

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 – May 17, 2005 – 5:30 p.m.
Courthouse – Third Floor

1. Call to Order.
2. Invocation – Reverend J. B. Shoumaker, Pastor, Bellview Assembly of God Church.
3. Pledge of Allegiance to the Flag.
4. Are there any items to be added to the agenda?

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

5. Written Communication – None.
6. Did the Clerk's Office receive the proof of publication for the Board's Weekly Meeting Schedule?

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

7. Reports:

Committee of the Whole;
Clerk of the Circuit Court;
County Administrator; and
County Attorney.

8. Items added to the agenda.
9. Announcements.
10. 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**

CLERK OF THE CIRCUIT COURT'S REPORT
MAY 17, 2005

I. CONSENT AGENDA

1. Recommendation Concerning Finance Reports

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

- A. Payroll Expenditures as of Payday May 6, 2005, in the amount of \$1,300,746.83; and
- B. Disbursement of Funds from April 28, 2005, to May 4, 2005, in the amount of \$7,874,788.21.

2. Recommendation Concerning Investment Report

Recommendation: That the Board accept, for filing with the Board's Minutes, the Investment Report for the month ended April 30, 2005, as prepared by the Clerk's Finance Department.

3. Recommendation Concerning TDT Report

Recommendation: That the Board accept, for filing with the Board's Minutes, the Tourist Development Tax (TDT) Collections Report for the month of April 2005, reflecting the March 2005 returns, as prepared by the Clerk's Finance Department, Treasury/Payroll Division.

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 Attorney-Client Session held May 5, 2005;
- B. Approve the Minutes of the Public Forum Work Session and Regular Board Meeting held May 5, 2005; and
- C. Accept, for filing with the Board's Minutes, the Report of the Agenda Review Meeting held May 5, 2005.

I. CONSENT AGENDA – Continued

5. Recommendation Concerning Acceptance of Documents

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

- A. A copy of a letter dated March 16, 2004, and the attached Memorandum of Law, from County Attorney Lander to the Honorable Charlie Crist, Office of the Attorney General, requesting a formal legal opinion regarding the question of whether Section 286.011, Florida Statutes, the Florida Government in the Sunshine law, applies to the corporate governance meetings of a Volunteer Fire Department, as approved by the Board on April 15, 2004;
- B. The **recorded** copy of Resolution R2004-86, as recorded in Official Records Book 5599, Page 1108, on March 23, 2005, authorizing the sale of two transitional housing units to lower income families by Loaves and Fishes Soup Kitchen, Inc., as approved by the Board on May 20, 2004; and
- C. Copies of the Minutes of the following Meetings of the Santa Rosa Island Authority:
 - (1) The Meetings of the Administrative Committee, Architectural Environmental Committee and Development & Leasing Committee held March 9, 2005;
 - (2) The Regular Board Meeting and Special Board Meeting held April 6, 2005; and
 - (3) The Special Board Meeting held April 13, 2005.

**COUNTY ADMINISTRATOR'S REPORT
MAY 17, 2005**

I. Technical/Public Service Consent Agenda

1. Recommendation Concerning Resolution - Community Development Block Grant Program – Randy Wilkerson, NEFI Executive Director / Keith Wilkins, NESD Director

RECOMMENDATION: That the Board take the following action regarding the proposed elimination of the Federal Community Development Block Grant (CDBG) which is the source of annual funding for many local projects that primarily benefit lower income neighborhoods in the community:

- A. Adopt a Resolution strongly opposing the proposed elimination of the Federal Community Development Block Grant (CDBG) Program and recognizing the outstanding accomplishments of the CDBG Program nationwide and in the local community; and**
- B. Authorize the Chairman to execute the Resolution for distribution to all interested parties.**

2. Recommendation Concerning Resolution – Florida Boating Improvement Program Grant Application – Keith Wilkins, NESD Director

RECOMMENDATION: That the Board take the following action regarding a Florida Boating Improvement Program (FBIP) Grant Application to fund construction of a public boat ramp facility in Escambia County, Florida:

- A. Adopt a resolution authorizing the chief of Marine Resources Division as Project Manager to apply for and administer the grant and all local, state, and federal permits, that may be required to construct the public boat ramp facility, on behalf of Escambia County, and providing for an effective date;**
- B. Authorize the Chairman to sign the Resolution; and**
- C. Authorize Marine Resources Division to submit the Resolution with FBIP Grant Application.**

3. Recommendation Concerning Enterprise Zone Development Agency Board Vice Chair Appointment – Keith Wilkins, NESD Director

RECOMMENDATION: That the Board appoint Clifford Long Vice Chair of the Enterprise Zone Development Agency (EZDA) Board as recommended by the EZDA Board members at their April 22, 2005, meeting.

4. Recommendation Concerning Comp Plan Amendment -- Dwelling Unit Caps on Perdido Key – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board add the following component to the scheduling of the June 2, 2005, 5:49 p.m., Transmittal Public Hearing for Comprehensive Plan Amendment (CPA) 2005-02, that was approved by the Board at its meeting on May 5, 2005, as the fifth draft ordinance for review:

CPA 2005-02E: Text amendment, “Dwelling Unit Caps on Perdido Key.”

5. Recommendation Concerning Railroad Grade Crossing Maintenance – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board take the following action concerning the Supplemental Agreement Between CSX Transportation, Inc., and Escambia County, to begin a new billing period, resulting in one invoice for all crossings:

- A. Approve the Supplemental Agreement Between CSX Transportation, Inc., and Escambia County for the change in the billing due date for all grade crossing maintenance agreements currently in force; and
- B. Authorize the Chairman to sign the Agreement.

6. Recommendation Concerning Option for Acquisition of/Conveyance of Easement – Bell South Telecommunications – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board take the following action concerning the request from BellSouth Telecommunications, Inc., for an easement lying just north of 4393 Erress Boulevard and approximately 350 feet south of Massachusetts Avenue in Westernmark Subdivision:

- A. Grant BellSouth Telecommunications, Inc., an Option for Acquisition of Easement (or Servitude) across a 30' by 30' tract of land in Westernmark Subdivision to construct, operate, maintain and add/remove telecommunications equipment;
- B. Grant BellSouth Telecommunications, Inc., a 30' by 30' easement to construct, operate, maintain and add/remove telecommunications equipment; and
- C. Authorize the Chairman or Vice-Chairman to execute the Easement document and the Option for Acquisition of Easement (or Servitude) document.

7. **Recommendation Concerning Cooperative Agreement – School Board of Escambia County, Florida – Kevin Briski, CPRP, Parks and Recreation Director**

RECOMMENDATION: That the Board take the following action concerning the Cooperative Agreement between the School Board of Escambia County, Florida, and Escambia County Board of County Commissioners:

- A. Approve the Cooperative Agreement which will enable the Parks and Recreation Department to utilize School Board property and facilities for community use; and likewise, the School Board to use Parks and Recreation property and facilities, for an effective period from March 1, 2005, to February 29, 2008; and
- B. Authorize the Chairman's signature, which requires Board action.

8. **Recommendation Concerning Resource Conservation and Recycling Policy – R. Mark Triplett, P.E., DEE, Solid Waste Management Director**

RECOMMENDATION: That the Board approve the Escambia County Board of County Commissioners' Resource Conservation and Recycling Policy, effective July 1, 2005. This policy will standardize resource conservation processes within departments and agencies of the BCC.

9. **Recommendation Concerning Workforce Diversity Plan – Roderick Powell, SPHR, Human Resources Director**

RECOMMENDATION: That the Board rescind the following policies, replaced by the Workforce Diversity Plan which was approved on September 9, 2004, from the Board of County Commissioners' Policy Manual:

- A. Section I, Part E.1 Affirmative Action Program;
- B. Section II, C.8 Sexual Harassment;
- C. Section II, C.8(a) Affirmative Action/Equal Employment Opportunity Policy Statement;
- D. Section II, C.8(b) Nondiscrimination Policy Statement for the Disabled ;
- E. Section II, C.8(c) Affirmative Action Program for Disabled Veterans and Veterans of the Vietnam Era;
- F. Section II, C.8(d) Anti-Sexual Harassment Policy;
- G. Section II, C.8(e) Complaint Procedure – Sexual Harassment;
- H. Section II, C.8(f) Escambia County Policy on AIDS in the Workplace;
- I. Section II, C.8(g) Civil Rights Discrimination Complaint Procedure;
- J. Section II, C.8(h) ADA Complaint Procedure; and
- K. Section II, C.8(i) Veterans Discrimination Complaint Procedure

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10. Recommendation Concerning Scheduling a Public Hearing – Local Option Sales Tax Ordinance – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board authorize a public hearing at 5:31 p.m., on June 2, 2005, to consider an Ordinance authorizing a county-wide referendum to be held on November 1, 2005, for the voters to consider a ten-year extension to the Local Option Sales Tax for infrastructure.

11. 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 13 requests as provided by various County Departments for the reasons stated on each.

12. Recommendation Concerning District 1 Medical Examiner Agreement – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action regarding the Agreement between Escambia County and Dr. Andrea Minyard, District I Medical Examiner:

- A. Approve the Agreement between the County and Andrea Minyard, MD, District I Medical Examiner; and
- B. Authorize the Chairman to sign the Agreement for Medical Examiner Services.

13. Recommendation Concerning Change of Address – Medicaid – Janice Kilgore, CEM, Public Safety Director

RECOMMENDATION: That the Board take the following action concerning the Change of Address Request Form for Medicaid related to EMS Billing Division:

- A. Authorize the Chairman to sign the Change of Address Request Form as the authorized official for the Board of County Commissioners; and
- B. Approve the Chairman to sign a letter stating he is the appointed Chairman of the Board of County Commissioners.

14. **Recommendation Concerning Interlocal Agreement – Disposal of Municipal Solid Waste - City of Pensacola – R. Mark Triplett, P.E., DEE, Solid Waste Management Director**

RECOMMENDATION: That the Board take the following action concerning the Interlocal Agreement between the County of Escambia and the City of Pensacola for the disposing of the City's municipal solid waste at the County's Perdido Landfill:

- A. Approve the extension of the agreement for an additional three-year term;
- B. Authorize the County Administrator to sign the letter and transmit to the City; and
- C. Authorize the office of the County Attorney to prepare any amendments necessary and authorize the Chairman to execute the same.

II. **Budget/Finance Consent Agenda**

1. **Recommendation Concerning Bureau of Justice Grant Program 2005 – Derek Whidden, Grants Coordinator, Escambia County Sheriff's Office**

RECOMMENDATION: That the Board take the following action concerning the Edward Byrne Memorial Justice Assistance Grant (JAG) Program 2005:

- A. **Ratify** the electronic submission of a grant application entitled, Edward Byrne Memorial Justice Assistance Grant (JAG) Program 2005, made in the name of Escambia County, Florida;
- B. **Schedule a Public Hearing for June 2, 2005, at 5:36 p.m., for the purpose of receiving public input on the proposed use of grant funds;**
- C. **Authorize the Sheriff of Escambia County, Florida, to act as the Implementing Agency and designee for the Chairman of the BCC for the grant program to include the following:**
 - 1. **Review and approve the online grant application;**
 - 2. **Make the necessary Assurances and Certifications as to the expenditure of funds under the Program;**
 - 3. **Sign or validate online any other program requirements as may be required by the funding authority; and**
- D. **Authorize the Chairman of the Board of County Commissioners to sign or validate online any other program requirements as may be required by the funding authority relating to the Chief Executive of the County.**

2. Recommendation Concerning Residential Retrofit Hurricane Loss Mitigation Program Grant – Randy Wilkerson, NEFI Executive Director / Keith Wilkins, NESD Director

RECOMMENDATION: That the Board take the following action concerning award of the Residential Retrofit Hurricane Loss Mitigation Program Grant:

- A. Acknowledge, for the official record, the award of the Residential Retrofit Hurricane Loss Mitigation Program Grant (Revised Contract # 05RC-11-01-27-02-444) in the amount of \$200,000 by the Florida Department of Community Affairs (DCA), and ratify the Chairman's execution of the contract with DCA;
- B. Acknowledge, for the official record, the DCA revision changing the grant contract number from # 05RC-11-01-27-02-014 to # 05RC-11-01-27-02-444; and
- C. Authorize the Chairman or County Administrator, as appropriate, to execute all related documents as required to implement and complete project activities.
3. Recommendation Concerning Supplemental Budget Amendment #136 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #136, General Fund (001), in the amount of \$1,000 to recognize donations for the Sheriff's K-9 unit and appropriating these funds for use by the Sheriff.

4. Recommendation Concerning Supplemental Budget Amendment #139 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #139, Other Grants & Projects (110), in the amount of \$149,100 to recognize proceeds of a grant from the Environmental Protection Agency (EPA) and to appropriate these funds for stormwater outfall sampling.

5. Recommendation Concerning Supplemental Budget Amendment #143 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #143, in the amount of \$29,144 and to appropriate it into the FY2005 budget, Other Grants & Projects Fund (110), Cost Center (410552). This revenue has been awarded through an agreement with the Florida Department of Corrections and the Escambia County BCC.

6. Recommendation Concerning Supplemental Budget Amendment #146 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #146, Debt Service Fund (203) and Misdemeanor Probation Fund (114), in the amount of \$28,000 to increase the amount of debt service interest for the Work Release Facility.

7. Recommendation Concerning Supplemental Budget Amendment #147 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #147, in the amount of \$200,000 and to appropriate it into the FY2005 budget, Other Grants & Projects Fund (110), Cost Center (NEW). This revenue has been awarded through the Residential Construction Mitigation Program (RCMP). These funds will support hurricane retrofit activities in Escambia County.

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

RECOMMENDATION: That the Board approve Budget Amendment #151, in the amount of \$210,208 and to appropriate it into the FY2005 budget of the Property Appraiser, General Fund (001), Cost Center (510101). This funding has been approved by the State of Florida for the Escambia County Property Appraiser's Office for Hurricane Ivan related expenses.

9. Recommendation Concerning Surplus and Sale of Real Property - West Intendencia Street – Jean A. Kassab, CGFM, Administrative Services Director

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

- A. Declare surplus its real property located on West Intendencia Street (Tax Reference Number 00-0S-00-9080-180-087) and offer this property to the adjacent property owners and authorize the sale of this property to the highest offer received above the minimum bid of \$890 without further action of the Board; and
- B. Authorize the Chairman to sign any and all documents necessary to close the sale of these parcels.

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10. Recommendation Concerning Sale of Real Property – 400 Block of Lloyd Street – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning the sale of property located at 400 Block of Lloyd Street:

- A. Declare as surplus the property owned by Escambia County located at 400 Block of Lloyd Street previously acquired through a tax deed surplus property (tax parcel reference number 000S009020022039);
- B. Authorize the sale of this property to the highest offer received bid or from the on-line auction service in accordance with section 46.134 of the County Code of Ordinances above the minimum bid of \$2,670 without further action of the Board; and
- C. Authorize the Chairman to sign all documents related to the sale.

11. Recommendation Concerning Architectural Services for the Public Safety Building – Janice Kilgore, CEM, Public Safety Director

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

Department:	Public Safety	
Type:	Additive	
Amount:	\$34,326	
Vendor:	McCall & Associates, Inc., Vendor # 130219	
Project Name:	Architectural Services for Public Safety Building	
Contract:	PD 99-00.90	
PO#:	251093	
CO#:	4	
Original Award Amt:		\$687,605
Cumulative Amount of Change Orders thru CO# 4:		<u>\$243,787</u>
New Contract Total:		\$931,392

This will be charged to Fund 351, Cost Center 330326, Object Code 56201 and will not result in an increase to the overall budget allocation for the Public Safety Facility.

12. Recommendation Concerning Master Amendment to Certain Railroad Reimbursement Agreements – Annual Maintenance Railroad Grade Crossings – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board approve the Revised Exhibit A and Revised Exhibit B (Exhibits) of the “Master Amendment to Certain Railroad Reimbursement Agreements” (MA), approved by the Board on July 28, 1998, between Escambia County, Florida (County), Alabama & Gulf Coast Railway (A&GC), and the Florida Department of Transportation (FDOT), which increases the annual maintenance rates for 35 railroad grade crossings, effective October 1, 2005. Revised Exhibit A specifies the 35 railroad grade crossings, their class type, the current amount and new amounts, and Revised Exhibit B specifies the County’s responsibility of 50% for the annual maintenance cost for each class of the railroad grade crossings. The County’s total current annual amount is \$39,249.50 and the County’s new total annual amount is \$43,174.45. Approval of the Exhibits will result in a total annual increase of \$3,924.95 (10%). [Funding Source: Fund 175 “Transportation Trust Fund”, Account 211501/54601]

13. Recommendation Concerning Metro Ethernet LAN Agreement – Robert Jacobson, Information Resources Director

RECOMMENDATION: That the Board approve and authorize the Chairman to sign a Metro Ethernet Service Agreement with BellSouth Telecommunications, Inc., to provide for the provision and service of a County Fiber Optic Network for a period of 37 months at a cost of \$357,142.50. The funds are available in the current budget, General Fund (001), Cost Center 270103, Object Code 54101.

14. Recommendation Concerning M.C. Blanchard Judicial Center - Hurricane Repairs – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager

RECOMMENDATION: That the Board award a unit price contract per the terms and conditions of PD 04-05.40, M.C. Blanchard Judicial Center Hurricane Repairs and Build Out of Two Court Rooms (Re-Bid), to Whitesell-Green, Inc., based on the Base Bid and Alternate #3 for a total of \$3,180,039.35. [Funding Source: Category “E” Ivan, Building & Equipment, Fund 112, Cost Center 330465, Object Code 56201]

15. Recommendation Concerning Wildland Firefighting Jumpsuits – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager

RECOMMENDATION: That the Board extend the contract with Elite Fire Safety Equipment, Incorporated, for “Wildland Firefighting Jumpsuits,” PD 01-02.47, through December 6, 2005, with the same terms and conditions. Funds are available from Fund 143 (Fire Protection Fund), Cost Center 330202.

16. Recommendation Concerning Purchase of Vehicles for Road Department – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager

RECOMMENDATION: That the Board take the following action concerning the purchase of vehicles for the Road Department:

- A. Authorize the County to piggyback off of the Florida State Contract #070-001-05-1 in accordance with the Code of Ordinance, Chapter 46, Article II, Section 46-44, Applications; Exemptions; and Section 46-64 Board Approval and award a purchase order for one Ford F250 Crewcab truck from Orville Beckford Ford Mercury in the amount of \$27,821. Funds are available from Fund 351 (LOST II Fund), Cost Center 211607;
- B. Authorize the County to piggyback off of the Florida State Contract #070-001-05-1 in accordance with the Code of Ordinance, Chapter 46, Article II, Section 46-44, Applications; Exemptions; and Section 46-64 Board Approval and award a purchase order for three F250 trucks from Orville Beckford Ford Mercury in the amount of \$19,752 each for a total of \$59,256. Funds are available from Fund 351 (LOST II Fund), Cost Center 211607;
- C. Authorize the County to piggyback off of the Florida State Contract #070-001-05-1 in accordance with the Code of Ordinance, Chapter 46, Article II, Section 46-44, Applications; Exemptions; and Section 46-64 Board Approval and award a purchase order for one F250 Truck from Orville Beckford Ford Mercury in the amount of \$22,266. Funds are available in Fund 175 (Transportation Trust Fund), Cost Center 260102;
- D. Authorize the County to piggyback off of the Florida State Contract #070-001-05-1 in accordance with the Code of Ordinance, Chapter 46, Article II, Section 46-44, Applications; Exemptions; and Section 46-64 Board Approval and award a purchase order for one F250 4X4 Truck from Orville Beckford Ford Mercury in the amount of \$24,954. Funds are available in Fund 175 (Transportation Trust Fund), Cost Center 260102;
- E. Authorize the County to piggyback off of the Florida State Contract #070-001-05-1 in accordance with the Code of Ordinance, Chapter 46, Article II, Section 46-44, Applications; Exemptions; and Section 46-64 Board Approval and award a purchase order for two F150 4X4 Trucks from Orville Beckford Ford Mercury in the amount of \$22,626 each for a total of \$45,252. Funds are available in Fund 351 (LOST II Fund), Cost Center 211607;
- F. Authorize the County to piggyback off of the Florida State Contract #070-001-05-1 in accordance with the Code of Ordinance, Chapter 46, Article II, Section 46-44, Applications; Exemptions; and Section 46-64 Board Approval and award a purchase order for one F150 Truck from Orville Beckford Ford Mercury in the amount of \$20,606. Funds are available in Fund 351 (LOST II Fund), Cost Center 211607;

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- G. Authorize the County to piggyback off of the Florida State Contract #070-001-05-1 in accordance with the Code of Ordinance, Chapter 46, Article II, Section 46-44, Applications; Exemptions; and Section 46-64 Board Approval and award a purchase order for two F450 Trucks from Orville Beckford Ford Mercury in the amount of \$31,197 each for a total of \$62,394. Funds are available in Fund 351 (LOST II Fund), Cost Center 211607; and**

- H. Authorize the County to piggyback off of the Florida State Contract #070-001-05-1 in accordance with the Code of Ordinance, Chapter 46, Article II, Section 46-44, Applications; Exemptions; and Section 46-64 Board Approval and award a purchase order for two F750 Trucks from Orville Beckford Ford Mercury in the amount of \$73,778 each for a total of \$147,556. Funds are available in Fund 351 (LOST II Fund), Cost Center 211607.**

COUNTY ATTORNEY'S REPORT
May 17, 2005

I. Discussion Agenda:

1. Marcus Pointe Subdivision; Acceptance of Holding Ponds

RECOMMENDATION: That the Board take the following action concerning Marcus Pointe Subdivision; Acceptance of Holding Ponds:

- A. Authorize the acceptance, subject to legal sign-off, of deeds, easements, encroachment agreements, warranty agreements, and other documents that may be necessary to accept stormwater retention drainage ponds in Marcus Pointe Subdivision for County maintenance; and
- B. Authorize the Chairman to execute all documents associated with accepting title to the Ponds.

II. Information Agenda:

1. *Earnest Stanberry, Jr. v. Escambia County, Florida*
Case No. 98-1706-CA-01

RECOMMENDATION: That the Board accept the attached information concerning the Joint Stipulation for Dismissal with Prejudice and Order in the *Earnest Stanberry, Jr. v. Escambia County, Florida* case.