

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 – June 1, 2006 – 5:30 p.m.
Courthouse – Third Floor

1. Call to Order.

(PLEASE TURN YOUR CELL PHONE OFF)

2. Invocation – Reverend Greg Lancaster, Greg Lancaster Ministries.
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 – None.
6. Employee of the Month Proclamations/Special Recognition.
 - A. Recommendation: That the Board adopt the two Proclamations commending and congratulating the following employees for being selected as Employees of the Month for June 2006:
 - (1) Ms. Donna D. Leigh, Administrative Assistant, Administrative Division, Public Safety Department, Community Services and Public Safety Agency; and
 - (2) Ms. Tracye D. Westerfield, Conservation Aide, Soil and Water Conservation Division, Neighborhood and Environmental Services Department, Public Works and Land Management Agency; and
 - B. Recommendation: That the Board recognize, with a pin and certificate, Monty W. Musser, Fuel Distributor Supervisor, Fleet Maintenance Division, Road Department, for 25 years of dedicated service to the County.

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7. Written Communication:

- A. May 18, 2006, email communication from Brian W. Hoffman, Esquire, on behalf of Belinda E. Peutz & Associates, Inc., requesting that the County consider waiving its right to repurchase property located at 7794 Grow Drive, Ellyson Industrial Park, since the conditions imposed on the buyer at the sale of the property to commence construction of a building and make related improvements have been met; and
- B. May 18, 2006, communication from Selena V. Meardy concerning a Code Enforcement lien, in the amount of \$1,100, against her property located at 5509 Essex Road.

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 adopting an Ordinance creating the Grand Cedars Reserve 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 Grand Cedars Reserve 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.

10. **5:32 p.m. Public Hearing for consideration of adopting an Ordinance creating the Heron Bayou Area Street Lighting MSBU.**

Recommendation: That the Board, at the 5:32 p.m. Public Hearing, adopt, and authorize the Chairman to sign, the Ordinance creating the Heron Bayou 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 an Ordinance creating the High Springs Area Street Lighting MSBU.**

Recommendation: That the Board, at the 5:33 p.m. Public Hearing, adopt, and authorize the Chairman to sign, the Ordinance creating the High Springs 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.

12. **5:34 p.m. Public Hearing for consideration of adopting an Ordinance creating the Oakhills Estates Area Street Lighting MSBU.**

Recommendation: That the Board, at the 5:34 p.m. Public Hearing, adopt, and authorize the Chairman to sign, the Ordinance creating the Oakhills Estates 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.

13. **5:35 p.m. Public Hearing for consideration of adopting an Ordinance creating the Twin Pines, Phase I, Area Street Lighting MSBU.**

Recommendation: That the Board, at the 5:35 p.m. Public Hearing, adopt, and authorize the Chairman to sign, the Ordinance creating the Twin Pines, Phase I, 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.

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14. **5:36 p.m. Public Hearing for consideration of adopting an Ordinance amending the Pedestrian Safety Ordinance.**

Recommendation: That the Board, at the 5:36 p.m. Public Hearing, adopt an Ordinance amending Volume I, Chapter 94, Article III, Section 94-132, of the Escambia County Code of Ordinances, the Pedestrian Safety Ordinance.

15. **5:44 p.m. Hearing for consideration of an appeal of the Competency Board's decision against Mark Clyde Higdon.**

Recommendation: That the Board ratify the scheduling of a Hearing for June 1, 2006, at 5:44 p.m., to consider an appeal of the Escambia County Contractor Competency Board's May 3, 2006, decision to impose a \$13,550 fine and the five-year revocation of Mark Clyde Higdon's Specialty Structure Contractor's license.

16. Committee of the Whole Recommendation(s).

Recommendation: The Committee of the Whole (C/W) recommends the Board, relative to Item 4 of the May 16, 2006, C/W Agenda, authorize staff to explore, and provide additional information concerning, the proposal from the Creek Indian Tribe (*Perdido Bay Tribe of Southeastern Lower Muscogee Creek Indians, Inc.*) that approximately two acres of property at the Bill Dickson Park/Bayou Grande Park be designated for construction of a building to house artifacts and preserve Creek Indian History.

17. Reports:

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

18. Items added to the agenda.

19. Announcements.

20. Adjournment.

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

REPORT OF CLERK OF THE CIRCUIT COURT & COMPTROLLER
June 1, 2006

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 May 19, 2006, in the amount of \$1,898,130.84; and

B. The following two Disbursement of Funds:

(1) May 11, 2006, to May 17, 2006, in the amount of \$8,941,362.95; and

(2) May 18, 2006, to May 24, 2006, in the amount of \$3,331,568.02.

2. Recommendation Concerning Public Official Bond

Recommendation: That the Board accept, for filing with the Board's Minutes, a copy of the May 19, 2006, letter from George Touart, County Administrator, to the Florida Department of State, Division of Elections, Commission Issuance Section, transmitting a letter dated May 4, 2006, from Carol A. Cooper, Fisher-Brown Incorporated, and the Rider amending the Number of Commissioner Kevin W. White's Public Official Bond from Number POB8526360 to Number POB8783260.

3. Recommendation Concerning Acceptance of SRIA Minutes

Recommendation: That the Board accept, for filing with the Board's Minutes, the Minutes of the April 5, 2006, Regular Meeting and the April 12, 2006, Special Meeting of the Santa Rosa Island Authority, as received in the Clerk to the Board's Office on May 22, 2006.

REPORT OF CLERK OF THE CIRCUIT COURT & COMPTROLLER

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I. CONSENT AGENDA – Continued

4. 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 May 18, 2006;
- B. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held May 18, 2006; and
- C. Accept, for filing with the Board's Minutes, the Report of the Committee of the Whole Workshop held May 16, 2006.

GROWTH MANAGEMENT REPORT

June 1, 2006

I. PUBLIC HEARINGS

1. Review of Rezoning Cases heard by the Rezoning Hearing Examiner on April 24, and April 25, 2006 and one continued case from the March 27, 2006 RHE.

RECOMMENDATION: That the Board take the following actions:

- A. Review and either adopt, modify, or overturn the Rezoning Hearing Examiner's recommendation for rezoning cases Z-2003-28, Z-2006-25, Z-2006-27, and Z-2006-29 (heard at the March 27, 2006 RHE), Z-2006-31 through Z-2006-35 or remand the cases back to the RHE; and
- B. Authorize the Chairman to sign the Orders of the Escambia County Board of County Commissioners for the rezoning cases that were reviewed.

Case No.:	Z-2003-28
Location:	9610 Chemstrand Road (Remanded from the BCC on September 22, 2005)
Property Reference No.:	07-1S-30-2102-001-003
Property Size:	0.75 (+/-) acres
From:	R-2, Single-Family District (cumulative), Low-Medium Density (7du/acre)
To:	R-6, Neighborhood Commercial and Residential District (cumulative), High Density (25 du/acre)
FLU Category:	C, Commercial
Commissioner District:	5
Requested by:	Billy E. and Helen F. Grantham, Owners
RHE Recommendation:	Approval
Staff Recommendation:	Denial
Speakers:	Ms. Stopp, Agent Alison Rogers, Presentation Karen Thompson Tom Parker Richard Duane Barbara England Helen Grantham Richard Dunlap Jarrett Stricker Gregg Beck Mary E. Smith

Jan Beck
Gaynell Fletcher-McNabb
Walter E. Phillips

Case No.: **Z-2006-25**
Location: 5340 Pale Moon Drive
Property Reference No.: 10-3S-32-1001-000-000 &
10-3S-32-1002-000-000
Property Size: 4.79 (+/-) acres
From: SDD, Special Development District (3
du/acre) and R-1, Single-Family District,
Low Density (4 du/acre)
To: R-3, One Family and Two Family District
(cumulative) medium density (10 du/acre)
FLU Category: MU-3 Mixed Use Area 3
Commissioner District: 1
Requested by: Wiley C. "Buddy" Page, Agent for Pale
Moon Estates, LLC, Owners
RHE Recommendation: **Denial**
Staff Recommendation: **Denial**
Speakers: **Wiley C. "Buddy" Page, Agent**
Tim Lampkin, Presentation
Jerry McGuire
Richard Duane
Tom Gilliam
Sava Varazo
Charles Minerman
Diane Bender
Ron Zimmerman
Cheryl Amyx
Sean Beebe
Ronald Waggoner
William Henderson
Tom Mitchell
Kenneth Hayes
Kimberly Hayes
Margaret Ruppert
James Von Lorenz
Ed Shinstine
D.W. Lacey
Mary Satterfield
Drenna Gohn
John Willis
Robert Bennett
John McCormick
Margaret Marshall
Jerry Pascal

**Linda Rains
Mark Schwan
Ronald Moore
Nathan Bradford Queen
Sarah Moore
John Cain
John Sponheimer
Deborah Sponheimer**

Case No.: Z-2006- 27
Location: 1351 Hwy 97 South
Property Reference No.: 22-1N-31-1303-000-000
Property Size: 18.93 (+/-) acres
From: VAG-2, Villages Agriculture Districts
(1 du/per five acres)
To: V-2, Villages Single-Family Residential
District (2 du/acre)
FLU Category: MU-6, Mixed Use 6 Area 4
Commissioner District: 5
Requested by: Wiley C. "Buddy" Page, Agent for Jarrett
Jackson, Owners
RHE Recommendation: Approval
Staff Recommendation: Approval
Speakers: Tim Lampkin, Presentation
Jarrett Jackson

Case No.: Z-2006-29
Location: 2401 Highway 97 North
Property Reference No.: 13-3N-32-2000-001-003
Property Size: 354.28 (+/-) acres
From: VAG-1, Villages Agriculture Districts
(5du/100 acres on one-acre parcels)
To: VAG-2, Villages Agriculture Districts
(1 du/5 acres)
FLU Category: AG, Agriculture
Commissioner District: 5
Requested by: Hatch Mott MacDonald, Agent for Shawn
Latham, Owner
RHE Recommendation: Approval
Staff Recommendation: Approval
Speakers: Jesse W. Rigby, Agent
Tim Lampkin, Presentation
Wayne Newsome
Rusty Tannon
Mick J. Breault
James Solchenberger

Case No.: **Z-2006- 31**
Location: 8211 Lawton Street
Property Reference No.: 17-1S-30-2101-000-050
Property Size: 1.03 (+/-) acres
From: R-5, Urban Residential/Limited Office District, (cumulative) High Density (20 du/acre)
To: C-1, Retail Commercial District (cumulative) (25 du/acre)
FLU Category: MU-1, Mixed Use 1
Commissioner District: 4
Requested by: Wiley C. "Buddy" Page, Agent for Stonebraker Group, LLC., Owners
RHE Recommendation: Denial
Staff Recommendation: Approval
Speakers: Tim Lampkin, Presentation
Felton Petty
Oma J. Petty
Hiram S. Petty
Jewel G. Petty
Albert Paul
Scott J. Stonebraker

Case No.: **Z-2006- 32**
Location: 13572 Perdido Key Drive
Property Reference No.: 26-3S-32-4300-000-002
Property Size: 0.17 (+/-) acres
From: R-2PK, Residential District (Perdido Key), Medium Density, (4.5 du/acre)
To: C-1PK, (Perdido Key) Commercial District, (3du/acre)
FLU Category: MU-4, Mixed Use 4
Commissioner District: 2
Requested by: Wiley C. "Buddy" Page, Agent for Robert K. & Mary P. Thompson
RHE Recommendation: Approval
Staff Recommendation: Approval
Speakers: Karen Thompson, Presentation

Case No.: **Z-2006- 33**
Location: 5989 North Blue Angel Pkwy.
Property Reference No.: 02-2S-31-3000-008-004
Property Size: 2.37 (+/-) acres
From: R-R, Rural Residential District (cumulative), Low Density (2 du/acre) and R-6, Neighborhood Commercial and Residential District (cumulative),

To: High Density (25 du/acre); AIPD-2
Airfield Influence Planning District
Overlay
AMU-2, Airfield Mixed Use 2 District,
(cumulative to AMU-1 only) (3 du/acre)

FLU Category: C, Commercial
Commissioner District: 1
Requested by: Robert A. Emmanuel, P.A., Agent
for Skipper Investments, Inc., Owners

RHE Recommendation: Approval
Staff Recommendation: Approval of portion zoned R-6
Denial of portion zoned R-R

Speakers: Tim Lampkin, Presentation
Guy H. Skipper, Jr.
Greg Southgate
Commander Michael A. Holener

Case No.: Z-2006- 34
Location: 450 East Corday Street (off Rawson Lane)
Property Reference No.: 48-1S-30-3119-000-001 &
48-1S-31-3112-000-000
Property Size: 1.62 (+/-) acres
From: R-6, Neighborhood Commercial and
Residential District (cumulative), High Density
(25 du/acre)
To: C-1, Retail Commercial District
(cumulative) (25 du/acre)
FLU Category: MU-1, Mixed Use 1
Commissioner District: 3
Requested by: Jerri Smith, Agent for Southern Comfort
Travel Inc., Owner

RHE Recommendation: Approval
Staff Recommendation: Approval
Speakers: Tim Lampkin, Presentation
Narendra Patel

Case No.: Z-2006- 35
Location: 5900 Frank Reeder Road
Property Reference No.: 34-1N-31-1301-000-000
Property Size: 21.70 (+/-) acres
From: VAG-2, Villages Agriculture Districts (1
du/5 acres); min. lot size is 5 acres unless
clustered, if clustered min. lot size is 1
acre) with an AIPD-1, Overlay
To: V-2A, Villages Single-Family Residential
District (3 du/acre) with an AIPD-1 & AIPD-2
Overlay District

FLU Category: AG, Agricultural and AA-17, Activity Area 17
Commissioner District: 5
Requested by: Jesse W. Rigby, Esq., Agent for Oliver
S. Jr. and Gwen F. Webb, Owners

RHE Recommendation: Approval
Staff Recommendation: Approval
Speakers: Tim Lampkin, Presentation
Karen Thompson
Commander Michael Holdener

2. **5:45 p.m. – Thursday, June 1, 2006 Public Hearing** – Amendment to the Official Zoning Map.

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 April 24th and April 25th of 2006 and case Z-2006-29 that was heard by the Rezoning Hearing Examiner on March 27, 2006, 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, June 1, 2006 Public Hearing** – SSA 2006-03, Bauer Road

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 2006-03), to the Year 2020 Future Land Use Map, as amended, and as requested by Wiley C. "Buddy" Page, MPA., APA., Agent for Howard C. Sandusky, Owner, changing the Future Land Use of .25 +/- acres located at 5731 Bauer Road, from Residential (R) to Commercial (C); providing for a title, a copy on file; severability; and an effective date.

4. **5:47 p.m. – Thursday, June 1, 2006 Public Hearing** – Comprehensive Plan Amendment (CPA) 2006-02

RECOMMENDATION: That the Board conduct a transmittal public hearing (the first of two required public hearings) to review and approve for transmittal to the Department of Community Affairs (DCA) as the second amendment package for the Year 2006 (Comprehensive Plan Amendment 2006-02) a draft ordinance of Escambia County, Florida, amending Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended amending Chapter 7, "The Future Land Use Element", as authorized by Section 7.06; providing for an amendment to the Year 2020 Escambia County Future Land Use (FLU) Map, as amended; changing the FLU Category of 777.43 +/- acres in Section 30, Township 1 North, Range 31 West, Parcel Number 3302-000-000; Section 35, Township 1 North, Range 31 West, Parcel Number 1101-

000-002, and section 31, Township 1 North, Range 31 West, Parcel Number 2101-000-000 located between Devine Farm Rd on the south and West Kingsfield Rd on the north, west of Highway 97, from AG, Agriculture and MU-6, Mixed Use –6 to R, Residential; providing for a title, providing for a copy on file, providing for severability, and providing for an effective date.

II. ACTION ITEM:

1. **Thursday, June 1, 2006** – FY 04/05 Comprehensive Plan Implementation Annual Report.

Recommendation: That the Board accept, for filing with the Board's minutes, the FY 04/05 Comprehensive Plan Implementation Annual Report.

III. CONSENT AGENDA:

1. Scheduling of Public Hearings

- A. **5:45 p.m. – Thursday, July 20, 2006** – A public hearing to amend the Official Zoning Map to include the following Rezoning Cases heard by the Rezoning Hearing Examiner (RHE) on May 22, 2006 and approved by the Board during the previous agenda item:

Case No.:	Z-2006-36
Location:	7611 Charity Drive
Property Reference No.:	21-1S-30-1101-010-035
Property Size:	0.51 (+/-) acres
From:	R-5, Urban Residential/Limited Office District (cumulative), High Density (20du/acre)
To:	C-2, General Commercial and Light Manufacturing District, (cumulative) (25du/acre)
FLU Category:	C, Commercial
Commissioner District:	3
Requested by:	James A. Baker, Owner

Case No.:	Z-2006-37
Location:	3080 West Michigan Ave
Property Reference No.:	42-1S-30-2201-005-010
Property Size:	0.59 (+/-) acres
From:	C-1, Retail Commercial District (cumulative) (25du/acre)
To:	C-2, General Commercial and Light Manufacturing District, (cumulative) (25du/acre)
FLU Category:	C, Commercial
Commissioner District:	1

Requested by: Wiley C. "Buddy" Page, Agent for David Tau,
Owner

Case No.: **Z-2006-38**
Location: 5870 Frank Reeder Road
Property Reference No.: 34-1N-31-1301-000-001
Property Size: 26.85 (+/-) acres
From: VAG-2, Villages Agriculture Districts (1
du/acre; min. lot size is 5 acres unless
clustered, if clustered min. lot size is 1
acre) with an AIPD-1 & AIPD-2 Overlay
To: V-2A, Villages Single-Family Residential
District (3 du/acre) with an AIPD-1 & AIPD-2
Overlay
FLU Category: AG, Agricultural and AA-17, Activity Area 17
Commissioner District: 1
Requested by: Jesse W. Rigby, Esq., Agent for Thomas E.
Jordan Owner

Case No.: **Z-2006-40**
Location: Long Leaf Drive (corner of Kemp Rd)
Property Reference No.: 41-1S-30-1000-000-000 (Portion zoned R-2)
Property Size: 29.63 (+/-) acres (portion zoned R-2)
From: R-2, Single-Family District (cumulative),
Low- Medium Density (7du/acre)
To: C-2, General Commercial and Light
Manufacturing District, (cumulative) 25du/acre)
FLU Category: MU-1, Mixed Use 1
Commissioner District: 1
Requested by: Emmanuel Sheppard & Condon, Agent
for Trilogy Corp. Of NWFL, Inc.

Case No.: **Z-2006-41**
Location: 6905 & 6909 Mobile Hwy
Property Reference No.: 26-1S-31-1402-002-002 & 26-1S-31-1402-003-
002
Property Size: 2.03(+/-) acres
From: R-R, Rural Residential District
(cumulative) (2du/acre)
To: R-6, Neighborhood Commercial and
Residential District (cumulative) (25du/
acre), High Density
FLU Category: LDR, Low Density Residential
Commissioner District: 1
Requested by: Wiley C. "Buddy" Page, Agent for Joe C. &
Betty J. Reynolds

Case No.: **Z-2006-42**
Location: 9325 Ashland Ave
Property Reference No.: 12-1S-31-1100-010-001
Property Size: 13.16 (+/-) acres
From: ID-1, Light Industrial District,
(cumulative) (no residential uses
allowed)
To: C-2, General Commercial and Light
Manufacturing District, (cumulative)
(25du/acre)
FLU Category: MU-1, Mixed Use 1
Commissioner District: 5
Requested by: Wiley C. "Buddy" Page, Agent for Nine Mile
Road of Pensacola, LLC

Case No.: **Z-2006-43**
Location: 10490 Betmark Road
Property Reference No.: 22-1N-30-3403-000-001(The Northern 355.89'
& eastern 334.54')
Property Size: 2.72 (+/-) acres
From: VR-2, Villages Rural Residential
District (1 du/0.75 acre)
To: V-3, Villages single-family residential
Gross density (5 du/ acre)
FLU Category: MU-6, Mixed Use 6, Area 1
Commissioner District: 5
Requested by: Hammond Engineering Inc., Agent for Arthur &
Florence Hays

Case No.: **Z-2006-44**
Location: 219 Cherokee Trail
Property Reference No.: 14-2S-30-8001-241-003(Northern
Portion zoned R-3)
Property Size: 0.49 (+/-) acres
From: R-2, Single-Family District (cumulative),
Low- Medium Density (7du/acre)
(Northern portion zoned R-3)
To: R-3, One-Family and Two-Family District,
(cumulative) Medium Density
R, Residential (10du/acre)
FLU Category: R, Residential (10du/acre)
Commissioner District: 2
Requested by: Thomas J Gilliam, Jr., Agent for EZ Does it,
LLC, A Florida LLC

Case No.: **Z-2006-45**
Location: 2950 Langley Avenue
Property Reference No.: 10-1S-29-6002-000-013

Property Size: 0.47 (+/-) acres
From: R-5, Urban Residential/Limited Office District (cumulative), High Density (20du/acre)
To: R-6, Neighborhood Commercial and Residential District (cumulative) (25du/Per acre), High Density
FLU Category: MU-1, Mixed Use 1
Commissioner District: 4
Requested by: Thomas J Gilliam, Jr., Agent for R. Pierre Brown Family Limited Partnership A Florida, LLC.

Case No.: **Z-2006-46**
Location: 13900 Innerarity Point Road
Property Reference No.: 14-3S-32-1000-050-002& 14-3S-32-1000-040-002
Property Size: 29.72 (+/-) acres
From: R-3, One-Family and Two-Family District, (cumulative) Medium Density(10du/acre)
To: R-4, Multiple-Family District, (cumulative), Medium High Density (18du/acre)
FLU Category: MU-3, Mixed Use 3
Commissioner District: 2
Requested by: Todd Harris, Agent for Redfish Harbor, LLC

- B. 5:46 p.m. – Thursday, July 20, 2006** -A public hearing to review and adopt 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, Articles 3 and 7, as amended; Article 3, adding Carports to definitions and Article 7, creating Carport Regulations.
- C. 5:47 p.m. – Thursday, July 20, 2006** – A transmittal public hearing (the second of two required public hearings) to review one (1) draft ordinances of Escambia County, Florida, amending Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended, per the following; and to approve transmittal of the ordinances to the Department of Community Affairs (DCA) as the third amendment package for the Year 2006 (Comprehensive Plan Amendment 2006-03):
- 1. CPA 2006-03:** Comprehensive Plan Amendment 2006-03, Capital Improvements Program (CIP) Annual Update.

**COUNTY ADMINISTRATOR'S REPORT
JUNE 1, 2006**

I. Technical/Public Service Consent Agenda

1. **Recommendation Concerning Scheduling a Public Hearing – Interlocal Agreement – Local Option Gas Tax – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board authorize a public hearing at 5:33 p.m., on June 15, 2006, for the adoption of the Interlocal Agreement for the distribution of the proceeds of the Local Option Gas Tax among Escambia County, the City of Pensacola and the Town of Century.

2. **Recommendation Concerning Scheduling a Public Hearing – Economic Development Ad Valorem Tax Exemption for American Water Services Company, Inc. – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board authorize the scheduling of the public hearing Thursday, June 15, 2006, at 5:33 p.m., to adopt an Ordinance establishing an Economic Development Ad Valorem Tax Exemption for American Water Services Company, Inc., for 100% of their expansion for ten years.

3. **Recommendation Concerning Extension of Lease Agreement – Leonard Street Chiller and the Central Energy Plant – 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 the period of May 28, 2006, to January 28, 2007. This lease extension is necessary to complete all work regarding the Leonard Street Chiller and the Central Energy Plant.

4. **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 16 requests as provided by various County Departments for the reasons stated on each.

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5. Recommendation Concerning Scheduling a Public Hearing – Vacation of Easements Located in the Mariners Oaks Subdivision – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board take the following action concerning scheduling a Public Hearing to consider the vacation, on the Board's own motion, of three drainage easements in the Mariners Oaks Subdivision:

- A. Schedule a public hearing for July 20, 2006, at 5:31 p.m., to consider the vacation of three drainage easements in the Mariners Oaks Subdivision (located on North Blue Angel Parkway, north of Muldoon Road); and
- B. Authorize the payment of incidental expenditures associated with this vacation. [Funding Source: Fund 175, Transportation Trust Fund; Acct. 211601/54901]
6. Recommendation Concerning Fowler Place Final Plat – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board take the following action concerning recording of the Final Plat of Fowler Place (a 14-lot, multi-family, residential subdivision), located in the Ensley Community, lying south of Nine Mile Road (U.S. Highway Alternate 90) and east of Fowler Avenue, owned and developed by Jamberee Enterprises, LLC. Prior to recording, the County Engineer, County Surveyor, Planning and Zoning 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 Land Development Code:

- A. Approve the Final Plat for recording; and
- B. Approve the street name, "Tumbleweed Trail".

(Roadway improvements, on-site stormwater management parcels and drainage improvements will remain "private", and no construction warranties are required.)

7. Recommendation Concerning Surplus and Donation of Equipment to the Escambia County School Board – John Hartman, Facilities Management Director

RECOMMENDATION: That the Board declare the Trane Chiller, Serial Number N98G05087, and the Marley Cooling Tower, Serial Number 89-2439B, surplus equipment and donate the two items to the Escambia County School District.

8. Recommendation Concerning Short Term License Agreement for Point of Distribution – Marilyn Wesley, Community Services Director

RECOMMENDATION: That the Board take the following action concerning the Short Term License Agreement for Point of Distribution (POD) sites utilizing private property for response and recovery after a disaster has impacted the area and after a State of Emergency has been declared by the Board of County Commissioners:

- A. Approve the Short-Term License Agreement for Point of Distribution sites; and
- B. Authorize the County Administrator, or his designee to execute the Agreement when needed.

9. Recommendation Concerning Urban and Community Forestry Grant Memorandum of Agreement Forestry Grant – Project “HERE for Trees” – Lamar Christenberry, Extension Service Director

RECOMMENDATION: That the Board take the following action concerning an Urban and Community Forestry Grant Memorandum of Agreement for Project “HERE (Hurricane Education and Recovery for Escambia) for Trees”:

- A. Approve entering into the Urban and Community Forestry Grant Memorandum of Agreement (FDACS Contract # 011131) with the State of Florida, Department of Agriculture and Consumer Services (FDACS), Division of Forestry, for Project “HERE for Trees” allowing for replacement of trees lost through Hurricane Ivan;
- B. Authorize the Chairman to sign the Memorandum of Agreement; and
- C. Authorize the County Administrator, or his designee, to sign any documents relating to the implementation of the Grant.

10. Recommendation Concerning Workforce Diversity Plan – Roderick Powell, Human Resources Director

RECOMMENDATION: That the Board take the following action concerning the Workforce Diversity Plan:

- A. Approve amending the Workforce Diversity Plan to include a Table of Contents and the Equal Employment Opportunity Plan, effective June 1, 2006, so that the Board of County Commissioners will be in compliance with federal, state, and local laws, regulations, and statutes; and
- B. Authorize the Chairman and County Administrator to sign the Equal Employment Opportunity Policy Statement.

11. Recommendation Concerning Paid Time Off Policy – Roderick Powell, Human Resources Director

RECOMMENDATION: That the Board take the following action concerning the Paid Time Off (PTO) Policy:

- A. Adopt a Resolution authorizing the County Administrator to grant Paid Time Off (PTO) leave to unclassified employees in-lieu of Annual Leave and Sick Leave;
- B. Authorize the Chairman to sign the Resolution; and
- C. Approve the BCC Paid Time Off (PTO) Policy.

12. Recommendation Concerning Addendum to BellSouth Metro Ethernet Service Agreement – Robert Jacobson, Information Resources Director

RECOMMENDATION: That the Board take the following action concerning the Metro Ethernet LAN Addendum Agreement from BellSouth Telecommunications, Inc., to allow the County to replace the Frame Relay service with newer advanced services with no termination liability:

- A. Approve the Addendum to the BellSouth Metro Ethernet Service Agreement with BellSouth Telecommunications, Inc., to provide for service of a County Fiber Optic Network or other advanced service to replace the service of the County Frame Relay Service as needed. This will allow us to increase the network bandwidth, improving network and application performance with no increase in approved funding; and
- B. Authorize the Chairman to sign the BellSouth Telecommunications, Inc. Metro Ethernet Service Addendum Agreement.

13. Recommendation Concerning Approval of Street Name Shoemo Estate Lane– Robert Jacobson, Information Resources Director

RECOMMENDATION: That the Board approve naming a private road that runs west off the 2000 block of Stacey Road, north of Coweta Road, “Shoemo Estate Lane”. Eighty-nine percent of the property owners signed the petition. This is in Commission District 5.

14. **Recommendation Concerning Modification #2 State of Florida, Department of Community Affairs Grant Contract – Janice Kilgore, CEM, Public Safety Director**

RECOMMENDATION: That the Board take the following action regarding the change in the scope of work for the Emergency Management Preparedness and Assistance (EMPA) Grant Contract #06CG-3A-01-27-01:

- A. Approve the State of Florida, Department of Community Affairs (DCA) Grant Contract Modification #2 that clarifies the scope of work to have the same Grant completion date of August 15, 2006, but identifies the actual project completion date of November 30, 2006, to build a storage facility to house and protect Public Safety mission critical equipment; and
- B. Authorize the Chairman to execute the DCA Grant contract.
15. **Recommendation Concerning FY 06/07 Disadvantaged Business Enterprise Goals for Escambia County Area Transit – Dawn Groters, ECAT General Manager**

RECOMMENDATION: That the Board schedule a public hearing for 5:32 p.m., on July 20, 2006, for the purpose of receiving comments from the general public concerning the FY 06/07 Disadvantaged Business Enterprise (DBE) goals for Escambia County Area Transit (ECAT) procurements receiving financial support from the Federal Transit Administration (FTA).

16. **Recommendation Concerning Reappointment to the Escambia County Housing Finance Authority – George Touart, County Administrator**

RECOMMENDATION: That the Board take the following action concerning a reappointment to the Escambia County Housing Finance Authority:

- A. Waive the Board's policy, Section I, Part B 1. (D), Appointment Policy and Procedures; and
- B. Reappoint James D. Cronley for an additional four-year term, effective August 1, 2006, through July 31, 2010, as requested by Mr. Gordan R. Jernigan, Executive Director.

II. Budget/Finance Consent Agenda

1. Recommendation Concerning Fiscal Year 2006-2007 Edward Byrne Memorial Justice Assistance Grant Program – Robin Wright, Senior Deputy Court Administrator

RECOMMENDATION: That the Board take the following action concerning the Fiscal Year 2006-2007 Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$90,691 for both projects:

A. Approve the following Subgrant Applications to be submitted for funding under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program administrated by the Florida Department of Law Enforcement:

1. ESCAMBIA COUNTY SHERIFF'S OFFICE

The Sheriff's Office is seeking funding for sworn officers in the Increased Law Enforcement Project in communities where high crime rates continue to be a problem.

Amount of Grant Request: \$40,691; and

2. JUVENILE MENTAL HEALTH SERVICES FACILITATOR

The Court Administrator's Office is seeking to continue a court-based mental health facilitation program to provide support and services to juvenile offenders and their families.

Amount of Grant Request: \$50,000; and

B. Authorize the Chairman, as the County's representative; to sign the Subgrant Applications, acceptance documents, Amendments and request for payment or other related documents as may be required.

2. Recommendation Concerning Supplemental Budget Amendment #255 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #255, Article V Fund (115), in the amount of \$100,000 and recognize and appropriate an increase over the budgeted amount, due to an increase in the collection of fees and fines associated with the "\$65 Court Cost Fine", for Fiscal Year 05/06. The additional funds will be split at 25% into four programs: Legal Aide (410801); Law Library (410701); Other Juvenile Programs (410504); and Local Options (410501).

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3. Recommendation Concerning Supplemental Budget Amendment #257 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #257, Other Grants & Projects (110), in the amount of \$55,285 to recognize funds from the State of Florida to promote poll worker training and to appropriate these funds for use by the Supervisor of Elections.

4. Recommendation Concerning Supplemental Budget Amendment #260 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #260, Economic Development & Industrial Fund (415), in the amount of \$160,986 to recognize the proceeds of land sales at Marcus Point Industrial Park and to appropriate these funds for a principal payment on an interfund loan for Central Commerce Park.

5. Recommendation Concerning Supplemental Budget Amendment #274 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #274, Other Grants and Projects Fund (110), in the amount of \$2,387 to recognize and appropriate funds from the State of Florida, Bureau of Emergency Medical Services.

6. Recommendation Concerning Supplemental Budget Amendment #275 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #275, Other Grants and Projects Fund (110), in the amount of \$360,660 to recognize and appropriate funds from the State Homeland Security Grant Program to train and equip a Regional Hazardous Materials and WMD Response Team.

7. Recommendation Concerning Supplemental Budget Amendment #276 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #276, Other Grants and Projects Fund (110), in the amount of \$80,000 to recognize funds from the Department of Community Affairs for equipping an Urban Search and Rescue Team and to recognize and appropriate these funds.

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8. Recommendation Concerning Supplemental Budget Amendment #277 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #277, Other Grants & Projects (Fund 110), in the amount of \$351,066 to recognize grant proceeds from the State of Florida and from the Florida Department of Education. These funds must be recognized and appropriated for the Summer Food Feeding Program in Escambia County.

9. Recommendation Concerning Supplemental Budget Amendment #280 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #280, Other Grants and Projects Fund (110), in the amount of \$31,500 to recognize and appropriate funds from the State of Florida, Department of Agriculture and Consumer Services for HERE (Hurricane Education and Recovery For Escambia) for Trees.

10. Recommendation Concerning Change Order for Professional Services as Governed by Florida Statute 287.055 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board approve and authorize the Chairman to execute the following Change Order for R. W. Beck and Associates for Hurricane Dennis debris monitoring:

Department:	Administrative Services	
Type:	Addition	
Amount:	\$687,500.00	
Vendor:	R. W. Beck and Associates	
Project Name:	Professional Services as Governed by Florida Statute 287.055	
Contract:	PD 02-03-79	
PO No.:	261013	
CO No.	1 Hurricane Dennis	
Original Award Amount:		\$ 3,500,000.00
Cumulative Amount of Change Orders through CO #1		<u>\$ 687,500.00</u>
New Contract Total:		\$ 4,187,500.00

[Funding: Fund 112, Category "A" Dennis Debris]

11. Recommendation Concerning Surplus and Sale of Real Property Located in River Gardens Subdivision – Jean A. Kassab, CGFM, Administrative Services Director

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

- A. **Rescind** the Resolution R2005-111 approved by the Board on July 7, 2005, authorizing the exchange of real property in the River Gardens Subdivision between the County and Barry D. Marchant, Sr., and Mara Lee Prendergast;
- B. **Declare surplus** a portion of its real property located near Baywater Drive in the River Garden Subdivision (Tax Reference Number 021S30015000011), previously acquired through warranty deed and offer this property to the adjacent property owners further described as follows:

A Portion Of Parcel "B", Block "A", River Gardens 1st Addition, Further Described As Follows: Commence At The Southeast Corner Of Lot 29, Block "A", River Gardens 1st Addition, As Recorded In Plat Book 13, At Page 17 Of The Public Records Of Escambia County, Florida; Thence Run North 30 Degrees 44 Minutes 20 Seconds West Along The East Line Of Said Subdivision A Distance Of 313.23 Feet To The Point Of Beginning; Thence Run South 59 Degrees 15 Minutes 34 Seconds West A Distance Of 40.00 Feet To The West Line Of Parcel "B" Of Said Plat; Thence Run North 30 Degrees 44 Minutes 20 Seconds West Along Said West Line A Distance Of 45.00 Feet To The North Line Of Lot 28 Of Said Block "A"; Thence Run North 30 Degrees 50 Minutes 50 Seconds East Along Said North Line A Distance Of 45.48 Feet To The Northwest Corner Of Said Lot 28; Thence Run South 30 Degrees 44 Minutes 20 Seconds East Along The East Line Of Said Subdivision A Distance Of 66.64 Feet To The Point Of Beginning, Containing 2233 Square Feet (0.05 Acres);

- C. **Authorize the sale** of this property to an adjacent property owner for not less than \$10,000 without further action of the Board;
- D. **Make a factual determination**, in accordance with Section 46-131, Escambia County Code of Ordinances, that:
 - 1. **The real property is of insufficient size and shape** to be issued a building permit for any type of development to be constructed on the property, and
 - 2. **The size, shape, location, and value of the property would make it of use to only one or more of the adjacent property owners;** and
- E. **Authorize the Chairman to sign all necessary documents to complete this transaction.**

12. Recommendation Concerning Surplus and Sale of Real Property Located at 1710 North Hayne Street – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning the surplus and sale of real property located at 1710 N. Hayne Street:

- A. Declare surplus its real property Account Number 133752000, Reference Number 00-0S-00-9020-006-102 acquired through a tax deed;
- B. Approve the conveyance, for the sum of \$3,560, to Youthbuild Pensacola, Inc., a not-for-profit corporation, for their affordable homeownership, construction skills development program (with all related costs to be paid from Fund 124/Cost Center 220406-Affordable Housing);
- C. Authorize the County Attorney's Office to prepare documents, including any property use restrictions, required to effect the sale and conveyance to Youthbuild Pensacola, Inc., without further action of the Board, and authorize the Chairman to sign all documents related to the sale; and
- D. Adopt a Resolution stating the application being made, purpose for which such property is to be used and the price.

13. Recommendation Concerning Surplus and Sale of Real Property Located at Heritage Oaks Commerce Park, Tract S Conservation and Stormwater Retention – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning the surplus and sale of real property located at Heritage Oaks Commerce Park, Tract S Conservation and Stormwater Retention:

- A. Declare surplus its real property Account Number 090247410, Reference Number 04-1S-31-1200-000-110 Heritage Oaks Commerce Park Tract S Conservation and Stormwater Retention, PB 17, page 60/60A OR 4711 P 1015. A legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting bids by sealed bids;
- B. Authorize the sale of this property to the highest offer above the minimum bid of \$1,000 received through a sealed bid in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and
- C. Authorize the Chairman to sign all documents related to the sale.

14. Recommendation Concerning Surplus and Sale of Real Property Located at 1322 Basin Street – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning the surplus and sale of real property located at 1322 Basin Street:

- A. Declare surplus its real property Account Number 030800000, Reference Number 23-1S-30-4401-000-016, acquired by tax deed. 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; and
- B. Authorize the sale of this property to the highest offer above the minimum bid of \$8,000 received from sealed bid, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and
- C. Authorize the Chairman to sign all documents related to the sale.

15. Recommendation Concerning Surplus and Sale of Real Property Located at 1301 Rainbow Avenue – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning the real property previously declared surplus by the Board on February 16, 2006, located at 1301 Rainbow Avenue:

- A. Approve the conveyance of the property for the sum of \$22,500 to Community Enterprise Investments, Inc., (CEII) for their low-income, affordable housing program;
- B. Authorize the deduction of \$12,980.77 from the purchase sum to satisfy two liens against the property – a real property tax lien of \$4,288.76 and the state unemployment tax lien of \$8,692.01;
- C. Adopt a Resolution stating the application being made, purpose for which said property is to be used, the purchase amount, and the satisfaction of the liens; and
- D. Authorize the Chairman to sign the Resolution and all documents relating to the sale without further action from the Board.

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16. Recommendation Concerning Change Order – Addison Drive Extension – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board approve the issuance of the following Change Order to Fabre Engineering, Inc., on Contract PD 02-03.79.8.2.ENG “Professional Engineering and Surveying Services for Addison Drive Extension”:

Department:	Engineering	
Type:	Addition	
Amount:	\$140,691.00	
Vendor:	Fabre Engineering, Inc.	
Project Name:	Addison Drive Extension	
Contract:	PD 02-03.79.8.2.ENG	
PO No.:	260830	
CO No. 1		
Original Award Amount:		\$ 18,985.00
Cumulative Amount of Change Orders through CO #1		<u>\$140,691.00</u>
New Contract Total:		\$159,676.00

[Funding Source: Fund 351, “Local Option Sales Tax Extension”, Account 210105/56301, Project No. 05EN0104]

17. Recommendation Concerning Modification #1 Grant Agreement, State of Florida, Department of Community Affairs – Kenneth W. Perkins, Fire Chief

RECOMMENDATION: That the Board take the following action relative to the Grant Agreement between the State of Florida, Department of Community Affairs and Escambia County to purchase decontamination equipment and vehicle for transport as part of the Fiscal Year 2004 State Homeland Security Grant Program:

- A. Accept Modification #1 to the Grant Agreement for \$80,000 to purchase decontamination equipment and vehicle for transport; and
- B. Authorize the County Administrator to sign Modification #1 to the Grant Agreement.

18. **Recommendation Concerning Certification of Sufficiency of the Bonds of County Officers – Roderick Powell, Human Resources Director**

RECOMMENDATION: That the Board certify the sufficiency of the bonds of the following County Officers as required by Florida Statutes, Chapter 137.05:

- A. The Honorable Janet Holley, Tax Collector, \$50,000, Fidelity and Deposit Company of Maryland, Bond Number POB8783271, effective January 4, 2005, to January 5, 2009;
- B. The Honorable Ernie Lee Magaha, Clerk of the Circuit and County Courts, \$50,000, Fidelity and Deposit Company of Maryland, Bond Number POB8526407, effective January 4, 2005, to January 5, 2009;
- C. The Honorable Ron McNesby, Sheriff, \$25,000, Fidelity and Deposit Company of Maryland, Bond Number POB8526402, effective January 4, 2005, to January 5, 2009;
- D. The Honorable Chris Jones Property Appraiser, \$25,000, Fidelity and Deposit Company of Maryland, Bond Number POB8526408, effective January 4, 2005, to January 5, 2009;
- E. The Honorable Mike Whitehead, Commissioner, \$2,000, Fidelity and Deposit Company of Maryland, Bond Number POB8783258, effective November 16, 2004, to November 18, 2008;
- F. The Honorable James W. "Bill" Dickson, Commissioner, \$2,000, Fidelity and Deposit Company of Maryland, Bond Number POB8526374, effective November 19, 2002, to November 20, 2006;
- G. The Honorable Marie Young, Commissioner, \$2,000, Fidelity and Deposit Company of Maryland, Bond Number POB8526340, effective November 16, 2004, to November 18, 2008;
- H. The Honorable Thomas G. Banjanin, Commissioner, \$2,000, Fidelity and Deposit Company of Maryland, Bond Number POB 8117136, effective November 19, 2002, to November 20, 2006; and
- I. The Honorable Kevin W. White, Commissioner, \$2,000, Fidelity and Deposit Company of Maryland, Bond Number POB8783260, effective November 16, 2004, to November 18, 2008.

19. Recommendation Concerning Change Order – General Paving and Drainage Pricing Agreement – Kevin Briski, Parks and Recreation Director

RECOMMENDATION: That the Board, on behalf of the Parks and Recreation Department, award a Change Order for Purchase Order 260437 against Contract PD 04-05.10, "General Paving and Drainage Pricing Agreement", to Panhandle Paving and Grading, for the construction of park improvements and parking at Doug Ford Park in the amount of \$9,148.03:

Department:	Parks and Recreation
Type:	Addition
Amount:	\$9,148.03
Vendor:	Panhandle Paving and Grading, Inc.
Project Name:	General Paving and Drainage Pricing Agreement
Contract:	PD 04-05.10
PO No.:	260437
CO No.:	2
Original Award Amount:	\$39,565.74
Cumulative Amount of Change Orders through this CO:	<u>\$51,076.79</u>
New Contract Total:	\$90,642.53

[Funding Source: Fund 351 – Local Option Sales Tax II, Cost Center, 350213; and Fund 110 – FRDAP Grant, Cost Center 350227]

20. Recommendation Concerning 9-1-1 Operation and Maintenance – Janice Kilgore, CEM, Public Safety Director

RECOMMENDATION: That the Board take the following action concerning the Fee for 9-1-1 Operation and Maintenance:

- A. Adopt the Resolution providing for a monthly fee for the operation and maintenance of Escambia County's Enhanced 9-1-1 System; and
- B. Establish the fee for Fiscal Year 2006/2007 at \$.50 per line per subscriber up to 25 lines, to be recognized in revenue account 363221.

21. Recommendation Concerning Change Order – Small Engine Parts – Pat Overton, Road Department Director

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

Department:	Escambia County Road Department	
Type:	Addition	
Amount:	\$20,000	
Vendor:	A-1 Small Engines (Steadham Enterprises)	
Project Name:	Small Engine Parts	
Contract:	PD 04-05.97	
PO#:	261069	
CO#:	1	
Original Award Amount:		\$40,000.00
Cumulative Amount of Change Order Through CO#1		<u>\$20,000.00</u>
New PO Total:		\$60,000.00

[Fund 175 -Transportation Trust Fund, Cost Center 260102, Object Code 54601]

22. Recommendation Concerning Commercial Façade, Landscape and Infrastructure Grant Program Funding Agreement and Lien Agreement – 3105 North T Street – Keith Wilkins, NESD Director

RECOMMENDATION: That the Board ratify the following action of the Community Redevelopment Agency (CRA) concerning a Commercial Façade, Landscape and Infrastructure Grant Program Funding Agreement and Lien Agreement at 3105 North T Street:

A. Approval of the Commercial Façade, Landscape and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Charles Truckenbrodt as Trustee for the Trust Agreement of Eleanor S. Matella, dated July 25, 1991, owner of commercial property located at 3105 North T Street, in the amount of \$6,212.50, representing an in-kind match through 2004 Community Development Block Grant (CDBG), Cost Center 220415, Object Code 58301, for the following improvements:

Paint the exterior of an existing building and install three exterior steel doors;

B. Approval of the Commercial Façade, Landscape and Infrastructure Grant Program Lien Agreement for the property located at 3105 North T Street, Pensacola, Florida in the amount of \$6,212.50; and

C. Authorization for the Chairman to sign the Funding Agreement and the Lien Agreement between Escambia County CRA and Charles Truckenbrodt as Trustee for the Trust Agreement of Eleanor S. Matella, dated July 25, 1991, and any other related documents necessary to implement this Grant award.

23. Recommendation Concerning Amendment #4 General Paving and Drainage Pricing Agreement – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board take the following action Amendment #4 General Paving and Drainage Pricing Agreement:

- A. Approve Amendment #4 for one previously-awarded contractor (Advance Construction Services, Inc.) relating to contract PD 04-05.10, "General Paving and Drainage Pricing Agreement", providing for the acceptance of amended prices in accordance with, "Section 15 Price Adjustment", and establishing an effective date of August 6, 2006, for Amendment #4; and
- B. Authorize the County Administrator to execute the Amendment.

24. Recommendation Concerning Bob Sikes Bridge NE Fender Repair – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board award an Indefinite Quantity, Indefinite Delivery Contract (Bid items 1,2 and 3) for PD 05-06.063, "Bob Sikes Bridge NE Fender Repair", to H. G. Harders & Son, Inc., to perform repairs to the Fender protection system surrounding the bridge support columns on the northeast side, in the amount of \$346,240. [Funding to be provided from the Bob Sikes Toll Operations and Maintenance Fund 167, Cost Center 140302, Object Code 54601]

25. Recommendation Concerning Security Monitoring System for ECAT Facility Located on West Fairfield Drive – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board award an Indefinite Quantity, Indefinite Delivery Contract PD 05-06.060, "Security Monitoring System", to Advanced Control Concepts, Inc., providing for installation of a digital security monitoring system at the Escambia County Area Transit facility located on West Fairfield Drive in the amount of \$62,085. [Funding to be provided from 2003 FTA Grant Funds, Cost Center 360523, Object Code 54607]

26. Recommendation Concerning Lake Charlene Outfall Rehab – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board award a Contract for the Lake Charlene Outfall Rehab, PD 05-06.054, to HIS Constructors, LLC, for the base bid amount of \$512,400. [Funds are available in Fund 351, "Local Option Sales Tax Extension", Cost Center 210105, and Object Code 56301, Project #06EN0742]

27. Recommendation Concerning A & E Services for Design of Copter Road Drainage Project – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board take the following action concerning design of Copter Road drainage improvements:

- A. Accept and approve the selection and ranking order as listed for the following three Engineering firms for solicitation PD 05-06.028, "A & E Services for Design of Copter Road Drainage Project";
 - 1. Hatch Mott MacDonald Florida, LLC;
 - 2. American Consulting Engineers of Florida, LLC; and
 - 3. Fabre Engineering and Surveying; and
- B. Award a Contract for PD 05-06.028, A & E Services for Design of Copter Road Drainage Project in the negotiated amount of \$61,129 to Hatch Mott MacDonald Florida, LLC, the number-one-ranked firm;
- C. Authorize the Engineering Department to issue a Task Order to Hatch Mott MacDonald to commence the design development for the negotiated amount; and
- D. Authorize the issuance of Purchase Order(s) in accordance with Chapter 46 of the Escambia County Code of Ordinances. [Funds available in Local Option Sales Tax Extension, Fund 351, Cost Center 210105 and Object Code 56301, Project Number 06EN0544]

28. Recommendation Concerning Purchase of Bucket Truck for Road Department – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board authorize the County to piggyback off of the GSA Contract GS-30F-1028G, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Applications; Exemption; and Section 46-64 Board Approval, and award a Purchase Order for one Altec #209 LRV60-E70 Aerial Device on a 2007 International 4300 SBA 4X2 Cab and Chassis from Altec Industries, Inc., in the amount of \$126,174, with funds available from Fund 175 (Transportation Trust Fund), Cost Center 260102.

29. Recommendation Concerning Ellyson Pond Rehabilitation Project – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board award a Lump Sum Contract, PD 05-06.053, Ellyson Pond Rehabilitation Project, to Roads, Inc., of Northwest Florida (NWF), in the amount of \$1,230,755. [Fund 351, Local Option Sales Tax II, Cost Center 210105, Project 06EN 0314]

30. Recommendation Concerning Purchase of Two Tanker Fire Trucks – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board take the following action concerning the purchase of Two Tanker Fire Trucks for Fire Services:

- A. Authorize the County to piggyback off of the Orange County Contract #Y5-1072-JS, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Applications; Exemption; and Section 46-64 Board Approval, and award a Purchase Order for one 2500-gallon, commercial chassis tanker on an International 7600, 2-door cab and chassis to Hall-Mark Fire Apparatus in the amount of \$250,208.63, for Walnut Hill Station, with funds available in Funds 351 (LOST II Fund), Cost Center 330210; and
- B. Authorize the County to piggyback off of the Orange County Term Contract #Y5-1072-JS, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Applications; Exemption; and Section 46-64, Board Approval, and award a Purchase Order for one 2500-gallon, commercial chassis tanker on an International 7600, 4-door cab and chassis, to Hall-Mark Fire Apparatus in the amount of \$298,321.99, for Ferry Pass Station, with funds available in Fund 351 (LOST II Fund), Cost Center 330210.

31. Recommendation Concerning Purchase of Trucks for Road Department – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board authorize the County to piggyback off of the Florida State Contract 070-700-05-1, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Applications; Exemption; and Section 46-64, Board Approval, and award a Purchase Order for four Ford F-750 Cab and Chassis, with each having a Heil body and an inmate transport modular unit, that is not on the State Contract, mounted on the cab and chassis from Orville Beckford Ford Mercury, in the amount of \$75,453 each, for a total amount of \$301,812, for the Road Department. [Fund 175 (Transportation Trust Fund), Cost Center 260102]

COUNTY ADMINISTRATOR'S REPORT

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III. For Discussion

1. **Letter Dated May 19, 2006, from J. D. Smith, Chairman, Escambia-Santa Rosa Regional Transportation Authority, Concerning Escambia County's Voting Membership in the Escambia-Santa Rosa Regional Transportation Authority – Chairman Mike Whitehead**

COUNTY ATTORNEY'S REPORT
June 1, 2006

I. Discussion Agenda:

1. Retention of Nabors Giblin & Nickerson Law Firm to Draft the State Mandated Proportionate Share Mitigation Ordinance.

RECOMMENDATION:

- A. That the Board authorize the County Attorney to retain the law firm of Nabors Giblin & Nickerson, contingent upon the issuance of the Notice to Proceed following the Engineering Department's development of methodology, to draft the state mandated proportionate share mitigation ordinance, which ordinance will meet the requirements of state law and fit within the framework of Escambia County's Comprehensive Plan and Land Development Code.
 - B. That the Board authorize payment of \$12,500.00 to Nabors Giblin & Nickerson for professional services, reimbursement for all actual costs incurred, including but not limited to, photocopies, long distance telephone services, overnight delivery services and two trips to Pensacola, at the Board's discretion, either to meet with staff or attend hearings before the Board of County Commissioners. If additional travel is required, such travel will be billed separately.
 - C. That the Board authorize the County Attorney to execute the attached letter of agreement .
2. Release of Right to Re-purchase: Ellyson Industrial Park.

RECOMMENDATION:

That the Board authorize the Chairman to execute the attached Release of Right to Re-purchase property in Ellyson Industrial Park owned by Belinda E. Puetz & Associates, Inc.

3. Settlement of Workers Compensation Lien: Stanley Pagonis.

RECOMMENDATION:

That the Board accept a settlement offer from former Sheriff's Department employee Stanley Pagonis that would pay Escambia County \$5,111.64 in settlement of a workers compensation lien.

4. Resolution Approving the Use of Exceed Proceeds to Construct a Public Beach Safety Facility on Santa Rosa Island.

RECOMMENDATION:

- A. That the Board approve the attached Resolution for the use of \$1,300,000 of the proceeds of the Tourist Development Refunding Revenue Bonds, Series 2002 for the construction of a public beach safety facility on Santa Rosa Island.
- B. That the Board authorize the Chairman to execute the Resolution.