

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 – May 24, 2007 – 5:30 p.m.
Governmental Complex – First Floor

1. Call to Order.

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

2. Invocation – Pastor Brian Kinsey, First Pentecostal Church.
3. Pledge of Allegiance to the Flag.
4. Are there any items to be added to the agenda?

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

5. Commissioners' Forum.

6. Proclamations/Special Recognition.

A. Recommendation: That the Board take the following action concerning adoption/ratification of the following four Proclamations:

- (1) Adopt the Proclamation proclaiming the month of June 2007 as “National Safety Month” in Escambia County;
- (2) Ratify the Proclamation proclaiming Sunday, May 6, 2007, as “Martina McBride Day” in Escambia County;
- (3) Ratify the Proclamation proclaiming the week of May 19-25, 2007, as “National Safe Boating Week” in Escambia County; and
- (4) Ratify the Proclamation commending and congratulating Baptist Hospital as it celebrates the 30th Anniversary of the Baptist LifeFlight Program in Escambia County;

B. Recommendation: That the Board recognize, and present a certificate to, the Neighborhood and Environmental Services Department employees for their efforts in making Escambia County a better place to live; and

C. Recommendation: That the Board recognize, and present an “Adopt A Spot” sign to, the following for their efforts in making Escambia County a better place to live:

- Coastal Real Estate Group
- Escambia County Fire and Rescue Station 19
- Friends of Pensacola State Parks
- Holy Spirit Catholic Church Boy Scout Troop 692
- Jim Allen Elementary School
- Kiwanis of Big Lagoon
- Perdido Bay Youth Sports Association
- Perdido Key Area Chamber of Commerce
- Perdido Key Association
- Perdido Key Rotary International
- Sea Air Marine
- Waste Management

7. Employee of the Month Proclamations/Retirement Proclamations.

Recommendation: That the Board adopt the following three Proclamations:

- A. The Proclamation commending and congratulating Bradley E. Ensell, Emergency Medical Technician, Public Safety Department/Emergency Medical Services Division, on his retirement after 20 years of dedicated service;
- B. The Proclamation commending and congratulating Kenny R. Richards, Emergency Medical Technician, Public Safety Department/Emergency Medical Services Division, on his retirement after 25 years of dedicated service; and
- C. The Proclamation commending and congratulating Tim Tima-an, Division Manager, Engineering Department/Technical Services Division, on his retirement after 35 years of dedicated service.

8. Written Communication:

- A. May 8, 2007, communication from Wiley C. “Buddy” Page, MPA, APA, Professional Growth Management Services, LLC, regarding the sale of alcoholic beverages within 1,000 feet of an educational facility (Section 7.14 of the Escambia County Land Development Code);
- B. May 10, 2007, communication from William A. “Buck” Lee, General Manager, Santa Rosa Island Authority, requesting that the Board consider renaming a portion of County Road 399 “Allen R. Levin Way”; and
- C. May 14, 2007, email communication from Wayne R. Briske, Florida Market President, regarding the Unsafe Building Code Ordinance.

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

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

10. **5:31 p.m. Public Hearing for consideration of the Petition to Vacate a portion of North “I” Street and an alleyway in Block 93, First Addition to North Hill Highlands Subdivision, as petitioned by Harold B. Andrews and Catherine Andrews.**

Recommendation: That the Board, at the 5:31 p.m. Public Hearing, take the following action concerning the Petition to Vacate a portion of North “I” Street (60 feet by approximately 175 feet = 10,500 square feet, or 0.24 acre) and an alleyway (20 feet by 300 feet = 6,000 square feet, or 0.13 acre) in Block 93, First Addition to North Hill Highlands Subdivision, as petitioned by Harold B. Andrews and Catherine Andrews:

- A. Approve the Petition to Vacate;
 - B. Accept the Hold/Harmless Agreement;
 - C. Adopt the Resolution to Vacate; and
 - D. Authorize the Chairman or Vice Chairman to accept the documents as of the day of delivery of the documents to the Chairman or Vice Chairman, and authorize the Chairman or Vice Chairman to execute them at that time.
11. **5:32 p.m. Public Hearing for consideration of adopting an Ordinance amending the requirements for appointing a Board of Commissioners of the EZDA.**

Recommendation: That the Board, at the 5:32 p.m. Public Hearing, take the following action concerning an Ordinance amending the requirements for appointing a Board of Commissioners of the Enterprise Zone Development Agency (EZDA):

- A. Adopt an Ordinance amending Chapter 90, Article 1, Section 90-2, of the Escambia County Code of Ordinances; amending the requirements for appointing a Board of Commissioners of the Agency; providing for severability; providing for inclusion in the Code; and providing for an effective date; and
- B. Authorize the Chairman to sign and execute the Ordinance.

12. **5:33 p.m. Public Hearing for consideration of the vacation of a portion of a deeded right-of-way on Joaquin Road.**

Recommendation: That the Board, at the 5:33 p.m. Public Hearing, take the following action regarding the vacation of a portion of a deeded right-of-way (1,306 square feet, or approximately 0.03 acre) on Joaquin Road, on the Board's own motion:

- A. Approve the vacation of a portion of a deeded right-of-way (1,306 square feet, or approximately 0.03 acre) on Joaquin Road, on the Board's own motion;
- B. Adopt the Resolution to Vacate; and
- C. Authorize the Chairman or Vice Chairman to accept the documents as of the day of delivery of the documents to the Chairman or Vice Chairman, and authorize the Chairman or Vice Chairman to execute them at that time.

13. **5:34 p.m. Public Hearing for consideration of adopting an Ordinance amending Article 8, Signage, of the Escambia County Land Development Code.**

Recommendation: That the Board, at the 5:34 p.m. Public Hearing, adopt an Ordinance amending Part III of the Escambia County Code of Ordinances, the Land Development Code, as amended, amending Article 8, Signage (*for the purpose of addressing potential First Amendment pitfalls*).

14. 5:36 p.m. Public Hearing for consideration of Escambia County Fiscal Year 2007 Section 5307 Grant Application for \$2,424,860 in federal assistance for mass transit projects.

Recommendation: That the Board, at the 5:36 p.m. Public Hearing, take the following action concerning Fiscal Year 2007 Grant Application for Federal Transit Administration (FTA) Section 5307 funding for planning and capital assistance for mass transit projects for Escambia County Area Transit (ECAT):

- A. Ratify the scheduling and advertising of a Public Hearing for 5:36 p.m. on Thursday, May 24, 2007, for the purpose of receiving comments from the general public concerning the Escambia County Fiscal Year 2007 Section 5307 Grant Application for \$2,424,860 in federal assistance for mass transit projects;
- B. After receipt of comments at the Public Hearing, approve, or amend and approve, the Escambia County Fiscal Year 2007 Section 5307 Grant Application for \$2,424,860 in federal assistance for mass transit projects;
- C. Adopt the Resolution authorizing the Chairman or County Administrator to sign and file all appropriate documents for application and receipt of federal funds from the FTA; and
- D. Authorize ECAT's General Manager to file the Grant Application via the Federal Transportation Electronic Award and Management System using the authorized passwords for the Chairman and County Attorney, where necessary.

15. Reports:

Clerk of the Circuit Court & Comptroller;
County Administrator; and
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
May 24, 2007

I. CONSENT AGENDA

1. Recommendation Concerning Acceptance of Reports

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

A. The following two Payroll Expenditures:

- (1) As of Payday May 4, 2007, in the amount of \$2,340,552.26; and
- (2) As of Payday May 18, 2007, in the amount of \$2,301,932.40; and

B. The following four Disbursement of Funds:

- (1) April 19, 2007, to April 25, 2007, in the amount of \$3,512,666.92;
- (2) April 26, 2007, to May 2, 2007, in the amount of \$25,170,953.96;
- (3) May 3, 2007, to May 9, 2007, in the amount of \$3,370,533.21; and
- (4) May 10, 2007, to May 16, 2007, in the amount of \$4,759,296.72.

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, 2007, as prepared by the Clerk's Finance Department.

3. Recommendation Concerning TDT Report

Recommendation: That the Board accept, for filing with the Board's Minutes, the Tourist Development Tax (TDT) Collections Data for March 2007 returns received in the month of April 2007, as prepared by the Clerk's Finance Department.

I. CONSENT AGENDA – Continued

4. Recommendation: That the Board accept, for filing with the Board's Minutes, Budget Analyses for the second quarter of Fiscal Year 2006-2007, as follows:
 - A. Expenditure Budget Analysis (Budget to Actual) as of March 31, 2007;
 - B. Revenue Budget Analysis (Budget to Actual) as of March 31, 2007; and
 - C. Profit and Loss Statements from the following five Proprietary Funds:
 - (1) *Solid Waste Fund*
 - (2) *Inspection Fund*
 - (3) *Emergency Medical Service*
 - (4) *Civic Center Fund*
 - (5) *Internal Service Fund*

5. Recommendation: That the Board accept, for filing with the Board's Minutes, Monthly Revenue and Expenditure Reports for the period ended April 30, 2007, for the following four Funds:
 - A. *General Fund (001)*
 - B. *Code Enforcement (103)*
 - C. *LOST II (351)*
 - D. *LOST III (352)*

I. CONSENT AGENDA – Continued

6. Recommendation Concerning Acceptance of Documents

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

- A. The May 1, 2007, letter from Robyn M. Tice, Assistant City Clerk, submitting a certified copy of *Ordinance No. 15-07*, as adopted by the City of Pensacola on April 26, 2007, relative to annexation of the northwest quadrant of the Pensacola Regional Airport Property;
- B. The October 18, 2006, letter from Douglas L. Mannheimer, P.A., of Broad and Cassel, Attorneys at Law, presenting a proposal to George Touart relative to Escambia County's application for New Markets Tax Credits as approved by the Board on November 16, 2006; Mr. Touart signed acceptance of the proposal on November 21, 2006;
- C. The Hurricane Housing Recovery Program (HHRP) Agreement for New Housing Development with Structured Realty, Inc., based on the Board's action of December 8, 2005, approving to commit HHRP funds to finance performance-based incentives supporting construction of new workforce homes and complementing second mortgage assistance at levels required to ensure that homes are affordable to HHRP-eligible, low- and moderate-income homebuyers;
- D. Amendment #5 for one previously-awarded Contractor (Roads, Inc., of NWF) relating to Contract PD 04-05.10, "General Paving and Drainage Pricing Agreements," providing for the acceptance of amended prices, in accordance with "Section 15, Price Adjustment," and establishing an effective date of October 30, 2006, for Amendment #5; and
- E. The Pensacola Sports Association, Inc. Pensacola, Florida, Financial Statements as of and for the Year Ended September 30, 2006 with Independent Auditors' Report, received in the Clerk to the Board's Office on April 27, 2007.

I. CONSENT AGENDA – Continued

7. Recommendation Concerning Minutes/Reports

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

- A. Approve the Minutes of the Public Forum Work Session and Regular Board Meeting held May 1, 2007; and
- B. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held May 1, 2007.

**COUNTY ADMINISTRATOR'S REPORT
MAY 24, 2007**

I. Technical/Public Service Consent Agenda

1. **Recommendation Concerning a Record's Retention Policy – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board of County Commissioners approve the Records Retention Policy.

2. **Recommendation Concerning Disposition of Surplus Equipment – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board approve the Requests for Disposition of Surplus Equipment to be sold as surplus or appropriately disposed of, all of which are described on 17 requests as provided by various County Departments for the reasons stated on each, the value of which is estimated at under \$5,000 each, and 1 Reinstatement of Equipment.

3. **Recommendation Concerning Supplement to the Memorandum of Understanding with the City Gulf Breeze – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board approve the Supplement to the Memorandum of Understanding with the City of Gulf Breeze, dated December 21, 1993. The Supplement is needed as the original Agreement gave the County credit in the Santa Rosa Island Authority portion of the use of the tolls for the 1993A Bonds, which were refunded when the County issued the 2002 Island Improvement Bonds, and we are working on a refunding for 2007 of the same issue as soon as the savings are 3% or more.

4. **Recommendation Concerning Vintage Oaks Final Plat – Richard Duane, P.E., County Engineer**

RECOMMENDATION: That the Board take the following action concerning recording the Final Plat of Vintage Oaks (a 9-lot, private, single-family, residential subdivision), located in the Ensley Community, lying east of East Johnson Avenue and north of Olive Road (State Road 290), owned and developed by Vintage Oaks Development, Inc. 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 4.02.08., of the Escambia County Land Development Code. Roadway improvements, on-site stormwater management parcels and drainage improvements will remain “private”:

- A. Approve the Final Plat for recording; and
- B. Approve the street name “Vintage Oaks Circle”.

5. **Recommendation Concerning Appointments to the Enterprise Zone Development Agency Board – Keith Wilkins, NESD Director**

RECOMMENDATION: That the Board take the following action concerning the Enterprise Zone Development Agency Board:

- A. Appoint Ava Abney, Vice President, Quality and Patient Safety, Baptist Health Care, as Vice Chair effective immediately. She will automatically be promoted to Chair on September 18, 2008;
- B. Appoint Teresa Frye, Mortgage Loan Officer, SunTrust Mortgage, to a four-year term as a representative from a local finance entity; and
- C. Appoint Larry Strain, Executive Director and Instructor of Management and MIS, University of West Florida Small Business Development Center, to a four-year term as a representative to serve at-large.

6. Recommendation Concerning Deferred Retirement Option Program – Roderick Powell, Human Resources Director

RECOMMENDATION: That the Board adopt Section 5.13 “for inclusion in the Human Resources Policies and Procedures for Classified Employees” which explains the Disposition of Annual Leave upon entering and leaving the Deferred Retirement Option Program (DROP) as follows:

5.13. Disposition of Annual Leave Upon Entering the Deferred Retirement Option Program (DROP) – When an employee enters the DROP program he/she has the option of receiving a lump sum payment not to exceed the current value of 400 hours of annual leave. If an employee enters the DROP program, he/she shall continue to accrue annual leave. Upon separation of service, the employee shall receive a final payment in accordance with Section 5.8 of this policy. This final payment will be in addition to any lump sum payment received when the employee entered the DROP program and will not be credited to the employee's retirement pension.

7. Recommendation Concerning Transportation Enhancement Projects – Larry Newsom, Transportation & Traffic Operations Manager

RECOMMENDATION: That the Board take the following action concerning Transportation Enhancement Projects:

- A. Approve resubmittal of an Application for Transportation Enhancement Projects for paved shoulders along Gulf Beach Highway (CR 292A), between Bauer Road and Innerarity Point Road;
- B. Adopt a Resolution in support of an Application for transportation enhancement funding for paved shoulders along Gulf Beach Highway (CR 292A); and
- C. Authorize the Chairman to sign the Resolution.

8. Recommendation Concerning Reappointment to the Merit System Protection Board – George Touart, County Administrator

RECOMMENDATION: That the Board reappoint Dan Bates to the Merit System Protection Board effective October 1 , 2007, through September 30, 2009, as requested by Rod Powell, SPHR, Human Resources Director.

COUNTY ADMINISTRATOR'S REPORT

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9. Recommendation Concerning Appointment to the Tourist Development Council – George Touart, County Administrator

RECOMMENDATION: That the Board appoint Ms. Nan Harper to the Escambia County Tourist Development Council, effective May 24, 2007, through January 5, 2009, as an "Interested in Tourism" appointee, filling the unexpired term of Mr. Dan Savage who resigned.

10. Recommendation Concerning Appointments to the Workforce Escarosa, Inc, Board of Directors – Marilyn Wesley, Community Services Director

RECOMMENDATION: That the Board take the following action concerning appointments to the Workforce Escarosa, Inc., Board of Directors:

- A. Appoint Michelle Hynes, PHR, Human Resources Consultant, Gevity HR, Inc., to serve in a private sector position, for a three-year term beginning May 24, 2007, through May 23, 2010; and**
- B. Appoint Kendrick Doidge, Vice-President, Marketing and Public Relations, West Florida Healthcare, to serve in a private sector position, for a three-year term beginning May 24, 2007, through May 23, 2010.**

11. Recommendation Concerning Appointment the Marine Advisory Committee – George Touart, County Administrator

RECOMMENDATION: That the Board confirm Commissioner Kevin W. White's appointment of R. Matthew Clark, to the Marine Advisory Committee, effective February 5, 2007, replacing Joel Norman, who resigned. This appointment will run concurrent with Commissioner White's term of office or at his discretion.

II. Budget/Finance Consent Agenda

1. Recommendation Concerning Bulletproof Vest Partnership 2006-2007 Grant Program – Derek Whidden, Grants Coordinator, Escambia County Sheriff's Office

RECOMMENDATION: That the Board take the following action concerning to the Bulletproof Vest Partnership (BVP) 2006-2007 Grant Program administered by the Bureau of Justice Assistance (BJA):

- A. Ratify and approve the submission of a Grant Application entitled, Bulletproof Vest Partnership (BVP) 2006-2007 Grant;**
- B. Authorize the Sheriff of Escambia County, Florida, to act as the Implementing Agency and designee for the Chairman of the Board of County Commissioners for the Grant Program to include the following:**
 - 1. Ratify the approval and submission of the online Grant Application;**
 - 2. Make the necessary Assurances and Certifications as to the expenditure of funds under the Program; and**
 - 3. Sign or validate online any other Program requirements as may be required by the funding authority; and**
- C. Authorize the Chairman to execute all documents related to submission of this Grant, acceptance documents, Amendments, requests for payments and other related documents as required.**

2. **Recommendation Concerning Hurricane Housing Recovery Project Agreement with Arbours at Ensley, LTD – Randy Wilkerson, NEFI Executive Director / Keith Wilkins, NESD Director**

RECOMMENDATION: That the Board take the following action regarding the Escambia/Pensacola Hurricane Housing Recovery Program (HHRP) supported Financial Commitment and Agreement with Arbours at Ensley, LTD, for a 112-unit, rental development project (Arbours at Ensley) in accordance with provisions of the HHRP Program:

- A. Formally commit \$950,000 in HHRP funds to Arbours at Ensley, LTD, to financially support the cost of constructing a 112-unit, family housing, tax credit rental development, including 18 extremely low income set-aside units, known as Arbours at Ensley, located at 8810 Sonney Boy Lane in the County, as approved by the Florida Housing Finance Corporation (FHFC) (Fund 120/HHRP, Cost Center 220426); and
- B. Authorize the Chairman to execute the resulting Arbours at Ensley Rental Development Project Agreement and all related documents required to fully implement the Agreement and to complete all provisions thereof.

3. **Recommendation Concerning Hurricane Housing Recovery Project Agreement for Englewood Senior Limited Partnership – Randy Wilkerson, NEFI Executive Director / Keith Wilkins, NESD Director**

RECOMMENDATION: That the Board take the following action regarding the Escambia/Pensacola Hurricane Housing Recovery Program (HHRP) supported Financial Commitment and Agreement with Englewood Senior Limited Partnership for a 92-unit, rental development project (Englewood Senior Apartments) in accordance with provisions of the HHRP Program:

- A. Formally commit \$780,000 in HHRP funds to Englewood Senior Limited Partnership to financially support the cost of constructing a 92-unit, senior housing, tax credit rental development, including 14 extremely low income set-aside units, known as Englewood Senior Apartments, located at 1810 West Cervantes Street in the City of Pensacola, as approved by the Florida Housing Finance Corporation (FHFC) (Fund 120/HHRP, Cost Center 220426); and
- B. Authorize the Chairman to execute the resulting Englewood Senior Apartments Rental Development Project Agreement and all related documents required to fully implement the Agreement and to complete all provisions thereof.

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4. Recommendation Concerning Supplemental Budget Amendment #250 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #250, Drug Abuse Trust, Other Grants & Projects Fund (110), in the amount of \$10,500, to recognize the Fund Balance forward for Fiscal Year 2006/2007, and to appropriate these funds for Lakeview drug rehabilitation services.

5. 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, Local Law Enforcement Block Grant, Other Grants & Projects Fund (110), in the amount of \$4,041, to recognize additional funds awarded by the State of Florida Department of Law Enforcement for Fiscal Year 2006/2007, and to appropriate these funds for Adult Drug Court initiatives in Escambia County.

6. Recommendation Concerning Budget Amendment #263 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning adjustments to the Property Appraiser's Budget:

- A. Approve Budget Amendment #263, General Fund (001), in the amount of \$1,193,960, moving funds from Reserves for Operating to the Property Appraiser's draw, to fund the CAMA (appraisal) system (\$1,000,000), a salary adjustment implementation (\$189,135) and a State-mandated salary adjustment for the Property Appraiser (\$4,825); and
- B. Authorize the transfer of the \$1,000,000 immediately upon request of the Property Appraiser's Office.
7. 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, Civic Center Fund (409), in the amount of \$1,734,740, to increase the anticipated revenues of the Pensacola Civic Center and to appropriate these funds for the additional associated expenses.

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8. Recommendation Concerning Supplemental Budget Amendment #278 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #278, Other Grants and Projects Fund (110), in the amount of \$64,173, to recognize and appropriate revenues from the United States Department of Justice, Office of Justice Programs, Bulletproof Vest Partnership 2006-2007 Grant.

9. Recommendation Concerning Supplemental Budget Amendment #279 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #279, Other Grants & Projects (110), in the amount of \$500,000, to recognize the proceeds from the Northwest Florida Water Management District's Florida Forever Funding Agreement, and to appropriate these funds for the Jones Swamp Wetland and Floodplain Restoration Project.

10. Recommendation Concerning Surplus and Sale of Real Property Located at 256 Kenmore Road – 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 256 Kenmore Road:

- A. Declare surplus its real property Account Number 031727100, Reference Number 27-1S-30-3101-024-050, acquired by tax deed, less the South 20 feet of the parcel for additional right-of-way on Kenmore Road and the East 18 feet of the parcel for right-of-way on Vaughn Lane on its east side. 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;
- B. Authorize the sale of this property to the highest offer received from sealed bid above the minimum bid of \$12,180, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board;
- C. Authorize the County Attorney to take such necessary actions to evict the occupants of this County Property; and
- D. Authorize the Chairman to sign all documents related to the sale and eviction.

11. **Recommendation Concerning Surplus and Sale of Real Property Located at 3105 North "H" 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 3105 North "H" Street:

- A. Declare surplus a portion of its real property located at 3105 North "H" Street, Account Number 062439000, (Tax Reference Number 17-2S-30-5016-000-002), a storage shed. 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;
- B. Authorize the sale of this property to the highest offer received above the minimum bid of \$29,580, from sealed bid in accordance with Section 46.134 of the Escambia County Code of Ordinances; removal of the building from County property will be at the cost of the successful bidder and no further action of the Board will be needed; and
- C. Authorize the Chairman to sign all documents related to the sale.

12. **Recommendation Concerning Oracle Enterprise Resource Planning System and Solbourne Contract Termination – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board take the following action concerning Oracle Enterprise Resource Planning System (ERP) System and Solbourne Contract Termination:

- A. Approve Supplemental Budget Amendment #153, Capital Improvement Program (310) and the General Fund (001), in the amount of \$600,000, to transfer funds from the General Fund to pay certain costs associated with the implementation of the Oracle Enterprise Resource Program;
- B. Terminate for convenience the Contract to Solbourne Computer, Inc., for an Enterprise Resource Planning System, based on deliverables of \$1,911,200, PD 03-04.88, pursuant to Article 3, Section 3.2 of said Contract, giving the required 30-day notice to Solbourne per the Contract;
- C. Authorize the final payment to Solbourne Computer, Inc., of \$313,721.33 for the Project and an additional \$157,084 for cost attributable to the withdrawal of the Clerk for a total of \$470,805.33 completion; and
- D. Authorize the payment of travel and per diem of \$68,806.39 for Solbourne's cost incurred to maintain a continued presence on the Project site after the Clerk's Office withdrew from the Project.

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13. Recommendation Concerning Lease Agreement for Administrative Services/Property Management Division Warehouse and Office Space – Jean A. Kassab, CGFM, Administrative Services Director'

RECOMMENDATION: That the Board approve a Lease Agreement with Beck Properties for warehouse and small office space for the Administrative Services/Property Management Division located at 300-A West Leonard Street, effective June 1, 2007, to May 31, 2008, at a rate of \$5,687 per month for the first year. The Lease contains an option to renew for an additional year as stated in Section 2 of the Lease Agreement and an option for a rent adjustment of up to 3% in Section 3 of the lease Agreement. [Funds are available in 140401-54401]

14. Recommendation Concerning Purchase Order for "County Wide Road Resurfacing Pricing Agreement" – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board approve issuance of a Purchase Order to Roads, Inc., in the amount of \$65,552.63, on Contract PD 04-05.11 "County Wide Road Resurfacing Pricing Agreement", for the repair and resurfacing of the Florida Department of Law Enforcement (FDLE) parking lot, located on Leonard Street. [Funding Source: Fund 350, "Local Option Sales Tax", Account 410142]

15. Recommendation Concerning Purchase Order for Escambia County General Paving and Drainage Agreement for Shoal Creek Villas MSBU – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board approve issuance of a Purchase Order to Advance Construction, Inc., in the amount of \$130,430.72, on Contract PD. 04-05.10, "Escambia County General Paving and Drainage Agreement", for Shoal Creek Villas Municipal Services Benefit Unit (MSBU) Project. [Funding Source: Fund 177, "MSBU Assessment Program—Shoal Creek", Account 140916/56301]

16. **Recommendation Concerning Florida Forever Funding Agreement – Jones Swamp Wetland and Floodplain Restoration – Richard Duane, P.E., County Engineer**

RECOMMENDATION: That the Board take the following action regarding a \$500,000 Grant from the Northwest Florida Water Management District for the Jones Swamp Wetland and Floodplain Restoration Project:

- A. Approve the Florida Forever Funding Agreement between The Northwest Florida Water Management District and Escambia County for Jones Swamp Wetland and Floodplain Restoration, NFWFMD Contract Number 07-041, effective May 25, 2007; and
- B. Authorize the Chairman to sign the Florida Forever Funding Agreement and any subsequent Grant-related documents including no-cost extensions.

17. **Recommendation Concerning Sign Grant Program Funding Agreement – 314 South Navy Boulevard, Unit C – Keith Wilkins, NESD Director**

RECOMMENDATION: That the Board ratify the following action of the Escambia County Community Redevelopment Agency (CRA) concerning the Sign Grant Program Funding Agreement at 314 South Navy Boulevard, Unit C:

- A. Approving the Sign Grant Program Funding Agreement between Escambia County CRA and Carco Properties, Inc., owner of commercial property located at 314 South Navy Boulevard, Unit C (to be operated as commercial lease space), in the amount of \$1,929, representing an in-kind match through 2005 Community Development Block Grant (CDBG), Cost Center 220422, Object Code 58301 for the following improvements:

Install new signage on building; and
- B. Authorizing the CRA Chairman to sign the Funding Agreement between Escambia County CRA and Carco Properties, Inc., and any other related documents necessary to implement this Grant award.

18. **Recommendation Concerning Sign Grant Program Funding Agreement – 3520 Mobile Highway – Keith Wilkins, NESD Director**

RECOMMENDATION: That the Board ratify the following action of the Escambia County Community Redevelopment Agency (CRA) concerning the Sign Grant Program Funding Agreement at 3520 Mobile Highway:

A. Approving the Sign Grant Program Funding Agreement between Escambia County CRA and Paul D. Stinson, owner of commercial property located at 3520 Mobile Highway, Pensacola, Florida, in the Brownsville Redevelopment Area, in the amount of \$2,000, representing an in-kind match through 2004 Community Development Block Grant (CDBG), Fund 129 – Cost Center 220415, Object Code 58301 for the following improvements:

Install a new double-sided illuminated sign; and

B. Authorizing the CRA Chairman to sign the Funding Agreement between Escambia County CRA and Paul D. Stinson, and any other related documents necessary to implement this Grant Award.

19. **Recommendation Concerning Sponsorship – 11th Annual Florida Neighborhoods Conference in Sarasota, Florida – Keith Wilkins, NESD Director**

RECOMMENDATION: That the Board ratify the following action of the Escambia County Community Redevelopment Agency (CRA) concerning the Neighborhood & Environmental Services Department/Community Redevelopment Agency (NESD/CRA) sponsoring six neighborhood leaders from the County's designated redevelopment areas to attend the 11th Annual Florida Neighborhoods Conference in Sarasota, Florida, on June 14-16, 2007, (sponsorship will serve an essential public purpose). Total cost not-to-exceed \$4,800 will be funded from Neighborhood Restoration Program (NRP), Cost Center 220521, Fund 683, Object Codes 54001 and 55401.

20. **Recommendation Concerning Façade Grant Funding and Lien Agreements – 4811 North Palafox Street – Keith Wilkins, NESD Director**

RECOMMENDATION: That the Board ratify the following action of the Escambia County Community Redevelopment Agency (CRA) concerning Facade Grant Funding and Lien Agreements at 4811 North Palafox Street:

- A. **Approving Commercial Façade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Clutch Products, Inc., owner of commercial property located at 4811 North Palafox Street, Pensacola, Florida, in the Palafox Redevelopment Area, in the amount of \$10,000, representing an in-kind match through 2005 Community Development Block Grant (CDBG), Fund 129 - Cost Center 220422, Object Code 58301, for the following improvements:**

Parking lot improvements to new building;

- B. **Approving Commercial Façade, Landscape and Infrastructure Grant Program Lien Agreement for the property located at 4811 N. Palafox Street, in the amount of \$10,000; and**
- C. **Authorizing the CRA Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Clutch Products, Inc., and any other related documents necessary to implement this Grant award.**

21. **Recommendation Concerning Lakewood Cottages Workforce Housing Development Agreement – Keith Wilkins, NESD Director**

RECOMMENDATION: That the Board take the following action regarding the Workforce Housing Development Agreement with Lakewood Investment Partners, LLC, for the purpose of promoting reinvestment in the Barrancas Community Redevelopment Area and to promote the production of affordable workforce housing for first-time homebuyers:

- A. Approve the Lakewood Cottages Workforce Housing Development Agreement with Lakewood Investment Partners, LLC, to formally commit a maximum of \$256,410 in Escambia County and/or Community Redevelopment Agency (CRA) indirect financial incentives to stimulate the development of the 90-unit Lakewood Cottages Subdivision on approximately 11 acres lying within the Barrancas Community Redevelopment Area, including the set-aside of at least 9 of the parcels and the accompanying homes for entry level workforce housing for families meeting eligibility requirements for the State Housing Initiatives Partnership (SHIP) homebuyer program. [Funding sources: Fund 350/LOST, Fund 683/CRA, Fund 120/SHIP, and/or Fund 129/Community Development Block Grant (CDBG)]; and
- B. Authorize the Chairman or Vice Chairman to execute the resulting Lakewood Cottages Workforce Housing Development Agreement and all related documents required to fully implement the Agreement and to complete all provisions thereof.

22. **Recommendation Concerning Façade Grant Funding and Lien Agreements – 3520 Mobile Highway – Keith Wilkins, NESD Director**

RECOMMENDATION: That the Board ratify the following action of the Escambia County Community Redevelopment Agency (CRA) concerning Facade Grant Funding and Lien Agreements at 3520 Mobile Highway:

- A. Approving Commercial Façade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Paul D. Stinson, owner of commercial property located at 3520 Mobile Highway, Pensacola, Florida, in the Brownsville Redevelopment Area, in the amount of \$10,000, representing an in-kind match through 2004 Community Development Block Grant (CDBG), Fund 129 - Cost Center 220415, Object Code 58301 for the following improvements:

Fabricate and install a new historical canopy on front of building;

- B. Approving Commercial Façade, Landscape and Infrastructure Grant Program Lien Agreement for the property located at 3520 Mobile Highway, in the amount of \$10,000; and
- C. Authorizing the CRA Chairman to sign the Funding and Lien Agreements between Escambia County CRA and Paul D. Stinson, and any other related documents necessary to implement this Grant award.

23. **Recommendation Concerning Purchase of Ambulances for Public Safety – Janice Kilgore, CEM, Public Safety Director**

RECOMMENDATION: That the Board take the following action concerning the purchase of ambulances for Public Safety:

- A. Approve a Purchase Order to Horton Emergency Vehicles in an amount not-to-exceed \$580,000, for the purchase of ambulances, in accordance with terms and conditions of Contract PD 05-06.048, "Purchase of Ambulances", approved by the Board of County Commissioners June 15, 2006, with funding available from Fund 351 (Local Option Sales Tax), Cost Center 330314, Project Number 05PS0038; and
- B. Authorize the County Administrator to sign the Purchase Order.

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24. **Recommendation Concerning Satisfaction of Nuisance Abatement Lien Located on Lillian Highway – Charlie Walker, Environmental Enforcement Manager**

RECOMMENDATION: That the Board accept the sum of \$3,273 in satisfaction of the Nuisance Abatement Lien recorded in Official Record Book 4850 at page 76 of the public records of Escambia County for property located at Lillian Highway.

25. **Recommendation Concerning Historical Resources Grants-in-Aid Application – John Hartman, Facilities Management Director**

(BACKUP TO BE DISTRIBUTED SEPARATE COVER)

26. **Recommendation Concerning Roof Replacement and Mitigation, Pensacola Civic Center/Rebid – Claudia Simmons, Purchasing Department Chief**

RECOMMENDATION: That the Board award a Construction Contract, PD 06-07.028, Roof Replacement and Mitigation, Pensacola Civic Center/Rebid, to Bel-Mac Roofing, Inc., in the amount of \$1,615,635, to include Base Bid and Alternates 1, 2 and 4. [Funding: Fund 112, Disaster Recovery; Cost Center 330465, Category E, Hurricane Ivan Building and Equipment, FEMA-1551-DR]

27. **Recommendation Concerning Escambia County Sector Plan – Claudia Simmons, Purchasing Department Chief**

RECOMMENDATION: That the Board approve a Contract per PD 06-07.043, Escambia County Sector Plan, to MSCW, Inc., in the amount of \$526,010. [Funding: Fund 001 General Fund, Cost Center 240206 (this will be a 60/40 split, with the 40% provided by a private sector group)]

28. **Recommendation Concerning Perdido Landfill – Landfill Engineering Services – Claudia Simmons, Purchasing Department Chief**

RECOMMENDATION: That the Board take the following action concerning PD 05-06.041, Perdido Landfill – Landfill Engineering Services:

- A. Award a Task-Order-based continuing Contract to Sigma Consulting Group, Inc., on a “Maximum Ceiling” basis fee schedule as follows:
- Maximum Overhead – 168%
 - Maximum Profit – 12%
 - Maximum FCCM – 1.50%
 - Maximum Multiplier – 301.66% (providing no single item above is exceeded)
 - Existing Hourly Rates for each firm (based on an audited or auditable financial package); and
- B. Authorize the department(s) in conjunction with the Office of Purchasing to negotiate Task Orders according to Florida Statute 287.055. “Consultants’ Competitive Negotiation Act” (A&E Services), on a project-by-project basis.

29. **Recommendation Concerning Purchase of Tractor With Diamond Boom Mower Assembly for the Road Department – Claudia Simmons, Purchasing Department Chief**

RECOMMENDATION: That the Board authorize the County to piggyback off of the Orange County School’s Contract 02-03-11VH, 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 two John Deere 6415 Tractors, with Diamond Boom Mower Assembly (boom mower is not on Contract) from John Deere Company for the Road Department, in the total amount of \$140,514.48, with funds available from Fund 175 (Transportation Trust Fund), Cost Center 260102.

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

RECOMMENDATION: That the Board take the following action concerning Architect and Engineering Services:

- A. Award a Task-Order-based continuing Contract to Wolf Riddle & Associates and Sigma Consulting Group, 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 Florida Statute 287.055, “Consultants’ Competitive Negotiation Act” (A&E Services), on a project-by-project basis.

31. **Recommendation Concerning “Tree Trimming and Removal” – Claudia Simmons, Purchasing Department Chief**

RECOMMENDATION: That the Board award a three-year Contract for “Tree Trimming and Removal”, PD 06-07.046, in accordance with the terms and conditions of the solicitation, for an estimated annual amount of \$50,000, with funding available from various Funds and Cost Centers, to the following:

AAA Advanced Tree Experts
Trees Plus
Core Services, LLC
Roads Inc., of NWF
Natco, Inc.
Frady Tree Service, Inc.
Pro Tree Services & Demolition, LLC
Asplundh Environmental Services, Inc.

32. Recommendation Concerning Purchase of Vehicles for the Road Department – Claudia Simmons, Purchasing Department Chief

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 Sheriff's Association Contract 06-14-0821, 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 to Orville Beckford Ford Mercury for three 2007 Ford F150 extended-cab pickup trucks, 4X2, in the total amount of \$68,940, with funds available from Fund 175 (Transportation Trust Fund), Cost Center 260102;**
- B. Authorize the County to piggyback off of the Florida Sheriff's Association Contract 06-14-0821, 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 to Orville Beckford Ford Mercury for one 2007 Ford Explorer, 4X4, in the amount of \$24,455, with funds available from Fund 175 (Transportation Trust Fund), Cost Center 260102;**
- C. Authorize the County to piggyback off of the Florida Sheriff's Association Contract 06-14-0821, 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 to Orville Beckford Ford Mercury for one 2008 Ford F350 Crew Cab Chassis, 4X2, with service body, in the amount of \$42,297, with funds available from Fund 175 (Transportation Trust Fund), Cost Center 260102;**
- D. Authorize the County to piggyback off of the State of Florida Contract 070-001-07-1, 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 to Orville Beckford Ford Mercury for two 2008 Ford F450 Crew Cab Chassis, 4X2, with dump body, in the total amount of \$105,174, with funds available from Fund 175 (Transportation Trust Fund), Cost Center 260102;**
- E. Authorize the County to piggyback off of the State of Florida Contract 070-001-07-1, 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 to Orville Beckford Ford Mercury for one 2008 Ford F450 Chassis, 4X2, with Knapheid gooseneck with platform, in the amount of \$45,081, with funds available from Fund 175 (Transportation Trust Fund), Cost Center 260102;**

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- F. Authorize the County to piggyback off of the State of Florida Contract 070-001-07-1, 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 to Orville Beckford Ford Mercury for two 2008 Ford F550 Chassis, 4X2, with dump body, in the total amount of \$95,492, with funds available from Fund 175 (Transportation Trust Fund), Cost Center 260102;
 - G. Authorize the County to piggyback off of the Florida Sheriff's Association Contract 06-14-0821 , 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 to Orville Beckford Ford Mercury for three 2008 Ford F750 XL Cab and Chassis, with dump body, in the total amount of \$271,380, with funds available from Fund 175 (Transportation Trust Fund), Cost Center 260102; and
 - H. Authorize the County Administrator to sign the Purchase Orders.
33. Recommendation Concerning Paving of Chalker Road – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board take the following action concerning the paving of Chalker Road:

- A. Authorize Staff to pay any and all fees associated with acquisition and recording of any right-of-way which is obtained;
- B. Authorize the County Engineer to transfer \$115,000 from Highway 97 Widening Project to Chalker Dirt Road Paving; and
- C. Authorize the County Engineer to initiate construction after sufficient right-of-way has been obtained.

[Funding is available from Fund 351, Local Option Sales Tax Extension, specifically Highway 97 Widening Project.]

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34. Recommendation Concerning a Change Order for Duke Avenue Drainage – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board approve issuance of the following Change Order to Advance Construction Services, Inc., on Contract PD 04-05.61, "Duke Avenue Drainage Improvements":

Department:	Engineering	
Type:	Addition	
Amount:	\$90,974.00	
Vendor:	Advance Construction Services, Inc.	
Project Name:	Duke Avenue Drainage	
Contract:	PD 04-05.61	
PO No.:	271124	
CO No.	1	
Original Award Amount:		\$619,613.70
Amount of Previous Change Order		\$308,274.34
Amount of Change Order No. 1		<u>\$90,974.00</u>
New Contract Total:		\$1,018,862.04

[Funding Source: Fund 351 "Local Option Sales Tax Extension", Account 210105/56301]

35. Recommendation Concerning Capital Improvement Project on State Road 296 (Michigan Avenue) – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board take the following action concerning a Capital Improvement Project provided in association with a Florida Department of Transportation (FDOT) improvement project on State Road 296 (Michigan Avenue):

- A. Authorize the County Engineer to remove an existing driveway along Sun Valley Drive, and construct a new driveway approximately 100 feet north of State Road 296 (Michigan Avenue);
- B. Authorize the County Engineer to construct improvements on private property; and
- C. Authorize the County Engineer to expend up to \$70,000 on the proposed improvement from LOST II funds.

III. For Discussion

1. Recommendation Concerning Florida Department of Protection Grant for Debris Removal in Escambia County Water Bodies – Keith Wilkins, NESD Director

RECOMMENDATION: That the Board take the following action concerning a grant for debris removal in Escambia County water bodies:

- A. Accept, a grant from the Florida Department of Environmental Protection (FDEP) to remove debris placed into water bodies by Hurricane Ivan; and
- B. Authorize the Chairman to sign all documents related to the grant.

(BACKUP TO BE DISTRIBUTED UNDER SEPARATE COVER)

COUNTY ATTORNEY'S REPORT
May 24, 2007

I. **CONSENT AGENDA:**

1. **Amendment to Chapter 30, Article V, Section 30-123 Providing for Elimination of Authorization for Formation of Future Enhanced Neighborhood Protection Zones**

RECOMMENDATION:

That the Board schedule a public hearing for Thursday, June 7, 2007 at 5:32 p.m. to consider adoption of an ordinance amending Chapter 30, Article V, Section 30-123 providing for the elimination of authorization for formation of future Enhanced Neighborhood Protection Zones (ENPZ)

2. **Settlement of Workers' Compensation Attorney's Fee: Susan Ward**

RECOMMENDATION:

That the Board approve a payment to Donovan Whibbs, Esq., for a statutory attorney's fee in the amount of \$20,000.00 and reimbursement of costs in the amount of \$3,500.00 for securing the award of permanent total disability workers' compensation benefits to former Santa Rosa Island Authority employee Susan Ward.