

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 –November 18, 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 Young.
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. Adoption of a Proclamation

Recommendation: That the Board adopt the the following two Proclamations:

A. The Proclamation proclaiming November 19, 2010, as "Infant Safe-Sleeping Day" in Escambia County; and

B. The Proclamation proclaiming December 2010 as "Keep The Wreath Green Month" in Escambia County.

7. Years of Service Recognition

Recommendation: That the Board recognize, with a pin and a certificate, David K. Lewis, Public Works Bureau, Facilities Management Branch, Facilities Maintenance Division, for his dedication and 30 years of service to Escambia County.

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. 5:32 p.m. Public Hearing – Adopt a Resolution Creating the Cantonment Redevelopment Area

Recommendation: That the Board, at the 5:32 p.m. Public Hearing, take the following action concerning a Resolution creating the Cantonment Redevelopment Area (Funding Source: CRA Administration, Fund 151, Cost Center 220523, Object Code 54901):

A. Adopt the Resolution of Escambia County, Florida, relating to Community Redevelopment; finding that there is a blighted area within Escambia County, Florida, and a shortage of affordable housing for low and moderate income households, specifically within the Cantonment community; finding that rehabilitation conservation, redevelopment, or a combination of these in the Cantonment Community is necessary in the interest of the public health, safety, morals and welfare of the residents of Escambia County; finding that there is a need to designate Cantonment as a redevelopment area; and providing for an effective date; and

B. Authorize the Chairman execute the Resolution.

10. 5:33 p.m. Public Hearing - Amending the Palafox Redevelopment Area Boundaries

Recommendation: That the Board, at the 5:33 p.m. Public Hearing, take the following action concerning adopting a Resolution Amending the Palafox Redevelopment Area Boundaries:

A. Adopt the Resolution amending the Palafox Redevelopment Area Plan as to boundaries only; providing for authority; providing determination; providing for severability; providing for an effective date; and

B. Authorize the Chairman to execute the Resolution.

[Funding Source: CRA Administration, Fund 151, Cost Center 220523, Object Code 54901]

11. 5:34 p.m. Public Hearing - Mobile Highway Land Clearing Debris Facility

Recommendation: That the Board, at the 5:34 p.m. Public Hearing, approve the renewal of a Permit to Construct, Operate, Modify, or Close a Construction and Demolition Debris or Land Clearing Disposal Management Facility for Mobile Highway Land Clearing Debris Facility, owned by Escambia County, Division of Solid Waste Management, and authorize the Community & Environment Bureau Chief to issue the permit (Funding: Solid Waste Fund 401, Account Number 34302).

12. Committee of the Whole Recommendation

Recommendation: The Committee of the Whole (C/W), at the November 9, 2010, C/W Workshop, recommends that the Board authorize the County Administrator, or his designee, the County Attorney, a representative of the managing company (Veolia Transportation Services, Inc.) for Escambia County Area Transit, and a representative of the company (Transit Advertising Limited, Inc.) currently handling the advertising, to negotiate an extension to the Contract (Agreement to Provide Exterior Advertising Services for Fixed Route Buses Operated by Escambia County Area Transit), to include a provision that Transit Advertising Limited, Inc., will not enter into advertising contracts that extend beyond the period of its Agreement with the County, and provide a recommendation at the next C/W Workshop (C/W Item 9).

13. Reports:

Clerk & Comptroller's Report

County Administrator's Report November 18, 2010

County Attorney's Report

14. Items added to the agenda.

15. Announcements.

16. Adjournment.

**BACKUP NOT INCLUDED WITH THE CLERK'S REPORT IS AVAILABLE FOR REVIEW IN
THE OFFICE OF THE CLERK TO THE BOARD
ESCAMBIA COUNTY GOVERNMENTAL COMPLEX, SUITE 130**

CLERK OF THE COURTS & COMPTROLLER'S REPORT
November 18, 2010

I. CONSENT AGENDA

1. 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 Expenditure for Pay Date November 12, 2010, in the amount of \$2,221,813.50;
and
 - B. The following two Disbursements of Funds:
 - (1) October 28, 2010, to November 3, 2010, in the amount of \$8,261,282.96; and
 - (2) November 4, 2010, to November 10, 2010, in the amount of \$2,024,924.30.
 - C. The Investment Report for Month ended October 31, 2010; and
 - D. The Tourist Development Tax Collections Data for Fiscal Year 2010-2011, which includes the September 2010 returns received in the month of October 2010; the one month revenue collected reflects 8.29% of the Budget for the Fiscal Year.

2. 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 September 24, 2010, as prepared by the Clerk to the Board's Office.

3. That the Board take the following action concerning documents provided to the Clerk of the Circuit Court and Comptroller's Office:
 - A. Accept, for filing with the Board's Minutes, Modification Number 01 to Grant Agreement Between the Department of Community Affairs and Escambia County, based on the Board's January 7, 2010, action adopting a Resolution authorizing submission of the Community Development Block Grant Disaster Recovery Grant (2008 Storms) Application, as executed by the Chairman on August 5, 2010, and provided to the Clerk of the Board's Office on October 28, 2010; and
 - B. Ratify the Interim County Administrator's October 22, 2010, execution of, and accept, for filing with the Board's Minutes, the Addendum Non Profit Developer Agreement Loaves and Fishes Soup Kitchen, Inc., Escambia County Neighborhood Stabilization Program, based on the Board's action of August 19, 2010, approving the Non Profit Developer Agreement and authorizing the Chairman or Vice Chairman to execute the Agreement and all related documents required to implement the Project, as provided to the Clerk to the Board's Office on November 2, 2010.

4. That the Board take the following action concerning Minutes and Reports prepared by the Clerk to the Board's Office:
 - A. Approve the Minutes of the Joint Meeting of the Santa Rosa County and Escambia County Boards of County Commissioners held October 25, 2010;
 - B. Approve the Minutes of the Regular Board Meeting held November 4, 2010;
 - C. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held November 4, 2010; and
 - D. Approve the Minutes of Attorney-Client Session held November 9, 2010.

COUNTY ADMINISTRATOR'S REPORT
November 18, 2010

I. Technical/Public Service Consent Agenda

1. Recommendation Concerning Appointments/Reappointment to the Escambia County Extension Council - Sandra P. Jennings, P.E., Community & Environment Bureau Chief
That the Board take the following action concerning appointments/reappointment to the Escambia County Extension Council:

A. Appoint the following five individuals to a two-year term, effective December 1, 2010, through November 30, 2012:

<u>ZONE</u>	<u>NAME AND ADDRESS</u>
2	Jamie Hall, 3220 Highway 164, McDavid, FL 32568
4	Russell Tanner, 9601 Gibson Road, Molino, FL 32577
6	Julie Boutwell, 50 Meharg Road, Molino, FL 32577
8	Bill Denni, 13221 Lillian Highway, Pensacola, FL 32506
12	Lois Withey, 6105 Bradshaw Street, Pensacola, FL 32526

B. Appoint the following individual to a one-year term, effective December 1, 2010, through November 30, 2011. This is to fill the expired term of Enrique Eligio who resigned.

<u>ZONE</u>	<u>NAME AND ADDRESS</u>
9	Julie Sackman, 3451 Wellington Road, Pensacola, FL 32504

C. Reappoint the following individual to a two-year term, effective December 1, 2010, through November 30, 2012:

<u>ZONE</u>	<u>NAME AND ADDRESS</u>
10	Larry Knight, 8657 Blue Jay Way, Pensacola, FL 32534

D. Request the County Administrator's Office provide letters of appointment to incoming members and letters of appreciation to out-going members.

2. Recommendation Concerning the Request for Disposition of County Surplus Property for Community Services Division - Sandra P. Jennings, P.E., Community & Environment Bureau Chief
That the Board approve the Request for Disposition of Property for property which is described and listed on the form, with reason for disposition stated; the items are to be auctioned as surplus or properly disposed of.
3. Recommendation Concerning the Request for Disposition of Surplus Property for ECAT - Sandra P. Jennings, P.E., Community & Environment Bureau Chief
That the Board approve the Request for Disposition of Property for property which is described and listed on the form, with reason for disposition stated; the items are to be auctioned as surplus or properly disposed of.
4. Recommendation Concerning CRA Meeting Minutes October 21, 2010 - Sandra P. Jennings, P.E., Community & Environment Bureau Chief
That the Board accept, for filing with the Board's Minutes, the October 21, 2010, Community Redevelopment Agency (CRA) Meeting Minutes prepared, by Vera Cardia-Lively, Senior Office Support Assistant, CRA.

5. Recommendation Concerning CRA Chair & Vice Chair Appointment - Sandra P. Jennings, P.E., Community & Environment Bureau Chief
That the Board ratify the October 21, 2010, action of the Community Redevelopment Agency (CRA), appointing Commissioner Marie Young to serve as Chair and Commissioner Valentino to serve as Vice Chair of the CRA. The terms will begin and coincide with the appointment of the Chair and Vice Chair for the Board of County Commissioners.

6. Recommendation Concerning License Agreement with Sacred Heart Health System, Inc. for "Mission in Motion" Mobile Health Unit - Sandra P. Jennings, P.E., Community & Environment Bureau Chief
That the Board approve the License Agreement with Sacred Heart Health System, Inc., for "Mission in Motion" Mobile Health Unit, granting permission to enter onto the property of all Escambia County Community Centers, per the three-year Agreement, in order to provide a variety of medical screening services to the public.

7. Recommendation Concerning Termination of Contract for Air Filters for Various County Buildings - Amy Lovoy, Management and Budget Services Bureau Chief
That the Board in accordance with the terms and conditions of the Contract for Air Filters for Various County Buildings PD 08-09.089, Paragraph 20, Termination, terminate the Contract effective immediately, with Sunbelt Industrial Supply Co., Inc., due to the business closing.

8. Recommendation Concerning Revised Tuition Reimbursement Policy - Amy Lovoy, Management and Budget Services Bureau Chief
That the Board adopt the revised Tuition Reimbursement Policy, Section II, C.24, of the Board of County Commissioners Policy Manual, effective October 1, 2010. Revisions to this policy are as follows:
 - A. Term employees will no longer be eligible for tuition reimbursement;

 - B. The limitation of \$500 for an undergraduate level course and \$600 for a graduate level course per quarter/semester has been eliminated due to the unique schedules of today's educational institutions;

 - C. It is clarified that books, travel or other materials required by the course will not be approved for reimbursement;

 - D. Management must now verify on the Tuition Reimbursement Application Form that the employee's most recent performance evaluation reflects an overall minimum of at least "meet standards";

 - E. The changes made also include grammatical and verbiage changes to comply with the Board of County Commissioners current organization structure; and

 - F. Remove Appendix I, Qualifying Education, Appendix II, Tuition Reimbursement Application Form, and Appendix III, Stability-of-Employment Agreement.

9. Recommendation Concerning Tourist Development Council Reappointments - Charles R. "Randy" Oliver, CPA PE, County Administrator
That the Board take the following action concerning two reappointments to the Escambia County Tourist Development Council:
 - A. Waive the Board's Policy, Section I, Part B 1. (D), Appointment Policy and Procedures, and reappoint Nancy Halford for another four-year term, effective December 1, 2010, through November 30, 2014, as an "Interested in Tourism" Appointee; and
 - B. Reappoint Thaisa F. Bivins for a four-term, effective December 1, 2010, through November 30, 2010, as a "Hotel/Motel Industry" appointee.

10. Recommendation Concerning Conveyance of a Conservation Easement at Wellington East - an Unplatted Subdivision – Development Review #090200003 - Joy Blackmon, P.E. Public Works Bureau Chief
That the Board accept, and authorize the Chairman or Vice-Chairman to execute, a Conservation Easement document, pursuant to the Escambia County Land Development Code, as set forth in Section 7.13.03.F, Protection Standards. The 2.37 acre Conservation Easement is a part of a mitigation plan restricting development of a portion of a 10.36 acre, four- lot, single-family, residential, unplatted subdivision along Pine Top Lane and Well Line Road.

11. Recommendation Concerning Economic Development Incentives for the Overhead Door Corporation - Larry M. Newsom, Interim Assistant County Administrator
That the Board take the following action concerning Economic Development Incentives for the Overhead Door Corporation:
 - A. Adopt a Resolution approving Overhead Door Corporation as a qualified applicant for the Florida Qualified Target Industry Tax Refund Program (QTI) and providing a 20% local participation in the tax refund, through a local Economic Development Ad Valorem Tax Exemption (EDATE).
 - B. Authorize the Chairman to execute the Resolution.

12. Recommendation Concerning 2011 Board of County Commissioners' Meeting/Committee of the Whole Meeting Schedule - Charles R. "Randy" Oliver, County Administrator
That the Board approve the 2011 Board of County Commissioners' Meeting/Committee of the Whole Meeting Schedule as submitted.

II. Budget/Finance Consent Agenda

1. Recommendation Concerning 2010-2011 Escambia Consortium HOME Program Interlocal Agreements with the City of Pensacola and Santa Rosa County - Sandra P. Jennings, P.E., Community & Environment Bureau Chief

That the Board take the following action concerning implementation of the 2010 HOME Investment Partnerships ACT (HOME) Program Grant (#M-10-DC-12-0225):

A. Approve the HOME Program Interlocal Agreement with the City of Pensacola providing for the utilization of \$401,169 in 2010 HOME funds to support approved Substantial Housing Rehabilitation/Reconstruction Assistance and related project management activities within the City of Pensacola, with an effective date of November 1, 2010;

B. Approve the HOME Program Interlocal Agreement with Santa Rosa County providing, for the utilization of \$294,083 in 2010 HOME funds, to support approved homebuyer assistance, and related project management activities within Santa Rosa County, with an effective date of November 1, 2010; and

C. Authorize the Chairman or Vice Chairman to execute the Interlocal Agreements and all documents required to implement HOME project activities.

[Funding: Fund 147/2010 HOME Grant, Cost Center 220432]

2. Recommendation Concerning Enterprise Florida Defense Infrastructure Grant Agreement #DIG-11-10 for the Area "A" and Accident Potential Zone (APZ) Density Reduction Project - Sandra P. Jennings, P.E., Community & Environment Bureau Chief

That the Board take the following action concerning the Defense Infrastructure Grant Agreement #DIG-11-10 between Enterprise Florida, Inc., and the Escambia County Board of County Commissioners for the Area "A" and Accident Potential Zone (APZ) Density Reduction Project:

A. Approve the Defense Infrastructure Grant Agreement #DIG-11-10 with a Grant award, in the amount of \$500,000, for the Area "A" and APZ Density Reduction Project; and

B. Authorize the Chairman to sign the Agreement and any subsequent Grant-related documents, including no-cost extensions, pending legal review and approval, without further action of the Board.

[Funding: Fund 110, Other Grants & Projects, new Cost Center – no matching funds required]

3. Recommendation Concerning Supplemental Joint Participation Agreement Number 5, Providing Fiscal Year 2011 Funding for the Davis Highway Urban Corridor Project - Sandra P. Jennings, P.E., Community & Environment Bureau Chief

That the Board take the following action concerning Supplemental Joint Participation Agreement (JPA) Number 5, Project Number 42027418401, providing Fiscal Year 2011 funding for the Urban Corridor Project on Davis Highway:

A. Approve Supplemental JPA Number 5, Project Number 42027418401, providing for Florida Department of Transportation (FDOT) participation, in the amount of \$277,176, of Fiscal Year 2011 funding to Escambia County Area Transit (ECAT), for the Urban Corridor Project on Davis Highway; and

B. Adopt the Resolution authorizing the application and acceptance of these funds; and

C. Authorize the Chairman to execute the Resolution and all other required documents pertaining to the JPA, without further action of the Board.

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

4. **Recommendation Concerning Multi-Year Joint Participation Agreement Notification of Funding #4 Additional, Providing Fiscal Year 2010-2011 Transit Block Grant Funding to Escambia County Area Transit - Sandra P. Jennings, P.E., Community & Environment Bureau Chief**

That the Board take the following action concerning Multi-Year Joint Participation Agreement (JPA) Notification of Funding #4 Additional, providing Fiscal Year 2011 Transit Block Grant funding to Escambia County Area Transit (ECAT):

A. Approve the Multi-Year JPA Notification of Funding #4 Additional, Project No. 41410118401, providing for Florida Department of Transportation (FDOT) participation, in the amount of \$16,231, of Fiscal Year 2011 funding to ECAT; and

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 Additional, 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]

5. Recommendation Concerning Residential Rehab Grant 18 Cancellations of Liens - Sandra P. Jennings, P.E., Community & Environment Bureau Chief

That the Board ratify the following November 18, 2010, action of the Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Program:

A. Approving the following 18 Residential Rehab Grant Program Cancellations 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>
Jamie L. Sherman	214 Northwest Gilliland Road	\$4,492
Kal Frances White	1240 Patton Drive	\$1,297
Janet Thomas	311 East Palmetto Avenue	\$4,300
Allison Shanahan	115 Southeast Gilliland Road	\$5,975
Jennifer M. Nunnally	206 Southeast Kalash Road	\$5,357
William H. McNeal and Faye A. McNeal	317 Chattman Street	\$2,730
Michael Langen	512 Chaseville Street	\$4,401
Manley P. George and Reta A. George	216 Bryant Road	\$2,651
John Gilkerson and Kelly Gilkerson	217 Bryant Road	\$3,112
Robert Clyde and Pamela Clyde	303 Southeast Kalash Road	\$5,940
Lynn B. Chidester	213 Southeast Baublits	\$2,240
Thomas G. Campbell and Betty Lou Campbell	6 Greve Road	\$704
Jessica Boyd	108 South 2nd Street	\$6,000
Ella M. Walker	1127 West Maxwell Street	\$1,044
Charles A. Swann and Toni E. Swann	502 Lakewood Road	\$5,404
John H. Blackwell and Deborah L. Blackwell	3245 Barrancas Avenue	\$5,362
Kent D. Lowman	3306 West La Rua Street	\$5,150.50
Steven M. Adamson and Jacqueline G. Adamson	1280 Mahogany Mill Road, Unit 12	\$1,413

and

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

6. Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements for 4 Greve Court - Sandra P. Jennings, P.E., Community & Environment Bureau Chief

That the Board ratify the following November 18, 2010, action of Escambia County, a political subdivision of the State of Florida, acting in its capacity as Escambia County Community Redevelopment Agency (CRA), concerning the Residential Rehab Grant Funding and Lien Agreements for the property located at 4 Greve Court:

A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Cynthia A. Vargas, owner of residential property located at 4 Greve Court, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$3,344, 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 storm shutters; and

B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

7. Recommendation Concerning Sign Grant Funding for 3107 Mobile Highway - Sandra P. Jennings, P.E., Community & Environment Bureau Chief

That the Board ratify the following November 18, 2010, action of Escambia County, a political subdivision of the State of Florida, acting in its capacity as Escambia County Community Redevelopment Agency (CRA), concerning the Sign Grant Funding Agreement for the property located at 3107 Mobile Highway:

A. Approving the Sign Grant Program Funding Agreement between Escambia County CRA and Kim Rice, owner of commercial property located at 3107 Mobile Highway, Pensacola, Florida, in the Brownsville Redevelopment Area, in the amount of \$2,000, 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) 2008 Community Development Block Grant (CDBG), Fund 129, Cost Center 220563, Object Code 58301, for the following improvements:

Install new wall signs; and

B. Authorizing the Chairman to sign the Funding Agreement and any related documents necessary to implement this Grant award.

8. Recommendation Concerning General Paving, Drainage and Resurfacing Pricing Agreement, 2010 - Sandra P. Jennings, P.E., Community & Environment Bureau Chief

That the Board authorize the issuance of Individual or Blanket Purchase Orders, per PD 07-08.134, General Paving, Drainage and Resurfacing Pricing Agreement, in accordance with Chapter 46 of the Escambia County Code of Ordinances, to the following list of contractors in Fiscal Year 2010/2011, to be issued for the Community & Environment Bureau/Community Redevelopment Agency, not to exceed \$750,000 in total:

APAC-Southeast, Inc.
Henry Haire Building and Development, Inc.
Gulf Atlantic Constructors, Inc.
Panhandle Grading & Paving, Inc.
Pensacola Concrete Construction Co.
Roads, Inc., of NWF
Starfish, Inc., of Alabama

[Funding Source: Community Redevelopment Agency Tax Increment Financing, Fund 151, Cost Centers 220515, 220516, 220517, 220519, 220520]

9. Recommendation Concerning the Issuance of a Blanket and/or Individual Purchase Order for Fiscal Year 2010-2011, in Excess of \$50,000, for LFG Technologies, Inc. - Sandra P. Jennings, P.E., Community & Environment Bureau Chief

That the Board approve the issuance of a blanket and/or individual Purchase Order, in excess of \$50,000, for the Fiscal Year 2010-2011, based upon previously-awarded Contracts, Contractual Agreements, or annual requirements as provided below, for LFG Technologies, Inc.

Solid Waste Management Division

Vendor/Contractor	Vendor Number	Purpose	Fund	Cost Center	Amount	Contract #
LFG Technologies, Inc.	120081	Other Contract Services	401	220602 (EEQ)	\$75,000	PD 07-08.111

10. Recommendation Concerning Change Order to PO# 291405-5 to Cameron-Cole for 603 West Romana Street - Sandra P. Jennings, P.E., Community & Environment Bureau Chief

That the Board approve and authorize the 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:	Community & Environment Bureau
Division:	Community Redevelopment Agency
Type:	Addition
Amount:	\$18,829.22
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.:	5
Original Award Amount:	\$ 59,218.82
Cumulative Amount of Change Orders through CO #5	<u>\$157,139.23</u>
New Contract Total:	<u>\$216,358.05</u>

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

11. Recommendation Concerning a Clarification of the Memorandum of Understanding (MOU) with the ATU for a 2% Cost of Living Adjustment (COLA) - Amy Lovoy, Management and Budget Services Bureau Chief

That the Board take the following action:

A. Clarify its intent to give a 2% cost-of-living adjustment to any member of the Amalgamated Transit Union (ATU) Local 1395 bargaining unit, currently employed by the Escambia County Board of County Commissioners, who has not previously received a COLA since October 1, 2008, and specifically authorize the 2% COLA to current members of the bargaining unit who have received a promotion during that time frame.

B. Approve the Memorandum of Understanding Article 12, Salaries (clarification) with the ATU bargaining unit.

12. Recommendation Concerning the Surplus and Sale of Real Property located at 2618 North Guillemard Street - Amy Lovoy, Management and Budget Services Bureau Chief

That the Board take the following action concerning the surplus and sale of real property located at 2618 North Guillemard Street:

A. Declare surplus the Board's real property, Account Number 13-2377-000, Reference Number 00-0S-00-9010-040-151;

B. Authorize the sale of the property to the bidder with the highest offer received at or above the minimum bid of \$49,376, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and

C. Authorize the Chairman to sign all documents related to the sale.

13. Recommendation Concerning Solid Waste Container Price Adjustment, PD 07-08.040 - Amy Lovoy, Management and Budget Services Bureau Chief

That the Board authorize a 5 percent price adjustment to Contract PD 07-08.040, Solid Waste Container, with an effective date of October 1, 2010, as requested by the County Administrator's designee, David W. Wheeler, CFM, Public Works Deputy Bureau Chief. [Funding: Fund 001, General Fund, Cost Center 210602, Object Code 54301]

14. Recommendation Concerning Signal Response Maintenance and Construction - Amy Lovoy, Management and Budget Services Bureau Chief

That the Board award an Indefinite Quantity, Indefinite Delivery Term Contract, PD 09-10.090, Signal Response Maintenance and Construction, to Ingram Signalization, Inc., effective November 1, 2010, ending September 30, 2013, for an annual amount of up to \$500,000.

[Funding: Transportation Trust Fund 175, Cost Center 110303, Object Code 54601, \$500,000]

15. Recommendation Concerning Supplemental Budget Amendment #41 - Amy Lovoy, Management & Budget Services Bureau

That the Board adopt the Resolution approving Supplemental Budget Amendment #41, Other Grants and Projects Fund (110), in the amount of \$10,000, to recognize proceeds from the Florida Department of Agriculture and Consumer Services, Division of Forestry and to appropriate the funds for the use of planting native canopy trees and the removal of hazardous trees in two Escambia County Parks.

16. Recommendation Concerning Supplemental Budget Amendment #40 - Amy Lovoy, Management & Budget Services Bureau Chief

That the Board adopt the Resolution approving Supplemental Budget Amendment #40, Other Grants & Projects Fund (110), in the amount of \$3,929,518, to recognize Grant funds from the United States Department of Justice and to appropriate these funds for law enforcement related activities for the Courts and Sheriff in Escambia County for Fiscal Year 2010-11.

17. Recommendation Concerning Supplemental Budget Amendment #43 - Amy Lovoy, Management and Budget Services Bureau Chief

That the Board adopt the Resolution approving Supplemental Budget Amendment #43, Other Grants and Projects Fund (110), in the amount of \$9,414, to recognize proceeds from an Emergency Medical Services (EMS) County Award Grant and to appropriate these funds for the purchase of medical supplies.

18. Recommendation Concerning Authorizing the Release of Two Liens and an Old Governmental Foreclosure Judgment for Pensacola Habitat for Humanity, Inc., in their Purchase of Property in the 1000 Block of West Yonge Street – Amy Lovoy, Management and Budget Services Bureau Chief

That the Board take the following action to assist Pensacola Habitat for Humanity, Inc., in the purchase of real property in the 1000 Block of West Yonge Street, Account Number 06-2754-000, Reference Number 18-2S-30-6000-070-030:

A. Authorize release of the 2009 Code Enforcement Civil Lien recorded in Official Records Book 6519, at Page 1194, in the amount of \$180.81, and the 2010 Nuisance Abatement Lien, in the amount of \$449.13, recorded in Official Records Book 6557, at Page 1634, of the Public Records of Escambia County, Florida;

B. Authorize release of the old 2005 Governmental Foreclosure Judgment; and

C. Acknowledge Habitat for Humanity, Inc., will pay for the preparation and recording fees on all documents related to these issues and receive approval from the County of the design for any structure to be constructed prior to the County's release of Liens.

19. Recommendation Concerning 2010 Letter of Agreement with the State of Florida Agency for Health Care Administration (AHCA) - Amy Lovoy, Management and Budget Bureau Chief

That the Board approve the Letter of Agreement with the State of Florida to allow local government dollars to be used to "buy back" Medicaid reimbursement reductions on behalf of Baptist and Sacred Heart Hospitals, in the amount of \$3,443,579.

20. Recommendation Concerning Provision of Emergency Medical Services to the Area of Flomaton (Escambia County), Alabama - Michael D. Weaver, Public Safety Bureau Chief

That the Board take the following action concerning the provision of emergency medical services to the area of Flomaton (Escambia County), Alabama:

A. Approve the Interlocal Agreement for the Provision of Emergency Medical Services between the Escambia County Healthcare Authority and Escambia County, Florida, to allow Escambia County Emergency Medical Services (EMS) to continue service to that portion of Escambia County, Alabama, generally described as the area of Flomaton, Alabama, with annual compensation to be recognized in Fund 408, Emergency Medical Services/Revenue Account 342605, Escambia County Alabama Lease; and

B. Authorize the Chairman to sign the Interlocal Agreement.

21. **Recommendation Concerning Program Participation Agreement between Pathways For Change, LLC, and Escambia County, Florida - Gordon C. Pike, Corrections Bureau Chief**
That the Board take the following action concerning the Program Participation Agreement between Pathways For Change, LLC, a Florida tax-exempt limited liability company and wholly-owned subsidiary of Baptist Hospital, Inc., d/b/a Christian Counseling Center, a Florida not-for-profit corporation (hereinafter referred to collectively as "PFC") and Escambia County, Florida, a political subdivision of the State of Florida (hereinafter referred to as "County"). The Center has created an outreach program to assist individuals, who have recently been released from a correctional facility, in assimilating into society. The program is commonly referred to as "Pathways for Change". The County agrees to contribute for Fiscal Year 2010/2011, \$140,000, to the Program (the "County Contribution").
- A. Approve the Agreement; and
- B. Authorize the Chairman to sign the Agreement. [Funding Source: General Fund 001, Cost Center 110201, Object Code 58208]
22. **Recommendation concerning Authorization to Reimburse the Emerald Coast Utility Authority for Stabilization Efforts on Greenbrier Boulevard - Joy D. Blackmon, P.E., Bureau Chief**
That the Board approve authorization to reimburse the Emerald Coast Utility Authority (ECUA), for a total cost of \$45,612.35, for stabilization efforts on Greenbrier Boulevard. [Funding: Fund 352, "LOST III", Account 210107/56301, Project #11EN0955 "Greenbrier"]
23. **Recommendation Concerning Residential Rehab Grant 423 South 1st Street - Sandra P. Jennings, P.E., Community & Environment Bureau Chief**
That the Board ratify the following November 18, 2010, action of Escambia County, a political subdivision of the State of Florida, acting in its capacity as Escambia County Community Redevelopment Agency (CRA), concerning the Residential Rehab Grant Funding and Lien Agreements for the property located at 423 South 1st Street:
- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Angela LeBlanc, owner of residential property located at 423 South 1st Street, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$975, 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.

III. For Discussion

1. Recommendation Concerning Resolution for Escambia County Housing Finance Authority Bonds - Richard Lott, Bond Counsel, McGuireWoods, LLP
That the Board adopt the Resolution which approves a plan of finance for low-interest loans to first-time homebuyers, and authorizes the Escambia County Housing Finance Authority (the "Authority") to issue Single Family Mortgage Revenue Bonds from time to time, including temporary bond anticipation notes in connection therewith, in an aggregate principal amount not to exceed \$300,000,000.
2. Discussion Concerning a Letter Dated October 25, 2010, from Malcolm Thomas, Superintendent of the School District of Escambia County, Requesting a Waiver of the Pensacola Civic Center Rental Fees for the Arena and Parking Lot, in the amount of \$7,000, for Graduation Ceremonies - Commissioner Grover C. Robinson, IV
3. Recommendation Concerning a Joint Resolution of the Coastal Counties of the Northwest Florida Panhandle Region, Relating to the Oil Spill in the Gulf of Mexico - Larry M. Newsom, Interim Assistant County Administrator

(BACKUP TO BE DISTRIBUTED UNDER SEPARATE COVER)

COUNTY ATTORNEY'S REPORT

November 18, 2010

I. FOR ACTION

1. Rescheduling the Public Hearing to Amend the Panhandling and Solicitation Ordinance

Recommendation Concerning Rescheduling the Public Hearing to Amend the Panhandling and Solicitation Ordinance

That the Board consider the following:

- A. Rescind the Board's action taken November 4, 2010 to schedule a public hearing on December 9, 2010 at 5:33 p.m.; and,
- B. Reschedule the public hearing to be held on January 20, 2011 at 5:32 p.m. to amend Chapter 86, Art. VIII, section 86-250 through 86-253 of the Code of Ordinances, the Panhandling and Solicitation Ordinance.

II. FOR INFORMATION

1. J. Steven Ford, et al. (Kirke M. Beall Trust) v. Escambia County, FL (Case No. 2005 CA 001967)

ISSUE: *J. Steven Ford, et al. (Kirke M. Beall Trust) v. Escambia County, FL*

That the Board accept the below information concerning *J. Steven Ford, et al. (Kirke M. Beall Trust) v. Escambia County, FL* (Case No. 2005 CA 001967).

Settlement negotiations have ended in an impasse. During negotiations, County moved for summary judgment asserting that there were no genuine issues of material fact which would allow the Beall Trust to pursue a claim for inverse condemnation as the Trust no longer owned the real property and that it enjoyed substantial use of the real property during its ownership. Circuit Court Judge Linda Nobles denied the motion although she agreed it was a close question. The County can renew the motion at a later time or move for involuntary dismissal during a judge trial on the issue of taking by the County which must be determined as part of an inverse condemnation claim. Judge Nobles set this case for jury trial for the week of June 20, 2011. The case is number two on the judge's calendar.

If further discussions are needed by the Board as to the status of this case, then an attorney-client session should be scheduled at the Board's convenience.