

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 7, 2005 – 5:30 p.m.
Courthouse – Third Floor

1. Call to Order.
2. Invocation – Reverend Bob Bailey, Pastor, Warrington United Methodist Church.
3. Pledge of Allegiance to the Flag.
4. Are there any items to be added to the agenda?

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

5. Proclamations.

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

- A. Adopt the Proclamation proclaiming the week of April 10-16, 2005, as “Public Safety Telecommunications Week” in Escambia County;
- B. Adopt the Proclamation commending and congratulating Bennie H. Cofield, Maintenance Mechanic II, Maintenance Division, Facilities Management Department, on his retirement after 30 years of faithful and dedicated service; and
- C. Ratify the Proclamation dated March 14, 2005, proclaiming Wednesday, March 16, 2005, as “Rebuild Northwest Florida Day” in Escambia County.

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6. Employee of the Month Proclamations/Years of Service.

A. Recommendation: That the Board adopt the two (2) Proclamations commending and congratulating the following employees for being selected as Employees of the Month for April 2005:

(1) Mr. Louie E. Findley, Maintenance Mechanic II, Maintenance Division, Facilities Management Department, Community Services and Public Safety Agency; and

(2) Ms. Marcia H. Whitaker, Redevelopment Specialist, Community Redevelopment Agency, Neighborhood and Environmental Services Department, Public Works and Land Management Agency; and

B. Recommendation: That the Board recognize, with pins and certificates, the below-named employees for their dedication and years of service to the County:

(1) Joseph C. Mack, Emergency Medical Services Division, Public Safety Department – 25 years; and

(2) Linda L. Smithson, Environmental Code Enforcement Division, Solid Waste Management – 25 years.

7. Written Communication:

A. March 16, 2005, communication from the Law Offices of Dale E. Rice, Crestview, Florida, requesting cancellation of a Nuisance Abatement Lien, filed against property located at 629 Bullard Avenue, Estate of Sammie Lee Martin (*recorded in Official Records Book 4395, Page 1610, on April 14, 1999, in the amount of \$4,493.63*); and

B. March 23, 2005, communication from Marah E. Brener, who has requested and received approval from the Engineering Department for a modification to the Beach Haven Cove Subdivision Stormwater Pond, but has been advised by the County Attorney's Office that Board approval is needed.

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

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

9. **5:31 p.m. Public Hearing for consideration of the Petition to Vacate the Plats of Rosemont Subdivision, as petitioned by Nature Walk, L.L.C.**

Recommendation: That the Board, at the 5:31 p.m. Public Hearing, take the following action concerning the Petition to Vacate the Plats of Rosemont Subdivision, as petitioned by Nature Walk, L.L.C.:

- A. Approve the Petition to Vacate the Plats of Rosemont Subdivision and First Addition to Rosemont Subdivision;
 - B. Accept the Hold/Harmless Agreement;
 - C. Adopt the Resolution to Vacate; and
 - D. Authorize the Chairman or Vice Chairman to accept the documents as of the day of delivery of the documents to the Chairman or Vice Chairman, and authorize the Chairman or Vice Chairman to execute them at that time.
10. **5:32 p.m. Public Hearing for consideration of adopting an Ordinance repealing Chapter 18, Article II, Division 3, Section 18-83, of the Escambia County Code of Ordinances.**

Recommendation: That the Board, at the 5:32 p.m. Public Hearing, take the following action concerning repeal of the "Temporary Specialty Contractor Roofing License Ordinance":

- A. Ratify the scheduling of two Public Hearings for April 7, 2005, at 5:32 p.m., and April 21, 2005, at 5:31 p.m., to consider (*adopting an Ordinance*) repealing Chapter 18, Article II, Division 3, Section 18-83, of the Escambia County Code of Ordinances, the "Temporary Specialty Contractor Roofing License Ordinance"; and
- B. Conduct the Public Hearing concerning the enactment of this Ordinance.

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11. Reports:

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

12. Items added to the agenda.

13. Announcements.

14. Adjournment.

CLERK OF THE CIRCUIT COURT'S REPORT
APRIL 7, 2005

I. CONSENT AGENDA

1. Recommendation Concerning Acceptance of Reports

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

- A. Payroll Expenditures as of Payday March 24, 2005, in the amount of \$1,712,044.60; and
- B. The following three Disbursement of Funds:
 - (1) March 10, 2005, to March 16, 2005, in the amount of \$13,048,538.36;
 - (2) March 17, 2005, to March 23, 2005, in the amount of \$6,385,895.20; and
 - (3) March 24, 2005, to March 30, 2005, in the amount of \$4,443,991.96.

2. Recommendation Concerning Minutes/Reports

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 March 17, 2005.

3. 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. *Original Amendment #1 to the Agreement between Escambia County and Keegan Staffing for Temporary Employment Services (PD 02-03.22)*, as approved by the Board on October 2, 2003, and provided to the Clerk to the Board's Office on March 18, 2005;
- B. The original Revised State of Florida Annual Certified Budget for Mosquito Control as approved by the Board on October 16, 2003, and provided to the Clerk to the Board's Office on March 21, 2005;

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I. CONSENT AGENDA – Continued

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- C. Closing documents relating to the sale of surplus property, located at 515 West Jackson Street, to Community Enterprise Investments, Inc. (CEII), approved by the Board on November 17, 2003, and received in the Clerk to the Board's Office on March 18, 2005;
- D. Original Community Center License and Management Agreements with Quintette Community Center and Englewood Boys and Girls Club, based on the Board's February 5, 2004, action approving the Form of Agreement, as provided to the Clerk to the Board's Office on March 9, 2005;
- E. The following six documents received in the Clerk to the Board's Office on March 2, 2005:
- (1) A copy of the *Detailed Work Plan Budget – Arthropod Control, for Fiscal Year 2004-2005*, approved by the Board on June 3, 2004;
 - (2) A copy of the Clerk's *Original Agreement between Escambia County and H. M. Yonge & Associates, Inc., for Engineering Services for ECAT Hydraulic Lift Retrofit (PD 02-03.43)*, approved by the Board on June 24, 2003;
 - (3) A copy of the Agreement with Specialty Contractors, Inc., for *PD 02-03.58, Civic Center Renovations (Labor and Materials Installed)*, awarded by the Board on August 21, 2003;
 - (4) A copy of the Agreement with Asplundh Tree Expert Co., for *PD 02-03.69, Maintenance of Street and Navigational Lights*, awarded by the Board on August 21, 2003;
 - (5) An original of *Amendment #2 to the Agreement between the Board of County Commissioners of Escambia County, Florida, and Cutler Repaving, Inc., for General Paving and Drainage Pricing Agreement (PD 01-02.19)*, approved by the Board on September 18, 2003; and
 - (6) A copy of *Task Order – PD 96-97.74.4, Leonard Street Complex Central Energy Plant Improvements*, approved by the Board on April 15, 2004;

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CLERK OF THE CIRCUIT COURT'S REPORT

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I. CONSENT AGENDA – Continued

3. Continued...

F. The Minutes of the Santa Rosa Island Authority Regular Board Meeting held on February 9, 2005, and provided to the Clerk to the Board's Office on March 17, 2005; and

G. The Public Facilities Report and *Emerald Coast Utilities Authority (ECUA) Capital Improvements Program Fiscal Years 2005-2009*, as submitted to the County Administrator on March 16, 2005, by Stephen E. Sorrell, Executive Director, ECUA (***Capital Improvements Program available for review In the Clerk to the Board's Office***).

4. Recommendation Concerning C/W Report

Recommendation: That the Board approve the Report, and the recommendation(s) therein, of the Committee of the Whole (C/W) Meeting held March 28, 2005, as prepared by the Clerk to the Board's Office.

GROWTH MANAGEMENT REPORT

April 7, 2005

I. PUBLIC HEARINGS

1. Review of the Rezoning Cases heard by the Rezoning Hearing Examiner on February 28, 2005.

RECOMMENDATION: That the Board take the following actions:

- A. Review and either adopt, modify or overturn the Rezoning Hearing Examiner's recommendations for rezoning cases Z-2005-09, Z-2005-10 and Z-2005-11; and
- B. Authorize the Chairman to sign the Orders of the Escambia County Board of County Commissioners for the rezoning cases that were reviewed.

1) **Case No.:** **Z-2005-09**
Location: 4651 Wilde Lake Blvd.
Property Reference No.: 15-1S-31-2101-000-000
Property Size: 90.0 (+/-) acres
From: R-1, Single-Family District, Low Density
To: RR, Rural Residential District
(cumulative), Low Density
FLU Category: LDR, Low Density Residential
Commissioner District: 1
Requested by: Grace Brock Gipson, Owner
RHE Recommendation: **Approval**
Staff Recommendation: **Approval**
Speakers: **Gipson, AI, Owner**

2) **Case No.:** **Z-2005-10**
Location: 10902 Chemstrand Road
Property Reference No.: 23-1N-30-2302-000-007
Property Size: 0.71 (+/-) acre
From: VR-2, Villages Rural Residential District
(1 du/0.75 acre)
To: V-3, Villages Single-Family Residential
FLU: MU-6, Mixed Use, Area 1
Commissioner District: 5
Requested by: Lamar Smith, Agent for Brendan
Investments, Inc
RHE Recommendation: **Approval**
Staff Recommendation: **Approval**

Speakers: **Page, Buddy, Agent
Crutchfield, Tommy
Green, George W.
Harvell, Larry
Pope, W. R., Jr.
Robinson, Frank**

3) Case No.: Z-2005-11
Location: 85 East Olive Road
Property Reference No.: 21-1S-30-1101-003-041
Property Size: 3.56 (+/-) acres
From: ID-1, Light Industrial District
(cumulative)
To: ID-2, General Industrial District (non-cumulative)
FLU: I, Industrial
Commissioner District: 3
Requested by: Wiley C. "Buddy" Page, Agent for Robertson-Brazwell, LLC.
RHE Recommendation: Approval
Staff Recommendation: Approval
**Speakers: Page, Buddy, Agent
Davidson, Sabrina**

- 2. 5:45 p.m. – Thursday, April 7, 2005 Public Hearing** – Amendment to the Official Zoning Map to include the rezoning cases that were heard by the Rezoning Hearing Examiner on February 28, 2005, and approved by the Board during the previous agenda item.

RECOMMENDATION: That the Board adopt an ordinance to amend the Official Zoning Map to include the rezoning cases that were heard by the Rezoning Hearing Examiner on February 28, 2005 and approved during the previous agenda item and to provide for severability, inclusion in the code, and an effective date.

- 3. 5:46 p.m. – Thursday, April 7, 2005** – Small Scale Amendment 2005-03, Requested by Wiley C. "Buddy" Page, MPA, APA, Agent for Lloyd A. and Leslie K. Johnson, Owners

RECOMMENDATION: That the Board adopt an ordinance of Escambia County, Florida, amending Part II of the Escambia County Comprehensive Plan, as amended; amending Chapter 7, "The Future Land Use Element", as authorized by Section 7.06; providing for a Small Scale Amendment (SSA 2005-03), to the Year 2020 Future Land Use Map, as amended, and as

requested by Wiley C. "Buddy" Page, MPA, APA, Agent for Lloyd A. and Leslie K. Johnson, Owners, changing the Future Land Use of 1.79 +/- acres on the south side of Sorrento Road (SR 292) near Blue Angel Parkway (SR 173), from Low Density Residential (LDR) to Commercial (C); providing for a title, providing for a copy on file; providing for severability; and providing for an effective date.

4. 5:47 p.m. – Thursday, April 7, 2005 – LDC Article 6, Intent and Uses

RECOMMENDATION: That the Board at the first of two (1 of 2) public hearings, review an ordinance amending Part III of the Escambia County Code of Ordinances, the Land Development Code (Ordinance 96-3, as amended), amending portions of Article 3 "Definitions" and revising Article 6 "Zoning Districts", Section 6.05.00, "intent and uses", to add certain permitted and conditional uses and to correct unclear references in site and building requirements within the Perdido Key zoning districts.

II. ACTION ITEMS

1. UWF Campus Development Agreement

RECOMMENDATION: That the Board review and approve the Campus Development Agreement between Escambia County and the University of West Florida (UWF), and authorize the Board Chairman to sign the UWF Campus Development Agreement on behalf of the BCC.

2. Re-appointment of Board of Adjustment and Planning Board At-Large Members

RECOMMENDATION: That the Board re-appoint the Board of Adjustment (Robert R. Penfold) and Planning Board (Rodney Jackson) at-large members to their respective boards due to expiration of their terms of office.

3. Dwelling Unit Caps on Perdido Key

RECOMMENDATION: That the Board review, accept, and consider implementation of the report provided by Solin and Associates, Inc. with respect to dwelling unit caps on Perdido Key.

III. CONSENT AGENDA

1. Scheduling of Public Hearings

RECOMMENDATION: That the Board schedule the following public hearings(s):

- A. 5:45 p.m. – Thursday, May 5, 2005** – A public hearing to amend the Official Zoning Map to include the following Rezoning Case heard by the Rezoning Hearing Examiner (RHE) on March 29, 2005 and approved by the Board during the previous agenda item:
- 1) **Case No.:** **Z-2005-12**
Location: 2002 University Street
Property Reference No.: 32-1S-30-1901-050-003
Property Size: 3.95 (+/-) acres
From: R-2, Single-Family District, Low-Medium Density
To: R-6, Neighborhood Commercial and Residential District (cumulative), High Density
FLU Category: MU-1, Mixed Use
Commissioner District: 4
Requested by: Michael T. Bass and Alan H. Bass, Owners
- B. 5:46 p.m. – Thursday, May 5, 2005** – The second of two (2 of 2) public hearings to adopt an ordinance amending Part III of the Escambia County Code of Ordinances, the Land Development Code (Ordinance 96-3, as amended), amending portions of Article 3 “Definitions” and revising Article 6 “Zoning Districts”, Section 6.05.00, “intent and uses”, to add certain permitted and conditional uses and to correct unclear references in site and building requirements within the Perdido Key zoning districts.
- C. 5:47 p.m. – Thursday, May 5, 2005** – The first of two (1 of 2) public hearings to review an ordinance of Escambia County, Florida, amending Part III of the Escambia County Code of Ordinances (1999), the Land Development Code of Escambia County, Florida (Ordinance 96-3, as amended); adding definitions to Article 3 and amending applicable zoning districts in Article 6 pertaining to timeshares and lodging units.

- D. 5:48 p.m. – Thursday, May 5, 2005** – A public hearing to review and approve an ordinance of Escambia County, Florida, amending Part III of the Escambia County Code of Ordinances (1999), the Land Development Code of Escambia County, Florida (Ordinance 96-3, as amended); amending Articles 2 and 7 to allow the possibility of variances for establishments selling alcohol within 1000 feet of a place of worship or educational facility and strengthening notification requirements for such variance requests.

**COUNTY ADMINISTRATOR'S REPORT
APRIL 7, 2005**

I. Technical/Public Service Consent Agenda

1. Recommendation Concerning Appointment to Area Housing Commission – George Touart, County Administrator

RECOMMENDATION: That the Board appoint Shirley D. Henderson to the Area Housing Commission effective April 7, 2005, through April 6, 2009, replacing Phyllis Sims whose term expired March 15, 2005.

2. Recommendation Concerning Workforce Escarosa, Inc., Board of Directors Appointments – Marilyn Wesley, Community Services Director

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

- A. Appoint Mr. Michael E. Hicks, Jr., President-CEO of Hizart Technologies, Inc., to serve a three-year term, private sector position on the Workforce Escarosa Board, effective April 7, 2005, through April 6, 2008; and**
- B. Appoint Captain John M. Pruitt, United States Navy, Commanding Officer, Naval Air Station Pensacola, Acting Commander, Navy Region Gulf Coast, to serve as the military liaison ex-officio without voting privileges, effective April 7, 2005, and no term limit restrictions.**

3. Recommendation Concerning Leave Donation Policy – Roderick Powell, SPHR, Human Resources Director

RECOMMENDATION: That the Board take the following action concerning the Leave Donation Policy for Board of County Commissioners' (BCC) employees:

- A. Adopt the Resolution providing for the donation and receipt of certain classified employee annual leave;**
- B. Adopt the Resolution providing for the donation and receipt of certain unclassified employee annual leave;**
- C. Approve the Leave Donation Policy for eligible employees, effective May 1, 2005; and**
- D. Authorize the Chairman to sign the resolutions.**

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4. Recommendation Concerning Travel Expenses for Candidates – Planning and Zoning Director/Assistant County Administrator – Roderick Powell, SPHR, Human Resources Director

RECOMMENDATION: That the Board authorize payment of travel expenses related to interviews for finalists/candidates for the following positions with Escambia County: Director of Planning and Zoning and Assistant County Administrator for Community Services and Public Safety Agency.

5. Recommendation Concerning Enterprise Zone Development Agency FY 2005 First Quarter Information Report – Keith Wilkins, NESD Director

RECOMMENDATION: That the Board accepts, for filing with the April 7, 2005, Board minutes, an Information Report concerning the Enterprise Zone Development Agency (EZDA) FY 2005 First Quarter Report.

6. Recommendation Concerning Springfield – Unit Six Final Plat – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board take the following action concerning recording of the Final Plat of Springfield - Unit Six (a 56-lot planned unit development (PUD), located in the Bellview Community lying east of Blue Angel Parkway and west of U.S. Highway 90, owned and developed by Mitchell Company, 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 “Flintlock Drive “ and “Brownfield Road”;
 - C. Accept the public road paving, 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.
7. Recommendation Concerning Scheduling of Public Hearing – Vacate a Portion of Environmental Place – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board schedule a public hearing for May 5, 2005, at 5:32 p.m., to consider the petition to vacate the eastern portion (approximately 45 feet by 322 feet or 0.33 acres) of Environmental Place, a 45-foot wide County right-of-way running west off Ely Road as petitioned by Terhaar & Cronley Property Company.

8. **Recommendation Concerning Scheduling of Public Hearing – Vacate the North Portion of a Cul-de-sac on Bush Street – Richard Duane, P.E., County Engineer**

RECOMMENDATION: That the Board schedule a public hearing for May 5, 2005, at 5:31 p.m., to consider the petition to vacate the north portion of a cul-de-sac (approximately 101 feet by 32 feet or 0.05 acres) on Bush Street, a 30 to 48-foot wide County right-of-way running west off Ashland Avenue as petitioned by Mitchell Company, Inc.

9. **Recommendation Concerning Traffic Safety Project – Corner of S. Highway 95A and Kingsfield Road – Richard Duane, P.E., County Engineer**

RECOMMENDATION: That the Board take the following action regarding the donation of 370.18 square feet of property from RichCor, Inc., concerning a Traffic Safety Project on the corner of S. Highway 95A and Kingsfield Road:

- A. Authorize Staff to negotiate and resolve any matters related to, or associated with, the donation of 370.18 square feet of property coming from RichCor, Inc;
- B. Authorize the payment of documentary stamps, because the property is being donated for governmental use, which is for traffic safety issues concerning the corner of S. Highway 95A and Kingsfield Road, and the County benefits from the donations, because the property will be used to construct and install safety upgrades that will result in reduction of traffic delays;
- C. Authorize the payment of incidental expenditures associated with the acquisition of this property; and
- D. Authorize the Chairman or Vice Chairman to accept the deeds or easements as of the day of delivery and to acknowledge the Board's acceptance at that time.

[Funding Source: Fund 351, LOST II, 210105/56101 & 56301]

10. Recommendation Concerning Termination of Lease Agreement – FDOT – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board take the following action regarding termination of a Lease Agreement between Florida Department of Transportation (FDOT) and Escambia County, for the use of property owned by FDOT, located west of Fairfield Drive between Mier Henry Road and U.S. Highway 98 (Dr. Farin Drive), and originally leased to the County for use as a public roadside park. However, to date the County has not utilized this property as a roadside park:

- A. Adopt a Resolution regarding Termination of a Lease Agreement between Escambia County and the Florida Department of Transportation; and
- B. Authorize the Chairman or Vice-Chairman to sign and execute the Resolution.

11. Recommendation Concerning Economic Development Ad Valorem Tax Exemption – Advanced Elastomer Systems, L.P. – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt a resolution establishing its intent to adopt an ordinance for an Economic Development Ad Valorem Tax Exemption for Advanced Elastomer Systems, L.P., for up to 10 years.

12. Recommendation Concerning Lease of Property to FDLE/Regional Operations Center – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning lease of property to FDLE for a Regional Operations Center:

- A. Adopt a resolution authorizing a lease with the Florida Department of Law Enforcement (FDLE) to lease property adjacent to the Juvenile Justice Center, located at 1800 St. Mary Avenue, for temporary housing for major portions of the Pensacola Regional Operations Center, due to damages by Hurricane Ivan, at no cost to the FDLE;
- B. Approve the Lease Agreement with FDLE; and
- C. Authorize the Chairman to execute all documents necessary to complete this transaction.

13. 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 55 requests as provided by various County Departments for the reasons stated on each.

14. **Recommendation Concerning Waiver of the Escambia County Noise Abatement Ordinance – American Cancer Society, Relay for Life – Donald Mayo, Building Inspections Director**

RECOMMENDATION: That the Board consider the “Special Event Permit Application” for a limited waiver of the noise restrictions imposed by the Escambia County Noise Abatement Ordinance in conjunction with outdoor activities being held by the Relay for Life, North Pensacola, sponsored by the American Cancer Society, at the Tate High School Stadium, located at 1771 Tate Road, Cantonment, Florida, from 6:00 p.m., April 15th to 10:00 a.m., April 16th, 2005, as requested by Ms. Anita Danielson for the American Cancer Society.

15. **Recommendation Concerning Change of Address/Direct Deposit – Medicare – Janice Kilgore, CEM, Public Safety Director**

RECOMMENDATION: That the Board take the following action concerning the Change of Address/Direct Deposit – Medicare Federal Health Care Provider/Supplier Enrollment Application:

- A. Authorize the Chairman to sign the application as the authorized official for the Board of County Commissioners; and
- B. Authorize Janice R. Kilgore, Director of Public Safety, to sign as the delegated official for Escambia County Emergency Medical Services.

II. Budget/Finance Consent Agenda

1. Recommendation Concerning Supplemental Budget Amendment #94 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #94, Transportation Trust Fund (175), in the amount of \$45,495 to recognize the proceeds of fees paid for the construction of certain projects and to appropriate these funds for the construction of a turn lane near the Gulf Winds Federal Credit Union and for the refurbishment of a pond near the Chimney Pines subdivision.

2. Recommendation Concerning Supplemental Budget Amendment #99 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #99, General Fund (001), Misdemeanor Probation Fund (114), Article V Fund (115), Fire Protection Fund (143), Transportation Trust Fund (175), Solid Waste Fund (401), Inspections Fund (406), Workers Comp/Health/Life Fund (509), CRA-Expendable Trust Fund (683), in the amount of \$202,110 to recognize the credit the County has received from Nextel.

3. Recommendation Concerning Supplemental Budget Amendment #100 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #100, Other Grants Projects Fund (110), in the amount of \$8,466 to recognize the carryover of funds for the Summer Food Program.

4. Recommendation Concerning Budget Amendment #104 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board approve Budget Amendment #104, General Fund (001), in the amount of \$30,420 to transfer funds from Reserves for Operating to the Public Information Office for a debris postcard to be mailed to citizens of Escambia County.

5. Recommendation Concerning Supplemental Budget Amendment #105 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #105, Solid Waste Management Fund (401), in the amount of \$2,311,645, to recognize the additional anticipated revenue and related expenses for Solid Waste Management resulting from Hurricane Ivan, as well as, other operating expenses.

COUNTY ADMINISTRATOR'S REPORT

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6. Recommendation Concerning Supplemental Budget Amendment #107 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #107, General Fund (001), in the amount of \$900,000 to recognize additional fuel charges from other departments and to appropriate these funds for the purchase of fuel.

7. Recommendation Concerning Supplemental Budget Amendment #108 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #108, in the amount of \$185,845 and to appropriate it into the FY2005 budget, Other Grants & Projects (Fund 110), Cost Center (110207). This revenue has been generated through the West Florida Regional Library Grant awarded from the State of Florida.

8. Recommendation Concerning Dehumidification Work – The Pensacola Civic Center – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board approve purchase order #251211 with Munters Moisture Control Services, in the amount of \$68,812.57, for emergency dehumidification work performed at the Pensacola Civic Center September 19 through 24, 2005, for Hurricane Ivan.

9. Recommendation Concerning Surplus and Sale of Real Property – 2990 Mobile Highway – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning surplus and sale of property located at 2990 Mobile Highway:

- A. Declare surplus its real property Account Number 064250000, reference number 33-2S-30-4000-013-236, acquired by contract default in 2002. 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 \$253,000, without further action of the Board; and
- C. Authorize the Chairman to sign all documents related to the sale.

10. Recommendation Concerning Sale of Lot 8 – Central Commerce Park Phase I – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board authorize the sale of Lot 8, Central Commerce Park Phase 1, Plat book 17, Page 100 or 5517, P 1390, to the successful high bidder at www.pensacolacommunityauction.com, to Bill McBride of McBride Construction for the appraised value of \$68,500 for this 2.74 acres, for the purpose of constructing a “build to suit” by the owner or construction of a spec building.

11. Recommendation Concerning Temporary Personnel Services – Donald Mayo, Building Inspections Director

RECOMMENDATION: That the Board ratify issuance of Purchase Order Numbers 251362, 251363, 251364, 251365, 251366, and 251367, each in an amount not to exceed \$30,000, for the period February 28, 2005, through September 30, 2005, to Landrum Professional Contract Services, Inc., in order to continue receiving service through temporary personnel who have been assisting the Building Inspections Department with increased workloads resulting from the impacts of Hurricane Ivan.

12. Recommendation Concerning Emergency Management Preparedness and Assistance Grant – Janice Kilgore, CEM, Public Safety Director

RECOMMENDATION: That the Board take the following action regarding the Emergency Management Preparedness and Assistance Grant Program Agreement #05BG-04-01-27-01-190 in the amount of \$47,222:

- A. Approve the Department of Community Affairs Emergency Management and Preparedness Assistance (EMPA) Grant Modification Agreement, in the amount of \$47,222 that provides additional federal funding to assist in improving our Local Division of Emergency Management operations both for daily and emergency operations and to assist in local disaster preparations and community outreach. Funding will be identified in Fund 110, Cost Center 330405; and
- B. Authorize the BCC Chair to execute all subsequent documents relating to the grant.

13. Recommendation Concerning Purchase Order – Pensacola Beach Toll Plaza Equipment – John Hartman, Facilities Management Director

RECOMMENDATION: That the Board ratify Purchase Order #251301, in the amount of \$70,000 as issued to Baskerville Donovan, Inc., for Hurricane Ivan Repairs to the Pensacola Beach Toll Plaza's Vehicle Identification System, Software Integration Systems and Programming Vehicle Barriers. Funding Source: Fund 112, “Disaster Recovery” Cost Center 330465, “Category E Hurricane Ivan Building & Equipment” FEMA-1551-DR.

14. Recommendation Concerning Change Order – Water Intrusion & IAQ Assessment for Various Facilities – John Hartman, Facilities Management Director

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

Department:	Facilities Management
Type:	Addition
Amount:	\$75,000
Vendor:	MACTEC Engineering & Consulting Inc.
Project Name:	Water Intrusion & IAQ Assessment for Various Facilities due to Hurricane Ivan
PO#:	251019
Original Award Amount:	\$ 72,985.00
Cumulative Amount of Contract Change Orders through #1	<u>\$ 75,000.00</u>
New Contract Total:	\$147,985.00

Funding Source: Fund 112, "Disaster Recovery" Cost Center 330465, "Category E Hurricane Ivan Building & Equipment" FEMA-1551-DR.

15. Recommendation Concerning General Paving and Drainage Pricing Agreement – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board amend the following action taken at the February 17, 2005, Board Meeting concerning Contract PD 04-05.10 "General Paving and Drainage Pricing Agreement," FY 2004-0005 Purchase Order Authorization Annual Requirement:

- A. Amend CAR II-15, Item C, revising the amount of purchase orders from \$2,800,000 to \$4,700,000 to be divided amongst the bidders for typical projects to be accomplished under this Contract for Fiscal Year 2004-2005; and
- B. Amend CAR II-15, Item E, revising the authorized annual amount approved for Advance Construction Services, Inc., of Alabama from \$100,000 to \$2,000,000 per Contract PD 04-05.10, "General Drainage and Paving Agreement".

[Funding Source: Fund 351 "LOST II", Account Code 210105/56301, Fund 350 "LOST", Account Code 210103/56301; Fund 333 "New Road Construction", Account Code 210204/56301, Fund 175 "Transportation Trust Fund", 210304/56301, Fund 182-199 "Master Drainage Basins", Account 210701-210718/56301; Fund 129 "CDBG", Account 220457/56301, 220571/56301, 220478/56301, 220482/56301, 220488/56301, 220496/56301, 220415/56301 and Fund 683 "TIF", Account 220504/56301]

COUNTY ADMINISTRATOR'S REPORT

APRIL 7, 2005

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16. Recommendation Concerning Design Services – 2nd Street and Sunset Avenue – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board approve issuance of a Task Order, PD 02-03.79.15.29.ENG, on Contract 02-03.79, to HDR Engineering, Inc., to provide design services for 2nd Street and Sunset Avenue, for an amount of \$79,847.87. (Funding Source: Fund 351 "Local Option Sales Tax Extension", Account 210105/56301)

17. Recommendation Concerning Equipment Rental - Clean Holding Pond/Drain Pipes/Shoulders – Pat Overton, Road Department Director

RECOMMENDATION: That the Board approve the following change orders for \$50,000 or greater rentals made during the emergency declaration for Hurricane Ivan and authorize the County Administrator to execute the following:

A. Department: Escambia County Road Department
Type: Addition
Amount: \$14,000
Vendor: Smith Tractor & Company
Project Name: Clean Holding Pond/Drain Pipes/Shoulders
Contract: N/A
PO Number: 250251
CO Number: 1
Original Award Amount: \$14,000.00
Cumulative Amount of Change Order through CO#1 \$14,000.00
New Purchase Order Total: \$28,000.00

(FEMA Fund 112, Cost Center 330462, Object Code 54401)

B. Department: Escambia County Road Department
Type: Addition
Amount: \$28,000
Vendor: Smith Tractor & Company
Project Name: Clean Holding Pond/Drain Pipes/Shoulders
Contract: N/A
PO#: 250568
CO#: 1
Original Award Amount: \$28,000.00
Cumulative Amount of Change Order through CO#1 \$28,000.00
New Purchase Order Total: \$56,000.00

(FEMA Fund 112, Cost Center 330462, Object Code 54401)

18. **Recommendation Concerning Commercial Façade, Landscape and Infrastructure Grant Program – 916 North Navy Boulevard - Keith Wilkins, NESD Director**

RECOMMENDATION: That the Board take the following action concerning a Commercial Façade, Landscape and Infrastructure Grant Program Funding Agreement and Lien Agreement:

- A. Approve the Commercial Façade, Landscape and Infrastructure Grant Program Funding Agreement between Escambia County Neighborhood and Environmental Services Department/Community Redevelopment Agency (NESD/CRA) and SFB Investments of Pensacola, L.L.C., owner of commercial property located at 916 N. Navy Boulevard (to be used as commercial lease space), in the amount of \$10,000, representing an in-kind match through the Warrington Tax Increment Financing Trust Fund, Cost Center 220504, Object Code 56301, for the following improvement:

Installing a pitched hip roof;

- B. Approve the Commercial Façade, Landscape and Infrastructure Grant Program Lien Agreement for the property located at 916 N. Navy Boulevard, Pensacola, Florida, in the amount of \$10,000; and
- C. Authorize the Chairman to execute the Funding Agreement and the Lien Agreement between Escambia County NESD/CRA and SFB Investments of Pensacola, L.L.C., and any other related documents necessary to implement this grant award.

19. **Recommendation Concerning Commercial, Façade, Landscape and Infrastructure Grant Program – 206 West Herman Street - Keith Wilkins, NESD Director**

RECOMMENDATION: That the Board take the following action concerning a Commercial Façade, Landscape and Infrastructure Grant Program Funding Agreement and Lien Agreement:

- A. Approve the Commercial Façade, Landscape and Infrastructure Grant Program Funding Agreement between Escambia County Neighborhood and Environmental Services Department/Community Redevelopment Agency (NESD/CRA) and Pembroke II Development L.L.C., owner of commercial property located at 206 W. Herman Street (to be used as commercial lease space), in the amount of \$10,000 representing an in-kind match through the 2004 Community Development Block Grant (CDBG), Cost Center 220415, Object Code 58301, for the following improvements:

Installing landscaping and fencing consistent with the approved site plan and development order;

- B. Approve the Commercial Façade, Landscape and Infrastructure Grant Program Lien Agreement for the property located at 206 W. Herman Street, Pensacola, Florida, in the amount of \$10,000; and
- C. Authorize the Chairman to execute the Funding Agreement and the Lien Agreement between Escambia County NESD/CRA and Pembroke II Development, L.L.C., and any other related documents necessary to implement this grant award.

20. **Recommendation Concerning Green Waste Disposal – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager**

RECOMMENDATION: That the Board award a Unit Price, Indefinite Quantity, Indefinite Delivery Contract, PD 04-05.25, "Green Waste Processing Term Contract," to Consolidated Resource Recovery, Inc., providing for the separation and grinding of yard trash materials that are delivered to the Perdido Landfill for \$8.20 per ton with an annual amount of up to \$287,000. Funding is available in the Solid Waste Enterprise Fund 401, Cost Center 230314, Object Code 53401.

21. **Recommendation Concerning Purchase of Trucks for Building Inspections – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager**

RECOMMENDATION: That the Board authorize the County to piggyback off of the Florida State Contract #070-001-05-1, in accordance with the Code of Ordinances, Chapter 46, Article II, Section 46-44, Applications; Exemption; and Section 46-64, Board Approval, and award a Purchase Order for the purchase of fifteen 1/2 ton 4X2, standard cab pickup trucks from Orville Beckford Ford Mercury, in the total amount of \$213,180, for Building Inspections. Funds are available in Fund 406 (Inspection Fund), Cost Centers 250107, 250108, 250109, 250111, and 250116.

22. Recommendation Concerning Grounds Keeping for Solid Waste Management – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager

RECOMMENDATION: That the Board award a three-year contract for “Grounds Keeping for Solid Waste Management,” PD 04-05.18, to Gulf Coast Environmental Contractors, Incorporated, for an approximate cost of \$20,000 per year. Funds are available in Fund 401 (Solid Waste Fund), Cost Center 230314.

23. Recommendation Concerning Custodial Services Various County Buildings – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager

RECOMMENDATION: That the Board approve renewal of the contract with a three percent increase to Modern Janitorial & Service Company, Inc., for “Custodial Services Various County Buildings,” PD 98-99.65, from October 1, 2005, through October 1, 2006, in accordance with the terms and conditions of the contract and annual appropriation of funds. The estimated expenditure of \$598,000 a year is funded in Fund 1 (General Fund), Cost Center 310202.

24. Recommendation Concerning Hurricane Ivan Tree Removal – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager

RECOMMENDATION: That the Board take the following action concerning award of contracts for Hurricane Ivan Tree Removal, PD 04-05.33:

A. Award Lump Sum Contracts for Parks and Recreation Tree, Hanger and Stump Removal to the following three vendors:

Fraday Tree Service, Inc.,	Zone 1	\$62,862.00
Pensacola Tree Service	Zone 3	\$65,430.00
Southern Oasis Landscape	Zone 4	\$44,050.00; and

B. Award Unit Price Contracts for Right-of-Entry Tree, Hanger and Stump Removal to the following three vendors:

Pensacola Tree Service
All County Landscape and Tree Service
Philips and Jordan

Funding: Fund 112, Category “A”, Ivan Debris Removal

25. **Recommendation Concerning County Wide Road Resurfacing Pricing Agreement – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager**

RECOMMENDATION: That the Board take the following action concerning the County Wide Road Resurfacing Pricing Agreement:

- A. Accept and approve the following list of contractors and their bid submissions for solicitation/contract PD 04-05.11, "County Wide Road Resurfacing Pricing Agreement," for twelve months, with two options to extend for twelve months each, upon mutual agreement of the parties:
 - 1. APAC-Southeast, Inc.
 - 2. E.J. Breneman, LP
 - 3. Cutler Repaving, Inc.
 - 4. Florida Highway Products, Inc.
 - 5. North Florida Emulsions, Inc.
 - 6. Panhandle Grading & Paving, Inc.
 - 7. Pavement Technology, Inc.
 - 8. Roads, Inc., of NWF;
- B. Accept the determination of the County Administrator that Pavement Savers, Inc., is Non-Responsive to the solicitation due to acknowledgement of intent to not comply with County Engineering Technical Specifications which were included in the solicitation documents;
- C. Approve the contract for use on various related projects throughout the county utilizing the Bid Form and/or the Balance-of-Line provision contained therein of the Special Terms and Conditions as the methodology to determine project low bid;
- D. Authorize the Engineering Department to initially issue Purchase Orders in the amount of three million dollars to be divided amongst the three apparent low bidders for typical projects to be accomplished under this contract. Additionally, authorize the Engineering Department to request an annual amount of funds to be approved and distributed among the contractors for each fiscal year to expedite the timely completion of related projects; and
- E. Authorize the issuance of Purchase Orders(s) [Blanket or Individual] in accordance with Chapter 46 of the County Code of Ordinances. With funds to be available in Local Sales Tax II Fund 351, Cost Center 210105 and Object Code 56301, Local Option Sales Tax, Fund 350, Cost Center 210103 and Object Code 56301; New Road Construction, Fund 333, Account 210204 and Object Code 56301; and Transportation Trust Fund, Fund 175, Account 210304 and Object 56301.

III. For Discussion

1. For Discussion – Letter Dated March 24, 2005, from Eleanor Godwin, Bay Area Resource Council (BARC), Requesting the Board Approve a Revised Interlocal Agreement Clarifying the Funding Sources for BARC Administrative Costs – George Touart, County Administrator

PLEASE NOTE MIKE GODWIN, ASSISTANT COUNTY ATTORNEY, HAS NOT COMPLETED REVIEW OF THE AGREEMENT, BUT HAS INDICATED THE AGREEMENT WILL HAVE TO BE REVISED TO INCLUDE LANGUAGE REQUIRED BY THE STATE, ETC. IF THE BOARD CHOOSES TO APPROVE THE AGREEMENT, IT SHOULD BE APPROVED SUBJECT TO LEGAL SIGN-OFF.

2. Recommendation That Each Commissioner Provide One or Two Names of Citizens Who Will Serve as His/Her Appointee(s) on the Citizens Law Enforcement Liaison Group (CLEG) – George Touart, County Administrator

COUNTY ATTORNEY'S REPORT
April 7, 2005

I. Discussion Agenda:

1. Recommendation Concerning Air Handling Units – M.C. Blanchard Judicial Building.

RECOMMENDATION:

That Escambia County file a lawsuit for damages against York International Manufacturing Company for the defective design and/or construction of Air Handling Units No. 5 and 6, as well as other similarly constructed air handling units at the M. C. Blanchard Judicial Building.

2. Recommendation Concerning William and Debra Abercrombie v. Escambia County BCC; Case No. 2003-1747-CA-01.

RECOMMENDATION:

That the Board of County Commissioners approve the stipulation for substitution of counsel for the law firm of Conroy, Simberg, Ganon, Krevans & Abel, P.A., be substituted as counsel for Escambia County pursuant to the Incidental Expense Reimbursement Form contained in the Donation Agreement between Escambia County and Myrtle Grove Community Club, Inc. Once the court approves the stipulation for substitution of counsel, Myrtle Grove Community Club, Inc. will provide a defense and indemnify the County pursuant to the Donation Agreement. Attorney's fees will be paid by Myrtle Grove's insurer.

II. Information Agenda:

1. Torrey Village Apartments, LLC v. Escambia County, Keith Wilkins, Doyle Butler and Timothy Day; Case No. 3:03cv461/LAC/MD.

RECOMMENDATION: That the Board accept the attached information report concerning Torrey Village Apartments, LLC v. Escambia County, Keith Wilkins, Doyle Butler and Timothy Day; Case No. 03cv461/LAC/MD.