

THROUGH THESE DOORS WALK ONLY THE FINEST PEOPLE – THE CITIZENS OF ESCAMBIA COUNTY. DECISIONS ARE MADE IN THIS ROOM AFFECTING THE DAILY LIVES OF OUR PEOPLE. DIGNIFIED CONDUCT IS APPRECIATED.

CHAMBER RULES

1. IF YOU WISH TO SPEAK, YOU WILL BE HEARD.
2. YOU MUST SIGN UP TO SPEAK. SIGN-UP SHEETS ARE AVAILABLE AT THE BACK OF THE ROOM.
3. YOU ARE REQUESTED TO KEEP YOUR REMARKS BRIEF AND FACTUAL.
4. BOTH SIDES ON AN ISSUE WILL BE GRANTED UNIFORM/MAXIMUM TIME TO SPEAK.
5. DURING QUASI-JUDICIAL HEARINGS (I.E., REZONINGS), CONDUCT IS VERY FORMAL AND REGULATED BY SUPREME COURT DECISIONS. VERBAL REACTION OR APPLAUSE IS NOT APPROPRIATE.

PLEASE NOTE THAT ALL BCC MEETINGS ARE RECORDED

AGENDA

Board of County Commissioners

Regular Meeting – January 22, 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 White.
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 adoption/ratification of the following two Proclamations:

- A. Adopt the Proclamation welcoming Dr. Hugh Dell Gatewood, who serves as President of the Woman's Auxiliary to the National Baptist Convention USA, Inc., as she visits Escambia County in celebration of the 60th Annual Woman's Day at Greater Union Baptist Church; and
- B. Ratify the Proclamation commemorating the accomplishments and sacrifices of the late Dr. Martin Luther King, Jr.

7. Employee of the Month Proclamations – None.
8. Written Communication:
 - A. December 10, 2008 – Communication from Stephen M. Guttman, Attorney at Law, representing Mark Keeton, requesting that the Board forgive the fines, costs, and fees associated with a Code Enforcement violation against property located at 57 West Carver Drive;
 - B. December 16, 2008 – Communication from William J. Dunaway, Clark, Partington, Hart, Larry, Bond & Stackhouse, representing Henry Baker and Michael Breton, requesting that the Board forgive the fines associated with a Code Enforcement Lien against property located at 9016 Blue Bay Lane; and
 - C. December 30, 2008 – Communication from Gail Cook concerning a Code Enforcement Lien against property located on Japonica (*Avenue*).
9. Did the Clerk's Office receive the proofs of publication for the Public Hearing(s) on the agenda and the Board's Weekly Meeting Schedule?

Recommendation: That the Board waive the reading of the legal advertisement(s) and accept, for filing with the Board's Minutes, the certified affidavit(s) establishing proof of publication for the Public Hearing(s) on the agenda, and the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule*.

10. **5:31 p.m. Public Hearing for consideration of adopting an Ordinance establishing an alcohol-free zone on Pensacola Beach.**

Recommendation: That the Board, at the 5:31 p.m. Public Hearing, take the following action concerning an alcohol-free zone on Pensacola Beach:

- A. Adopt an Ordinance establishing an alcohol-free zone on Pensacola Beach; and
- B. Authorize the Chairman to sign the Ordinance.

11. 5:32 p.m. Public Hearing for consideration of adopting an Ordinance creating the West Ridge Place Street Lighting MSBU.

Recommendation: That the Board, at the 5:32 p.m. Public Hearing, adopt, and authorize the Chairman to sign, the Ordinance creating the West Ridge Place 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.

12. **5:33 p.m. Public Hearing for consideration of adopting a Resolution amending the Fiscal Year 2008-2009 Budget to include fund balance carryforwards.**

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

- A. Ratify the scheduling and advertisement of a Public Hearing for 5:33 p.m., on January 22, 2009, for the fund balance carryforwards amending the Fiscal Year 2008-2009 Budget; and
- B. Adopt the Resolution approving Supplemental Budget Amendment Number 76, in the amount of \$34,243,545, to recognize certain revenues and adjust fund balance estimates for the following funds and to appropriate these funds accordingly:

| <u>Fund</u> | <u>Number(s)</u> |
|----------------------------------|------------------|
| General Fund | (001) |
| Escambia County Restricted Fund | (101) |
| Economic Development Fund | (102) |
| Code Enforcement Fund | (103) |
| Mass Transit Fund | (104) |
| M&A State Fund | (106) |
| Tourist Promotion Fund | (108) |
| Other Grants and Projects Fund | (110) |
| Misdemeanor Probation Fund | (114) |
| Article V Fund | (115) |
| Law Enforcement Trust | (121) |
| Escambia Affordable Housing Fund | (124) |
| CDBG Entitlement Fund | (129) |
| Handicapped Parking Fund | (130) |
| Family Mediation Fund | (131) |
| Fire Protection Fund | (143) |
| E-911 Operations Fund | (145) |
| HUD-CDBG Housing Rehab Fund | (146) |
| Community Redevelopment Fund | (151) |
| Southwest Sector CRA Fund | (152) |
| Bob Sikes Toll Bridge Fund | (167) |

(Continued on Page 5)

12. Continued...

B. Continued...

| <u>Fund</u> | <u>Number(s)</u> |
|---------------------------------|------------------|
| Transportation Trust Fund | (175) |
| MSBU Assessment Fund | (177) |
| Master Drainage Basin Fund | (181) |
| New Road Construction Fund | (333) |
| Local Option Sales Tax Fund | (350) |
| Local Option Sales Tax II Fund | (351) |
| Local Option Sales Tax III Fund | (352) |
| Solid Waste Fund | (401) |
| Building Inspections Fund | (406) |
| EMS Fund | (408) |
| Civic Center Fund | (409) |
| Self-Insurance Fund | (501) |

13. **5:34 p.m. Public Hearing for consideration of not exceeding \$8,000,000 Escambia County, Florida, Environmental Improvement Revenue Bonds (International Paper Company Project) 2009 Series A.**

Recommendation: That the Board, at the 5:34 p.m. Public Hearing, take the following action concerning the proposed issuance of not exceeding \$8,000,000 Escambia County, Florida, Environmental Improvement Revenue Bonds (International Paper Company Project) 2009 Series A:

- A. Ratify the scheduling and advertising of the Public Hearing for January 22, 2009, at 5:34 p.m.;
- B. Conduct the Public Hearing;
- C. Adopt the Resolution authorizing the issuance and sale of the Bonds upon the terms established therein; and
- D. Authorize the Chairman to sign the Resolution.

14. Committee of the Whole Recommendation.

Recommendation: The Committee of the Whole (C/W), at the January 15, 2009, C/W Workshop, recommends that the Board adopt a policy establishing a Centenarian Program to recognize the citizens of Escambia County who are 100 years of age or older (Item 12).

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
JANUARY 22, 2009

I. CONSENT AGENDA

1. Recommendation Concerning Acceptance of Reports

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

- A. Payroll Expenditures as of Payday January 9, 2009, in the amount of \$2,272,136.75; and
- B. The following three Disbursement of Funds:
 - (1) December 25, 2008, to December 31, 2008, in the amount of \$4,169,365.19;
 - (2) January 1, 2009, to January 7, 2009, in the amount of \$9,590,952.29; and
 - (3) January 8, 2009, to January 14, 2009, in the amount of \$4,084,776.39;
- C. The Investment Report for the month ended December 31, 2008; and
- D. The Tourist Development Tax (TDT) Collections Data for Fiscal Year 2008-2009, which includes the November 2008 returns received in the month of December 2008; the three months revenue collected to date reflects 16.7% of the Budget for the Fiscal Year.

2. Recommendation Concerning Acceptance of CIAC Minutes

Recommendation: That the Board accept, for filing with the Board's Minutes, the Minutes of the Quarterly Meeting of the County Investment Advisory Committee (CIAC) held October 24, 2008, as prepared by the Clerk to the Board's Office.

(BACKUP TO BE DISTRIBUTED UNDER SEPARATE COVER)

I. CONSENT AGENDA – Continued

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

Recommendation: That the Board approve three (3) forms, *Requests for Disposition of Property*, indicating 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/reinstatement.

4. Recommendation Concerning Write-Off of Accounts Receivable

Recommendation: That the Board adopt the Resolution authorizing the write-off of \$510,364.81 in receivables that have been recorded in the Emergency Medical Services Fund of the County and have been determined to be uncollectible bad debts.

5. Recommendation Concerning Public Official Bond

Recommendation: That the Board approve the Public Official Bond for the Honorable Janet Holley, Tax Collector, Bond No.: POB8783271, underwritten by Fidelity and Deposit Company of Maryland, in the amount of \$50,000, for a term beginning January 6, 2009, and ending January 7, 2013.

6. Recommendation Concerning Financial Statements

Recommendation: That the Board accept, for filing with the Board's Minutes, the Financial Statements for the Pensacola-Escambia County Promotion and Development Commission, for the Fiscal Year ended September 30, 2008, as prepared and audited by Saltmarsh, Cleaveland & Gund, Certified Public Accountants and Consultants, and the Financial Statements for the Escambia-Pensacola Human Relations Commission (HRC), for the Fiscal Year ended September 30, 2008, and 2007, as prepared and audited by Brown Thornton Pacenta & Company, P.A., Certified Public Accountants Business & Financial Consultants (*and the HRC 2007-2008 Annual Report*).

I. CONSENT AGENDA – Continued

7. Recommendation Concerning Acceptance of Documents

Recommendation: That the Board accept, for filing with the Board's Minutes, the following five documents received in the Clerk to the Board's Office on January 13, 2009, as provided by Denee M. Rudd, Accounting Supervisor, Neighborhoods and Community Services Bureau:

- A. *Irrevocable Standby Letter of Credit Number 328000582501*, issued by BancorpSouth Bank, in the amount of \$50,000, in favor of the Board of County Commissioners of Escambia County, through its Division of Solid Waste Management, for the account of SAIIA Construction, LLC, effective December 8, 2008, through November 25, 2009 (*replacing Detrimental Amendment to the Standby Letter of Credit No. 10001130*);
- B. The *Continuation Certificate*, executed by Western Surety Company, in the sum of \$9,720, as Surety on Bond No. 929174191, *Surety Bond for Tipping Fees – Escambia County Department of Solid Waste Management*, for Southern Scrap Company, Inc., effective December 11, 2008, through December 11, 2009;
- C. The *Surety Bond for Solid Waste Disposal Rates and Charges, Bond Number 08-1974*, in the penal sum of \$5,000, with HHH Construction of NWF, Inc., as Principal, and ABBA Bonding, as Surety, and the Department of Solid Waste Management of Escambia County, Florida, as Obligee (*replacing Surety Bond 5-92-20-97*);
- D. The *Solid Waste Disposal Payment Guarantee Bond, No. 1815976*, in the amount of \$30,000, with Waste Pro of Florida, Inc., as Principal, and The Hanover Insurance Company, as Surety, and Escambia County Board of County Commissioners – Division of Solid Waste Management, as Obligee; and
- E. *Irrevocable Standby Letter of Credit Number 167*, issued by Beach Community Bank, in the amount of \$10,000, in favor of Escambia County Solid Waste Management, for the account of Containers, Inc., effective November 17, 2008, through November 17, 2009.

I. CONSENT AGENDA – Continued

8. 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 Public Forum Work Session and Regular Board Meeting held January 8, 2009;
- B. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held January 8, 2009; and
- C. Accept, for filing with the Board's Minutes, the Report of the Committee of the Whole (C/W) Workshop held December 19, 2008.

(BACUP TO BE DISTRIBUTED UNDER SEPARATE COVER)

GROWTH MANAGEMENT REPORT

January 22, 2009

I. PUBLIC HEARINGS

- 1. 5:45 p.m. – January 22, 2009 Public Hearing – Development Agreement for UWF Campus Master Plan**

RECOMMENDATION: That the Board review and approve the Development Agreement for the University of West Florida (UWF) Campus Master Plan and transmit to the Department of Community Affairs (DCA) for filing.

**COUNTY ADMINISTRATOR'S REPORT
JANUARY 22, 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 approve for filing with Board's Minutes, the December 11, 2008, Community Redevelopment Agency (CRA) Meeting Minutes prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA.

2. **Recommendation Concerning Scheduling of a Public Hearing for Indian Lake Street Lighting MSBU – Amy Lovoy, Management and Budget Services Bureau Chief**

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

3. **Recommendation Concerning Voluntary Cleanup Tax Credit Application – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the Escambia County Board of County Commissioners Application for Voluntary Cleanup Tax Credits, through the Florida Department of Environmental Protection (FDEP), for the environmental remediation of hazardous contamination at the Escambia County Mosquito Control Facility located at 603 West Romana Street:

- A. Approve the Application to FDEP for Voluntary Cleanup Tax Credit for the Escambia County Mosquito Control facility located at 603 W. Romana St; and
- B. Authorize the Chairman to sign the Application and all other documents relating to the Application.

COUNTY ADMINISTRATOR'S REPORT

JANUARY 22, 2009

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4. **Recommendation Concerning Scheduling a Public Hearing to Vacate a Vehicular Non-Access Easement Located on Lot 3, Lowes at Ensley Subdivision – Joy D. Blackmon, P.E., Public Works Bureau Chief**

RECOMMENDATION: That the Board authorize the scheduling of a Public Hearing for February 19, 2009, at 5:31 p.m., to consider the Petition to Vacate a portion (approximately 0.65 square feet) of a 1-foot wide vehicular non-access Easement, located on Lot 3, Lowe's at Ensley Subdivision, as petitioned by Del Lago Ventures, Inc.,

5. **Recommendation Concerning Reappointment to the Tourist Development Council – Robert R. McLaughlin, County Administrator**

RECOMMENDATION: That the Board reappoint Mr. Denis McKinnon, Jr., to the Tourist Development Council, to serve another four-year term, effective February 3, 2009, through February 2, 2013, as an appointee for the hotel/motel industry.

6. **Recommendation Concerning Scheduling a Public Hearing – Cardroom Gaming Ordinance – Robert R. McLaughlin, County Administrator**

RECOMMENDATION: That the Board authorize the scheduling of a Public Hearing for February 19, 2009, at 5:32 p.m., for consideration of adopting an Ordinance creating Chapter 18, Article IX, Division 1, a new Section 18-400, of the Escambia County Code of Ordinances providing authorization for pari-mutuel wagering facilities to conduct cardroom gaming as allowed by Florida law.

II. Budget/Finance Consent Agenda

1. **Recommendation Concerning Approval of the Escambia Consortium 2008 Annual Plan for Housing and Community Development by the U. S. Department of Housing and Urban Development – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding approval of the Escambia Consortium 2008 Annual Plan for Housing and Community Development by the U. S. Department of Housing and Urban Development (HUD) and the award of \$3,764,131 in 2008 HUD funds:

- A. Acknowledge, for the Official Record, approval of the Escambia Consortium 2008 Annual Plan by the U. S. Department of Housing and Urban Development (HUD), and accept the award of the 2008 Annual Action Plan detailing use of 2008 Community Development Block Grant (CDBG) funds in the amount of \$2,059,681; 2008 HOME Investment Partnerships Act (HOME) funds in the Amount of \$1,599,877; 2008 HOME American Dream Down payment Initiative (ADDI) funds in the amount of \$12,261; and 2008 Emergency Shelter Grant Program (ESG) funds in the amount of \$92,312; and
- B. Ratify the County Administrator's execution of CDBG, HOME and ESG Grant Agreements, as required by HUD, and authorize the Chairman or County Administrator, as appropriate, to execute all Grant-related documents as required to receive and implement the 2008 CDBG, 2008 HOME and 2008 ESG Programs.

2. **Recommendation Concerning Operation and Maintenance of a Groundwater Contamination Remediation System for Perdido Landfill – Sandra P. Jennings, E.I., Neighborhoods/ Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding the renewal of a Lease Agreement with Daniel W. Bailey, as personal representative of the Estate of Winston Claude Bailey, for the operation and maintenance of a groundwater contamination remediation system located on the Mr. Bailey's property:

- A. Approve the renewal of a Lease Agreement with Daniel W. Bailey for \$15,972, for a twelve-month period, beginning February 1, 2009, and ending February 1, 2010;
- B. Approve the payment of Lease fees owed from June 8, 2007, through January 31, 2009, for \$26,430.38; and
- C. Authorize the Chairman to execute the Agreement.

[Funding: Solid Waste Fund (401), Cost Center 220602]

3. **Recommendation Concerning General Release – Waste Management Inc., of Florida – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board takes the following action regarding the General Release requested by Waste Away Group, Inc., and Waste Management Inc., of Florida and their subsidiaries:

- A. Approve the General Release in concert with fees realized through the audit of tipping fees due for 2005, 2006 and 2007 from Waste Management and their subsidiaries;
- B. Accept the payment of \$91,807.93, as being all fees owed as a result of the audit; and
- C. Authorize the Neighborhoods/Community Services Bureau Chief to accept payment and sign the Release.

4. **Recommendation Concerning Elevated Iron Concentrations at Klondike Landfill – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding extending the Research Agreement with the University of Florida Board of Trustees, known as “the University” to assess and address issues associated with elevated iron concentrations at the County-owned and operated Klondike Landfill:

- A. Approve the Extension to the Research Agreement with the University for \$100,000, for twelve months, with an option to renew annually; and
- B. Authorize the Chairman to execute the Agreement.

[Funds are available in Solid Waste Fund (401), Cost Center 220608]

5. **Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements at 1202 Wisteria Avenue – 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 1202 Wisteria Avenue:

- A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Myrtle Barnes, owner of residential property located at 1202 Wisteria Avenue, Pensacola, Florida, in the Barrancas Redevelopment Area, in the amount of \$332, representing an in-kind match through the Barrancas Tax Increment Financing (TIF), Fund 151, Cost Center 220519, Object Code 58301, for the following improvement: Replace a picture window;
- B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 1202 Wisteria Avenue, in the amount of \$332; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

6. **Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements at 1280 Mahogany Mill Road, Unit 13 – 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 1280 Mahogany Mill Road, Unit 13:

- A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Don L. Lowell, owner of residential property located at 1280 Mahogany Mill Road, Unit 13, Pensacola, Florida, in the Barrancas Redevelopment Area, in the amount of \$3,390, representing an in-kind match through the Barrancas Tax Increment Financing (TIF), Fund 151, Cost Center 220519, Object Code 58301, for the following improvement: Replacement of windows;
- B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 1280 Mahogany Mill Road, Unit 13, in the amount of \$3,390; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

7. **Recommendation Concerning Façade Grant Funding and Lien Agreements at 3107 Mobile Highway – 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 Façade Grant Funding and Lien Agreements at 3107 Mobile Highway:

- A. Approving the Commercial Façade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Kim P. Rice, owner of commercial property located at 3107 Mobile Highway, Pensacola, Florida, in the Brownsville Redevelopment Area, in the amount of \$10,000, 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) 2007 Community Development Block Grant (CDBG), Fund 129, Cost Center 220555, Object Code 58301, for the following improvements: Install a new canopy and new awnings;
- B. Approving the Commercial Façade, Landscape, and Infrastructure Grant Program Lien Agreement for the property located at 3107 Mobile Highway, in the amount of \$10,000; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements and any other related documents necessary to implement this Grant award.

8. **Recommendation Concerning the Façade Grant Funding and Lien Agreements at 3725 Mobile Highway – 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 Façade Grant Funding and Lien Agreements at 3725 Mobile Highway:

- A. Approving the Commercial Façade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Anna Nguyen, owner of commercial property located at 3725 Mobile Highway, Pensacola, Florida, in the Brownsville Redevelopment Area, in the amount of \$9,917, 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) 2007 Community Development Block Grant (CDBG), Fund 129, Cost Center 220555, Object Code 58301, for the following improvements: Paint exterior buildings;
- B. Approving the Commercial Façade, Landscape, and Infrastructure Grant Program Lien Agreement for the property located at 3725 Mobile Highway, in the amount of \$9,917; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements and any other related documents necessary to implement this Grant award.

9. **Recommendation Concerning the Residential Rehab Grant Funding and Lien Agreements at 437 South Navy Boulevard – 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 437 South Navy Boulevard:

- A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Harold Green and Shirley Green, owners of residential property located at 437 South Navy Boulevard, Pensacola, Florida, in the Warrington Redevelopment Area, in the amount of \$3,248, 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 panels;
- B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 437 South Navy Boulevard, in the amount of \$3,248; and
- C. 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 at 4416 Havre Way – 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 4416 Havre Way:

- A. Approving the Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Inez W. Chatwood, owner of residential property located at 4416 Havre Way, Pensacola, Florida, in the Palafox Redevelopment Area, in the amount of \$3,225, representing an in-kind match through the Palafox Tax Increment Financing (TIF), Fund 151, Cost Center 220517, Object Code 58301, for the following improvements: Replacement of windows;
- B. Approving the Residential Rehab Grant Program Lien Agreement for the residential property located at 4416 Havre Way, in the amount of \$3,225; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

11. Recommendation Concerning Façade Grant Funding and Lien Agreements at 3015 Mobile Highway – 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 Façade Grant Funding and Lien Agreements at 3015 Mobile Highway:

- A. Approving the Commercial Façade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Birch Glade Development Company, owner of commercial property located at 3015 Mobile Highway, Pensacola, Florida, in the Brownsville Redevelopment Area, in the amount of \$10,000 representing an in-kind match through the Brownsville Tax Increment Financing (TIF), Fund 151, Cost Center 220515, Object Code 58301, for the following improvements: Parking lot improvements and exterior painting to building;
- B. Approving the Commercial Façade, Landscape, and Infrastructure Grant Program Lien Agreement for the property located at 3015 Mobile Highway, in the amount of \$10,000; and
- C. Authorizing the Chairman to sign the Funding and Lien Agreements and any other related documents necessary to implement this Grant award.

12. Recommendation Concerning Surplus and Sale of Real Property Located at 17 Alley #5, Century, Florida – 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 17 Alley #5, Century, Florida:

- A. Declare surplus its real property Account Number 112076000, Reference Number 32-6N-30-0203-000-000, acquired by Escheatment. A "For Sale" sign will be posted at the property, and a legal notice will be posted in the Pensacola New Journal for two weeks stating the County will be accepting offers for this property;
- B. Authorize the sale of this property to the bidder with the highest offer received above the minimum bid of \$5,472, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board, either through a sealed bid or through the Pensacola Community Auction site. The minimum bid and fair market value are established by County staff based on Property Appraiser records; and
- C. Authorize the Chairman to sign all documents related to the sale.

13. **Recommendation Concerning Surplus and Sale of Real Property Located in the 400 Block of Barnwell Lane – 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 in the 400 Block of Barnwell Lane:

- A. Declare surplus its real property Account Number 111907100, Reference Number 08-5N-30-3200-000-001, acquired by Escheatment. A “For Sale” sign will be posted at the property, and a legal notice will be posted in the Pensacola New Journal for two weeks stating the County will be accepting offers for this property;
- B. Authorize the sale of this property to the bidder with the highest offer received above the minimum bid of \$5,198, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board, either through a sealed bid or through the Pensacola Community Auction site. The minimum bid and fair market value are established by County staff based on Property Appraiser records; and
- C. Authorize the Chairman to sign all documents related to the sale.

14. **Recommendation Concerning Sale of Real Property Located at 10 Besma Drive – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning forgiveness of MSBU Liens and a Nuisance Abatement Lien to assist in promoting the sale of real property located at 10 Besma Drive:

- A. Authorize forgiveness of Municipal Services Benefit Unit (MSBU) Liens recorded in OR Book 4316 at page 1520 and OR Book 4451 at page 1384 of the Public Records of Escambia County, Florida, on real property located at 10 Besma Drive, real property Account Number 071829000, Reference Number 34-2S-30-1151-040-007. The County's total MSBU Lien amount is \$200.80; and
- B. Authorize forgiveness of a Nuisance Abatement Lien recorded in OR Book 4865 at page 1807 of the Public Records of Escambia County, Florida, on real property located at 10 Besma Drive, real property Account Number 071829000, Reference Number 34-2S-30-1151-040-007. The County's Nuisance Abatement Lien amount is \$1062.51.

15. Recommendation Concerning Supplemental Budget Amendment #75 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #75, Other Grants & Projects Fund (110), in the amount of \$50,000, to recognize funding from the Florida Department of Law Enforcement and to appropriate these funds for substance abuse treatment for state prisoners in the Pathways for Change Program.

16. Recommendation Concerning Supplemental Budget Amendment #80 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #80, Other Grants and Projects Fund (110), in the amount of \$52,473, to recognize proceeds from a State of Florida 2007-2010 State Homeland Security Grant Program and to appropriate these funds for Hazardous Material Teams training.

17. Recommendation Concerning Supplemental Budget Amendment #81 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #81, Public Safety Bureau, Fire Protection Fund (143), Emergency Services Fund (408), and General Fund (001) in the amount of \$166,706, to transfer funds from Emergency Medical Services and Fire Services to the General Fund and to appropriate these funds into the correct Cost Centers so that the funding source matches the work location.

18. Recommendation Concerning Contract for Collections Services for Escambia County Public Safety EMS – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board award Contract PD 08-09.014, “Collections Services for Escambia County Public Safety EMS”, to United Collection Service, Inc., effective February 5, 2009, for a period of 36 months, with an option to extend the Contract for 2 additional 12 month periods, at the proposed commission rates of 18.5% (primary placement) and 30% (secondary placement) of amount collected, in accordance with the terms and conditions of the solicitation. [Funding Source: Fund 408/Emergency Medical Services, Cost Center 330304]

COUNTY ADMINISTRATOR'S REPORT

JANUARY 22, 2009

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19. Recommendation Concerning a Purchase Order for Owner-Direct Purchased that Exceed \$50,000 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board Authorize the County Administrator to approve and execute any Purchase Order for Owner-Direct Purchases (ODP's) that exceed \$50,000, for PD 08-09.008, One Stop Permit Center, awarded by the Board to A E New Jr., Inc., on December 11, 2008. [Funding: Fund 112, Disaster Recovery, Cost Center 310104 - Project #05AD0029; Base Bid and Alternate 6, Object Code 56201 – \$10,742,000; Alternates 1 – 5, Object Code 56301 – \$938,000]

20. Recommendation Concerning Contract for Emergency Medical Services – Davisville and Walnut Hill Telephone Exchanges – Michael Hardin, Public Safety Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the Contract for Emergency Medical Services between Escambia County, Florida, and Atmore Ambulance, Inc., dated February 4, 2004, as amended and extended January 23, 2007 and January 24, 2008, for services provided that portion of Northwest Florida served by the Davisville and Walnut Hill telephone exchanges:

- A. Approve the Amendment and Extension of Contract to extend the provision of services for an additional one-year period, to expire February 3, 2010, at a cost of \$75,000; and
- B. Authorize the Chairman to sign the Document.

[Funding Source: Fund 408/ Emergency Medical Services, Cost Center 330301, Account Code 53401]

21. Recommendation Concerning Acquisition of Rights-of-Way and Easements for the Kingsfield Road Portion of the Optional Sector Plan – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board authorize staff to initiate the purchase process on properties for the acquisition of rights-of-way and Easements for the Kingsfield Road portion of the Optional Sector Plan. This includes, but is not limited to obtaining title commitments, Phase I Environmental Assessments, appraisals, and surveys, and conducting inspections as needed. [Funding Source: Fund 351, Lost II, Account 210105/56101, Project 07EN0375]

22. Recommendation Concerning Interlocal Agreement With the University of West Florida Concerning Regulation of Construction With Respect to University Properties – T. Lloyd Kerr, AICP, Development Services Bureau Chief

RECOMMENDATION: That the Board approve and authorize the Chairman to sign the Interlocal Agreement between Escambia County and the University of West Florida for regulation of building construction with respect to the University's properties, excluding certain properties located within the Historic District of the County and owned, or operated by West Florida Historic Preservation, Inc., to ensure compliance with applicable building code requirements, including permitting, plans review, and inspections. There are 16 existing projects with permit fees remaining, in the amount of \$57,404.76, which will be paid to the County in equal monthly installments over a six-month period from the effective date of this Agreement.

(THE INTERLOCAL AGREEMENT WILL BE DISTRIBUTED UNDER SEPARATE COVER)

23. Recommendation Concerning a Budget Amendment Identifying the Funding Source for \$400,000, to Cover the Clerk of the Circuit Court's Budget Shortfall for Fiscal Year 2008-2009 – Amy Lovoy, Management and Budget Services Bureau Chief

(BACKUP TO BE DISTRIBUTED UNDER SEPARATE COVER)

COUNTY ATTORNEY'S REPORT
January 22, 2009

I. FOR ACTION:

1. MYRLE TROWBRIDGE, JR. WORKERS' COMPENSATION WASHOUT SETTLEMENT

That the Board approve a workers' compensation settlement for former road corrections officer Myrle Trowbridge, Jr., in the amount of \$15,000.00, inclusive of attorney's fees and costs. In exchange, Mr. Trowbridge shall execute a general release of liability for the County.

2. RICHARD HARRIS WORKERS' COMPENSATION WASHOUT SETTLEMENT

That the Board approve a workers' compensation settlement for former detention deputy Richard Harris in the amount of \$92,642.04, inclusive of attorney's fees and costs. In exchange Mr. Harris shall execute a general release of liability for the County.

3. DAVID SANDERSON WORKERS' COMPENSATION WASHOUT SETTLEMENT

That the Board approve a workers' compensation settlement for former deputy David Sanderson in the amount of \$75,000.00, inclusive of attorney's fees and costs. In exchange, Mr. Sanderson shall execute a general release of liability for the County.

4. WEST-END ADVISORY COMMITTEE R2008-141 AMENDMENT

- A. That the Board consider amending Resolution R2008-141 to increase the membership of the West-End Advisory Committee from five (5) members to seven (7) members; and
- B. That the Board authorize the Chair to sign the amended resolution.