

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 – March 6, 2008 – 5:30 p.m.
Governmental Complex – First Floor

1. Call to Order.

(PLEASE TURN YOUR CELL PHONE TO THE VIBRATE, SILENCE, OR OFF SETTING)

2. Invocation – Commissioner White.
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. Proclamations.

Recommendation: That the Board adopt the Proclamation commending and recognizing Quint Studer, founder of StuderGroup, a professional leadership development company that specializes in helping organizations attain organizational excellence, for providing his expertise and the vast services of StuderGroup to the Board of County Commissioners and, in turn, the citizens of Escambia County.

AGENDA – BOARD OF COUNTY COMMISSIONERS

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7. Employee of the Month Proclamations/Retirement Proclamations.

Recommendation: That the Board adopt the following two Proclamations:

- A. The Proclamation commending and congratulating Karen A. Franklin, Criminal Justice Program Manager, Department of Community Corrections, Check Diversion Division, on her retirement after 30 years of dedicated service; and
- B. The Proclamation commending and congratulating Victor S. Olsen, III, Equipment Operator II, Road Department, Roads and Bridges Division, on his retirement after nine years of dedicated service.

8. Written Communication.

- A. Communication from Pastor Kenneth W. Watts, Sr., Westside Church of God in Christ, requesting that the Board forgive the lien against property located at 2618 North Guillemard Street;
- B. February 8, 2008 – Communication from Matthew Dillon, on behalf of his mother, Ethel Dillon, requesting that the Board forgive the fines relative to a Code Enforcement Lien against property located at 503 Salem Drive; and
- C. February 25, 2008 – Communication from Mary E. McCoy regarding a *Final Notice Prior to Demolition* issued by the Office of Environmental Enforcement concerning a structure located at 161 Holsberry Lane.

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*.

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10. **5:31 p.m. Public Hearing for consideration of Rezoning Case 2008-1, requested by the Santa Rosa Island Authority.**

Recommendation: That the Board, at the 5:31 p.m. Public Hearing, take the following action concerning amending Part III of the Escambia County Code of Ordinances (1999), the Escambia County Land Development Code, as amended, providing for amendment to the 1988 Pensacola Beach Land Utilization Plan, pursuant to Section 13.16.00 of the Escambia County Code of Ordinances:

- A. Ratify the advertising of the Public Notices for the Public Hearing on March 6, 2008, at 5:31 p.m. and March 6, 2008, at 5:47 p.m., and
- B. Reschedule the Public Hearing for April 3, 2008, at 5:33 p.m., to consider Rezoning Case 2008-1:

Case Number:	2008-01
Parcel ID:	28-2S-26-0900-001-001 (a portion)
Location:	643 Pensacola Beach Boulevard
Property Size:	1.15 (+/-) acres
From:	PR-PB (Preservation – Pensacola Beach)
To:	CON/REC – PB (Conservation/Recreation-Pensacola Beach)
Commissioner District:	4
Requested By:	Santa Rosa Island Authority

11. **5:32 p.m. Public Hearing for consideration of adopting an Ordinance creating the Scenic Hills North 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 Scenic Hills North 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. **5:33 p.m. Public Hearing for consideration of adopting an Ordinance establishing an Economic Development Ad Valorem Tax Exemption for Wayne-Dalton Corporation, for 100% of their expansion, for 10 years.**

Recommendation: That the Board, at the 5:33 p.m. Public Hearing, adopt an Ordinance establishing an Economic Development Ad Valorem Tax Exemption for Wayne-Dalton Corporation, for 100% of their expansion, for 10 years.

13. **5:34 p.m. Public Hearing for consideration of adopting an Ordinance creating the Dunleith 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 Dunleith 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.

14. Committee of the Whole Recommendation(s).

Recommendation: The Committee of the Whole (C/W), at the February 12, 2008, C/W Workshop, recommends that the Board approve placing a freeze on all hiring at the administrative level until the County Administrator has presented, and the Board has adopted, the County's new Organizational Chart (*Add-on Item 2*).

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15. Reports:

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

16. Items added to the agenda.

17. Announcements.

18. 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
March 6, 2008

I. CONSENT AGENDA

1. Recommendation Concerning Acceptance of Reports

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

A. Payroll Expenditures as of Payday February 22, 2008, in the amount of \$2,314,902.35; and

B. The following two Disbursement of Funds:

(1) February 14, 2008, to February 20, 2008, in the amount of \$7,681,216.64; and

(2) February 21, 2008, to February 27, 2008, in the amount of \$1,559,407.41.

2. Recommendation Concerning CIAC Minutes

Recommendation: That the Board accept, for filing with the Board's Minutes, the Minutes of the Special Meeting of the County Investment Advisory Committee (CIAC) held November 30, 2007, and the Quarterly Meeting of the CIAC held January 25, 2008, as prepared by the Clerk to the Board's Office.

I. CONSENT AGENDA – Continued

3. Recommendation Concerning Acceptance of Documents

Recommendation: That the Board accept, for filing with the Board's Minutes, closing documents relating to the sale of two surplus properties, located on Dogwood Street and West Gregory Street, respectively, to Bruce W. Brown, pursuant to the Board's action of September 6, 2007, approving the surplus and sale of the properties, as provided to the Clerk to the Board's Office on February 25, 2008.

4. Recommendation Concerning Minutes and Reports

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

- A. Approve the Minutes of the Public Forum Work Session and Regular Board Meeting held February 21, 2008;
- B. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held February 21, 2008; and
- C. Accept, for filing with the Board's Minutes, the Report of the Committee of the Whole Workshop held February 12, 2008.

GROWTH MANAGEMENT REPORT

March 6, 2008

I. PUBLIC HEARINGS

1. Review of Rezoning Cases heard by the Rezoning Hearing Examiner on January 28, 2008.

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-2007-55 and Z-2008-01; 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-2007-55
Location:	12870 Lillian Hwy
Property Reference No.:	02-2S-32-1001-002-007
Property Size:	1.16(+/-) acres
From:	R-2, Single Family District, (cumulative) Low-Medium Density (7du/acre)
To:	R-4, Multiple-Family District, (cumulative) Medium-High Density (18du/acre)
FLU Category:	MU-3, Mixed Use 3
Commissioner District:	1
RHE Recommendation:	Denial
Requested by:	LaGay R. Fenters, Agent for PCP Investors, LLC., Owners
Speakers:	Dana Word Harold Puderer, Jr. Agent Sally Bussell-Fox Carol Letban Mr. Letban Barry Bonwhit Roberta Bonwhit John Ritenhour Mrs. Ferguson Rick Ferguson Barbara Watson Ruth McLeod Barbara Lynn Kara Oshana

Dorothy Oshana
Vincent Murphy
Laurel Erwin

Case No.:	Z-2008-01
Location:	3065 Godwin Lane
Property Reference No.:	39-1S-31-1202-000-001
Property Size:	1.19(+/-) acres
From:	R-2, Single Family District, (cumulative) Low-Medium Density (7du/acre)
To:	C-1, Retail Commercial District (cumulative) (25du/acre)
FLU Category:	MU-2, Mixed Use 2
Commissioner District:	1
RHE Recommendation:	Approval
Requested by:	Marshal and Janis Evans Lee, Owners
Speakers:	Dana Word Marshal Lee, Owner Henry Burnett Cindy Burnett Deborah Robertson

2. **5:45 p.m. – Thursday, March 6, 2008, Public Hearing** – Amendment to the Official Zoning Map

Recommendation: That the Board adopt an ordinance to amend the Official Zoning Map to include Rezoning cases Z-2007-55 and Z-2008-01; providing severability, inclusion in the code, and an effective date.

3. **5:46 p.m. – Thursday, March 6, 2008, Public Hearing** – Small Scale Amendment 2008-01

Recommendation: That the Board review and approve or deny an ordinance of Escambia County, Florida, amending Part II of the Escambia County Comprehensive Plan, as amended; amending Chapter 7, "Future Land Use Element," as authorized by Section 7.06; providing for a Small Scale Amendment (SSA 2008-01), to the Year 2020 Future Land Use Map, as amended, and as requested by, Wiley C. "Buddy" Page, Agent for John T. Janes. Owner changing the Future Land Use (FLU) of 0.69 (+/-) acres located at 3925 North P Street from Commercial, (C) to Mixed Use, (MU-1).

4. **5:47 p.m. – Thursday, March 6, 2008, Public Hearing – Santa Rosa Island Authority Rezoning Case 2008-01**

Recommendation: That the Board take the following actions:

- A. Ratify the scheduling to include the 5:47 p.m. public hearing on 3-06-2008; and
- B. Review and adopt or deny the Santa Rosa Island Authority's (SRIA) recommendation to rezone the following:

Case No:	2008-01
Parcel ID:	28-2S-26-0900-000-000 (a portion described as Exhibit A)
Location:	643 Pensacola Beach Boulevard
Property Size:	1.15 (+/-) acres
From:	PR-PB (Preservation – Pensacola Beach)
To:	CON/REC – PB (Conservation/Recreation- Pensacola Beach)
Commissioner District:	4
Requested By:	The Santa Rosa Island Authority

**COUNTY ADMINISTRATOR'S REPORT
MARCH 6, 2008**

I. Technical/Public Service Consent Agenda

1. **Recommendation Concerning Island and Fire Municipal Services Benefit Unit Adjustments for Properties on Pensacola Beach – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board review and record the Island and Fire Municipal Services Benefit Unit (MSBU) adjustments in the Board's Minutes. The report reflects Island and Fire MSBU adjustments for various properties on Pensacola Beach, in Escambia County for the 2007 tax year. These adjustments are necessary due to an error in picking up the appropriate number of dwellable residential units to be assessed the Island and Fire MSBU on the beach. This information reflects the corrections based on the issue dates of Certificates of Occupancy for the specified Pensacola Beach properties, provided by the County Building Inspections Department.

2. **Recommendation Concerning Santa Rosa Island and Fire Municipal Services Benefit Lien Adjustments – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board review and record the Santa Rosa Island and Fire Municipal Services Benefit Unit (MSBU) Lien adjustments in the Board's Minutes. The report reflects the Lien adjustments for the Island and Fire MSBU to date for the Fiscal Year 2007/2008. These Liens on file with the Clerk's Office were the result of Hurricane Ivan damage that occurred during the month of September, in Fiscal Year 2005/2006. This information reflects the corrections in the MSBU assessments for the specified properties.

3. **Recommendation Concerning Scheduling a Public Hearing for the Willow Tree Acres Street Lighting MSBU – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board authorize the scheduling of a public hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on March 20, 2008, at 5:31 p.m., to consider the adoption of an Ordinance creating the Willow Tree Acres Street Lighting MSBU.

COUNTY ADMINISTRATOR'S REPORT

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4. **Recommendation Concerning Scheduling a Public Hearing for Twin Pines II Street Lighting MSBU – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board authorize the scheduling of a public hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on March 20, 2008, at 5:32 p.m., to consider the adoption of an Ordinance creating the Twin Pines II Street Lighting MSBU.

5. **Recommendation Concerning Scheduling of a Public Hearing for Huntington Street Lighting MSBU – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board authorize the scheduling of a public hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on March 20, 2008, at 5:33 p.m., to consider the adoption of an Ordinance creating the Huntington Street Lighting MSBU.

6. **Recommendation Concerning Requests for 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 seven requests, as provided by various County Departments for the reasons stated on each, the value of which is estimated at under \$5,000 each.

7. **Recommendation Concerning an Interlocal Agreement for NPDES Permit Management Services – City of Pensacola – Keith Wilkins, NESD Director**

RECOMMENDATION: That the Board take the following action regarding an Interlocal Agreement between Escambia County and the City of Pensacola for National Pollutant Discharge Elimination System (NPDES) Permit Management Services:

- A. Approve the Interlocal Agreement; and
- B. Authorize the Chairman to sign the Interlocal Agreement and any subsequent Agreement-related documents including time extensions.

8. **Recommendation Concerning an Interlocal Agreement for NPDES Permit Management Services – Florida Department of Transportation – Keith Wilkins, NESD Director**

RECOMMENDATION: That the Board take the following action regarding an Interlocal Agreement between Escambia County and the Florida Department of Transportation for National Pollutant Discharge Elimination System (NPDES) Permit Management Services:

- A. Approve the Interlocal Agreement; and
 - B. Authorize the Chairman to sign the Interlocal Agreement and any subsequent Agreement-related documents including time extensions.
9. **Recommendation Concerning Mayfair/Oakcrest Subdivision Safe Neighborhood District – Keith Wilkins, NESD Director**

RECOMMENDATION: That the Board take the following action concerning support of Mayfair/Oakcrest Subdivision as a Safe Neighborhood District:

- A. Adopt the Resolution in support of Mayfair/Oakcrest Subdivision as a Safe Neighborhood District; and
 - B. Authorize the Chairman to sign the Resolution and any other Agreements necessary to accomplish goals of the Safe Neighborhood District Plan.
10. **Recommendation Concerning Termination of Subgrant Agreement – Janice Kilgore, CEM, Public Safety Director**

RECOMMENDATION: That the Board authorize the Chairman to execute the letter addressed to Mr. Craig Fugate, Florida Division of Emergency Management, regarding the unilateral termination of Subgrant Agreement #03-NF-00-00-00-802 and return of Emergency Deployable Interoperable Communications System equipment trailer and tow vehicle to the State of Florida.

11. Recommendation Concerning Supplemental Life Insurance Coverage for Dependent Families – Roderick Powell, Human Resources Director

RECOMMENDATION: That the Board take the following action concerning Escambia County's Contract with Reliastar Life Insurance Company (PD 03-04.46):

- A. Approve the Request for Amendment to the administrative Contract to include portability of Supplemental Life coverage for dependent families, effective from the date of the plan; and
- B. Authorize the County Administrator to sign the Request for Amendment

12. Recommendation Concerning Amendments to the Long Term Disability Insurance for the County – Roderick Powell, Human Resources Director

RECOMMENDATION: That the Board take the following action concerning Amendments #3 and #4 to the National Insurance Services Joinder Agreement for Long Term Disability Insurance for the County (PD 03-04.46):

- A. Approve Amendment #3 which adds verbiage relating to Termination of Employee's Insurance coverage along with replacing Section V – Termination Provision;
- B. Approve Amendment #4 which replaces Section II – Eligibility And Effective Dates, Section "C", Effective Date of Insurance – Employees, Subsection (3); and
- C. Authorize the County Administrator to sign the Amendments.

13. Recommendation Concerning Out-of-County Travel – Robert R. McLaughlin, County Administrator

RECOMMENDATION: That the Board approve the out-of-County travel for Robert R. McLaughlin, County Administrator, to attend the 2008 International City/County Management Association Regional Summit in Point Clear, Alabama, on March 13-14, 2008.

II. Budget/Finance Consent Agenda

1. Recommendation Concerning Supplemental Budget Amendment # 151 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #151, General Fund (001), in the amount of \$82,689, to recognize an award from Cox Communications and to appropriate these funds for the purchase of capital equipment for the new government access channel.

2. Recommendation Concerning Supplemental Budget Amendment #153 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #153, Economic Development Fund (102), in the amount of \$14,752, to recognize unspent proceeds from a prior year U.S. Department of Housing and Urban Development Fiscal Year 2001 Economic Development Initiative Special Project Grant, Agreement Number B01SPFL0135, and to appropriate these funds for development costs for infrastructure of Central Commerce Park.

3. Recommendation Concerning Budget Amendment #154 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board approve Budget Amendment #154, Transportation Trust Fund (175), in the amount of \$25,000, moving monies from the Inmate Commissary reserves to fund a student position for the Inmate Commissary Program.

4. Recommendation Concerning Budget Amendment #157 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board approve Budget Amendment #157, General Fund (001), in the amount of \$288,000, moving funds from Reserves for Operating and increasing the monthly draw for the Clerk of the Circuit Court.

5. Recommendation Concerning Cancelling Tax Certificates – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt and authorize the Chairman to sign a Resolution cancelling the following Tax Certificates: 2002-10007.001, in the amount of \$367.88; 2003-8439.001, in the amount of \$153.21.

6. **Recommendation Concerning Miscellaneous Appropriations Agreement for Pensacola Little Theatre – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board take the following action concerning approval of the Fiscal Year 2007/2008 Miscellaneous Appropriations Agreement for Pensacola Little Theatre, Inc.:

- A. Approve the Miscellaneous Appropriations Agreement for \$250,000 to be paid from LOST II, Fund 351, Cost Center 110224, Account No. 58201; Project No. 08AD0852;
- B. Authorize the Chairman to sign the Agreement and all other necessary documents; and
- C. Authorize the execution of the necessary Purchase Order.

7. **Recommendation Concerning Capital Improvement Revenue Bonds, Series 2002 – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board adopt a Resolution authorizing the Santa Rosa Island Authority (SRIA) to expend the remaining funds from the Capital Improvement Revenue Bonds, Series 2002, in the amount of approximately \$409,476.

8. **Recommendation Concerning Dialogic Emergency Telephone Notification System – Janice Kilgore, CEM, Public Safety Director**

RECOMMENDATION: That the Board take the following action concerning the Dialogic Emergency Telephone Notification System upgrades:

- A. Approve the two-part License and Support Agreement between Dialogic Communications Corporation and Escambia County in the amount of \$109,265, (Fund 110, Cost Center 330436); and
- B. Authorize the Chairman to execute the Agreement.

9. Recommendation Concerning Award of Contract for Cross and "T" Street Sidewalks – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board award a Unit Price, Indefinite Quantity, Indefinite Delivery Contract, PD 07-08.033 "Cross and "T" Street Sidewalks" to Pensacola Concrete Construction Company for all Bid items, in a total amount of \$101,552.40. [Funding to be provided from Fund 151, Community Redevelopment, Cost Center 220517, "CRA Palafox", Object Code 56301, in the amount of \$57,163.80, for Cross Street and Community Redevelopment, Cost Center 2205120, "CRA Englewood", Object Code 56301, in the amount of \$44,388.60, for "T" Street.]

10. Recommendation Concerning Purchase of a Replacement Trommel Screen for the Department of Solid Waste Management – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board authorize the County to piggyback off of the City of Columbus, Ohio, Department of Public Utilities Contract Number FL003431, in accordance with the Escambia County Code of Ordinance, Chapter 46, Article II, Section 46-44, Applications; Exemption; and Section 46-64 Board Approval, and award a Purchase Order to Causeway Equipment Inc., in the total amount of \$260,210, for the Department of Solid Waste Management. The trommel screen will be a replacement unit for property #51247. [Funding is available from Fund 401, Solid Waste Fund, Cost Center 230314.]

11. Recommendation Concerning an Interlocal Agreement Houston-Galveston Area Council – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board take the following action concerning an Interlocal Agreement with the Houston-Galveston Area Council:

- A. Approve an Interlocal Contract for Cooperative Purchasing with Houston-Galveston Area Council (H-GAC), for Escambia County to have the opportunity to piggyback off of their Contracts for various types of equipment and services. All procurements over \$50,000 will come to the Board for final approval;
- B. Authorize the Chairman of the Board of County Commissioners to sign the Interlocal Agreement; and
- C. Authorize the County Administrator to sign any Purchase Orders issued off the Contracts of H-GAC.

12. **Recommendation Concerning Award of Contract Derelict Vessel Removal – Claudia Simmons, Purchasing Department Chief**

RECOMMENDATION: That the Board award a Contract, PD 07-08.005, Derelict Vessel Removal, to Resolve Towing & Salvage, Inc., for known derelict vessels in the amount of \$85,400. [Fund 110, Other Grants & Projects, Florida Boating Improvement Program Grant]

13. **Recommendation Concerning Kupfrian Park Area Improvements – Claudia Simmons, Purchasing Department Chief**

RECOMMENDATION: That the Board take the following action concerning Kupfrian Park Area Improvements:

- A. Approve the Selection/Negotiation Committee Ranking for Avery Area Improvements (Kupfrian Park Area Improvements), PD 06-07.125:
 - 1. HDR Engineering, Inc.;
 - 2. Dyer, Riddle, Mills & Precourt, Inc. (DRMP); and
 - 3. Hatch Mott MacDonald; and

- B. Award a Task Order for Avery Area Improvements (Kupfrian Park Area Improvements), PD 06-07.125, to HDR Engineering, Inc., in the amount of \$147,663.85.

[Funding: Fund 351, LOST II, Cost Center 210105 Transportation & Drainage LOST II, Project #05EN2313]

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

RECOMMENDATION: That the Board take the following action:

- A. Award a Task-Order-based continuing Contract to Innovative Waste Consulting Services, LLC, and Hammond Engineering, Inc., per PD 02-03.79, Professional Services as Governed by Florida Statute 287.055 (A&E Services), on a “Maximum Ceiling” basis fee schedule as follows:

Maximum Overhead – 168%

Maximum Profit – 12%

Maximum FCCM – 1.50%

Maximum Multiplier – 301.66% (providing no single item above is exceeded)

Existing Hourly Rates for each firm (based on an audited or auditable financial package); and

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

15. **Recommendation Concerning Rhythm Drive and Melody Lane Improvements – Claudia Simmons, Purchasing Department Chief**

RECOMMENDATION: That the Board award a Unit Price, Indefinite Quantity, Indefinite Delivery Contract, PD 07-08.032, “Rhythm Drive and Melody Lane Roadway and Drainage Improvements”, to Starfish, Inc., of Alabama, in an amount of \$492,637.70. [All Funding to be provided in Fund 351, Local Option Sales Tax Extension, Cost Center 210105, Object Code 56301, Project Number 05EN1973]

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16. Recommendation Concerning Change Order for Nine Mile Road at Beulah Road Intersection – Larry Newsom, Transportation and Traffic Operations Manager

RECOMMENDATION: That the Board approve issuance of the following Change Order to Hatch Mott MacDonald, on Contract PD 02-03.79.13.17.ENG, "Professional Services Contract" for "Nine Mile Road (SR 10) at Beulah Road (CR 99) Intersection Improvement Project":

Department:	Transportation	
Type:	Addition	
Amount:	\$9,864.00	
Vendor:	Hatch Mott MacDonald	
Project Name:	Nine Mile Road at Beulah Road Intersection	
Contract:	PD 02-03.79.13.17.ENG	
PO No.:	280831	
CO No.	1	
Original Award Amount:		\$40,050.00
Change Orders Not Requiring Board Approval		\$9,921.00
Amount of Change Order #1		<u>\$9,864.00</u>
New Contract Total:		\$59,835.00

[Funding Source: Fund 102 "Bell Heritage Oaks", Account 360616/56301]

17. Recommendation Concerning Exchange/Transfer of Two Stormwater Retention Ponds – Joy D. Blackmon, P.E., Assistant Director, County Engineer

RECOMMENDATION: That the Board authorize Staff to enter into negotiations with the Florida Department of Transportation (FDOT) for the proposed exchange and transfer of two stormwater retention ponds. This includes, but is not limited to obtaining a title commitment, a Phase I Environmental Assessment, appraisals, surveys and conducting inspections as needed. The proposed exchange is for the County to acquire the FDOT pond at Talladega Trail and FDOT would acquire the County pond at Holsberry Place. [Funding Source: Fund 181, "Master Drainage Basin XII", Account 210730]

COUNTY ADMINISTRATOR'S REPORT

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18. **Recommendation Concerning a Task Order for the Ten Mile at Ashton Brosnaham Roadway and Drainage Improvements – Joy D. Blackmon, P.E., Assistant Director, County Engineer**

RECOMMENDATION: That the Board approve issuance of a Task Order, PD 02-03.79.23.3.ENG, on Contract PD 02-03.79, "Professional Services as Governed by Florida Statute 287.055", to Kenneth Horne & Associates, Inc., in the amount of \$83,026.72, for the Ten Mile at Ashton Brosnaham Roadway and Drainage Improvements. [Funding Source: Fund 351, Local Option Sale Tax II, Account 210105/56301, Project No. 05EN0915]

COUNTY ATTORNEY'S REPORT
March 6, 2008

I. CONSENT AGENDA:

1. **RFP: Legal Services/Foreclosure Attorney
P.D. 06-07.131**

RECOMMENDATION:

That the Board:

- A. Award a contract to Joyner & Jordan-Holmes, P.L.C. for professional legal services to foreclose certain County code enforcement and nuisance abatement liens; and
 - B. Authorize the Chairman to sign the contract.
2. **Carl R. and Sharon Gilbert v. Harry R. McNesby, Sheriff, Charlie Walker, Code Enforcement Supervisor, et al.; Case No. 3:08CV51/MCR/EMT**

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

RECOMMENDATION:

- A. That the Board approve the attached retainer agreement between Ginger Lynne Barry, Esq. with the law firm of Broad and Cassel and Sotirios Thagouras to defend Mr. Thagouras in his individual capacity in the above pending case.
- B. That the Board authorize the payment on a monthly basis of the attorney's fees charged by Ms. Barry in the sum of \$235.00 per our (Ms. Barry may have others in her firm assist her who will charge rates from \$300 per hour to \$175 per hour but she will be primarily responsible) plus the expenses as outlined in the retainer agreement to the extent that the fees and expenses are reasonably charged by Ms. Barry and her firm in defending Mr. Thagouras in the above cases.

3. **Workers' Compensation Settlement Amount Increase: Barbara Malone-Ordonia**

RECOMMENDATION:

That the Board authorize the payment of an additional \$2,232.00 as part of a washout workers compensation settlement that the Board approved during the January 24, 2008 meeting. A workers compensation excess coverage carrier shall reimburse Escambia County for the full amount of the increase.

4. **Pitney Bowes Postage Meter Lease / State of Florida Lease Contract #600-760-07-01**

RECOMMENDATION:

That the Board approve and authorize the Chairman to sign the attached Lease Contract on the above-referenced postage meter.

5. **Regional Public Safety Facility Interlocal Agreement**

RECOMMENDATION:

That the Board approve and ratify the Chairman's signature on the attached correct version of the Interlocal Agreement between Escambia County, Florida, the Escambia County Sheriff's Office, the District Board of Trustees of Pensacola Junior College and the Pensacola Junior College Foundation, Inc.

II. INFORMATION AGENDA:

1. **Rapid Management Company v. Board of County Commissioners, Escambia County, Florida; Case No. 2008-CA-000527**

RECOMMENDATION:

That the Board accept the information report concerning the case of *Rapid Management Company v. Board of County Commissioners*. This matter will be discussed at the Attorney-Client session scheduled for March 13, 2008 beginning at 8:00 a.m.