

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

CHAMBER RULES

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

**PLEASE NOTE THAT ALL BCC MEETINGS ARE RECORDED**

AGENDA

Board of County Commissioners

Regular Meeting – February 21, 2008 – 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 – Bishop John H. Ricard, Catholic Diocese of Pensacola-Tallahassee.
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.

Recommendation: That the Board take the following action concerning County Attorney Selection and Employment Agreement:

- A. Select Alison Rogers as the County Attorney; and
- B. Approve the Employment Agreement between Escambia County and Alison Rogers for the position of County Attorney.

6. Proclamations.

Recommendation: That the Board adopt the following three Proclamations:

- A. The Proclamation proclaiming February 26, 2008, as "Spay Day" in Escambia County;
- B. The Proclamation proclaiming February 28, 2008, as "Military Appreciation Day" in Escambia County; and
- C. The Proclamation proclaiming March 2008 as "Purchasing Month" in Escambia County.

7. Employee of the Month Proclamations/Employee of the Year Proclamation/Years of Service.

Recommendation: That the Board take the following action concerning Employee of the Month Proclamations/Employee of the Year Proclamation/Years of Service:

- A. Adopt three Proclamations commending and congratulating the following employees for being selected as Employee of the Year for 2007 and Employees of the Month for January and February 2008:
  - (1) Mr. Stanley D. Gray, Safety Technician, Solid Waste Management Department, Community Services and Public Safety Agency, Employee of the Year for 2007;
  - (2) Ms. Connie R. Jones, Custodial Worker, Facilities Management Department, Public Works and Land Management Agency, Employee of the Month for January 2008; and
  - (3) Mr. Steven R. Smith, Equipment Operator IV, Road Department, Public Works and Land Management Agency, Employee of the Month for February 2008;

(Continued on Page 3)

7. Continued...

- B. Recognize, and present certificates to, the employees who were nominated for Employee of the Year; and

**BACKUP TO BE DISTRIBUTED UNDER SEPARATE COVER**

- C. Recognize, with pins and certificates, the below-named employees for their dedication and years of service to the County:

- (1) William S. Cross, Community Corrections Department, 30 years;
- (2) Paula Saunders, Road Department, 30 years;
- (3) Kathleen A. Spencer, Office of Purchasing, 30 years;
- (4) Kenneth F. Castleberry, Road Department, 25 years;
- (5) Russ W. Davis, Solid Waste Management Department, 25 years;
- (6) William J. Brady, Solid Waste Management Department, 25 years;
- (7) Debra J. Wallace, Community Corrections Department, 25 years; and
- (8) William E. Meador, Public Safety Department, 25 years.

8. Written Communication:

- A. August 21, 2007, communication from Sandra Gilmore requesting that the Board forgive a Code Enforcement Lien against property located at 13832 Canal Drive;
- B. December 6, 2007, communication from David Krasnosky requesting that the Board remove a lien filed against property located in the 3700 Block of Mobile Highway, and subsequent communication, dated January 11, 2008, from Mark Lee Smith, Esquire, representing Mr. Krasnosky, requesting that either a separate order be entered by the Special Magistrate, or in lieu thereof, that the Board officially proclaim that Mr. Krasnosky's homestead property, located at 5920 Leesway Boulevard, is free and clear of the lien, and allow Mr. Krasnosky to pay \$48.21 as his 1/14 share of the original lien;
- C. December 6, 2007, communication from Charles Norton, II, requesting that the Board release the liens against property located at 3001 West Cervantes Street, owned by Norton Family, Ltd.; and
- D. December 7, 2007, communication from Mirza A. Ahmad requesting that the Board waive \$28,875 in fines, imposed by Order of Special Magistrate, against property located at the southwest corner of Blount Street and "W" Street.

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

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

10. **5:31 p.m. Public Hearing for consideration of adopting an Ordinance creating the Dunleith Street Lighting MSBU.**

Recommendation: That the Board authorize the rescheduling of the 5:31 p.m. Public Hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) for March 6, 2008, at 5:34 p.m., for consideration of adopting an Ordinance creating the Dunleith Street Lighting MSBU.

11. **5:32 p.m. Public Hearing concerning Section 5307 Flex Funding Grant Application for Mass Transit Projects.**

Recommendation: That the Board, at the 5:32 p.m. Public Hearing, take the following action concerning the Fiscal Year 2008 Federal Transit Administration (FTA) Section 5307 Flex Funding Grant Application, FL 95-X005, for Planning and Capital Assistance for Mass Transit Projects for Escambia County Area Transit (ECAT):

- A. Ratify the scheduling and advertising of a Public Hearing for 5:32 p.m. on Thursday, February 21, 2008, for the purpose of receiving comments from the general public concerning the Escambia County Fiscal Year 2008 Section 5307 Flex Funding Grant Application for \$125,000 in Federal assistance for Mass Transit Projects;
- B. Approve, or amend and approve, Escambia County Fiscal Year 2008 Project FL 95-X005 Grant Application for \$125,000 in Federal assistance for Mass Transit Projects;
- C. Adopt the Resolution authorizing the Chairman or County Administrator to sign and file all appropriate documents for application and receipt of Federal funds from the FTA; and
- D. Authorize the ECAT General Manager to file the Grant Application via the Federal Transportation Electronic Award and Management (TEAM) System, using the authorized Passwords for the Chairman and County Attorney, where necessary.

12. Committee of the Whole Recommendation(s).

Recommendation: The Committee of the Whole (C/W), at the February 12, 2008, C/W Workshop, recommends that the Board take the following action:

- A. Take the following action concerning Fire Services/Volunteer Fire Department Stipend/Contracts (Item 5):
- (1) Approve waiving the lump sum stipend repayments, in the total amount of \$24,575, to the individual Firefighters who were overpaid, contingent upon receipt of a Memorandum of Understanding between Escambia County and the Escambia County Volunteer Firefighters Association (ECVFFA), indicating that the ECVFFA supports a consolidated (*Fire Services*) Department with a unified command;
  - (2) Approve applying, upon adoption of the proposed Stipend Policy, the following restrictions to the payment of stipends under said Policy to those volunteers who have obtained Exemption Letters from the State Fire Marshal:
    - (a) Any volunteer holding an Exemption Letter on the date of adoption of this Policy shall be permitted to collect a stipend at the level of Firefighter I until September 30, 2008; and
    - (b) Any volunteer receiving an Exemption Letter after the date of adoption of this Policy shall only be entitled to receive a stipend at the level of Firefighter Trainee until the volunteer has met the State Certification requirements of Firefighter I;
  - (3) Approve a one-year extension of the Contract between Escambia County and each Volunteer Fire Department; and
  - (4) Approve that, on or before September 30, 2008, the group (*Strategic Planning Team*) will provide a report identifying the exact process for accomplishing a consolidated (*Fire Services*) Department;
- B. Approve, subject to Legal sign-off, the Policy to Address Code Enforcement Hardship Cases (*Procedures for Special Needs Cases*), as amended to incorporate into Section B the language "including, but not limited to..." (Item 8); and

(Continued on Page 6)

12. Continued...

C. Take the following action concerning the Pensacola Bay Fishing Bridge (Item 13):

- (1) Authorize staff to submit an application to the Federal Emergency Management Agency for an alternate PW (*Project Worksheet*) for the One Stop Project and the purchase of a fire truck; and
- (2) Award a design-build Contract to F & W Construction, Inc., with a GMP (*Guaranteed Maximum Price*) of \$10,774,391, for a 2,576-foot (*two-lane*) fishing bridge.

13. Reports:

Clerk of the Circuit Court & Comptroller  
Growth Management  
County Administrator  
County Attorney

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**

REPORT OF CLERK OF THE CIRCUIT COURT & COMPTROLLER  
February 21, 2008

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 & Comptroller's Finance Department:

A. Payroll Expenditures as of Payday February 8, 2008, in the amount of \$2,620,819.04; and

B. The following two Disbursement of Funds:

(1) January 31, 2008, to February 6, 2008, in the amount of \$10,185,351.53; and

(2) February 7, 2008, to February 13, 2008, in the amount of \$4,660,266.68.

2. Recommendation Concerning Investment Report

Recommendation: That the Board accept, for filing with the Board's Minutes, the Investment Report for the month ended January 31, 2008, as prepared by the Clerk & Comptroller's Finance Department.

3. Recommendation Concerning TDT Collections Data

Recommendation: That the Board accept, for filing with the Board's Minutes, the Tourist Development Tax (TDT) Collections Data for Fiscal Year 2007-2008, which includes December 2007 returns received in the month of January 2008, as prepared by the Clerk & Comptroller's Finance Department.

I. CONSENT AGENDA – Continued

4. Recommendation Concerning Disposition of Records

Recommendation: That the Board approve *Records Disposition Document No. 392*, for disposition of Board of County Commissioners' records, Item 32a, Minutes: Official Meetings (Transcripts: Microfilmed on Rolls 430-432), for the period August 2, 2007, through September 24, 2007, in accordance with State Retention Schedule GS1, since the permanent records have been scanned and/or microfilmed.

5. Recommendation Concerning Acceptance of Documents

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

- A. A copy of the recorded Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreement between Escambia County Community Redevelopment Agency (CRA) and Larry M. Tronu and Barbara J. Tronu, owners of commercial property located at 3701 North Pace Boulevard, Pensacola, Florida, in the Palafox Redevelopment Area, in the amount of \$10,000, as approved by the Board on August 16, 2007, and received in the Clerk to the Board's Office on February 5, 2008;
- B. The *Mortgage and Security Agreement (Morris Court III)* and the *Subordination Agreement (Third Mortgage)*, based on the Board's action of June 7, 2007, committing \$1,000,000 in Hurricane Housing Recovery Program funds to Morris Court III, LTD, as received in the Clerk to the Board's Office on February 6, 2008;
- C. Closing documents relating to the sale of surplus property, located at 914 North 7th Avenue, to Randy A. Maygarden, pursuant to the Board's action of April 10, 2007, approving the surplus and sale of the property, as provided to the Clerk to the Board's Office on February 8, 2008;
- D. The *HHRP Loan Agreement for Silurian Pond Apartments Rental Development* between Escambia County and Silurian Pond, LTD., based on the Board's action of June 21, 2007, committing \$1,147,870 in Hurricane Housing Recovery Program (HHRP) funds to Silurian Pond, LTD., as received in the Clerk to the Board's Office on February 8, 2008.

I. CONSENT AGENDA – Continued

6. Recommendation Concerning Minutes and Reports

Recommendation: That the Board take the following action concerning Minutes and Reports prepared by the Clerk to the Board's Office:

- A. Approve the Minutes of the Public Forum Work Session and Regular Board Meeting held February 7, 2008; and
- B. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held February 7, 2008.

## GROWTH MANAGEMENT REPORT

February 21, 2008

### I. ACTION ITEM:

#### 1. Champion Oaks Final Plat

**Recommendation:** That the Board take the following actions concerning recording of the Final Plat of Champion Oaks (a 30 lot single family residential subdivision), located in the Bellview community lying west of Mobile Highway (U.S. Highway 90) and north of Saufley Field Road (County Road 296), owned and developed by Conti Construction Company, Inc. Prior to recording, the County Engineer, Planning and Engineering Director and the Clerk of the Circuit Court must sign the Final Plat, as set forth in Section 4.02.07.E, of the Escambia County Land Development Code. Also, prior to recording, the County Surveyor must sign the Final Plat as set forth in Chapter 177.081 (1) Florida Statutes;

- A. Approve the final plat for recording; and
- B. Approve the street name "Champion Oaks Drive"; and
- C. Accept the public road paving, all public easements, drainage improvements and Parcel "A" (0.37 acre Retention Pond) as depicted upon the final plat for permanent County maintenance, the cost of maintenance for drainage improvements are to be funded through the establishment of a stormwater management MSBU (Municipal Services Benefit Unit); and
- D. Authorize the Chairman or Vice-Chairman to execute a Two-Year Warranty Agreement for Streets and Drainage improvements.

**COUNTY ADMINISTRATOR'S REPORT**  
**February 21, 2008**

**I. Technical/Public Service Consent Agenda**

**1. Recommendation Concerning the Development of the Technology Park – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board take the following action concerning the development of the Technology Park:

- A. Approve the conveyance of real property located in the 300 Block of Chase Street, Account Number 130639100, Reference Number 00-0S-00-9002-003-424, to the Pensacola-Escambia County Promotion and Development Commission (PEDC), for use in the development of a Technology Park, subject to the conditions set forth in the Interlocal Agreement;**
- B. Approve the conveyance of real property located on Ninth Avenue and Chase Street, Account Number 130639400, Reference Number 00-0S-00-9002-006-424, to the PEDC for use in the development of a Technology Park, subject to the conditions set forth in the Interlocal Agreement;**
- C. Approve an Interlocal Agreement with the City of Pensacola, City of Pensacola CRA and the PEDC for the development of a Technology Park subject, to the development criteria and other terms and conditions contained in the Interlocal Agreement;**
- D. Acknowledge that a Resolution and the form of the deed will be brought back to the Board at a later date; and**
- E. Authorize the Chairman to sign all necessary documents.**

**2. Recommendation Concerning Establishment of a Scenic Hills North Street Lighting MSBU – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board authorize the scheduling of a public hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on March 6, 2008, at 5:32 p.m., to consider the adoption of an Ordinance creating the Scenic Hills North Street Lighting MSBU.

**COUNTY ADMINISTRATOR'S REPORT**

**February 21, 2008**

**PAGE 2 of 15**

3. **Recommendation Concerning Scheduling a Public Hearing for an Economic Development Ad Valorem Tax Exemption for Wayne-Dalton Corporation – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board authorize the scheduling of a public hearing on Thursday, March 6, 2008, at 5:33 p.m., to consider the adoption of an Ordinance establishing an Economic Development Ad Valorem Tax Exemption for Wayne-Dalton Corporation, for 100% of their expansion for 10 years.

4. **Recommendation Concerning an Interlocal Agreement with the Downtown Improvement Board – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board approve and authorize the Chairman to sign an Interlocal Agreement with the Pensacola Downtown Improvement Board for the Creation of a Comprehensive Downtown Parking Strategy for Centralized and Efficient Management of Downtown Parking Facilities.

5. **Recommendation Concerning Community Redevelopment Agency Meeting Minutes – Keith Wilkins, NESD Director**

**RECOMMENDATION:** That the Board approve for filing with the Board's Minutes, the January 24, 2008, Community Redevelopment Agency (CRA) Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA.

6. **Recommendation Concerning Underground Distribution Easement for Sheriff's Garage – David Wheeler, CFM, Facilities Management Director**

**RECOMMENDATION:** That the Board amend its action of October 4, 2007, to address Gulf Power's concerns relative to granting Gulf Power an Underground Distribution Easement for supplying electrical service to the new Sheriff's Garage as follows:

- A. Approve the revised Easement deleting the special terms and conditions; and
- B. Authorize the Chairman to sign the Easement.

7. **Recommendation Concerning Agreement for "Sports for Squirts" Classes – Kevin Briski, Parks and Recreation Director**

**RECOMMENDATION:** That the Board, on behalf of the Parks and Recreation Department, approve and authorize the Chairman to sign an Agreement between Escambia County and Pensacola Junior College for the use of their premises to conduct "Sports for Squirts" classes.

**COUNTY ADMINISTRATOR'S REPORT**

**February 21, 2008**

**PAGE 3 of 15**

**II. Budget/Finance Consent Agenda**

1. **Recommendation Concerning Supplemental Budget Amendment #125 – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #125, Economic Development Fund (102), in the amount of \$129,550, to recognize the proceeds of land sales in Central Commerce Park and to appropriate these funds for a principal payment on an outstanding Commerce Park loan.

2. **Recommendation Concerning Supplemental Budget Amendment #132 – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #132, Other Grants and Projects Fund (110), in the amount of \$35,939, to recognize proceeds from a Florida Department of State, Division of Elections, Federal Elections Activities Grant, and to appropriate these funds for election activities.

3. **Recommendation Concerning Supplemental Budget Amendment #133 – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #133, Other Grants and Projects Fund (110), in the amount of \$27,832, to recognize proceeds from a Department of Homeland Security Assistance to Firefighters Grant, and to appropriate these funds for purchasing equipment for the Type II Urban Search and Rescue Team.

4. **Recommendation Concerning Supplemental Budget Amendment #134 – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #134, Local Option Sales Tax II Fund (351), in the amount of \$57,200, to recognize funds received from the Emerald Coast Utilities Authority, and to appropriate these funds as reimbursement for the Maplewoods Project.

COUNTY ADMINISTRATOR'S REPORT

February 21, 2008

PAGE 4 of 15

5. Recommendation Concerning Supplemental Budget Amendment #135 – Jean A. Kassab, CGFM, Administrative Services Director

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #135, Other Grants and Projects Fund (110), in the amount of \$84,526, to recognize and appropriate proceeds from a United States Department of Justice, Office of Justice Programs, Bulletproof Vest Partnership Grant.

6. Recommendation Concerning Supplemental Budget Amendment #136 – Jean A. Kassab, CGFM, Administrative Services Director

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #136, Economic Development Fund (102), in the amount of \$109,973, to recognize unspent proceeds from a prior year U.S. Department of Housing and Urban Development Fiscal Year 2001 Economic Development Initiative Special Project Grant, Agreement Number B01SPFL0135, and to appropriate these funds for development costs for infrastructure of Central Commerce Park.

7. Recommendation Concerning Miscellaneous Appropriations Agreement – Springfest, Inc. – Jean A. Kassab, CGFM, Administrative Services Director

**RECOMMENDATION:** That the Board rescind its action of December 6, 2007, approving the Fiscal Year 2007/2008 Miscellaneous Appropriations Agreement for Springfest, Inc., in the amount of \$150,000, to be paid from the 4th Cent Tourist Development Tax Fund (108), Cost Center 360105. [Funds will be returned to reserves.]

8. Recommendation Concerning Court Technology Filing Fee – Jean A. Kassab, CGFM, Administrative Services Director

**RECOMMENDATION:** That the Board approve an Interlocal Agreement between Escambia County and the Office of the State Attorney, First Judicial Circuit, whereby Escambia County allows twenty 25% of the funding of a State position from the County's \$2 Court Technology Filing Fee, in order to cooperatively use this resource to mutual advantage.

**COUNTY ADMINISTRATOR'S REPORT**

**February 21, 2008**

**PAGE 5 of 15**

**9. Recommendation Concerning Surplus and Sale of Real Property Located on Muldoon and Hogan Road – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION: That the Board rescind its action concerning the surplus and sale of a portion of real property, Account Number 091894700, Muldoon and Hogan Road on which access through County right-of-way was made available by Board action of November 1, 2007:**

- A. Rescind the Board's action of December 6, 2007, as the Engineering Department has determined that there are some encroachments on this Easement:**
- 1. Declaring surplus of a 78 feet by 127 feet portion of its real property Account Number 091894700, Reference Number 39-1S-31-3205-000-000 see the diagram, approximately .277 acres. A legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting bids by sealed bid;**
  - 2. Authorizing the sale of this property to the highest offer received from sealed bid above the minimum bid of \$3,000, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and**
  - 3. Authorizing the Chairman to sign all documents related to the sale.**

**COUNTY ADMINISTRATOR'S REPORT**

**February 21, 2008**

**PAGE 6 of 15**

**10. Recommendation Concerning Change Order – Open Graded Coal Mix Roads – Joy D. Blackmon, P.E., Assistant Director, County Engineer**

**RECOMMENDATION:** That the Board approve issuance of the following Change Order to Roads, Inc., of NWF, to supply material to the Road Department so that they can continue resurfacing open graded cold mix roads: White Ash Road, Holly Park Lane and Ivory Lane in the Dogwood Park area:

<b>Department:</b>	<b>Planning and Engineering</b>
<b>Type:</b>	<b>Addition</b>
<b>Amount:</b>	<b>\$70,000.00</b>
<b>Vendor:</b>	<b>Roads, Inc., of NWF</b>
<b>Project Name:</b>	<b>Open Graded Cold Mix Roads</b>
<b>Contract:</b>	<b>06-07.08</b>
<b>PO No.:</b>	<b>280783</b>
<b>CO No.</b>	<b>1</b>
<b>Original Award Amount:</b>	<b>\$200,000.00</b>
<b>Amount of Change Order #1</b>	<b><u>\$70,000.00</u></b>
<b>New Contract Total:</b>	<b>\$270,000.00</b>

**[Funding Source: Fund 351, Local Option Sales Tax Extension, Account 210105/56301, Project No. 07EN0328, Open Graded Cold Mix Roads]**

**11. Recommendation Concerning Resolution Establishing Authority to Write Off Unpaid Accounts – Janice Kilgore, CEM, Public Safety Director**

**RECOMMENDATION:** That the Board approve the Resolution establishing authority for the Public Safety Director to write off unpaid accounts up to \$1,000 and providing for criteria for the writing off of such accounts.

**COUNTY ADMINISTRATOR'S REPORT**

February 21, 2008

PAGE 7 of 15

**12. Recommendation Concerning Façade Grant Funding and Lien Agreements – 4000 North Palafox Street – Keith Wilkins, NESD Director**

**RECOMMENDATION:** That the Board ratify the following action of the Escambia County Community Redevelopment Agency (CRA) concerning Facade Grant Funding and Lien Agreements at 4000 North Palafox Street:

- A. Approving Commercial Façade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Larry N. Kendrick, owner of commercial property located at 4000 North Palafox Street, Pensacola, Florida, in the Palafox Redevelopment Area, in the amount of \$9,750, representing an in-kind match through the Palafox Tax Increment Financing (TIF), Fund 151 – Cost Center 220517, Object Code 58301, and 2006 Community Development Block Grant (CDBG), Fund 129 - Cost Center 221403, Object Code 58301, for the following improvements: Upgrade front of building with stucco;**
- B. Approving Commercial Façade, Landscape and Infrastructure Grant Program Lien Agreement for the property located at 4000 North Palafox Street, in the amount of \$9,750; and**
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Larry N. Kendrick, and any other related documents necessary to implement this Grant award.**

**13. Recommendation Concerning Ex-Oriskany PCB Artificial Reef Monitoring Project Grant Agreement – Keith Wilkins, NESD Director**

**RECOMMENDATION:** That the Board take the following action concerning the Ex-Oriskany PCB Artificial Reef Monitoring Project Year 3 Grant Agreement with Florida Fish and Wildlife Conservation Commission (FWC) for PCB Artificial Reef Monitoring:

- A. Approve the Grant Agreement between Escambia County Board of County Commissioners and FWC for the Ex-Oriskany PCB Artificial Reef Monitoring Project Year 3 Grant, in the amount of \$40,000, from the date of execution to December 28, 2009; and**
- B. Authorize the Chairman to execute the Agreement and any documents related to acceptance, execution, reporting, and Amendments to this Grant.**

**[Cost Center: TBD; Object Code: 53101]**

**COUNTY ADMINISTRATOR'S REPORT**

**February 21, 2008**

**PAGE 8 of 15**

**14. Recommendation Concerning Façade Grant Funding and Lien Agreements – 923 West Yonge Street – Keith Wilkins, NESD Director**

**RECOMMENDATION: That the Board ratify the following action of the Escambia County Community Redevelopment Agency (CRA) concerning Facade Grant Funding and Lien Agreements at 923 West Yonge Street:**

- A. Approving Commercial Façade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Terry L. Hale, owner of commercial property located at 923 West Yonge Street, Pensacola, Florida, in the Englewood Redevelopment Area, in the amount of \$10,000, representing an in-kind match through the Englewood Tax Increment Financing (TIF), Fund 151 – Cost Center 220520, Object Code 58301, and 2006 Community Development Block Grant (CDBG), Fund 129 - Cost Center 221403, Object Code 58301, for the following improvements: Parking lot improvement;**
- B. Approving Commercial Façade, Landscape and Infrastructure Grant Program Lien Agreement for the property located at 923 West Yonge Street, in the amount of \$10,000; and**
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Terry L. Hale, and any other related documents necessary to implement this Grant award.**

**15. Recommendation Concerning Derelict Vessels – Keith Wilkins, NESD Director**

**RECOMMENDATION: That the Board take the following action regarding revisions to the Florida Boating Improvement Program Grant Agreement, Contract No. 06164 (BCC Approved 6/21/07) with the Florida Fish and Wildlife Conservation Commission for Derelict Vessels:**

- A. Approve the Grant Agreement, providing for an extension to the Grant project completion date from December 31, 2007, to June 30, 2008, and increasing the compensation amount from \$50,000 to an amount not-to-exceed \$104,825; and**
- B. Authorize the Chairman to sign the Agreement and any other documents related to this Grant Agreement.**

**COUNTY ADMINISTRATOR'S REPORT**

**February 21, 2008**

**PAGE 9 of 15**

**16. Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements – 332 Gibbs Road – Keith Wilkins, NESD Director**

**RECOMMENDATION:** That the Board ratify the following action of the Escambia County Community Redevelopment Agency (CRA) concerning Residential Rehab Grant Funding and Lien Agreements at 332 Gibbs Road:

- A. Approving Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Denise O'Dell, owner of residential property located at 332 Gibbs Road, Pensacola, Florida, in the Warrington Redevelopment Area, in the amount of \$1,487.50, representing an in-kind match through Warrington Tax Increment Financing (TIF), Fund 151 - Cost Center 220516, Object Code 58301, for the following improvements: Sanitary sewer connection;**
- B. Approving Residential Rehab Grant Program Lien Agreement for the residential property located at 332 Gibbs Road, in the amount of \$1,487.50; and**
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Denise O'Dell, and any other related documents necessary to implement this Grant award.**

**17. Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements – 419 Baublits Court – Keith Wilkins, NESD Director**

**RECOMMENDATION:** That the Board ratify the following action of the Escambia County Community Redevelopment Agency (CRA) concerning Residential Rehab Grant Funding and Lien Agreements at 419 Baublits Court:

- A. Approving Residential Rehab Grant Program Funding Agreement between Escambia County CRA and James L. Thiesse and Jane E. Thiesse, owners of residential property located at 419 Baublits Court, Pensacola, Florida, in the Warrington Redevelopment Area, in the amount of \$625, representing an in-kind match through Warrington Tax Increment Financing (TIF), Fund 151 - Cost Center 220516, Object Code 58301, for the following improvements: Sanitary sewer connection;**
- B. Approving Residential Rehab Grant Program Lien Agreement for the residential property located at 419 Baublits Court, in the amount of \$625; and**
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and James L. Thiesse and Jane E. Thiesse, and any other related documents necessary to implement this Grant award.**

**COUNTY ADMINISTRATOR'S REPORT**

**February 21, 2008**

**PAGE 10 of 15**

**18. Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements – 1301 Poppy Avenue – Keith Wilkins, NESD Director**

**RECOMMENDATION:** That the Board ratify the following action of the Escambia County Community Redevelopment Agency (CRA) concerning Residential Rehab Grant Funding and Lien Agreements at 1301 Poppy Avenue:

- A. Approving Residential Rehab Grant Program Funding Agreement between Escambia County CRA and Kenneth H. McClure and Karen L. McClure, owners of residential property located at 1301 Poppy Avenue, Pensacola, Florida, in the Barrancas Redevelopment Area, in the amount of \$5,250, representing an in-kind match through Barrancas Tax Increment Financing (TIF), Fund 151 - Cost Center 220519, Object Code 58301, for the following improvements: Install a new roof;**
- B. Approving Residential Rehab Grant Program Lien Agreement for the residential property located at 1301 Poppy Avenue, in the amount of \$5,250; and**
- C. Authorizing the Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Kenneth H. McClure and Karen L. McClure, and any other related documents necessary to implement this Grant award.**

**19. Recommendation Concerning Criminal Justice System Assessment Study for Escambia County – Claudia Simmons, Purchasing Department Chief**

**RECOMMENDATION:** That the Board authorize the County to piggyback off the National Center for State Courts Contract #C06-1355-C01-61 with Okaloosa County, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Applications; Exemptions; and Section 46-64 Board Approval, and award a Purchase Order not-to-exceed \$140,000, for the purpose of completing a Criminal Justice System Assessment Study for Escambia County, with funds available in Cost Center 410507 – Article V Fund.

**COUNTY ADMINISTRATOR'S REPORT**

**February 21, 2008**

**PAGE 11 of 15**

**20. Recommendation Concerning Design-Build Intersection Olive Road and Gregg Road – Claudia Simmons, Purchasing Department Chief**

**RECOMMENDATION: That the Board take the following action concerning the Design-Build Intersection Project at Olive Road and Gregg Road:**

- A. Accept and approve the selection and ranking of the following four firms relating to solicitation PD 07-08.010, “Design Build Intersection Olive Road & Gregg Road”; and**
  - 1. Panhandle Grading & Paving, Inc. / Dyer, Riddle, Mills & Precourt, Inc.;**
  - 2. Roads, Inc., of NWF / Merrill Parker Shaw, Inc.**
  - 3. Chadbourne Construction, LLC / Hatch Mott MacDonald; and**
  - 4. Geci & Associates, Inc. / Gulf Atlantic Constructors, Inc.;**
  
- B. Award a Contract for PD 07-08.010, “Design-Build Intersection Olive Road & Gregg Road”, in a negotiated amount not-to-exceed \$300,000, to Panhandle Grading & Paving, Inc. / Dyer, Riddle, Mills & Precourt, Inc., the number-one-selected Design-Build Team;**
  
- C. Authorize the Escambia County Transportation and Traffic Operations Office to issue a Task Order and Purchase Order to Panhandle Grading & Paving, Inc. / Dyer, Riddle, Mills & Precourt, Inc., to commence the design development for the negotiated amount; and**
  
- D. Authorize the issuance of Purchase Orders(s) in accordance with Chapter 46 of the Escambia County Code of Ordinances. [Funds to be available in Fund 352, Local Option Sales Tax III, Cost Center 210107, Object Code 56301, Project Number 08EN0184 - \$200,000, and Fund 110, “County Incentive Grant”, Cost Center to be determined - \$100,000]**

**21. Recommendation Concerning Sale of Surplus Property Located on Moore Street – Claudia Simmons, Purchasing Department Chief**

**RECOMMENDATION: That the Board approve the sale of surplus real property located on Moore Street, Reference Number 26-5N-31-1101-001-001 for \$1,750, to William Moore. [Sale of this property will provide revenue to the General Fund (001)]**

**COUNTY ADMINISTRATOR'S REPORT**

February 21, 2008

PAGE 12 of 15

**22. Recommendation Concerning Professional Services as Governed by Florida Statute 287.055 (A& E Services) – Claudia Simmons, Purchasing Department Chief**

**RECOMMENDATION:** That the Board take the following action concerning Professional Services as Governed by Florida Statute 287.055 (A& E Services):

- A. Award a Task-Order-based continuing Contract to Hernandez-Calhoun Design International and Alliance Design Group, P.A., per PD 02-03.79, Professional Services as Governed by Florida Statute 287.055 (A&E Services), on a “Maximum Ceiling” basis fee schedule, as follows:
  - 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); and
- B. Authorize the department(s) in conjunction with the Office of Purchasing, to negotiate Task Orders according to Florida Statute 287.055, “Consultants’ Competitive Negotiation Act” (A&E Services), on a project-by-project basis.

**23. Recommendation Concerning Infrastructure Improvements for Olive Road and Cody Lane Intersection – Larry Newsom, Transportation and Traffic Operations Manager**

**RECOMMENDATION:** That the Board take the following action concerning the County Incentive Grant Program Agreement between the State of Florida Department of Transportation and Escambia County toward infrastructure improvements for Olive Road (SR 290) and Cody Lane Intersection:

- A. Approve the Agreement which specifies the State of Florida Department of Transportation will pay one-half the project cost up to \$112,500, and the County will pay the remaining cost estimated to be \$112,500; and
- B. Adopt a Resolution authorizing the Chairman to sign the Agreement.

[Funding Source: Fund 352, LOST III, Project Number 08EN0604, Account Number 210107/56301]

COUNTY ADMINISTRATOR'S REPORT

February 21, 2008

PAGE 13 of 15

24. Recommendation Concerning Roadway Improvements on Sorrento Road and the Bridge From South of Theo Baars Bridge to Blue Angel Parkway – Larry Newsom, Transportation and Traffic Operations Manager

**RECOMMENDATION:** That the Board take the following action concerning the Transportation Regional Incentive Program Agreement between the State of Florida Department of Transportation and Escambia County toward the design of roadway improvements on Sorrento Road (SR 292) and bridge from south of Theo Baars Bridge to Blue Angel Parkway (SR 173):

- A. Approve the Agreement which specifies the State of Florida Department of Transportation will pay one-half the project cost up to \$2,750,000, and the County will pay the remaining cost estimated to be \$2,750,000; and
- B. Adopt a Resolution authorizing the Chairman to sign Agreement.

[Funding Source: Fund 152, "Southwest Sector", Account Code 110269]

25. Recommendation Concerning Road Improvements for Pinestead-Longleaf Drive Corridor Between Pine Forest Road and US 29 – Larry Newsom, Transportation and Traffic Operations Manager

**RECOMMENDATION:** That the Board take the following action concerning the Transportation Regional Incentive Program Agreement between the State of Florida Department of Transportation and Escambia County toward the design of roadway improvements for the Pinestead-Longleaf Drive Corridor between Pine Forest Road (SR 297) and US 29 (SR 95):

- A. Approve the Agreement which specifies the State of Florida Department of Transportation will pay one-half the project cost up to \$819,250, and the County will pay the remaining cost estimated to be \$819,250; and
- B. Adopt a Resolution authorizing the Chairman to sign the Agreement.

[Funding Source: Fund 352, LOST III, Project Number 08EN0078, Account Number 210107/56301]

**COUNTY ADMINISTRATOR'S REPORT**

**February 21, 2008**

**PAGE 14 of 15**

**26. Recommendation Concerning Metro Ethernet LAN Addendum Agreement – Robert Jacobson, Information Resources Director**

**RECOMMENDATION:** That the Board take the following action concerning Metro Ethernet LAN Addendum Agreement from AT&T (formally BellSouth Telecommunications, Inc.) to allow the County to add the Solid Waste Facility located at 13009 Beulah Road, Cantonment, Florida:

- A. Approve the Addendum to the AT&T Metro Ethernet Service Agreement with AT&T to provide the fiber optic service at the Solid Waste Facility. This Addendum waives the Special Construction Charges of \$22,099 and the Contract Preparation Charge of \$910. It also adds a mileage charge of \$370 per month for this location to the Rate Elements of the original Agreement. [Funds are available in the current Budget, General Fund (001), Cost Center 270103, Object Code 54101]; and**
- B. Authorize the Chairman to sign the AT&T Metro Ethernet Service Addendum Agreement.**

**27. Recommendation Concerning Regional Public Safety Training Facility – Willie C. Taylor, Assistant County Administrator**

**RECOMMENDATION:** That the Board take the following action concerning the construction / financing of a Regional Public Safety Training Facility:

- A. Approve and authorize the Chairman to sign the Interlocal Agreement between Escambia County, Florida, the Escambia Sherriff's Office, the District Board of Trustees of Pensacola Junior College, Florida, and the Pensacola Junior College Foundation, Inc.; and**
- B. Approve and authorize the Chairman to sign the Assignment of Agreement Between Escambia County, Florida and DAG Architects, Inc.**

**[County funds totaling \$10,907,469. The breakdown is as follows: (1) \$4.5 Million, LOST II (Residual); (2) \$5.0 Million, LOST III (Sheriff Facilities/Training Complex); (3) \$1.0 Million, LOST II (Fire Services Training Facility); and (4) \$407,469 in General Funds – BCC]**

**COUNTY ADMINISTRATOR'S REPORT**

**February 21, 2008**

**PAGE 15 of 15**

**III. For Discussion**

- 1. Recommendation Concerning Stormwater Management Permit Issued to Roads, Inc., of NWF – Robert R. McLaughlin, Interim County Administrator**

**(BACKUP WILL BE DISTRIBUTED UNDER SEPARATE COVER)**

**COUNTY ATTORNEY'S REPORT**  
**February 21, 2008**

**I. CONSENT AGENDA:**

1. **Carl R. and Sharon Gilbert v. Harry R. McNesby, Sheriff, Charlie Walker, Code Enforcement Supervisor, et al.**  
**Case No. 3:08CV51/MRC/EMT**

**Robert K. and Sharon F. Mandel v. Harry R. McNesby, Sheriff, Charlie Walker, Code Enforcement Supervisor, et al.**  
**Case No. 3:08cv49/RV/MD**

**RECOMMENDATION:**

- A. That the Board approve the attached retainer agreements between James M. Messer and Charles Walker to defend Mr. Walker in his individual capacity in the above pending cases.
- B. That the Board authorize the payment on a monthly basis of the attorney's fees charged by Mr. Messer in the sum of \$145.00 per hour plus the expenses as outlined in the retainer agreement to the extent that the fees and expenses are reasonably charged by Mr. Messer in defending Mr. Walker in the above cases.

2. **Robert K. And Sharon F. Mandel v. Harry R. McNesby, Sheriff, Charlie Walker, Code Enforcement Supervisor, et al.**  
**Case No. 3:08cv49/RV/MD**

**RECOMMENDATION:**

- A. That the Board approve the attached retainer agreement between James M. Messer and Steve Littlejohn to defend Mr. Littlejohn in his individual capacity in the above pending case.
- B. That the Board authorize the payment on a monthly basis of the attorney's fees charged by Mr. Messer in the sum of \$145.00 per hour plus the expenses as outlined in the retainer agreement to the extent that the fees and expenses are reasonably charged by Mr. Messer in defending Mr. Littlejohn in the above case.