

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

CHAMBER RULES

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

PLEASE NOTE THAT ALL BCC MEETINGS ARE RECORDED

AGENDA

Board of County Commissioners
Regular Meeting – January 23, 2007 – 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 – Reverend Dale Patterson, East Brent 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. Commissioners' Forum.

6. Special Recognition.

A. Recommendation: That the Board recognize and present certificates to the following two citizens for their efforts in making Escambia County a better place to live:

(1) Mrs. Dorothy G. Casey, a resident of Escambia County since 1945, for cleaning up litter along County rights-of-way for the past 62 years; and

(2) Mr. Richard W. Freisinger, a resident of Escambia County since 1937, for his efforts in policing litter along the rights-of-way bordering Highway 95A; and

B. Presentation of *State Emergency Response Commission for Hazardous Materials Thomas Yatabe Certificate of Outstanding Achievement* to Mr. John Dosh, Escambia County Emergency Management, in recognition of outstanding achievement in implementation and support of the Emergency Planning and Community Right-to-Know Act.

7. Employee of the Month Proclamations.

Recommendation: That the Board adopt the two Proclamations commending and congratulating the following employees for being selected as Employees of the Month for January 2007:

A. Ms. Rita D. Spencer, Community Confinement Administrator, Community Corrections Department, Community Services and Public Safety Agency; and

B. Mr. Ryan T. Ehlers, Geographic Information System Technician, Office of Geographic Information Systems, Public Works and Land Management Agency.

AGENDA – BOARD OF COUNTY COMMISSIONERS

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8. Written Communication:

- A. December 20, 2006, communication from William E. Bond, Jr., Clark, Partington, Hart, Larry, Bond & Stackhouse, representing The Guarantee Title & Trust Company, requesting that the Board consider Nuisance Abatement Liens (*against property owned by Patricia Bassett, Trustee, 971 Winton Land Trust*) referenced in Escambia County Circuit Court Case No.: 2006 CA 001686, to be satisfied;
- B. January 3, 2007, communication from Ron Truett requesting that the Board consider forgiving an Environmental Code Enforcement Lien against property located at 1688 Callie Bonita, Pensacola Beach, Case No.: 05-10-0050, PR No.: 282826-1400-004-001;
- C. January 4, 2007, communication from Marcella Scapecchi-Matei requesting forgiveness of a Code Enforcement Lien against property located at 933 Sunshine Lane;
- D. January 5, 2007, communication from Kerry Anne Schultz, Esquire, Bordelon & Schultz Law Firm, P.L., representing Darlene Sistrunk, requesting that the Board consider releasing Ms. Sistrunk from the daily fine of \$10, commencing on September 21, 2004, and ending on December 21, 2006, for a total amount of \$8,210, for an Environmental Code Enforcement Lien against property located at 204 New Warrington Road, Case No.: CE 04-03-0292;
- E. December 28, 2006, communication from Richard Stewart, Stewart Acquire Land Title LLLP, requesting that the County waive its right to enter property in Ellyson Industrial Park to mine/recover the County's oil, gas, and mineral interests, and January 8, 2007, e-mail communication from Stephen West, Assistant County Attorney, regarding Mr. Stewart's request; and
- F. January 9, 2007, communication from Ineace Middleton-Matthews requesting that the Board forgive debt accrued (*an Environmental Code Enforcement Lien recorded in Official Records Book 5411, Page 1232*) after she acquired property (*located in the 2000 Block of North "S" Street, by Quit-Claim Deed recorded in Official Records Book 5399, Page 897*).

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 Turnberry Place Area Street Lighting MSBU.**

Recommendation: That the Board, at the 5:31 p.m. Public Hearing, adopt, and authorize the Chairman to sign, the Ordinance creating the Turnberry Place Area Street Lighting Municipal Services Benefit Unit (MSBU), and all related documents, and make the following findings of fact:

- A. Lots in the District are specially benefited since street lighting not only increases the market value of an individual lot in the District, but also increases safety in the District surrounding individual lots and the ability of lot owners to use their individual lots after dark;
- B. The benefit from improved street lighting varies according to the relative size of the affected lots; residential lots benefit from improved street lighting uniformly because of the small variation in size throughout the District;
- C. The non-ad valorem special assessments levied represent a fair and reasonable apportionment of the cost of the special benefit received by each lot and do not represent a fair share of the cost of general governmental service provided to residents in the unincorporated areas of Escambia County; and
- D. Lots which do not receive a special benefit have been and shall be excluded from the non-ad valorem special assessment for street lighting.

11. **5:33 p.m. Public Hearing for consideration of adopting a Resolution amending the Fiscal Year 2006-2007 Budget to include fund balance carry forwards.**

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

- A. Adopt the Resolution approving Supplemental Budget Amendment Number 117, in the amount of \$43,313,947, to recognize certain revenues and adjust fund balance estimates for the following funds, and to appropriate these funds accordingly:

<u>Fund</u>	<u>Number(s)</u>
General Fund	001
Escambia County Restricted Fund	101
Economic Development Fund	102
Mass Transit Fund	104
M&A State Fund	106
Tourist Promotion Fund	108
Other Grants & Projects Fund	110
Misdemeanor Probation Fund	114
Article V Fund	115
Perdido Key Beach Mouse Fund	117
Law Enforcement Trust Fund	121
Escambia Affordable Housing	124
Handicapped Parking Fund	130
Family Mediation Fund	131
Fire Protection Fund	143
E-911 Operations Fund	145
HUD-CDBG Housing Rehab Fund	146
Community Redevelopment Fund	151
Bob Sikes Toll Bridge Fund	167
Transportation Trust Fund	175
MSBU Assessment Program Fund	177
Master Drainage Basin Fund	181
Master Drainage Basin Funds	182-199
Capital Improvement Program Fund	310
FTA-Capital Project Fund	320
New Road Construction Fund	333
Local Option Sales Tax Fund	350
Local Option Sales Tax II Fund	351

(Continued on Page 6)

11. Continued...

A. Continued...

<u>Fund</u>	<u>Number(s)</u>
Local Option Sales Tax III Fund	352
Solid Waste Fund	401
Building Inspections Fund	406
EMS Fund	408
Civic Center Fund	409
Economic Development & Industrial Fund	415

B. Authorize payment to the Emerald Coast Utilities Authority, in an amount not to exceed \$7,000,000, for the County's portion of the cost for relocating the Downtown Wastewater Plant; and

C. Authorize payment prior to January 31, 2007, to the PJC Foundation, in an amount not to exceed \$11,000,000, for the County portion of a Joint Use Training Facility.

12. Reports:

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

13. Items added to the agenda.

14. Announcements.

15. 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
January 23, 2007

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 January 12, 2007, in the amount of \$1,544,332.20; and

B. The following two Disbursement of Funds:

(1) December 28, 2006 to January 3, 2007, in the amount of \$25,281,499.27; and

(2) January 4, 2007, to January 10, 2007, in the amount of \$2,459,284.35.

2. Recommendation Concerning Investment Reports

Recommendation: That the Board accept, for filing with the Board's Minutes, the Investment Reports for the months ended November 30, 2006, and December 31, 2006, 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 Data for November 2006 returns received in the month of December 2006, as prepared by the Clerk's Finance Department.

4. Recommendation Concerning Accounts Receivable Write-Off

Recommendation: That the Board adopt the Resolution authorizing the write-off of \$42,641.50 in returned checks and other accounts receivable in various funds of the County that have been determined to be uncollectible bad debts.

I. CONSENT AGENDA – Continued

5. Recommendation Concerning Internal Audit Report

Recommendation: That the Board accept, for filing with the Board's Minutes, the *Escambia County Parks and Recreation – Equestrian Center Internal Audit Report FYE 2006*, as prepared by Carr, Riggs & Ingram, LLC, and the January 11, 2007, response from Kevin Briski, Director, Parks and Recreation Department, as provided to the Clerk's Finance Department.

6. Recommendation Concerning Acceptance of Documents

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

- A. The *Financial Statements of Escambia-Pensacola Human Relations Commission for the Fiscal Year ended September 30, 2006 and 2005*, as prepared and audited by Brown Thornton ♦ Pacenta & Company, P.A., Certified Public Accountants, Business & Financial Consultants;
- B. The *Financial Statements – Escambia County Housing Finance Authority September 30, 2006 and 2005*, as prepared and audited by Brown Thornton ♦ Pacenta & Company, P.A., Certified Public Accountants, Business & Financial Consultants;
- C. Copies of the Minutes of the Santa Rosa Island Authority Administrative Committee, Architectural and Environmental Committee, Development & Leasing Committee, and Special Board Meetings held December 6, 2006, and the Regular Board Meeting held December 13, 2006;

(Continued on Page 3)

I. CONSENT AGENDA – Continued

6. Continued...

D. The “Commitment Contract” for emergency purchases of goods and services for any existing quotations and agreements and any future additional quotations and agreements that may be required for the procurement of emergency goods and services during declarations of emergencies and the activation of the Emergency Operations Center, with each of the following nine entities, as authorized by Board action on September 7, 2006:

- (1) Roads Inc., of NWF
- (2) Omni Pinnacle LLC
- (3) Gulf Coast Tent Rental
- (4) Kohler Rental Equipment
- (5) Ceres Environmental
- (6) Disaster Services, Inc.
- (7) Thompson Power System
- (8) Phillips & Jordan
- (9) Sunbelt Environmental, Inc.

E. The *Hurricane Housing Recovery Program (HHRP) Agreement for New Housing Development* with each of the following five entities, based on the Board’s action of December 8, 2005, approving to commit HHRP funds to finance performance-based incentives supporting construction of new workforce homes and complementing second mortgage assistance at levels required to ensure that homes are affordable to HHRP-eligible, low- and moderate-income homebuyers:

- (1) GM of Pensacola
- (2) The Haile Company of NW Florida, Inc.
- (3) May’s Construction Company
- (4) TradeWinds Homebuilders, LLC
- (5) Three Angels Apartments, LLC

I. CONSENT AGENDA – Continued

7. Recommendation Concerning Minutes/Reports

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

- A. Approve the Minutes of the Public Forum Work Session and Regular Board Meeting held January 4, 2007; and
- B. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held January 4, 2007.

**COUNTY ADMINISTRATOR'S REPORT
JANUARY 23, 2007**

I. Technical/Public Service Consent Agenda

1. **Recommendation Concerning Extension of SunTrust Lease Agreement No. 2193 – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board review and approve the extension of Lease Agreement No. 2193 between Escambia County and SunTrust Leasing Corporation. This extension will cover a period of ten months, January 28, 2007, to November 28, 2007. This lease extension is necessary to complete all work regarding the Leonard Street Chiller and the Central Energy Plant.

2. **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 four requests as provided by various County Departments for the reasons stated on each, value of which is estimated at over \$5,000 each.

3. **Recommendation Concerning Scheduling a Public Hearing to Vacate Dewey Street – Richard Duane, P.E., County Engineer**

RECOMMENDATION: That the Board schedule a public hearing for February 15, 2007, at 5:32 p.m., to consider the Petition to Vacate Dewey Street (formerly known as John Street and a portion of Davida Street per plat of Weide Subdivision, as recorded in Plat Book 3 at Page 34 of the public records), consisting of 66 feet by approximately 910.51 feet = 60,094 square feet or 1.37 acres, as petitioned by Floral Property III, LLC, Floral Property IV, LLC, and Clyde H. and Pauline J. Pearson

COUNTY ADMINISTRATOR'S REPORT

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4. Recommendation Concerning Acceptance of Road Right-of-Way – Enterprise Drive – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board take the following action concerning the donation of two parcels of property for a 60-foot by approximately 662-foot (39,720 square feet or 0.91 acres) road right-of-way, for the northerly extension of Enterprise Drive, owned by Marcus Pointe Associates, LLC, and Bear Marcus Pointe, LLC. The Grantors will be responsible for all expenses associated with this acquisition, which includes the recording of documents and payment of documentary stamps:

- A. Authorize the Chairman or Vice Chairman to accept the Deeds as of the day of delivery of the Deeds to the Chairman or Vice Chairman, and authorize the Chairman or Vice Chairman to acknowledge the Board's acceptance at that time;**
- B. Authorize staff to negotiate and resolve any matters related to, or associated with the acquisition of this property, gather information and conduct inspections as needed, to allow the Board's acceptance of the real property;**
- C. Accept the road paving and drainage improvements for permanent County maintenance; and**
- D. Authorize the Chairman or Vice Chairman to execute the Two-Year Warranty Agreement for Streets and Drainage Improvements Without Surety/Financial Security.**

5. Recommendation Concerning Family Conveyance in the Land Development Code – Peter Alluoto, Planning and Zoning Director

RECOMMENDATION: That the Board rescind its action of January 4, 2007, scheduling a public hearing for March 1, 2007, at 5:50 p.m., concerning Family Conveyance in the Escambia County Land Development Code, Articles 3, 4, and 6.

6. Recommendation Concerning Short-Term License Agreement with International Paper Company – Sandra P. Jennings, E.I., DSWM Director

RECOMMENDATION: That the Board take the following action concerning a Short-Term License Agreement between Escambia County and International Paper Company, for the purpose of conducting environmental testing, as described in Exhibit B:

- A. Approve the License Agreement between Escambia County and the International Paper Company; and**
- B. Authorize the Chairman to sign the Agreement.**

II. Budget/Finance Consent Agenda

1. **Recommendation Concerning Grant Application for Fiscal Year 2007, Section 5311 Funding, Federal Transit Administration – Dawn Groters, ECAT General Manager / Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board take the following action concerning the Fiscal Year 2007 Federal Transit Administration (FTA) 5311 Grant Application:

- A. Approve the Grant Application for up to \$233,571 in FTA Section 5311 funding, to be used by Escambia County Area Transit (ECAT) and the Community Transportation Coordinator (CTC) in providing enhanced services to citizens in the non-urbanized area of Escambia County;
 - B. Adopt the authorizing Resolution;
 - C. Authorize the Chairman to execute the required authorizing Resolution, and to sign all required Grant Application documents; and
 - D. Authorize the ECAT General Manager to file the appropriate invoices and Project Reports to draw funds for this project.
2. **Recommendation Concerning Supplemental Budget Amendment #102 – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #102, Transportation Trust Fund (175), in the amount of \$7,057, to recognize funds from Shoreline Enterprises USA, Inc., provided for the County Engineering Department, and to appropriate these funds for the creation of a “Shoreline Truck Plaza” right-turn lane on Quintette Road.

3. **Recommendation Concerning Supplemental Budget Amendment #103 – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #103, Other Grants and Projects Fund (110), in the amount of \$30,000, to recognize Grant funds provided for the County Marine Resources Division from the Florida Fish and Wildlife Conservation Commission, and to appropriate these funds for establishing and maintaining Vessel Safety and Restriction Zones signs in Escambia County.

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4. Recommendation Concerning Supplemental Budget Amendment #106 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #106, Other Grants & Projects (110), in the amount of \$500,000, to recognize a defense infrastructure Grant from Enterprise Florida, Inc., and to appropriate these funds to purchase land to minimize encroachment to the Naval Air Station.

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

RECOMMENDATION: That the Board approve Budget Amendment #107, Other Grants & Projects (110), in the amount of \$27,989, to provide funds for a part-time Water Quality Scientist.

6. 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, Other Grants & Projects (110) and General Fund (001), in the amount of \$50,695, to recognize a Grant from the Department of Community Affairs and to appropriate these funds for domestic security activities and for costs of administering the Grant.

7. Recommendation Concerning Supplemental Budget Amendment #111 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #111, Other Grants and Projects Fund (110), in the amount of \$119,084, to recognize Grant funds provided for the Escambia County Sheriff's Department from the United States Department of Justice, and to appropriate these funds for increased law enforcement initiatives in Escambia County.

8. Recommendation Concerning Supplemental Budget Amendment #112 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #112, Other Grants and Projects Fund (110), in the amount of \$80,572, to recognize Grant funds provided for the Escambia County Sheriff's Department from the United States Department of Justice, and to appropriate these funds for increased law enforcement initiatives in Escambia County.

9. Recommendation Concerning Budget Amendment #113 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board approve Budget Amendment #113, Other Grants and Projects Fund (110), in the amount of \$3,000, to reallocate funds awarded from the Environmental Protection Agency, Palafox Corridor/Brownfield Redevelopment Pilot Grant, to provide funding for the existing student assistant position through the end of the Fiscal Year 2007.

10. Recommendation Concerning Miscellaneous Appropriations Agreement for Sertoma's Fourth of July – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning the Fiscal Year 2006/2007 Miscellaneous Appropriations Agreement for Sertoma's Fourth of July:

- A. Approve the Miscellaneous Appropriations Agreement for \$25,000, to be paid from the General Fund 001, Cost Center 110201, Account 58211;
- B. Authorize the Chairman to sign the Agreement and all other necessary documents; and
- C. Authorize the execution of the necessary Purchase Order.

11. Recommendation Concerning Miscellaneous Appropriations Agreement for Pensacola Sports Association, Inc. – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning the Fiscal Year 2006/2007 Miscellaneous Appropriations Agreement for Pensacola Sports Association, Inc.:

- A. Approve the Miscellaneous Appropriations Agreement in the amount of \$25,000, to be paid from the 3rd Cent Tourist Development Tax, Fund 108, Cost Center 360101;
- B. Authorize the Chairman to sign the Agreement and all other necessary documents; and
- C. Authorize the execution of the necessary Purchase Order.

COUNTY ADMINISTRATOR'S REPORT

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12. Recommendation Concerning Sixth Amendment to the Lease for Worthless Check Diversion – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board approve the Sixth Amendment to the Worthless Check Diversion lease at Town and Country Plaza, for 3,012 square feet of space, extending the term from February 1, 2007, to February 28, 2007, at a rate of \$2,339.17 per month, for lease of Suite 160, with Merchant Square Shopping Center L.L.C.

13. Recommendation Concerning Contract for Emergency Medical Services – Atmore Ambulance, Inc. – Janice Kilgore, CEM, Public Safety Director

RECOMMENDATION: That the Board take the following action concerning the Contract for Emergency Medical Services between Escambia County, Florida, and Atmore Ambulance, Inc., approved by the Board on January 8, 2004, for services provided for that portion of Northwest Florida served by the Davisville and Walnut Hill telephone exchanges:

- A. Approve the “Amendment and Extension of Contract” to amend insurance coverages language required by the Escambia County Risk Management Office and extend the provision of services for a one-year period, to expire February 3, 2008, at a cost of \$75,000; and
- B. Authorize the Chairman to sign the “Amendment and Extension of Contract.”

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

14. Recommendation Concerning Infrastructure Grant Agreement from Enterprise Florida, Inc., for Area A Density Reduction – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board take the following action regarding a \$500,000 Grant from Enterprise Florida, Inc., for the Area A Density Reduction Project:

- A. Ratify the Chairman’s signature executing the 2005-2006 Defense Infrastructure Grant Application Form on July 5, 2005;
- B. Approve the Infrastructure Grant Agreement, Contract #: DIG-07-11, with Enterprise Florida, Inc., effective December 8, 2006; and
- C. Authorize the Chairman to sign the Infrastructure Grant Agreement and any subsequent Grant-related documents.

15. **Recommendation Concerning Florida Boating Improvement Program Tier 1 Grant for Vessel Safety Restriction Zones – Keith Wilkins, NESD Director**

RECOMMENDATION: That the Board take the following action concerning the Florida Boating Improvement Program (FBIP) Grant Agreement with the Florida Fish and Wildlife Conservation Commission (FWC) for Vessel Safety Restriction Zones:

- A. Approve the Grant Agreement between Escambia County Board of County Commissioners and FWC for the FBIP Tier 1 Grant in the amount of \$30,000 for Vessel Safety Restriction Zones; and
- B. Authorize the Chairman to execute the Agreement and any documents related to acceptance, execution, reporting, and amendments to this Grant.

16. **Recommendation Concerning Purchase of Real Property Located on Rolling Hills Road – Kevin Briski, Parks and Recreation Director**

RECOMMENDATION: That the Board take the following action regarding the purchase of real property located on Rolling Hills Road (Account 031202300, Property Reference 26-1S-30-5105-005-003):

- A. Approve the purchase price of \$15,800, substantiated by the appraisal, per the checklist for acquisition of real property (Cost Center 350213, Project Number 05PR0189 Land Acquisition, Account Code 56101);
- B. Authorize the payment of incidental closing costs to include documentary stamp tax, title insurance and title search fees (same cost center provided); and
- C. Authorize the County Attorney to prepare and the Chairman or Vice Chairman to execute any necessary documents to effectuate the purchase of the property without further action of the Board.

17. **Recommendation Concerning Purchase of Slope Mower Tractor for the Road Department – Claudia Simmons, Purchasing Department Chief**

RECOMMENDATION: That the Board award a Contract for "Purchase of Slope Mower Tractor", PD 06-07.016, to Menzi USA Sales, Inc., to purchase two slope mower tractors for the Road Department, for a total of \$183,054.16, in accordance with the terms and conditions of the solicitation, with funding available from Fund 175 (Transportation Trust Fund), Cost Center 260205.

18. Recommendation Concerning Auction Services for Surplus Road Department Trucks – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board award a Contract for “Auction Services for Surplus Road Department Trucks”, PD 06-07.014, to Ritchie Bros. Auctioneers (America), Inc., for a guaranteed gross sales amount of \$4,383,000 with a charge of \$42,600 for transportation fees. The auction company will receive a 7% commission on all gross sales, for auctioning the surplus vehicles from the Road Department, in accordance with the terms and conditions of the solicitation.

19. Recommendation Concerning Jackson Lakes Stormwater Diversion Project – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board take the following action concerning the Jackson Lakes Stormwater Diversion Project:

- A. Approve transferring funds, in the amount of \$752,926, from Drainage, Fund 351, “Local Option Sales Tax Extension”, Account 210105/56301, Project Number 05EN1128 to Jackson Lakes, Fund 351, “Local Option Sales Tax Extension”, Account 210105/56301, Project Number 05EN0052. Additionally, there is \$444,440 available in Fund 110, Account 210315/56301, from a Florida Department of Environmental Protection Stormwater Retrofitting Grant; and
- B. Award an Indefinite Quantity, Indefinite Delivery Contract for PD 06-07.011, Jackson Lakes Stormwater Diversion Project, to Aero-Training & Rental, Inc., for a total bid in the amount of \$1,147,365.50.

20. Recommendation Concerning Contract Extension for General Paving and Drainage Contract – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board take the following action concerning a Contract extension for the General Paving and Drainage Pricing Agreement:

- A. Extend (Final Extension) the Contract Terms and Conditions relating to PD 04-05.10, “General Paving and Drainage Pricing Agreement”, for a period of 12 months, having an effective date of February 16, 2007, and an expiration date of February 15, 2008, as mutually agreeable with the County and all authorized parties listed herein;
 - 1. Advance Construction Services, Inc., of Alabama;
 - 2. APAC-Southeast, Inc.;
 - 3. Gulf Atlantic Constructors, Inc.;

COUNTY ADMINISTRATOR'S REPORT

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4. Panhandle Grading & Paving, Inc.;
 5. Roads, Inc., of NWF; and
 6. Utility Service Co., Inc.; and

 - B. Extend the approval of the Contract for use on various related projects throughout the County, utilizing the most current Bid Form pricing and/or the Balance-of-Line provision contained within the Special Terms and Conditions as the methodology for determining project low bid;

 - C. Continue to authorize all Board Departments to utilize the Contract provisions for County projects; and

 - D. Authorize the issuance of Purchase Orders(s) (Blanket or Individual) in accordance with Chapter 46 of the Escambia County Code of Ordinances. Funding to be available as indicated by requesting departments.
21. Recommendation Concerning Tampico Drainage Project – Richard Duane, P.E., County Engineer

(BACKUP TO BE DISTRIBUTED UNDER SEPARATE COVER)

COUNTY ATTORNEY'S REPORT
January 23, 2007

I. Discussion Agenda:

1. Settlement of Workers' Compensation Lien in Clinton Powell vs. Escambia County, Florida

RECOMMENDATION:

That the Board accept a settlement offer from employee Clinton Powell that would pay Escambia County \$3,359.77 in settlement of a workers' compensation lien.

**2. Settlement of Workers' Compensation Lien in David Kauble vs. Escambia County, Florida
00-1462-CA-01**

RECOMMENDATION:

That the Board reject a settlement offer from Escambia County Sheriff's Department employee David Kauble that would pay Escambia County \$3,500.00 in settlement of a workers' compensation lien.

3. Sale of Lots 1, 2, 3, 4, 13, 14, 15 and 16 in Central Commerce Park to CHACAO Properties, LLC

RECOMMENDATION:

That the Board find that CHACAO Properties, LLC (CHACAO) is in material default of the terms of the bid award and Agreement for Sale and Purchase and direct the County Attorney to notify CHACAO of such default and advise CHACAO that its deposit will be forfeited and the award cancelled unless the closing documents are signed and the amount due is paid to the County within ten days of the receipt of the notice of default.

4. Letter from Clerk of the Circuit Court to Commissioner White Regarding the Sale of County Surplus Property Located at 7501 Jamesville Road, Account No. 090795300

RECOMMENDATION:

That the Board accept the attached response to the Clerk of the Circuit Court's letter dated January 8, 2007 concerning the purchase of property at

7501 Jamesville Road and authorize the County Attorney's Office to work with the County Ethics Officer in matters relating to the purchase of real property and tangible personal property from the County.

5. Sale of Surplus Property;7501 Jamesville Road

RECOMMENDATION:

That the Board consider the attached Recommendation concerning the surplus and sale of real property located at 7501 Jamesville Road.

6. Settlement of Attorney's Fees and Costs in *Lonnie Price v. Escambia County, Florida*

RECOMMENDATION:

That the Board approve a settlement of attorneys fees and costs in the amount of \$38,000.00 to attorney Rhett Smith, Esq., for securing permanent total disability benefits after a contested workers compensation hearing.

II. Information Agenda:

1. Pensacola Habitat Humanity, Inc. v. Escambia County/Case No. 2004-CA-001700

RECOMMENDATION:

That the Board accept the attached Order issued by Circuit Court Judge Michael Jones dated December 27, 2006, denying Habitat's Petition for Writ of Certiorari, thereby upholding the Board's decision of August 5, 2004 to reject the Rezoning Hearing Examiner's recommendation and to deny Habitat's application to rezone.