

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.

AGENDA

Board of County Commissioners

Regular Meeting – April 21, 2005 – 5:30 p.m.

Courthouse – Third Floor

1. Call to Order.
2. Invocation – Reverend F. Enfinger, Pastor, Ray's Chapel Baptist Church.
3. Pledge of Allegiance to the Flag.
4. Are there any items to be added to the agenda?

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

5. Proclamations/Presentation:
 - A. Recommendation: That the Board take the following action concerning ratification/ adoption of the following nine Proclamations:
 - (1) Ratify the Proclamation proclaiming April 17, 2005, as “Kenny Rogers Day” in Escambia County;
 - (2) Adopt the Proclamation commending and congratulating Hockey Enterprises of Pensacola, LLC, Timothy E. Kerr, and the Pensacola Ice Pilots players and coaches on a winning season and wishing them success in the playoffs;
 - (3) Adopt the Proclamation recognizing and commending Nextel Partners, Inc., for their selfless contributions to the community in the aftermath of Hurricane Ivan;
 - (4) Adopt the Proclamation commending and congratulating the Grace Assembly of God Church on their 50th Anniversary Celebration;

(Continued on Page 2)

AGENDA – BOARD OF COUNTY COMMISSIONERS

April 21, 2005

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5. Continued...

A. Continued...

- (5) Adopt the Proclamation proclaiming Saturday, April 23, 2005, as "Earth Day" in Escambia County;
- (6) Adopt the Proclamation proclaiming the week of May 2-6, 2005, as "Small Business Week" in Escambia County;
- (7) Adopt the Proclamation proclaiming the week of May 2-7, 2005, as "Family Values Week" in Escambia County;
- (8) Adopt the Proclamation proclaiming the week of May 8-14, 2005, as "Building Safety Week" in Escambia County; and
- (9) Adopt the Proclamation proclaiming the month of May 2005, as "Civility Month" in Escambia County; and

B. Presentation of the American Heart Association's "Heart Ready County Award" in honor of the County's efforts to save lives through the Automated External Defibrillator (AED) program.

6. Written Communication:

- A. April 5, 2005, e-mail communication to Commissioner Dickson from Larry White requesting that the Board adopt a Resolution supporting *(and requesting funding for)* the four-laning of Highway 113 *(from U. S. Highway 31 to Interstate 65)* to complete the evacuation artery from Escambia County, Florida; and
- B. April 11, 2005, facsimile communication to County Administrator Touart from Gerald Collins, Pastor, Bible Believers Independent Baptist Church of Pensacola, Florida, regarding a Nuisance Abatement Lien filed against property located at 7660 Aaron Drive *(recorded in Official Records Book 4401, Page 0598, on April 27, 1999, in the face amount of \$16,039.71)*.

7. Did the Clerk's Office receive the proofs of publication for the Public Hearing(s) on the agenda and the Board's Weekly Meeting Schedule?

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

8. **5:32 p.m. Public Hearing concerning Federal Transit Administration Grant funds for Escambia County Area Transit.**

Recommendation: That the Board, at the 5:32 p.m. Public Hearing, take the following action concerning the Fiscal Year 2004-2005 Section 5307 Grant Application for U. S. Department of Transportation Federal Transit Administration (FTA) Planning and Capital Assistance for Mass Transit Projects and Section 5309 Grant Application for the purpose of purchasing replacement buses for Escambia County Area Transit (ECAT):

- A. Ratify the scheduling and advertising of a Public Hearing for 5:32 p.m. on Thursday, April 21, 2005, for the purpose of receiving comments from the general public concerning the Escambia County Fiscal Year 2004-2005 Section 5307 Grant Application for \$2,981,501 in Federal Assistance for Mass Transit Projects and Section 5309 Grant Application for \$574,086 in Federal assistance for the purpose of purchasing replacement buses, respectively;
- B. Approve, or amend and approve, Escambia County Fiscal Year 2004-2005 Grant Applications, as follows:
 - (1) Section 5307 Grant Application for \$2,981,501 in Federal Assistance for Mass Transit Projects; and
 - (2) Section 5309 Grant Application for \$574,086 in Federal Assistance for the purpose of purchasing replacement buses;
- C. Adopt the Resolution authorizing the Chairman or County Administrator to sign and file all appropriate documents for the Applications and receipt of Federal Funds from the FTA; and
- D. Authorize the ECAT Resident Manager to file the Federal Transportation Electronic Award and Management System (TEAM), using the authorized passwords for the Chairman and County Attorney, where necessary.

9. Reports:

Clerk of the Circuit Court;
County Administrator; and
County Attorney.

10. Items added to the agenda.

11. Announcements.

12. Adjournment.

**BACKUP NOT INCLUDED WITH THE CLERK'S REPORT IS AVAILABLE FOR REVIEW IN
THE OFFICE OF THE CLERK TO THE BOARD
OLD COURTHOUSE ANNEX, ROOM 114**

CLERK OF THE CIRCUIT COURT'S REPORT
APRIL 21, 2005

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's Finance Department:

A. Payroll Expenditures as of Payday April 8, 2005, in the amount of \$1,318,299.24; and

B. The following two Disbursement of Funds:

(1) March 31, 2005, to April 6, 2005, in the amount of \$17,255,603.55; and

(2) April 7, 2005, to April 13, 2005, in the amount of \$14,145,066.62.

2. Recommendation Concerning Investment Report

Recommendation: That the Board accept, for filing with the Board's Minutes, the Investment Report for the month ended March 31, 2005, as prepared by the Clerk's Finance Department.

3. Recommendation Concerning TDT Report

Recommendation: That the Board accept, for filing with the Board's Minutes, the Tourist Development Tax (TDT) Collections Report for the month of March 2005, reflecting the February 2005 returns, as prepared by the Clerk's Finance Department, Treasury Division.

4. Recommendation Concerning Minutes/Agenda Work Session Report

Recommendation: That the Board approve the Minutes of the Public Forum Work Session and Regular Board Meeting and accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held April 7, 2005.

5. Recommendation Concerning Accounts Receivable Write-Off

Recommendation: That the Board adopt the Resolution authorizing the write-off of \$1,972,203.50 in receivables that have been recorded in the EMS (*Emergency Medical Services*) Fund of the County and have been determined to be uncollectible bad debts.

CLERK OF THE CIRCUIT COURT'S REPORT

April 21, 2005

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I. CONSENT AGENDA – Continued

6. Recommendation Concerning 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 January 21, 2005, and the Special Meeting of the CIAC held February 11, 2005, as prepared by the Clerk to the Board's Office.

7. Recommendation Concerning Acceptance of Documents

Recommendation: That the Board accept, for filing with the Board's Minutes, the following documents provided to the Clerk's Office:

A. The April 1, 2005, *Declaration of State of Special Emergency (By Director of Public Safety)* for Escambia County, Florida, effective at 7:30 a.m. Central Daylight Time on April 1, 2005, for a period of 72 hours, due to the imminent threat posed by heavy rainfall and flooding;

B. A copy of the "*Medical Electronic Media Claims Submission Agreement*" between Escambia County Emergency Medical Services (EMS) and Alabama Medicaid (*Agency*) for ambulance service provided to patients covered by Alabama Medicaid, as approved by the Board on December 12, 2002, and received in the Clerk to the Board's Office on April 6, 2005; and

C. Copies of the Minutes of the following Meetings of the Santa Rosa Island Authority:

(1) Meetings of the Development & Leasing Committee, Administrative Committee and Architectural Environmental Committee held February 16, 2005;

(2) Regular Board Meeting held March 2, 2005; and

(3) Special Board Meeting held March 9, 2005.

8. Recommendation Concerning Medical Examiner's Billings Internal Audit Report

Recommendation: That the Board accept, for filing with the Board's Minutes, the Medical Examiner's Office Billings Internal Audit Report, as prepared by Carr♦Riggs & Ingram, LLC, Certified Public Accountants, and provided to the Clerk's Finance Department.

**COUNTY ADMINISTRATOR'S REPORT
APRIL 21, 2005**

I. Technical/Public Service Consent Agenda

1. **Recommendation Concerning Disposition of Surplus Equipment – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board approve the Requests for Disposition of Surplus Equipment to be sold as surplus or appropriately disposed of, all of which are described on 11 requests as provided by various County Departments for the reasons stated on each.

2. **Recommendation Concerning Street Name Approval – FEMA Temporary Mobile Home Site – Robert Jacobson, Information Resources Director**

RECOMMENDATION: That the Board approve the street names “Braveheart Circle” and “Valiant Avenue” for private roads in a FEMA temporary mobile home development site. This is in Commission District 2.

3. **Recommendation Concerning Street Name Approval – Dream Acres Road – Robert Jacobson, Information Resources Director**

RECOMMENDATION: That the Board approve the street name “Dream Acres Road” for a private road that runs east off the 5300 block of Barrineau Park School Road, 1340’ south of Red Bud Lane. Seventy-five percent of the property owners signed the petition. This is in Commission District 5.

4. **Recommendation Concerning Street Name Approval – Solari Farm Road – Robert Jacobson, Information Resources Director**

RECOMMENDATION: That the Board approve the street name “Solari Farm Road” for a private road that runs south off the 3400 block of Crabtree Church Road, 1300’ west of Angus Lane. One hundred percent of the property owners signed the petition. This is in Commission District 5.

5. **Recommendation Concerning Scheduling of Public Hearing - UWF Campus Development Agreement – Richard Duane, P.E., County Engineer**

RECOMMENDATION: That the Board schedule a public hearing for May 5, 2005, at 5:49 p.m., to conduct a public hearing to review and approve the proposed Campus Development Agreement between Escambia County and University of West Florida Board of Trustees (UWF), and to authorize the Board Chairman to sign the agreement on behalf of the Board of County Commissioners.

6. Recommendation Concerning Crystal Creek – Third Addition Final Plat – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board take the following action concerning recording of the Final Plat of Crystal Creek – Third Addition (a 39-lot single family residential subdivision), located in the Bellview Community lying north of Mobile Highway (U.S. Highway 90) and west of Pine Forest Road (State Road 297), owned and developed by Crystal Creek Development, Inc. Prior to recording, the County Engineer, County Surveyor and the Clerk of the Circuit Court must sign the Final Plat, as set forth in Section 4.02.07.E, of the Escambia Land Development Code:

- A. Approve the final plat for recording;
- B. Approve the street names “Sire Lane “ and “Canter Row”;
- C. Accept the public road paving, Parcel “A” retention pond (1.25 Acres), Parcel “B” retention pond (0.21 Acres), drainage improvements, and all public easements as depicted upon the final plat for permanent County maintenance; and
- D. Authorize the Chairman or Vice-Chairman to execute a Two-Year Warranty Agreement for Streets and Drainage Improvements With Surety/Financial Security.

7. Recommendation Concerning Intersection Improvements County Road 95A (Old Palafox Highway) and State Road 742 (Burgess Road) – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board take the following action concerning conveyance of property to the Florida Department of Transportation (FDOT) relating to their Intersection Improvement Project along CR-95A (Old Palafox Highway) and SR-742 (Burgess Road):

- A. Approve FDOT’s request to deed them 467 square feet (0.01 acres) of the right-of-way at the intersection of Taft Drive and CR-95A (Old Palafox Highway);
- B. Adopt a Resolution stating the property is not needed for County purposes, FDOT’s proposed use of the property is in the public’s interest and the County’s willingness to convey the property by deed; and
- C. Authorize the Chairman or Vice-Chairman to execute the County Deed and the Resolution.

8. Recommendation Concerning Ratification of Out of County Travel – George Touart, County Administrator

RECOMMENDATION: That the Board ratify out-of-county travel for members of the BCC and the County Administrator who attended meetings in Tallahassee, Florida, on Monday, April 4, 2005, and Tuesday, April 5, 2005, with members of the Governor's staff and members of the State Legislature regarding the loss revenues due to Hurricane Ivan.

9. Recommendation Concerning Appointments to the Citizens' Environmental Committee – George Touart, County Administrator

RECOMMENDATION: That the Board take the following action concerning appointments to the Citizens' Environmental Committee:

- A. Confirm Commissioner Whitehead's appointment of Rory Cassedy, effective April 21, 2005, replacing Kerry Culligan. This appointment will run concurrent with Commissioner Whitehead's term of office or at his discretion;
- B. Confirm Commissioner Young's appointments of Eddie Ishmael, Jr., replacing Margaret L. Williams, and Reverend Carl E. Reeves replacing Josephine Rios, effective April 21, 2005. Both appointments will run concurrent with Commissioner Young's term of office or at her discretion; and
- C. Confirm Commissioner White's appointment of Frank Montenes, effective April 21, 2005, replacing Leslie Davis. This appointment will run concurrent with Commissioner White's term of office or at his discretion.

10. Recommendation Concerning Implementation of HIPAA Security Rule – Roderick Powell, SPHR, Human Resources Director

RECOMMENDATION: That the Board take the following action concerning the implementation of the Health Insurance Portability and Accountability Act (HIPAA) of 1996 Security Rule:

- A. Approve Rod Powell, Director, Human Resources, as the previously designated privacy officer required by HIPAA, that he be authorized to execute amendments to all business associate agreements implementing the Security Rule and other documents required by the HIPAA Security Rule; and
- B. Approve Bob Jacobson, Director, Information Resources, as Information Security Officer and Pat Kostic, EMS Manager, and David Pearce, Environmental/Occupational Health and Safety Specialist, as Compliance and Security Officers to implement the requirements of the Security Rule.

11. **Recommendation Concerning Group Long Term Disability Insurance – Roderick Powell, SPHR, Human Resources Director**

RECOMMENDATION: That the Board take the following action concerning Amendment #1 to the National Insurance Services of Wisconsin Insurance Trust Joinder Agreement with Escambia County (PD# 03-04.46):

- A. Amend the Joinder Agreement Section II – ELIGIBILITY AND EFFECTIVE DATES to read “long term disability coverage will start on the 1st day of the month after an eligible employee has worked 30 days” instead of eligible employee coverage starting on the 30th day of employment;
- B. Amend the Joinder Agreement Section 1-DEFINITIONS to read:
 - 1. Paramedics/EMTs/Emergency Medical Dispatchers: Basic Monthly Earnings will include 84 hours in a two-week period;
 - 2. Firefighters working 24 Hour Shifts: These employees work a minimum of 112 hours in a two-week period – no overtime is paid; and
 - 3. All Other Firefighters: Basic Monthly Earnings will include 96 hours in a two-week period; and
- C. Authorize the County Administrator to sign Amendment #1 of the Joinder Agreement.

[Funding Source: Fund 509, “Workers Compensation Health and Life Fund.”]

12. **Recommendation Concerning Escambia Amateur Astronomers Association – R. Mark Triplett, P.E., DEE, Solid Waste Management Director**

RECOMMENDATION: That the Board take the following action concerning a Resolution and Lease Agreement between Escambia Amateur Astronomers Association, Inc., (EAAA), a not-for-profit organization, and Escambia County:

- A. Adopt a Resolution for the lease of real property, Beulah Landfill Facility, owned by Escambia County to EAAA;
- B. Approve the Lease Agreement between EAAA and Escambia County for use of a parcel of property at the north end of Jamesville Road on the closed Beulah Landfill for astronomical observation; and
- C. Authorize the Chairman to sign the Resolution and Lease Agreement.

13. Recommendation Concerning Scheduling of Public Hearings – Changes to 1988 Pensacola Land Utilization Plan – Monte E. Blews, Santa Rosa Island Authority General Manager

RECOMMENDATION: That the Board take the following action concerning scheduling and advertising public hearings to consider amending Part III of the Escambia County Code of Ordinances (1999), the Land Development Code of Escambia County, Florida, as amended, providing for amendment to the 1988 Pensacola Beach Land Utilization Plan, pursuant to Section 13.16.00 of the Escambia County Code of Ordinances:

A. Authorize scheduling and advertising a public hearing at 5:31 p.m., on Thursday, June 2, 2005, for the following case:

| | |
|-------------------------|---|
| Case No.: | 2005-1 |
| Location: | 20 Via de Luna |
| Property Reference No.: | 28-2S-26-1125-000-000 |
| Property Size: | 4.31 (+/-) acre |
| From: | MDRC-PB (Medium Density Residential/Commercial-Pensacola Beach) |
| To: | HDR/C-PB (High Density Residential/Commercial) |
| Commissioner District: | 4 |
| Requested by: | Sun Ray Village Owner's Association, Inc., d/b/a Clarion Suites |

B. Authorize scheduling and advertising a public hearing at 5:32 p.m., on Thursday, June 2, 2005, for the following case:

| | |
|-------------------------|---|
| Case No.: | 2005-2 |
| Location: | 400 Pensacola Beach Boulevard |
| Property Reference No.: | 28-2S-26-1000-000-006 |
| Property Size: | 1 (+/-) acre |
| From: | GR-PB (General Retail-Pensacola Beach) |
| To: | CH-PB (Commercial Hotel-Pensacola Beach) |
| Commissioner District: | 4 |
| Requested by: | Allan Patel on behalf of Coconut's by the Sea, L.L.C. |

II. Budget/Finance Consent Agenda

1. Recommendation Concerning SHIP Funding – Pensacola World Changers and Pensacola Youthbuild Housing Initiatives – Randy Wilkerson, NEFI Executive Director / Keith Wilkins, NESD Director

RECOMMENDATION: That the Board take the following action regarding State Housing Initiatives Partnership (SHIP) volunteer based affordable housing activities:

- A. Approve a maximum expenditure of \$80,000 in Escambia/Pensacola SHIP Emergency Housing Repair funds to directly purchase and/or to assist Rebuild Northwest Florida, Inc., in procuring building materials, supplies and related items required for the completion of roof repair, minor exterior repairs, painting, and similar improvements to housing units owned and occupied by lower income families in support of the World Changers youth volunteer service initiative planned for July 11-15, 2005, in Escambia County and the City of Pensacola. (Fund 120/2004 & 2005 SHIP Cost Centers 220429 & 220428);
- B. Approve an agreement with The Intervention Group, Inc., a local non-profit agency, committing \$60,000 in approved SHIP Program funds to provide revolving short-term construction financing for development of affordable single family homes through the Pensacola Youthbuild initiative, and to provide direct home purchase assistance for SHIP eligible, low and moderate income homebuyers. (Fund 120/2005 SHIP Program: Cost Center 220428); and
- C. Authorize the Chairman or County Administrator to execute agreements and all related documents to implement the projects.
2. Recommendation Concerning ECAT Americans With Disabilities Act (ADA) Transportation – Chris Hager, Resident Manager, ECAT / Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning the contract to provide transportation for Americans with Disabilities Act (ADA) in Escambia County:

- A. Approve the “Agreement to Provide Transportation” effective 04/1/05 – 9/30/06 in the estimated amount of \$1,264,314 (payable in monthly installments) between Escambia County and Pensacola Bay Transportation Company for provision of transportation services for disabled persons, in accordance with the Americans with Disabilities Act; and
- B. Authorize the Chairman to sign the “Agreement to Provide Transportation.”

COUNTY ADMINISTRATOR'S REPORT

APRIL 21, 2005

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3. **Recommendation Concerning Civil Service Board Exit Audit/Inventory – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board take the following action concerning a Civil Service Board exit audit/inventory:

- A. Authorize the Chairman to co-sign a letter to Ms. Diane A. Rittenhouse, Chairman, Escambia County Civil Service Board requesting their cooperation for an exit audit and inventory of their assets; and
- B. Authorize the County Administrator to contract with O'Sullivan Creel for these additional services, not to exceed \$5,000.

4. **Recommendation Concerning Surplus and Sale of Real Property – 1123 West Scott Street – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board take the following action concerning surplus and sale of real property located at 1123 West Scott Street:

- A. Declare surplus its real property Account Number 062773000, reference number 182S30-6000-006-032, acquired by tax deed in 2003. A legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting bids through Pensacolacommunityauction.com on-line auction service;
- B. Authorize the sale of this property to the highest offer received from the on-line auction service, in accordance with section 46.134 of the County Code of Ordinances, above the minimum bid of \$8,000 without further action of the Board; and
- C. Authorize the Chairman to sign all documents related to the sale.

5. **Recommendation Concerning Miscellaneous Appropriations Agreement – Escambia County School Board – Snoezelen-Escambia Westgate Sensory Center – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board take the following action concerning the Miscellaneous Appropriations Agreement with the School Board of Escambia County for the Snoezelen-Escambia Westgate Sensory Center:

- A. Approve the Miscellaneous Appropriations Agreement between Escambia County and the School Board of Escambia County for the Snoezelen-Escambia Westgate Sensory Center in the amount of \$264,338.75 to be paid from the Local Option Sales Tax Fund II Fund, Cost Center 110224, Account 58101;
 - B. Authorize the Chairman to sign the Agreement and all other necessary documents; and
 - C. Authorize the execution of the necessary purchase order.
6. **Recommendation Concerning Surplus and Sale of Real Property – Juniper Street – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board take the following action concerning surplus and sale of real property located on Juniper Street:

- A. Declare surplus its real property Account Number 123556000, reference number 024N334400002302 acquired by tax deed in 1982. A legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting bids through pensacolacommunityauction.com on-line auction service;
- B. Authorize the sale of this property to the highest offer received from the on-line auction service, in accordance with section 46.134 of the County Code of Ordinances, above the minimum bid of \$950 without further action of the Board; and
- C. Authorize the Chairman to sign all documents related to the sale.

7. **Recommendation Concerning Sale of Lot 13, Block B, Marcus Pointe Commerce Park – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board take the following action concerning sale of Lot 13, Block B, Marcus Pointe Commerce Park:

- A. Authorize the sale of Lot 13, Block B, Marcus Pointe Commerce Park to the successful high bidder at www.pensacolacommunityauction.com, Mr. Joseph Barnes, without further Board action, subject to the review and approval of the Chamber of Commerce that the intended use of this property is compatible with the nature of the park and restrictive covenants for \$72,000; and
- B. Authorize the Chairman to sign all necessary documents.

8. **Recommendation Concerning SpringFest 2005 Parking Agreement - Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board take the following action regarding the SpringFest 2005 – Parking Agreement for May 20-22, 2005, between Escambia County Board of County Commissioners (County) and the Diocese of Pensacola/Tallahassee (DPT) with the following stipulations for the parking lot:

- A. Approve DPT acting as agent of the County on May 20, 21, and 22, 2005, overseeing and managing the parking lot owned by the County and located west of and adjoining 116 West Government Street;
- B. Approve that a parking fee of \$5.00 per vehicle will be collected on behalf of the County by DPT and through St. Joseph's Catholic Church Booster Club will be retained to compensate for their services;
- C. Approve the agreement with the understanding that collections of parking fees shall be subject to audit by the County; and
- D. Authorize the Chairman or Vice Chairman to execute the document.

9. Recommendation Concerning Surplus and Sale of a Portion of Real Property - River Gardens Subdivision – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning surplus and sale of a portion of real property located in River Gardens Subdivision:

- A. Declare surplus a portion its real property located near Baywater Drive in the River Garden Subdivision (Tax Reference Number 021S30015000011, Account 013645505), previously acquired through warranty deed and offer this property to the adjacent property owners further described as follows:

A PORTION OF PARCEL "B", BLOCK "A", RIVER GARDENS 1ST ADDITION, FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHEAST CORNER OF LOT 29, BLOCK "A", RIVER GARDENS 1ST ADDITION AS RECORDED IN PLAT BOOK 13, AT PAGE 17 OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA; THENCE RUN NORTH 30 DEGREES 44 MINUTES 20 SECONDS WEST ALONG THE EAST LINE OF SAID SUBDIVISION A DISTANCE OF 313.23 FEET TO THE POINT OF BEGINNING; THENCE RUN SOUTH 59 DEGREES 15 MINUTES 34 SECONDS WEST A DISTANCE OF 40.00 FEET TO THE WEST LINE OF PARCEL "B" OF SAID PLAT; THENCE RUN NORTH 30 DEGREES 44 MINUTES 20 SECONDS WEST ALONG SAID WEST LINE A DISTANCE OF 45.00 FEET TO THE NORTH LINE OF LOT 28 OF SAID BLOCK "A"; THENCE RUN NORTH 30 DEGREES 50 MINUTES 50 SECONDS EAST ALONG SAID NORTH LINE A DISTANCE OF 45.48 FEET TO THE NORTHWEST CORNER OF SAID LOT 28; THENCE RUN SOUTH 30 DEGREES 44 MINUTES 20 SECONDS EAST ALONG THE EAST LINE OF SAID SUBDIVISION A DISTANCE OF 66.64 FEET TO THE POINT OF BEGINNING, CONTAINING 2233 SQUARE FEET (0.05 ACRES);

- B. Authorize the sale of this property to an adjacent property owner for not less than \$500 without further action of the Board;
- C. Make a factual determination, in accordance with Section 46-131, Escambia County Code of Ordinances, that (1) the real property is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the property, and (2) the size, shape, location, and value of the property would make it of use to only one or more of the adjacent property owners; and
- D. Authorize the Chairman to sign all necessary documents to complete this transaction.

10. **Recommendation Concerning Miscellaneous Appropriations Agreement – Naval Aviation Museum Foundation, Inc. – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board take the following action concerning approval of the Amended Miscellaneous Appropriations Agreement between Escambia County and the Naval Aviation Museum Foundation, Inc.:

- A. Approve the Amendment to the Miscellaneous Appropriations Agreement between Escambia County and Naval Aviation Museum Foundation, Inc., changing the original Agreement by including the sum of \$322,671.91, representing the balance of the FY03/04 allocation still owing to the recipient, to be paid from the Fourth Cent Tourist Development Act tax monies, Cost Center 360105, Account 58201;
- B. Authorize the Chairman to sign the Amendment to the Agreement and all other necessary documents; and
- C. Authorize the execution of the necessary change order.

11. **Recommendation Concerning Director of Planning and Zoning Department – Roderick Powell, SPHR, Human Resources Director**

RECOMMENDATION: That the Board take the following action concerning the appointment of a Director of Planning and Zoning:

- A. Confirm the appointment of Peter Aluotto, to the position of Director of Planning and Zoning for an annual salary of \$84,000, effective May 31, 2005; and
- B. Approve reimbursement of reasonable relocation expenses (obtainment of three quotes required), including mileage and per diem expenses.

12. **Recommendation Concerning Rate/Fee Resolution – Solid Waste Disposal Facilities – R. Mark Triplett, P.E., DEE, Solid Waste Management Director**

RECOMMENDATION: That the Board take the following action concerning a resolution revising the Schedule of Rates and Fees for Escambia County's Municipal Solid Waste Disposal Facilities:

- A. Adopt the Resolution approving the schedule of rates and fees, effective October 1, 2005 (this repeals Resolution Number R2002-123); and
- B. Authorize the Chairman to sign the Resolution.

13. Recommendation Concerning Fuel and Tree Service Change Orders – Pat Overton, Road Department Director

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

A. Department: Escambia County Road Department
Type: Addition
Amount: \$900,000
Vendor: Southern Energy Company
Project Name: Fuel Purchase
Contract: PD 01-02.64
PO Number: 250391
CO Number: 1
Original Award Amount: \$1,820,000
Cumulative Amount of Change Order through CO Number 1: 900,000
New Purchase Order Total: \$2,720,000

(General Fund, Cost Center 360512, Object Code 55201)

B. Department: Escambia County Road Department
Type: Addition
Amount: \$26,000
Vendor: Sterling Tree Service Inc.
Project Name: Tree Removal / Limb Trimming
Contract: PD 02-03.39
PO Number: 250349
CO Number: 2
Original Award Amount: \$15,000
Cumulative Amount of Change Order through CO Number 2: \$60,000
New Purchase Order Total: \$75,000

(Fund 112, Disaster Recovery, Cost Center 330461, Object Code 53401)

14. Recommendation Concerning Barrineau Park Bridge – Pat Overton, Road Department Director

RECOMMENDATION: That the Board take the following action concerning the replacement of the Barrineau Park Bridge:

- A. Approve funding in the amount of \$302,787.50, in addition to the \$85,000 provided by FEMA, to replace Barrineau Park Bridge, with a precast concrete bridge with 40-foot spans. On November 15, 2004, the Board approved “authorizing the County Administrator to go out for bids for the repair/replacement of Fannie Road Bridge (#484044) and Barrineau Park Bridge (#484095), and awarding the Contract(s) to the lowest, most responsible bidders; these projects are subject to FEMA (Federal Emergency Management Agency) signing off to pay for the repairs or replacement not to exceed \$2 million”; and
- B. Authorize the issuance of a contract to Murphree Bridge Corporation for the Barrineau Park Bridge in the amount of \$387,787.50, based on a combined funding by FEMA and Escambia County.

15. Recommendation Concerning Subgrant Agreement for Equipment for “Florida Strategy” – Kenneth W. Perkins, Fire Chief

RECOMMENDATION: That the Board take the following action relative to the Subgrant Agreement between the State of Florida, Department of Financial Services, and Escambia County Fire Rescue for Equipment for “Florida Strategy,” to establish a Local and regional Type IV Light Technical Urban Search and Rescue Team:

- A. Approve the Subgrant Agreement for equipment for Florida Strategy to establish a local and regional Type IV Light Technical Urban Search and Rescue Team; and
- B. Authorize the County Administrator to sign the Subgrant Agreement.

16. Recommendation Concerning Change Order – Disaster Debris Recovery Services for Hurricane Ivan – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager

RECOMMENDATION: That the Board approve the following change order and authorize the County Administrator to execute the following:

| | | |
|--|--|------------------------|
| Department: | Administration | |
| Type: | Addition | |
| Amount: | \$5,534,877.00 | |
| Vendor: | R.W. Beck and Associates | |
| Project Name: | Disaster Debris Recovery Services for Hurricane Ivan | |
| Contract: | Task Order 02-03.79.37.SWM.03 | |
| PO No.: | 250193 | |
| CO No. | 3 | |
| Original Award Amount: | | \$1,000,000.00 |
| Cumulative Amount of Change Orders through CO #3 | | <u>\$20,534,877.00</u> |
| New Contract Total: | | \$21,534,877.00 |

[Funding Source: Fund 112 Disaster Recovery, Category "A", Ivan Debris]

17. Recommendation Concerning Juvenile Justice Center Renovations and Addition – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager

RECOMMENDATION: That the Board award a Lump Sum contract in accordance with PD 04-05.20, for "Escambia County Juvenile Justice Center Renovations and Addition," to Larry Hall Construction, Inc., providing for the additional space and renovation to existing facility located at 1800 St. Mary's Street, for the Base Bid and Additive Alternates One and Two, for a total dollar amount of \$5,270,000. Funding as provided for in the Local Option Sales Tax II Fund 351, Cost Center 410148, Object Code 56201.

18. Recommendation Concerning Amendment #2 General Paving and Drainage Agreement – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager

RECOMMENDATION: That the Board take the following action concerning Amendment #2 to the General Paving and Drainage Agreement:

- A. Rescind the action of the Board as approved on September 18, 2003, providing for Amendment #2 to PD 01-02.19, General Paving and Drainage Agreement, as it pertains to the award to Advance Construction Services, Inc., of Alabama, APAC-Florida, Inc., and Gulf-Atlantic Constructors, Inc.; and
- B. Accept the determination of the Office of Purchasing, that failure of these firms to respond to the amendment did not adversely affect the issuance of work as it related to the contract and that the issue is moot due to expiration of the contract period on February 20, 2005.

19. Recommendation Concerning 69th Avenue Paving and Drainage – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager

RECOMMENDATION: That the Board award a unit price contract (Base Bid and Alternate I), PD 04-05.31, "69th Avenue Paving and Drainage Project" to Advance Construction Services, Inc., for a Grand Total amount of \$320,518.50. Funds will be available from Local Option Sales Tax II Fund 351, Cost Center 210105 and Object Code 56301.

20. Recommendation Concerning Barrancas Road Resurfacing – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager

RECOMMENDATION: That the Board award a unit price contract, PD 04-05.27, "Barrancas Road Resurfacing" to Panhandle Grading & Paving, Inc., for a total amount of \$542,900.26. Funds will be available from Local Option Sales Tax II Fund 351, Cost Center 210105 and Object Code 56301, in the amount of \$492,900.26 and 2003 CDBG Fund 129, Cost Center 220496 and Object Code 56301, in the amount of \$50,000.

21. Recommendation Concerning Perdido Key - Feasibility Studies – Beach Restoration – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager

RECOMMENDATION: That the Board take the following action concerning Perdido Key Beach Restoration:

- A. Approve a "Piggy Back" on a contract awarded by Santa Rosa Island Authority to Olsen Associates, Inc.; and
- B. Award the following lump sum contracts (Task Order Memorandum) to Olsen Associates, Inc.:
 - 1. Feasibility Study for Perdido Key - \$200,000
 - 2. Geotechnical Sand Search Investigation for Perdido Key - \$251,680

[Funding Source: Fund 110, Other Grants and Projects, Object Code 220327, Perdido Key Restoration]

22. Recommendation Concerning BellSouth Communications Systems, Inc., Master Agreement – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager

RECOMMENDATION: That the Board take the following action regarding the renewal of the BellSouth Communications Systems, Inc., Master Agreement:

- A. Approve the renewal of Bellsouth Communications Systems, Inc., Master Agreement No. 98A002348 for the Purchase of Equipment and/or services for a period of 36 months; and
- B. Authorize staff to negotiate the best possible price not to exceed a total cost of \$70,000 per year, contingent upon appropriations by the Board.

[Funding Source: Cost Center 31601 Object Code 54601]

23. Recommendation Concerning Price Agreement for Playground/Park Equipment – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager

RECOMMENDATION: That the Board authorize the award of a Piggyback contract in the amount of \$340,439, in accordance with County Ordinance, Chapter 46, Article II, Section 46-44(6) to Musco Lighting, LLC, providing for the purchase of items on the “Price Agreement for Playground/Park Equipment” listed as Bid No. 03-43, an Indefinite Quantity, Indefinite Delivery contract under the same terms and conditions as awarded by the Board of County Commissioners of St. Johns County, Florida, and currently in effect. Lighting for construction of four new sports fields at Ashton Brosnaham Soccer Complex. Funding shall be provided for from the Tourist Development Fund 108, Cost Center 360104, Object Code 56301.

24. **Recommendation Concerning Professional Services as Governed by Florida Statute 287.055 (A&E Services) – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager**

RECOMMENDATION: That the Board take the following action concerning PD 02-03.79, Professional Services as Governed by Florida Statute 287.055 (A&E Services):

- A. Award continuing contracts per;
The resulting “continuing contract” shall provide for issuance of individual Task Orders based on specific scopes of work. Task Orders will be individually negotiated based on a “Fee Schedule” and any additional negotiated services required within the scope of work.

“Fee Schedules” for the continuing contract shall be established based on the following:

- Maximum Overhead – 168%
- Maximum Profit – 12%
- Maximum FCCM – 1.50%
- Maximum Multiplier – 301.66% (providing no single item above is exceeded)
- Existing Hourly Rates for each firm (based on an audited or auditable financial package);

To the following two firms:
Hogan & Associates, Inc.
Neel-Schaffer, Inc.; and

- B. Authorize the department(s) in conjunction with the Office of Purchasing to negotiate Task Orders according to F.S. 287.055, “Consultants’ Competitive Negotiation Act,” (A&E Services) on a project-by-project basis.

25. **Recommendation Concerning Medical Supplies and Equipment – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager**

RECOMMENDATION: That the Board award a pricing agreement with multiple vendors for PD 04-05.24, Medical Supplies And Equipment, in a cumulative not-to-exceed amount of \$250,000 per year 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 terms and conditions of the Solicitation:

- A. Alliance Medical
- B. Bound Tree Medical, LLC
- C. Emergency Medical Supply
- D. Ferno-Washington, Inc.
- E. Gulf South Medical Supply
- F. Kentron Health Care, Inc.
- G. Laerdal Medical Corporation
- H. Matrx Medical, Inc.
- I. Medtronic Emergency Response Systems
- J. Moore Medical, LLC
- K. Supreme Medical Fulfillment Systems, Inc.
- L. Tri-anim Health Services, Inc.

[Fund 408 Emergency Medical Services and Fund 143 Fire Services]

III. For Discussion

1. Recommendation Concerning "Project Hope" – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board amend its action taken at the November 4, 2004, Board meeting concerning approval of an economic development incentive request for "Project Hope," a confidential economic development prospect, considering an expansion of its manufacturing plant in Escambia County:

- A. **Amend** CAR III, Item 1. C., to authorize the County Administrator to apply for and sign an Application for Federal Assistance concerning a U.S. Department of Commerce, Economic Development Administration (EDA), grant in the amount of \$560,000 and a State of Florida, Office of Tourism, Trade, and Economic Development (OTTED) grant in the amount of \$140,000 to assist with the infrastructure improvements at Ellyson Industrial Park. Total project cost is \$1,215,000; the Escambia County participation for this project is \$515,000. **THE FUNDING SOURCE IS TO BE DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS;**
 - B. Approve and authorize the County Administrator to sign the Memorandum of Agreement between Escambia County and West Florida Regional Planning Council (WFRPC), subject to Legal sign-off, for grant administration in the amount of \$15,000, to be paid to WFRPC out of the \$515,000 Escambia County participation amount;
 - C. Authorize the County Administrator to sign all related documents to the agreement; and
 - D. Authorize the Chairman or Vice-Chairman to approve and sign grant related documents, subject to Legal sign-off, upon receipt of the documents.
2. For Discussion – Escambia River Muzzle Loaders Gun Firing Range – Kevin Briski, CPRP, Parks and Recreation Director

COUNTY ATTORNEY'S REPORT
April 21, 2005

I. Discussion Agenda:

1. Recommendation Concerning Escambia County v. Janet Holley, Tax Collector, Ernie Lee Magaha, Clerk of Court and MLHM as custodian (Maple)/ Case No. 2003 CA 001398/B

RECOMMENDATION:

That the Board:

- A. Authorize the payment of \$17,240.05 in connection with the settlement of Circuit Court case no. 2003 CA 001398, Division B; and
- B. Authorize the Chairman to sign the attached Release and Settlement Agreement and any other documents necessary to resolve the lawsuit.