

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 – August 5, 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 – Commissioner Robertson.
3. Pledge of Allegiance to the Flag.
4. Are there any items to be added to the agenda?

Recommendation: That the Board adopt the agenda as prepared **(or duly amended)**.

5. Commissioners' Forum.
6. Proclamations.

Recommendation: That the Board take the following action concerning the adoption/ratification of the following three Proclamations:

- A. Adopt the Proclamation proclaiming August 17, 2010, to be "Poverty Solutions Day" and August 15-21, 2010, as "Poverty Solutions Week" in Escambia County;
- B. Adopt the Proclamation proclaiming August 16-20, 2010, to be "Florida Water Professionals Week" in Escambia County; and
- C. Ratify the Proclamation, dated July 15, 2010, commending and congratulating Mr. Christian J. Hollinger on achieving the rank of Eagle Scout.

AGENDA – BOARD OF COUNTY COMMISSIONERS

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7. Written Communication – July 8, 2010, communication from Mark A. Bednar, Esquire, concerning Johnson v. Monroe, et al., Case No.: 2007 CA 000959.
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 to either repeal or renew the EDATE originally granted to Wayne Dalton Corporation.**

Recommendation: That the Board, at the 5:31 p.m. Public Hearing, take the following action concerning the Economic Development Ad Valorem Tax Exemption (EDATE) originally granted to Wayne Dalton Corporation:

- A. *(Adopt an Ordinance to)* repeal, for the 2010 tax year forward, Ordinance Number 2003-52 and Ordinance Number 2008-14, which granted Wayne Dalton Corporation certain County EDATES;

OR

- B. *(Adopt an Ordinance to)* renew, for the 2010 tax year forward, Ordinance Number 2003-52 and Ordinance Number 2008-14, which granted Wayne Dalton Corporation certain County EDATES, and amending the Ordinances to correctly identify the property owner and EDATE recipient as “WDC Florida Realty Company I, LLC, a wholly-owned subsidiary of Overhead Door Corporation.”

10. Reports:

Clerk of the Circuit Court & Comptroller
Growth Management
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
AUGUST 5, 2010

I. CONSENT AGENDA

1. Recommendation Concerning Acceptance of Reports

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

- A. Payroll Expenditures for Pay Date July 23, 2010, in the amount of \$2,490,792.00; and
- B. The following two Disbursement of Funds:
 - (1) July 15, 2010, to July 21, 2010, in the amount of \$3,054,923.79; and
 - (2) July 22, 2010, to July 28, 2010, in the amount of \$3,587,633.89.

2. Recommendation Concerning Resolution R2010-144

Recommendation: That the Board ratify the Chairman's July 27, 2010, adoption and execution of Resolution R2010-144, *Declaration of State of Local Emergency*, effective for seven (7) days beginning at 2:00 p.m. July 30, 2010, through 1:59 p.m. August 6, 2010, pursuant to Section 252.38(3)(a)5, Florida Statutes.

3. 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 22, 2010;
- B. Approve the Minutes of the Attorney-Client Session held July 22, 2010;
- C. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held July 22, 2010; and
- D. Accept, for filing with the Board's Minutes, the Report of the Committee of the Whole Budget Workshop held July 13, 2010, and July 14, 2010.

(BACKUP TO BE DISTRIBUTED UNDER SEPARATE COVER)

GROWTH MANAGEMENT REPORT

August 5, 2010

I. PUBLIC HEARINGS

1. Review of the rezoning case heard by the Planning Board on July 12, 2010.

RECOMMENDATION:

That the Board take the following action concerning the rezoning case heard by the Planning Board on July 12, 2010:

- A. Review and either adopt, modify, or overturn the Planning Board's recommendation for Rezoning Case Z-2010-10 or remand the case back to the Planning Board; and
- B. Authorize the Chairman to sign the Order of the Escambia County Board of County Commissioners for the rezoning case that was reviewed.

Case No.:	Z-2010-10
Location:	1500 S. Pine Barren Road
Property Reference No.:	20-4N-31-2401-000-001
Property Size:	20.28 (+/-) acres
From:	VAG-1, Villages Agriculture District (5 du/100 acres on one acre parcels)
To:	VAG-2, Villages Agriculture District (1 du/5 acres)
FLU Category:	AG, Agriculture
Commissioner District:	5
Requested by:	Mary J. Graf, Joanne A. Freeman, Frances A. Townes, and Connie A. Rigby, Owners
Planning Board Recommendation:	Approval
Speakers:	Mary Graf, Billy R. Ward, Eva Peterson

2. **5:45 p.m. – Thursday, August 5, 2010 – Public Hearing** – Amendment to the Official Zoning Map

RECOMMENDATION:

That the Board adopt an Ordinance to amend the Official Zoning Map to include the rezoning case heard by the Planning Board on July 12, 2010 and approved during the previous agenda item and to provide for severability, inclusion in the code, and an effective date.

3. 5:46 p.m. – Thursday, August 5, 2010 – LDC Ordinance – Articles 3 & 6 “Small Wind Energy Systems & Wind Turbines”

RECOMMENDATION:

That the Board cancel the public hearing as it has been referred to the September Committee of the Whole meeting.

4. 5:47 p.m. – Thursday, August 5, 2010 – Public Hearing – Vested Rights Determination

RECOMMENDATION:

That the Board review and uphold or overturn the recommendation of the Vested Rights Committee (VRC) approving vested rights for the following case:

Case No.:	VRD-2010-02
Location:	2414 W Moreno Street
Parcel No.:	17-2S-30-1300-150-018
Zoning District:	R-2
Vested Rights for:	Placement of Mobile Home in R-2 Zoning
Applicant:	Ashawni Hayes

**COUNTY ADMINISTRATOR'S REPORT
AUGUST 5, 2010**

I. Technical/Public Service Consent Agenda

1. **Recommendation Concerning Appointments to the Workforce Escarosa, Inc., Board of Directors – Sandra P. Jennings, E.I., Community & Environment Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning appointments to the Workforce Escarosa, Inc., Board of Directors:

- A. Confirm the appointment of Michael Ward, Senior Recruiter, West Corporation, as a private sector representative for a three-year term, with the term of the appointment to be effective August 5, 2010, through August 4, 2013; and
 - B. Confirm the appointment of John Gormley, Vice President, SunTrust Bank, Inc., as a private sector representative for a three-year term, with the term of the appointment to be effective August 5, 2010, through August 4, 2013.
2. **Recommendation Concerning Agreement with Midway Fire District Training Academy for the Provision of Certain Student Clinical Training – Michael D. Weaver, Acting Public Safety Bureau/Fire Chief**

RECOMMENDATION: That the Board take the following action concerning the Agreement between Escambia County and Midway Fire District Training Academy for the Provision of Certain Student Clinical Training:

- A. Approve the Agreement to allow the provision of clinical learning experiences required for applied health occupations, under the auspices of Escambia County Emergency Medical Services, for selected students of Midway Fire District Training Academy; and
 - B. Authorize the Chairman to sign the Agreement.
3. **Recommendation Concerning Requests for Disposition of Property – Joy D. Blackmon, P.E., Interim Assistant County Administrator**

RECOMMENDATION: That the Board approve four Request for Disposition of Property Forms for five items, which are described and listed on the forms, with reasons for disposition stated. The items are to be auctioned as surplus or will be disposed of properly.

COUNTY ADMINISTRATOR'S REPORT

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4. Recommendation Concerning Scheduling of a Public Hearing to Vacate a Portion of the Alleyway in Block 48 of Hazelhurst Subdivision – Joy D. Blackmon, P.E., Interim Assistant County Administrator

RECOMMENDATION: That the Board authorize the scheduling of a Public Hearing for September 2, 2010, at 5:31 p.m., to consider the Petition to Vacate a portion of the alleyway in Block 48, Hazelhurst Subdivision (approximately 92 feet x 20 feet = 1,840 square feet or 0.04 acres), as petitioned by Frank C. Whitfield.

5. Recommendation Concerning Request for Disposition of Property for the Property Appraiser's Office – The Honorable Chris Jones, Property Appraiser

RECOMMENDATION: That the Board approve the Request for Disposition of Property Form for property which is to be auctioned as surplus or properly disposed of, all of which is described and listed on the form with the Agency and reason stated.

6. Recommendation Concerning Request for Disposition of Property for the Clerk of the Circuit Court 's Office – The Honorable Ernie Lee Magaha, Clerk of the Circuit Court

RECOMMENDATION: That the Board approve the two Request for Disposition of Property Forms, for property which is to be auctioned as surplus or properly disposed of, all of which is described and listed on the form with the Agency and reason stated.

7. Recommendation Concerning the Updated Florida-Alabama Transportation Planning Organization Intergovernmental Coordination and Review and Public Transportation Coordination Joint Participation Agreement – Larry M. Newsom, Interim County Administrator

RECOMMENDATION: That the Board take the following action concerning the updated Florida-Alabama Transportation Planning Organization (TPO), State of Florida Department of Transportation, Intergovernmental Coordination and Review and Public Transportation Coordination Joint Participation Agreement (ICAR), prescribing the process for coordination of TPO planning activities between various transportation entities:

- A. Approve the updated ICAR, as requested by Robert Baronti, TPO Staff, in a memorandum dated June 7, 2010; and
- B. Authorize the Chairman to sign the ICAR.

COUNTY ADMINISTRATOR'S REPORT

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8. **Recommendation Concerning Confirmation of Interim Bureau Chief for Public Safety – Larry M. Newsom, Interim County Administrator**

RECOMMENDATION: That the Board confirm the appointment of Michael D. Weaver to the position of Interim Public Safety Bureau Chief at an annual salary of \$88,313, effective July 15, 2010.

9. **Recommendation Concerning Use of County Office Space in the Old County Courthouse by the Gulf Coast Citizen Diplomacy Council, Inc. – Larry M. Newsom, Interim County Administrator**

RECOMMENDATION: That the Board adopt and authorize the Chairman to sign the Resolution authorizing the use of County office space in the Old County Courthouse by the Gulf Coast Citizen Diplomacy Council, Inc.

10. **Recommendation Concerning Letter Initiating Discussions with the Florida Department of Transportation to Transfer Olive Road to Escambia County – Larry M. Newsom, Interim County Administrator**

RECOMMENDATION: That the Board authorize the Chairman to send a letter to Florida Department of Transportation to begin the discussion for Escambia County to acquire Olive Road (State Road 290), between County Road 95A and Scenic Highway (US 90).

II. Budget/Finance Consent Agenda

1. Recommendation Concerning Foreclosure of the Code Enforcement Lien on Property Located at 3106 West Blount Street – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board authorize foreclosure of the Code Enforcement Lien, in the amount of \$20,666.50, recorded in Official Records Book 6290, at Page 1864, of the Public Records of Escambia County, Florida, on real property located at 3106 West Blount Street, Account Number 06-3514-000, Reference Number 33-2S-30-1000-008-022; the current assessed value is \$8,978.

2. Recommendation Concerning Foreclosure of the Code Enforcement Lien on Property Located at 4091 West Lloyd Street – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board authorize foreclosure of the Code Enforcement Lien, in the amount of \$4,672.50, recorded in Official Records Book 6219, at Page 793, of the Public Records of Escambia County, Florida, on real property located at 4091 West Lloyd Street, Account Number 07-0699-100, Reference Number 34-2S-30-0580-010-058; the current assessed value is \$4,750.

3. Recommendation Concerning Foreclosure of the Code Enforcement Liens on Property Located at 517 Lynch Street – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board authorize foreclosure based on the following Liens recorded in the Public Records of Escambia County, Florida, on real property located at 517 Lynch Street, Account Number 07-1148-000, Reference Number 34-2S-30-0920-000-020; the current assessed value is \$6,175:

- A. Code Enforcement Lien recorded in Official Records Book 5716, at Page 82, in the amount of \$12,170.14;
- B. Code Enforcement Lien recorded in Official Records Book 6200, at Page 1055, in the amount of \$1,182.50; and
- C. Nuisance Abatement Lien recorded in Official Records Book 6529, at Page 574, in the amount of \$415.82.

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4. Recommendation Concerning Surplus and Sale of Real Property Located at 1211 Border Street – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board take the following action regarding surplus and sale of real property located at 1211 Border Street, due to the failure of the successful bidder to close on the property:

- A. Rescind the Board's action of February 18, 2010, taking the following action concerning the surplus and sale of real property located at 1211 Border Street:
 - 1. Declaring surplus the Board's real property, Account Number 07-0661-000, Reference Number 34-2S-30-0460-012-046;**
 - 2. Authorizing the sale of the property to the bidder with the highest offer received above the minimum bid of \$3,107, without further action of the Board; and**
 - 3. Authorizing the Chairman to sign all documents related to the sale; and****
- B. Declare the bidder in default, retain the bid deposit, and authorize the property to be re-advertised;**
- C. Authorize the sale of the property to the bidder with the highest offer received at or above the minimum bid of \$3,107, 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.**

5. **Recommendation Concerning Foreclosure of the Code Enforcement/Nuisance Abatement Liens on Property Located at 811 Grandview Street – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board authorize foreclosure based on the following Liens recorded in the Public Records of Escambia County, Florida, on real property located at 811 Grandview Street, Account Number 06-4000-000, Reference Number 33-2S-30-3300-060-265; the current assessed value is \$6,531:

- A. Code Enforcement Lien recorded in Official Records Book 6168, at Page 425, in the amount of \$17,129.50; and
- B. Nuisance Abatement Lien recorded in Official Records Book 6436, at Page 1370, in the amount of \$212.07.

6. **Recommendation Concerning Surplus and Sale of Real Property Located at 2600 West Blount Street – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the surplus and sale of real property located at 2600 West Blount Street:

- A. Declare surplus the Board's real property, Account Number 06-3209-000, Reference Number 31-2S-30-2000-190-001;
- B. Authorize the sale of the property to the bidder with the highest offer received at or above the minimum bid of \$29,795.64, 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.

7. **Recommendation Concerning Supplemental Budget Amendment #268 – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #268, Civic Center Fund (409), in the amount of \$1,978,966, to recognize additional budgeted revenues from the Civic Center operation and to appropriate these funds for the remaining fiscal year expenses incurred through the Civic Center operation.

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8. **Recommendation Concerning Supplemental Budget Amendment #272 – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #272, General Fund (001), in the amount of \$14,755, to recognize reimbursements from auto insurance payments and to appropriate these funds for the Sheriff's operational activities.

9. **Recommendation Concerning Supplemental Budget Amendment #273 – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #273, Local Option Sales Tax III Fund (352), in the amount of \$19,000, to recognize reimbursement from Pensacola Christian College and to appropriate these funds for the Rawson Lane property purchase.

10. **Recommendation Concerning Supplemental Budget Amendment #274 – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #274, Law Enforcement Trust Fund (121), in the amount of \$235,000, to recognize revenue from law enforcement seizures and to appropriate these funds for use by the Sheriff.

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11. Recommendation Concerning Purchase of a Parcel of Real Property Located at 906 North 57th Avenue Property – Joy D. Blackmon, P.E., Interim Assistant County Administrator

(BACKUP TO BE DISTRIBUTED UNDER SEPARATE COVER)

12. Recommendation Concerning Purchase of a Parcel of Real Property Located at 3300 Mobile Highway – Joy D. Blackmon, P.E., Interim Assistant County Administrator

RECOMMENDATION: That the Board take the following action regarding the purchase of a parcel of real property located at 3300 Mobile Highway, for the Mobile Highway Community Redevelopment Project:

- A. Authorize the purchase of a parcel of real property (approximately 0.98 acres) from Joseph B. Trinh for the appraised value of \$225,000, in accordance with the terms and conditions contained in the Contract for Sale and Purchase; and
- B. Authorize the County Attorney to prepare and the Chairman or Vice Chairman to execute any documents, subject to legal review and sign off, necessary to complete the purchase without further action of the Board.

[Funding Source: Fund 352, Lost III, Account 220102/56101, Project 08NE0058]

13. Recommendation Concerning Filling Two Vacant Positions for the Public Works Bureau – Joy D. Blackmon, P.E., Interim Assistant County Administrator

RECOMMENDATION: That the Board approve advertising externally the following two vacant positions for the Public Works Bureau:

- A. Engineering Project Coordinator (U705F_PWINENEN), recently vacated due to the promotion of James Duncan; and
- B. Engineering Project Coordinator (U705F_PWINENEN), recently vacated due to resignation of Serena Chapla, P.E.

[Funding Source: Fund 175, "Transportation Trust Fund", Account 211601]

14. Recommendation Concerning Multi-Year Joint Participation Agreement for Fiscal Year 2011 Transit Block Grant Funding to Escambia County Area Transit – Sandra P. Jennings, E.I., Community & Environment Bureau Chief

RECOMMENDATION: That the Board take the following action concerning Multi-Year Joint Participation Agreement (JPA) No. 41410118401, providing Fiscal Year 2011 Transit Block Grant funding to Escambia County Area Transit (ECAT):

- A. Approve the Multi-Year JPA No. 41410118401, providing for Florida Department of Transportation (FDOT) participation, in the amount of \$704,329, of Fiscal Year 2011 funding to Escambia County Area Transit;
- B. Adopt the Resolution authorizing the Application and acceptance of these funds; and
- C. Authorize the Chairman to execute the Resolution, Multi-Year JPA Notification of Funding #4, and all other required documents pertaining to this JPA, without further action of the Board.

[Funding: Fund 104 ,Mass Transit; No additional cost to the County]

15. Recommendation Concerning Change Order for Landfill Gas Collection and Control System Restoration and Expansion – Sandra P. Jennings, E.I., Community & Environment Bureau Chief

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

Bureau:	Community & Environment	
Division:	Solid Waste Management	
Type:	Addition	
Amount:	\$75,000.00	
Vendor:	QED Environmental Systems, Inc.	
Project Name:	Landfill Gas Collection and Control System Restoration and Expansion	
PO#:	101477	
CO#:	1	
Original Award Amount:		\$46,300.00
Cumulative Amount of Change Orders thru CO# 1:		<u>\$75,000.00</u>
New Contract Total:		\$121,300.00

[Funding Source: Fund 401: Solid Waste Enterprise Fund; Cost Center 220605; Object Code 56301]

COUNTY ADMINISTRATOR'S REPORT

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16. Recommendation Concerning Environmental Enforcement Lien Against Property Located at 6405 Lake Charlene Drive – Gordon Pike, Corrections Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the Environmental Enforcement Lien against property located at 6405 Lake Charlene Drive:

- A. Authorize a release of the Environmental Enforcement Lien against 6405 Lake Charlene Drive, recorded in Official Records Book 6557, at Page 1640 of the Public Records; and**
- B. Authorize the Chairman to execute the Release.**

17. Recommendation Concerning Public Library Construction Grant Application for the Old Molino Elementary School Project – Sandra P. Jennings, E.I., Community & Environment Bureau Chief

RECOMMENDATION: That the Board take the following action regarding the Public Library Construction Grant Application for the Old Molino Elementary School Project:

- A. Approve the re-submission of the Public Library Construction Grant Application to the Florida Department of State, Division of Library and Information Services, for the Old Molino Elementary School Library Project;**
- B. Adopt the Resolution as part of the Application packet; and**
- C. Authorize the Chairman to sign the Resolution, Certification of Application, and all Grant-related documents relevant to this project, without further action of the Board.**

[Funding Source: Fund 351/352, Local Option Sales Tax II/III – at least \$500,000 in required matching funds (if Grant approved and funded)]

18. **Recommendation Concerning Medical Supplies and Equipment – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board award a Pricing Agreement with multiple vendors for PD 09-10.055, Medical Supplies and Equipment, for a period of 24 months, with the option to exercise one additional 12-month period, up to a maximum of 36 months, under the conditions of the Solicitation, to the following offerors:

- A. Alliance Medical, Inc.
- B. Bound Tree Medical, LLC
- C. Henry Schein EMS
- D. Gulf South Medical Supply, Inc.
- E. Interboro Packaging Corp.
- F. Kentron Health Care, Inc.
- G. Midwest Medical Supply Co, LLC
- H. Moore Medical, LLC
- I. QuadMed, Inc.
- J. School Health Corporation
- K. Sovereign Medical, LLC

[Funding: Fund 408, Emergency Medical Services Fund and Fund 143, Fire Protection Fund]

19. **Recommendation Concerning the Purchase of Three 2011 Ford F-750 XL Trucks for the Road Department – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board authorize the County to piggyback off the Florida Sheriff's Association Contract #09-17-0908, Spec #57, in accordance with the Escambia County, Florida, Code of Ordinances, Chapter 46, Article II, Section 46-44, Applications; Exemptions; and Section 46-64, Board approval, and award a Purchase Order to Hub City Ford Mercury, Inc., for three, 2011, Ford F-750 XL trucks, Road Department Contract PD 09-10.072, with specified options, in the total amount of \$177,372, which includes \$208,272, for three trucks, less the trade-in value of \$30,900, for three, 2004, Ford F-750 trucks, Property Numbers 52504, 52505 and 52546. [Funding: Fund 175, Transportation Trust Fund, Cost Center 210405]

COUNTY ADMINISTRATOR'S REPORT

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20. Recommendation Concerning Modification #1 to the Florida Division of Emergency Management Domestic Security Grant – Michael D. Weaver, Acting Public Safety Bureau/Fire Chief

RECOMMENDATION: That the Board take the following action concerning the State of Florida, Division of Emergency Management (FDEM) Domestic Security Grant Modification #1, for Contract Number 08-DS-60-01-27-01-243:

- A. Approve Modification #1 to reinstate the Contract and extend its ending date from April 30, 2010, to August 31, 2010; and**
- B. Authorize the Chairman to sign the Modification #1.**

[Funding Source: Fund 110, Other Grants and Projects/Cost Center 330459]

21. Recommendation Concerning Ratification of Emergency Change Orders and Purchase Orders – Amy Lovoy, Management and Budget Services Bureau Chief

(BACKUP TO BE DISTRIBUTED UNDER SEPARATE COVER)

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III. For Discussion

- 1. Recommendation Concerning Appointment to the Escambia County Health Facilities Authority – Larry M. Newsom, Interim County Administrator**

(BACKUP TO BE DISTRIBUTED UNDER SEPARATE COVER)

COUNTY ATTORNEY'S REPORT
August 5, 2010

I. FOR ACTION:

1. Resolution Continuing the Declaration of State of Local Emergency

That the Board authorize the Chairman to execute the attached Resolution which would continue the Declaration of State of Local Emergency for seven days beginning Friday, August 6th at 2:00 p.m.

2. Witt Group Holdings, LLC; Joint Interest and Non-Disclosure Agreement

That the Board:

- A. Approve the Joint Interest and Non-Disclosure Agreement with Witt Group Holdings, LLC; and
- B. Authorize the Chairman to sign the Joint Interest and Non-Disclosure Agreement.

3. Request to schedule a Public Hearing to consider repealing Volume I, Chapter 78, Articles III, V, and VII of the Escambia County Code of Ordinances.

That the Board authorize scheduling a Public Hearing for August 19, 2010, at 5:35 p.m. to consider repealing Chapter 78, Article III of the Escambia County Code of Ordinances relating to Setback Regulations, Chapter 78, Article V of the Escambia County Code of Ordinances relating to the Comprehensive Plan, and Chapter 78, Article VII of the Escambia County Code of Ordinances relating to the Rezoning Hearing Examiner; providing for inclusion in the code; providing for an effective date.

4. Request to schedule a Public Hearing to consider amending Chapter 78, Article IV, Section 78-95 of the Escambia County Code of Ordinances relating to Artificial Waterways and Chapter 78, Article VIII, Sections 78-211 through 78-220 of the Escambia County Code of Ordinances relating to Land Use and Environmental Dispute Resolution.

That the Board authorize scheduling a Public Hearing for August 19, 2010 at 5:34 p.m. to consider amending Chapter 78, Article IV, Section 78-95 of the Escambia County Code of Ordinances relating to Artificial Waterways to clarify the means to petition for waiver; amending Chapter 78, Article VIII, Sections 78-211 through 78-220 of the Escambia County Code of Ordinances relating to Land Use and Environmental Dispute Resolution to identify the presiding officer as a Special Magistrate; providing for severability; providing for inclusion in the code; providing for an effective date.

II. FOR INFORMATION:

1. Rapid Management Company v. Board of County Commissioners Escambia County, Florida / Case No. 1D09-5521

That the Board accept, for filing with the Board's Minutes, the Information Report concerning Rapid Management Company v. Board of County Commissioners, Escambia County, Florida, Case No. 1D09-5521, wherein a motion for rehearing was denied on July 20, 2010.

2. Grand Caribbean at Perdido Key Owners' Association, Inc. v. Sandy Key Owners Association, Inc. / Case No. 2010 CA 001912

That the Board accept, for filing with the Board's Minutes, the Information Report concerning Grand Caribbean at Perdido Key Owners' Association, Inc. v. Sandy Key Owners Association, Inc. / Case No. 2010 CA 001912, complaint (which has not yet been served) wherein Grand Caribbean seeks a court declaration that it has not violated the agreement and an injunction to prevent any attempt to remove the boardwalk structure.