commissioners' current organizational structure; and
- D. Changes to the requirements for employees serving on the Sick Leave Pool Committee.

8. Recommendation Concerning the Uniform Policy, Section II, Part C. 23, of the Board of County Commissioners' Policy Manual – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve amending the Uniform Policy, Section II, Part C. 23, of the Board of County Commissioners' Policy Manual which provides for:

- A. Grammatical changes and verbiage changes to comply with the Board of County Commissioners' current organizational structure; and
- B. Inclusion under B. Scope, "who are authorized to wear a uniform".

9. Recommendation Concerning Community Redevelopment Agency 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 March 18, 2010, Community Redevelopment Agency (CRA) Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA.

10. Recommendation Concerning a Conservation Easement for the Perdido Landfill Section Five Expansion – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning a Conservation Easement for the Perdido Landfill Section Five Expansion:

- A. Approve the Conservation Easement between Escambia County and the State of Florida Department of Environmental Protection for the Perdido Landfill Section Five Expansion for wetland mitigation purposes;
 - B. Authorize the payment of incidental expenditures associated with the recording of the Conservation Easement and any associated documents; and
 - C. Authorize the Chairman to execute the Conservation Easement and any other documents associated with the granting of the Conservation Easement.
11. Recommendation Concerning the Scheduling of a Public Hearing for a Construction and Demolition Debris or Land Clearing Disposal Management Facility for Rolling Hills C&D Debris Facility – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board authorize the scheduling of a Public Hearing for May 6, 2010, at 5:32 p.m., for consideration of the renewal of a Permit to Construct, Operate, Modify or Close a Construction and Demolition Debris or Land Clearing Disposal Management Facility for Rolling Hills C&D Debris Facility, owned by South Palafox Properties, LLC.

12. Recommendation Concerning Request for Disposition of Property – Ricoh AF 1035 Copier and 1994 Ford F-150 – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board approve the Request for Disposition of Property concerning a Ricoh AF1035 Copier, PN 050478, and a 1994 Ford F-150 work truck, PN 040823, currently assigned to the Extension Service, to be auctioned as surplus or properly disposed of, as described on the disposition form.

13. Recommendation Concerning Requests for Disposition of Surplus County Property – Joy D. Blackmon, P.E., Interim Assistant County Administrator

RECOMMENDATION: That the Board approve the 14 Requests for Disposition of Property indicating 28 items, including computers, furniture, and various other equipment, all of which are described and listed on the Requests, with reasons for disposition stated on each. The items are to be auctioned as surplus or properly disposed of.

14. Recommendation Concerning the Scheduling of a Public Hearing to Vacate an Unnamed Lane in Perdido Heights Subdivision, Block "A" – Joy D. Blackmon, P.E., Interim Assistant County Administrator

RECOMMENDATION: That the Board authorize the scheduling of a Public Hearing for May 20, 2010, at 5:31 p.m., to consider the Petition to Vacate an unnamed lane in Perdido Heights Subdivision, Block "A" (16 feet x approximately 568.50 feet = 9,096 square feet or 0.21 acres), as petitioned by Betty C. Fayard, as Trustee of the John D. Fayard Revocable Trust.

II. Budget/Finance Consent Agenda

1. Recommendation Concerning Letter of Continued Support for IHMC Grant – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve, subject to legal sign-off, authoring a letter of continued support for a \$1.2 million match for a \$10 million U.S. Department of Commerce, National Institute of Standards and Technology (NIST) Grant for which the Florida Institute for 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. The County has allocated a total of \$1,200,000 as a match in the Economic Development Fund.

2. Recommendation Concerning Supplemental Budget Amendment #177 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #177, Solid Waste Fund (401), in the amount of \$1,860,596, to recognize certain revenue and adjust the fund balance appropriately due to an adjusting entry made by the Escambia County Clerk's Office.

3. Recommendation Concerning County Road 297-A and Kingsfield Road Widening and Drainage Improvements – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board award an Indefinite Quantity, Indefinite Delivery Contract, PD 09-10.024, County Road 297-A and Kingsfield Road Widening and Drainage Improvements, to Panhandle Grading & Paving, Inc., for a total Base Bid only amount of \$1,963,338.21. [Funding: Fund 352, LOST III, Account 210107, Object Code 56301, Project No. 08EN0105]

4. Recommendation Concerning Purchase of a 2008 Model D3K LGP Canopy Tractor – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board authorize the County to piggyback off the National Joint Powers Purchasing Alliance Contract #100907, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, and award a Purchase Order to Thompson Tractor Company, in the amount of \$72,731, for the purchase of a 2008 Model D3K LGP Canopy Tractor. [Funding: Fund 175, Transportation Trust Fund, Cost Center 210402, Object Code 56401]

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5. **Recommendation Concerning Ensley Drainage Phase II-A – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board award an Indefinite Quantity, Indefinite Delivery Contract, PD 09-10.025, Ensley Drainage Phase II-A, to Starfish, Inc., of Alabama, for a total amount of \$1,799,978.31. [Funding: Fund 352, LOST III, Account 210107, Object Code 56301, Project No. 08EN0313]

6. **Recommendation Concerning Prieto-Monticello Group Resurfacing – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board award an Indefinite Quantity, Indefinite Delivery Contract, PD 09-10.026, Prieto-Monticello Group Resurfacing, to Roads, Inc., of NWF, for a total amount of \$782,435.31. [Funding: Fund 352, LOST III, Account 210107, Object Code 56301, Project No. 08EN0208]

7. **Recommendation Concerning the Sheriff's Video Visitation and Training Facility – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning PD 09-10.023, Sheriff's Video Visitation and Training Facility:

- A. Approve the Selection and Negotiation Committee ranking for the Sheriff's Video Visitation and Training Facility, PD 09-10.023:
1. Clemons Rutherford and Associates, Inc.
 2. DAG Architects, Inc.
 3. Hatch Mott Macdonald, Inc.; and
- B. Award a Contract for the Sheriff's Video Visitation and Training Facility, PD 09-10.023, in the amount of \$170,398, to Clemons Rutherford and Associates, Inc.

[Funding: Fund 352, Local Options Sales Tax III, Cost Center 540115, Object Code 56201, Project Number 10SH0663]

8. **Recommendation Concerning Commercial Facade Grant Funding and Lien Agreements for the Property Located at 1000 North Navy Boulevard – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board ratify the following April 22, 2010, action of the Escambia County Community Redevelopment Agency (CRA) concerning the Commercial Facade Grant Funding and Lien Agreements for the property located at 1000 North Navy Boulevard:

- A. Approving the Commercial Façade, Landscape, and Infrastructure Grant Program Funding and Lien Agreements between Escambia County CRA and Fun Zone Pizza, Inc., owner of commercial property located at 1000 North Navy Boulevard, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$10,000, representing an in-kind match through the Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, and/or Neighborhood Enterprise Foundation, Inc., (NEFI) 2008 Community Development Block Grant (CDBG), Fund 129, Cost Center 220563, Object Code 58301, for the following improvements: Paint the exterior walls with Industrial Polyurea coating; and
- B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

9. **Recommendation Concerning Commercial Facade Grant Funding and Lien Agreements for the Property Located at 1119 North Pace Boulevard – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board ratify the following April 22, 2010, action of the Escambia County Community Redevelopment Agency (CRA) concerning the Commercial Facade Grant Funding and Lien Agreements for the property located at 1119 North Pace Boulevard:

- A. Approving the Commercial Façade, Landscape, and Infrastructure Grant Program Funding and Lien Agreements between Escambia County CRA and Kim's "Mini Blessings" Child Development Center, Inc., owner of commercial property located at 1119 North Pace Boulevard, Pensacola, Florida, in the Brownsville Redevelopment Area, each in the amount of \$4,815, representing an in-kind match through the Brownsville Tax Increment Financing (TIF), Fund 151, Cost Center 220515, Object Code 58301, and/or Neighborhood Enterprise Foundation, Inc., (NEFI) 2008 Community Development Block Grant (CDBG), Fund 129, Cost Center 220563, Object Code 58301, for the following improvements: Paint the exterior building and signage; and
- B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

10. **Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements for the Property Located at 225 Northwest Syrcle Drive – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board ratify the following April 22, 2010, action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements for the property located at 225 Northwest Syrcle Drive:

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Gregory B. Pack, owner of residential property located at 225 Northwest Syrcle Drive, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$4,080, 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.

11. Recommendation Concerning Commercial Facade Grant Funding and Lien Agreements for the Property Located at 41 South Navy Boulevard – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board ratify the following April 22, 2010, action of the Escambia County Community Redevelopment Agency (CRA) concerning the Commercial Facade Grant Funding and Lien Agreements for the property located at 41 South Navy Boulevard:

- A. Approving the Commercial Façade, Landscape, and Infrastructure Grant Program Funding and Lien Agreements between Escambia County CRA and Katie Bell Nell, Trustee, owner of commercial property located at 41 South Navy Boulevard, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$10,000, representing an in-kind match through the Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, and/or Neighborhood Enterprise Foundation, Inc., (NEFI) 2008 Community Development Block Grant (CDBG), Fund 129, Cost Center 220563, Object Code 58301, for the following improvements: Install new fabric awnings with aluminum frame; and
- B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

12. Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements for the Property Located at 420 South 1st Street – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board ratify the following April 22, 2010, action of the Escambia County Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements for the property located at 420 South 1st Street:

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Trevor J. Hall, owner of residential property located at 420 South 1st Street, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$6,000, representing an in-kind match through the Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, for the following improvements: Replace the roof, connect to sanitary sewer, upgrade the electrical wiring, install a new central heating and air conditioning system, and 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.

13. Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements for the Property Located at 548 South 1st Street – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board ratify the following April 22, 2010, action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements for the property located at 548 South 1st Street:

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Jo Ann Welch, owner of residential property located at 548 South 1st Street, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$900, representing an in-kind match through the Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, for the following improvements: Sanitary sewer connection; and
- B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

14. Recommendation Concerning Amending the Fee Schedule Setting the Cost for the Designation of Properties as Brownfield Areas – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning amending the Fee Schedule to set the cost of \$1,000 for the designation of properties as Brownfield Areas:

- A. Adopt a Resolution of the Board of County Commissioners of Escambia County, Florida, authorizing and setting fees for certain services rendered by the Escambia County Neighborhoods/Community Services Bureau, Community Redevelopment Agency, relating to designating properties as Brownfield Areas and providing for an effective date; and
- B. Authorize the Chairman to sign the Resolution.

[Funding Source: Fund 151/Community Redevelopment Fund—new account to be assigned]

COUNTY ADMINISTRATOR'S REPORT

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15. Recommendation Concerning Change Order for 603 West Romana Street/Former Escambia County Mosquito Control Facility – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board approve and authorize the Interim County Administrator to execute the following Change Order for the operation and maintenance of the remediation system at the former Escambia County Mosquito Control facility located at 603 West Romana Street:

Bureau:	Neighborhoods/Community Services
Division:	Community Redevelopment Agency
Type:	Addition
Amount:	\$48,287.49
Vendor:	Cameron-Cole
Project Name:	603 West Romana Street/Former Escambia County Mosquito Control Facility
Contract:	PD 06-07.038
PO No.:	291405
CO No.:	4
Original Award Amount:	\$59,218.82
Cumulative Amount of Change Orders through CO #4	<u>\$138,310.01</u>
New Contract Total:	\$197,528.83

[Funding Source: 2007/2009 Community Development Block Grant (CDBG), Fund 129, Cost Centers 220555/220410, Object Code 53101]

16. Recommendation Concerning Change Order for Clarinda Triangle Superfund Relocation Project – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board approve and authorize the Interim County Administrator to execute the following Change Order for the demolition of derelict structures at the U.S. Army Corps of Engineers' Superfund Relocation Project, known as the Clarinda Triangle Area, funded through the Neighborhood Stabilization Program (NSP):

Bureau:	Neighborhoods/Community Services	
Division:	Community Redevelopment Agency	
Type:	Addition	
Amount:	\$517,982.00	
Vendor:	MACTEC Engineering and Consulting, Inc.	
Project Name:	Clarinda Triangle Superfund Relocation Project	
Contract:	PD 08-09.078	
PO No.:	100629	
CO No.:	1	
Original Award Amount:		\$39,633.00
Cumulative Amount of Change Orders through CO #1		<u>\$517,982.00</u>
New Contract Total:		\$557,615.00

[Funding Source: Housing and Urban Development (HUD), NSP, Fund 129, Cost Center 220502, Object Code 58301]

17. Recommendation Concerning Rescinding the Residential Rehab Grant Program Funding and Lien Agreements for the Property Located at 46 Kennington Drive – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board ratify the April 22, 2010, action of the Community Redevelopment Agency (CRA) rescinding the following Board action of August 20, 2009, concerning the Residential Rehab Grant Funding and Lien Agreements (for property located) at 46 Kennington Drive:

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Philip A. Pope, owner of residential property located at 46 Kennington Drive, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$1,497, representing an in-kind match through the Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, for the following improvements: Sanitary sewer connection; and
- B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

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

RECOMMENDATION: That the Board ratify the following action of April 22, 2010, the Community Redevelopment Agency (CRA) concerning the Commercial Façade, Landscape, and Infrastructure Grant Program:

- A. Approving the following nine 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>
L 5006 Investments, Inc.	1612 North Pace Boulevard, Suite 5	\$3,880
Eddie Zarah and Adrienne Zarah	207 Beverly Parkway	\$3,605
Dennis C. Paedae, Jr., and Suzanne R. Paedae	5104 North "W" Street	\$10,000
Fun Zone Pizza, Inc.	1000 North Navy Boulevard	\$6,478
Sojourn Associates, LLC	3 North New Warrington Road	\$4,578
Marcus Rimmer	4800 North "W" Street	\$4,960
Birch Glade Development Company	3015 Mobile Highway	\$10,000
Uniformly Yours, Inc.	103 Beverly Parkway	\$10,000
Terry L. Hale	923 West Yonge Street	\$10,000; and

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

19. Recommendation Concerning Insurance Claim Settlement for Escambia County Area Transit – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning an insurance claim settlement for Escambia County Area Transit (ECAT) from Saint Paul Fire and Marine Insurance Company (Travelers Insurance):

- A. Approve and accept the insurance settlement in the amount of \$262,125.00, for the total loss damages on a 2007 Gillig Transit Bus, ECAT Bus No. 0741, County Property No. 56000 (Serial No. 15GGE291971091286), with ECAT to retain the vehicle for parts; and
- B. Authorize the Chairman to sign, subject to Legal Sign-off, a settlement Agreement from Travelers and any other documents related to this specific settlement; and
- C. Authorize the Chairman to sign the vehicle title for the purpose of obtaining the Florida Certificate of Destruction (parts-only title); and
- D. Authorize the Chairman to sign the Request for Disposition of Property for the vehicle, after ECAT has removed the pertinent salvageable parts, without further action of the Board.

[Funding: Fund 320, FTA Capital Projects, Revenue Code TBD per Supplemental Budget Amendment - \$0 (net); Fund 104, Mass Transit, Cost Centers 220205, 220208 - \$71,928.89]

20. Recommendation Concerning Cancellation of Taxes and Tax Certificates in Connection With the Abandoned Saufley C&DD Landfill – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning a Resolution to cancel taxes and Tax Certificates in connection with the abandoned Saufley Construction and Demolition Debris (C&DD) Landfill recently acquired by the County:

- A. Adopt the Resolution to cancel the taxes and Tax Certificates on the abandoned Saufley C&DD Landfill, represented by Tax Account No. 09-1764-000 and Tax Account No. 09-1765-000, for the amounts of \$133.57 and \$7,988.50, respectively; and
- B. Authorize the Chairman to execute the Resolution, without further action of the Board.

COUNTY ADMINISTRATOR'S REPORT

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21. Recommendation Concerning Residential Rehab Grant Program Cancellation of 17 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 Residential Rehab Grant Program:

A. Approving the following 17 Residential Rehab 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>
Willa D. Adams	422 North Wentworth Street	\$6,000
Rosia Ishmael	2920 North "G" Street	\$4,750
Jessie Johnson	3703 West Jackson Street	\$1,250
Karen Summerville	600 Pelham Road	\$2,400
Christopher Telhaird and Ann Telhaird	319 Northwest Syrcle Drive	\$1,665
Mary J. Armstrong	1007 West Fisher Street	\$3,436
Ernest McNeil and Alice F. McNeil	1200 Rio Grande Circle	\$888
John H. Albritton	3405 West Fisher Street	\$892
Kenneth Harrison	1221 Cheyenne Circle	\$4,532
Robert W. Tubb	405 Gibbs Road	\$5,925
Carrie Melton	2 Northwest Baublits Drive	\$3,610
Colvin Rancifer, Jr., and Evelyn Rancifer	1611 West Lakeview Avenue	\$3,500
Jerry Robbins and Jan Robbins	209 Southeast Baublits Road	\$550
Brenda Schofield	504 Pelham Road	\$4,250
Harold Green and Shirley Green	437 South Navy Boulevard	\$3,248
Don L. Lowell	1280 Mahogany Mill Road, Unit 13	\$3,390
Inez W. Chatwood	4416 Havre Way	\$3,225; and

B. Authorizing the Chairman to sign the Cancellation of Liens.

22. **Recommendation Concerning Commercial Sign Grant Funding Agreement for 1002 North Navy Boulevard – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board ratify the following April 22, 2010, action of the Escambia County Community Redevelopment Agency (CRA) concerning the Sign Grant Funding Agreement for the property located at 1002 North Navy Boulevard:

- A. Approving the Sign Grant Program Funding Agreement between Escambia County CRA and Rydon, Inc., owner of commercial property located at 1002 North Navy Boulevard, Pensacola, Florida, in the Warrington Redevelopment Area, in the amount of \$2,000, representing an in-kind match through the Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, and/or Neighborhood Enterprise Foundation, Inc., (NEFI) 2008 Community Development Block Grant (CDBG), Fund 129, Cost Center 220563, Object Code 58301, for the following improvements: Install solar-powered Entrance and Exit signs; and
- B. Authorizing the Chairman to sign the Funding Agreement and any related documents necessary to implement this Grant award.

23. **Recommendation Concerning Emergency Management Preparedness and Assistance Grant Program Grant Contract Modification #2 – Frank Edwards, Public Safety Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding the Emergency Management Preparedness and Assistance Grant Program Grant Contract #10-BG-25-01-27-01-112, Modification #2:

- A. Approve the Florida Division of Emergency Management Emergency Management and Preparedness Assistance Grant Contract Modification #2, increasing the amount of the Grant award by \$2,800, bringing the total amount of the Contract to \$186,582, with funding to be identified in Fund 110, Other Grants and Projects, Cost Center 330405; and
- B. Authorize the Chairman to execute the Grant Contract Modification;

24. **Recommendation Concerning Acquisition of a Parcel of Real Property From Robert D. Ozment, Jr., and Sadie C. Ozment Located at 906 North 57th Avenue – Joy D. Blackmon, P.E., Interim Assistant County Administrator**

RECOMMENDATION: That the Board take the following action regarding the acquisition of a parcel of real property from Robert D. Ozment, Jr., and Sadie C. Ozment located at 906 North 57th Avenue, to be used to expand the parking lot for the Felix Miga Senior Citizen Center:

- A. Authorize staff to make an offer to Robert D. Ozment, Jr., and Sadie C. Ozment to purchase a parcel of property (approximately 0.39 acres), for the appraised amount of \$18,000; and
- B. Authorize the County Attorney to prepare and the Chairman or Vice Chairman to execute any documents necessary to complete the acquisition of this property.

[Funding Source: Fund 352, Lost III, Account 210802/56101/56301, Project 10PR0412]

25. **Recommendation Concerning the Acquisition of Three Parcels of Real Property Located in the 1700 Block of Eagle Street in Brookhollow Subdivision – Joy D. Blackmon, P.E., Interim Assistant County Administrator**

RECOMMENDATION: That the Board take the following action regarding the acquisition of three parcels of real property from The Pensacola Bar and Harbor Pilots, Inc., located in the 1700 Block of Eagle Street in Brookhollow Subdivision, to correct stormwater drainage problems in Brookhollow Subdivision at the intersection of Ten Mile Road and Haley Lane, and at the intersection of Haley Lane and Eagle Street:

- A. Authorize staff to make an offer to The Pensacola Bar and Harbor Pilots, Inc., to purchase three parcels of property (totaling approximately 1.08 acres), for the total appraised amount of \$80,000; and
- B. Authorize the County Attorney to prepare and the Chairman or Vice Chairman to execute any documents necessary to complete the acquisition of this property.

[Funding Source: Fund 351, Lost II, Account 210105/56101/56301, Project 10EN0275 and Fund 352, Lost III, Account 210107/56101/56301, Project 10EN0455]

26. Recommendation Concerning Acquisition of a Parcel of Real Property Located at 1664 Eagle Terrace in Brookhollow Subdivision – Joy D. Blackmon, P.E., Interim Assistant County Administrator

RECOMMENDATION: That the Board take the following action regarding the acquisition of a parcel of real property from Ronald E. and Theresa Maloy Schaefer located at 1664 Eagle Terrace in Brookhollow Subdivision, to correct stormwater drainage problems in Brookhollow Subdivision at the intersection of Ten Mile Road and Haley Lane, and at the intersection of Haley Lane and Eagle Street:

- A. Authorize staff to make an offer to Ronald E. Schaefer and Theresa Maloy Schaefer to purchase a parcel of property (approximately 0.58 acres) for the appraised amount of \$37,000; and
- B. Authorize the County Attorney to prepare and the Chairman or Vice Chairman to execute documents necessary to complete the acquisition of this property.

[Funding Source: Fund 351, Lost II, Account 210105/56101/56301, Project 10EN0275 and Fund 352, Lost III, Account 210107/56101/56301, Project 10EN0455]

27. Recommendation Concerning the Sale of 3.82 Acres of Real Property Located at 7750 Mobile Highway to Emerald Coast Utilities Authority – Joy D. Blackmon, P.E., Interim Assistant County Administrator

RECOMMENDATION: That the Board take the following action concerning the sale of 3.82 acres of real property located at 7750 Mobile Highway to Emerald Coast Utilities Authority (ECUA) for use as a water well site:

- A. Declare as surplus the property owned by Escambia County located at 7750 Mobile Highway as described in Exhibit "B";
- B. Adopt a Resolution stating the application being made, purpose for which the property is to be used and the sale price of \$216,500, plus closing costs;
- C. Approve the sale of approximately 3.82 acres of real property for \$216,500, which is the average of two appraisals, in accordance with the terms and conditions contained in the Agreement for Sale and Purchase; and
- D. Authorize the County Attorney to prepare and the Chairman or Vice Chairman to execute, subject to Legal review and sign-off, any documents necessary to complete the sale without further action from the Board.

28. Recommendation Concerning the Interlocal Agreement Between the City of Pensacola and Escambia County for a Reconstruction Project on Schwab Drive – Joy D. Blackmon, P.E., Interim Assistant County Administrator

RECOMMENDATION: That the Board take the following action concerning the Interlocal Agreement between the City of Pensacola and Escambia County for a reconstruction project on Schwab Drive:

- A. Approve the Interlocal Agreement which specifies \$34,000, in project costs for the Schwab Drive Reconstruction Project; and
- B. Authorize the Chairman or Vice Chairman to execute the Interlocal Agreement.

[Funding Source: Fund 351, (LOST II), Acct 210105/56301, Project # 10EN0394]

29. Recommendation Concerning the Surplus and Sale of Real Property Located at 510 East Brainerd Street – Joy D. Blackmon, P.E., Interim Assistant County Administrator

RECOMMENDATION: That the Board take the following action concerning the surplus and sale of real property Account Number 13-3279-100, located at 510 East Brainerd Street:

- A. Declare surplus its real property, Account Number 13-3279-100, Reference Number 00-0S-00-9020-023-052;
- B. Authorize the sale of this property to the bidder with the highest offer received from sealed bids above the minimum bid of \$6,531, 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 ATTORNEY'S REPORT
April 22, 2010

I. FOR ACTION:

1. Letter from the Florida Department of Environmental Protection Dated March 22, 2010, Concerning Limiting the County's Liability at the Saufley Landfill

That the Board accept the attached letter from the Florida Department of Environmental Protection (DEP) dated March 22, 2010, to limit the liability of the County for existing contamination at the Saufley Landfill and authorize recording with the Clerk of the Court.

2. M & H Profit, Inc. v. City of Panama City, Case No. SC10-471

That the Board

- A. Ratify the filing of an intent to file an amicus brief in the pending petition for review filed by M & H Profit, Inc. in the Florida Supreme Court.; and
- B. Approve the filing of a motion for leave to file an amicus brief with a proposed amicus brief should the Florida Supreme Court accept jurisdiction based upon the petition for review filed by M & H Profit, Inc.

3. Escambia County v. Brian Coker, Case No.: (TBD)

That the Board approve the filing of a lawsuit in the County Court of Escambia County, Florida against Brian Coker seeking recovery of property damages in the amount of \$7,725.49 incurred as a result of a motor vehicle accident that occurred on August 5, 2009.

4. Department of Juvenile Justice's Reduction of Credit to County for Payment of Predisposition Secure Detention Costs for Juvenile Offenders

That the Board ratify the filing of petition for hearing with the Department of Juvenile Justice to contest the reduction of the credit to which Escambia County is entitled.